

BACK TO BARRACKS: BUILDING DEMOCRACY AFTER THE MILITARY COUP IN SUDAN

Amgad Fareid Eltayeb

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SUMMARY

- The 2019 fall of dictator Omar al-Bashir created hope that Sudan would begin a transition to democracy.
- However, Sudanese elites failed to seize this historic opportunity to move towards a genuine democratic transition in Sudan. That failure helped bring about in a military coup in 2021.
- Violence, repression, and unrest are widespread – and splits in the military government threaten to spill over into civil war. Sudan also risks being drawn into regional conflicts such as in Ethiopia and the Sahel.
- The international community and European states have failed to find a viable political pathway to end the coup. To do so, they need to grasp that both military and civilian elites are responsible for failing to open up politics to the people of Sudan.
- The EU and member states should support pro-democracy actors in Sudan and press for a new political pathway, while encouraging a comprehensive peace process.
- Sudanese domestic players must act too. The military needs to commit to serious security sector reform. Meanwhile, both military and civilian political actors should ensure that the military's foreign relations do not differ from the official foreign relations policy of Sudan.

Introduction

In 2019, widespread protests led to the overthrow of Sudanese dictator Omar al-Bashir and to a transitional period designed to bring about a new, democratic settlement for the country. But, on 25 October 2021, Sudan's military – backed by some of its civilian allies – overthrew the interim structures and effectively ended that journey to democracy.

For nearly a year now, Sudan's transition has been stuck. The country's military leadership is showing no real signs of relinquishing power any time soon, while its civilians are divided over their vision for a solution. Meanwhile, the international community has misinterpreted the nature of the situation, thereby failing to put forward practical, viable, and sustainable initiatives that would help end the coup.

Underlying this is the failure of Sudan's political class to understand and adapt to the changes brought about by the 2019 revolution. That momentous event opened the door to direct participation in politics, which since Sudan's independence in 1956 had been limited to the country's political class – comprising the military, political parties, and the business community. Sudanese elites preserved their influence after the 2019 revolution through a civilian-military power-sharing deal. The business community actively participated in concluding this deal, which distributed power among the military and the political parties. At the time, the agreement received reasonable public support. But then the political class then began to revive the old-style politics of manipulation, squandering a historic opportunity to reform the political system into a genuinely democratic framework of governance.

Each class sought to grab the largest share of power instead of looking for ways to organically represent the people at large, who continued to mobilise in a protest movement across the country. This failure undermined the collective legitimacy of the transitional government, creating further distance from the protest movement – whose members increasingly viewed the government as not representing their interests. These dynamics weakened the civilian part of the government. And the military, having assembled alliances such as with rebel leaders who had previously fought against the Bashir regime and brought some of these into government, took advantage of the chaotic situation to rebuild its political influence. It slowly retreated from the commitments of the 2019 deal, and in October 2021 led the coup that gave it sole power.

The situation is now becoming alarming. Popular resistance to the coup and its leaders is widespread; Sudan's economy is in trouble; and splits within the military government could widen into civil war. Mass demonstrations continue, and the authorities to date have killed some 120 peaceful protesters. The return to government of cadres from the Bashir regime

threatens to undo the achievements of the revolution, and to place the country back under Islamist control.

The transition has caused neighbouring states to try to bring about a government to their liking, especially the broad alliance of the United Arab Emirates, Saudi Arabia, and Egypt. These countries dislike the Islamist presence in the coup government but view the military as their least-worst option, and certainly preferable to a democratic transition. Russia, for its part, has been working to restore the influence over the Sudanese military it lost when its friend Bashir fell – encouraging the military’s power-grabbing tendencies and contributing to the coup. Indeed, the Kremlin has always preferred Sudan to have an authoritarian government that can make deals without civilian oversight or transparency. Russia also depends on its influence in Sudan to support its growing presence in the Sahel, and it bases this in an alliance with some of the parties to the coup – mainly the Rapid Support Forces (RSF, which is the Janjaweed militia rebranded). Without moving towards a new democratic arrangement that enjoys popular legitimacy, violence will continue inside the country. And Sudan sits in a region fraught with conflict: for example, war is currently raging just over Sudan’s border in Ethiopia and Khartoum has faced accusations of stoking the conflict. This threatens to drag Sudan into wider regional and international conflicts.

Against this backdrop, the international community in the form of the UN, the African Union, and Western powers has been found wanting. They have failed to adopt a united position that would oblige Sudan’s military and its slice of civilian supporters to end the coup. Yet, the international community’s engagement with the military and other players such as members of the Bashir government bestows on them a legitimacy that is both undeserved and odds with the view on the street, where protesters continue to demand that Sudan returns to its democratic transition.

Despite a multiplicity of initiatives, the involvement of the international community has led to little change within Sudan. Key funders such as the European Union and its member states have failed to find common objectives with the AU, which is seeking to play a central role in the resolution of the crisis. This disunity has helped the coup government to manipulate the political process and consolidate its power. The international community has it within its gift to assemble a more united front. They should make clear to the military – and to all of the political class, including the civilian leaders who concluded the 2019 agreement and the rebel leaders signed up to the Juba Peace Agreement (JPA) of 2020 – that they need to allow a new political process to unfold and bring in the protest movement to move to a fully-fledged democracy in Sudan.

The events

Following the 2019 revolution, civilian actors were at first represented in the evolving political arrangements mainly by the Forces of Freedom and Change (FFC). This was a broad alliance formed on the eve of revolution by almost all political parties and armed movements opposed to the rule of Bashir and his National Congress Party (NCP). The military in Sudan had long been loyal to the dictator but, under widespread pressure in the country, part of its leadership sided with the camp for change as a means to achieve institutional survival. After Bashir's ousting, the military set up a Military Council to negotiate with civilians. And, in August 2019, the parties concluded the power-sharing agreement and adopted a constitution for the transitional period. The Military Council was dissolved and replaced with a Sovereignty Council, which served as a collective head of state and comprised five military personnel and six civilians. The FFC chose the civilian members of the Sovereignty Council, naming economist Abdalla Hamdok as prime minister.

However, in protest at their lack of representation in the FFC-military negotiations, the rebel movements of the Sudanese Revolutionary Front (SRF) – a coalition made up mainly of armed movements in parts of Sudan – demanded a process of peace talks separate to the negotiations that led to the political agreement and the transitional constitutional document. The rebels in Darfur, Blue Nile, the Nuba Mountains, and South Kordufan had been fighting the Bashir regime due to the underdevelopment of their regions, as well as the marginalisation and racial discrimination that had worsened under the ousted regime. These talks concluded with the JPA of October 2020. The Sudanese Communist Party withdrew from the FFC in November 2020. In September 2021, another group – mainly JPA signatories – also withdrew from the FFC under the pretext of being excluded from decision-making and formed a new, pro-military alliance: the National Accord Forces coalition (FFC2). The FFC2 is the main civilian group that supports the coup.

Coup leader General Abdelfattah al-Burhan was named chair of the Sovereignty Council. But he was supposed to hold this role for only the first two-thirds of the transitional period, with the position transferring to a civilian representative in the last third preceding the scheduled election. The approach of this agreed transfer date triggered the military's coup on 25 October 2021. The military was likely motivated to retain the chair to avoid accountability for crimes committed during Bashir's rule and after his fall, such as the dispersal of a sit-in by the Army General Command in June 2019. The chair of the Sovereignty Council serves as commander-in-chief of the army. The council also has unchecked control over the military's vast economic resources. The FFC2 not only supported the coup but assisted the military in paving the way

and planning for it.

In October 2021, the military placed Hamdok under house arrest. Hamdok then made a deal with the military on 21 November 2021, which saw him return as prime minister of the transitional government and the military release detained civilian political leaders – with an assurance that the 2019 arrangements would remain the basis for moving towards democracy. The military assumed that might be enough to calm the street. However, pro-democracy political forces rejected the 21 November deal, leading to widespread protest. But, despite this seemingly principled refusal, the FFC1 was conducting secret negotiations with the coup camp through Abdel Rahim Dagalo (the brother and second in command of RSF leader Mohammed ‘Hemedti’ Hamdan Daglo) to reverse the coup. These turned out to be sham talks that amounted to nothing. Hamdok resigned in January 2022, and the military rearrested the civilian leaders the following month – only to free them again in April. This inability to stick to one particular course was by that time becoming the *modus operandi* of the military leadership.

In July, Burhan dismissed most of the civilian members of the Sovereignty Council, who he had unilaterally appointed after the coup, declaring his intention to establish a “Supreme Council of the Armed Forces” that would be responsible for security and defence in addition to other tasks to be determined later. He also pledged the military would disengage from politics. Neither decision was grounded in any legitimate power under the constitution, and the military remains in power.

The Juba Peace Agreement (JPA)

In August 2020, the transitional Sudanese government signed the JPA with the Sudan Revolutionary Front. The SRF had been in existence for nearly a decade, and had formed in opposition to Bashir to fight for greater political and economic power for people in Sudan’s peripheral regions. In negotiating the JPA, the leadership of the SRF brought in small, regionally based civilian groups. However, these groups were only weakly representative of people in the regions. The agreement was structured through five separate tracks for Darfur, Blue Nile, and South Kordofan (two regions recently experiencing significant armed conflict), as well as central, north, and east tracks – which were widely considered mere political bribes. These tracks granted administrative and political privileges to the signatories, but operated entirely outside the democratic transformation process that was supposed to take place in the country. The JPA was designed as totally separate from the path of the democratic transition and focused on regional gains that later became political gains for the leaders of the signatory bodies.

A number of JPA signatories later formed FFC2 and backed the coup to protect the privileges they had obtained through the peace agreement. Such figures include the finance minister, Jibril Ibrahim, who leads the Justice and Equality Movement, a group active in Darfur; and the governor of Darfur, Minni Minawi, who leads the Sudan Liberation Movement. The FFC2 also includes representatives of JPA tracks such as the eastern, central, and northern Track, as well as the Tamazuj Movement. The latter is widely believed to be a creation of military intelligence and the remnants of popular defence forces inherited from the deposed NCP regime. Such civilian (including some rebel groups) support for the military considerably complicates the process of restoring the path to democratic transition in Sudan.

The public increasingly views the JPA as a tool for creating a new set of elite rulers who govern from Khartoum without addressing local grievances and problems in Sudan's peripheral regions. Its signatories have been unable to tackle the return of violence to Darfur – which erupted several times between local tribes in the region backed by forces in Khartoum – and the agreement's ceasefire committee failed miserably to have any impact on the intercommunal violence. This is mostly because the JPA did not address the root causes of the violence, and because the signatories lack influence over community stakeholders on the ground. The support of some of the JPA signatories for the coup created a fictitious contradiction between maintaining peace and democratic transformation. It also facilitated the use of reverse-racism rhetoric by the armed struggle movements that signed the peace agreement to justify the coup as siding with the citizens of the peripheral regions they claim to represent. This type of rhetoric fueled the narrative after the coup that sacrificing a complete democratic transition would help maintain stability.

Who's who

The military

The military has dominated Sudan's political arena since the coup. The coup leaders may have aspired to a decisive, quick takeover (like that of Sisi in Egypt), but they have created a political situation that is riven with internal divisions. Their own conduct has been characterised by indecisiveness; and their oppression means they have blood on their hands. For almost a year after the coup, they were unable to appoint a cabinet – and communal violence across the country resulted in the killing of over 380 citizens between January and October 2022. The military's poor governance has led to discord among its leaders, and contributed to widespread corruption, political nepotism, and the expanding use of ethnic

and tribal rhetoric to incite hatred.

Divisions within the coup leadership are growing. When Burhan became chair of the Military Council, RSF commander Hemedti became his deputy. Burhan and Hemedti are locked in competition over the future of their takeover. A main point of contention is Hemedti's demand for more independence for the RSF in terms of reporting, armament, and recruitment. Each of the pair has been trying to rally his traditional support base in case of open confrontation. During this July's Eid al-Adha holiday, both started making statements tinged with ethnic and tribal mobilisation in their tribal areas, and have continued to do so since then.

The divisions are so clear that Hemedti even declared the military takeover a failure in an interview with the BBC, stating that the situation in the country was now worse than it was before the coup. He blamed this on the military's poor execution of its agreed plan for the coup, and pursued his open rivalry with Burhan by claiming that the latter had faltered in consolidating the coup. Hemedti has also signalled his dissatisfaction with the ongoing political processes and the way forward. He has mainly been holed up in his stronghold in Darfur since June 2022 and has sought to shore up his power bases outside Khartoum. He has initiated mass recruitment to the RSF and engaged in building tribal alliances – all in preparation for a possible confrontation with the army. This split at the very top of the military, and effectively of Sudan's government, risks overflowing into a wider civil war.

On 4 July 2022, Burhan announced that the military would withdraw from politics – which also means not taking part in any processes to move forward the democratic transition. The military has not withdrawn from governing the country, however, leaving Sudan stuck with a government that does not want to engage and a protest movement representing the bulk of the population that wants to press forward towards a democratic settlement. Nevertheless, under pressure from the Quad mechanism that comprises the United States, Saudi Arabia, the United Kingdom, and the UAE the military has resumed direct concealed talks with FFC1. The FFC1 announced that it has reached non-binding understandings pending the announcement of a public political process. This announcement and initiation is planned to take place through the trilateral mechanism that was established by the UN Integrated Transition Mission in Sudan (UNITAMS), the AU, and the Intergovernmental Authority on Development (IGAD). The international community has recognised that mechanism since April as the formal mediator in the crisis.

Civilians

Sudan's civilian actors are disunited and currently unable to play a decisive role in resolving

Sudan's political stalemate. They fall into two main camps: supporters and opponents of the coup. Yet even those civilian actors now opposed to the coup have at times fed the military's ambitions for power. Throughout the transition period, different groups and individuals used temporary alliances with the military to try to resolve political disputes, leading to clashes between civilian actors. This has nourished the military's belief that they are the guarantor and founding authority of the transition process in Sudan, and that they can therefore bypass the constitution and political agreements.

Supporters of the coup

National Accord Forces coalition (FFC2)

Some civilian forces support the coup, and FFC2 leaders in particular have retained their government positions since the takeover. The FFC2 is currently seeking to engage as an independent actor in the political process, seeking to portray itself through public statements as unrelated to the coup camp and that they are keeping their position as part of the JPA that they claim to be superior to the constitutional document. As noted, parts of the FFC split, with some components assisting in planning the October 2021 coup. The FFC2 seems to have assumed that public resentment of the FFC1 because of the delay in fulfilling the promises of the revolution and increasing political disputes would translate into support for them. This has not proved to be the case, and the FFC2 has failed to provide the coup with any form of public legitimacy.

The FFC2 alliance comprises mainly JPA signatories but it also includes figures such as Mubarak Ardol and Ali Askouri, former rebels once part of the SRF. As well as a spell in government, Ardol and Askouri formed a pro-military party, the Democratic Alliance for Social Justice, a few months before the coup and called for a military takeover. This party then became part of the FFC2, with Ardol as the secretary general of the new alliance. In addition, Ardol has posted on social media in support of Russia since its invasion of Ukraine, and has taken part in at least one official visit to Russia since the coup.

All the forces within the FFC2 coalition could have easily recognised public criticism and concerns about the implementation of the JPA. However, lacking broad-based political support, and drawing their legitimacy only from the JPA, the leaders of rebel groups became increasingly unable and unwilling to push a political reform agenda that would put them in confrontation with the military. Instead, they found themselves forging an alliance with the military and supporting its power grab.

Before the coup, the FFC2 launched attacks against the “Dismantling Committee”, which was

set up in the aborted transition period to combat the influence of the remaining Bashir-era deep state. This put the Dismantling Committee in direct confrontation with a number of the military's allies. Many political opportunists who left the ranks of Islamist ranks and the NCP after it was toppled joined the organisations that made up the FFC2, seeking to protect themselves from the Dismantling Committee.

Islamists and the NCP

The NCPers and other non-party affiliated Islamists allied with Bashir were ejected from power along with Bashir in 2019. However, by 2021 they were the main drivers and beneficiaries of the coup. It has allowed them to return to power, and they have already restored much of their control over the civil service. Many of the Dismantling Committee's decisions have been reversed since the coup, and many confiscated assets have been returned to Islamists, allowing them to prepare their return to the political sphere. NCP figures are connected by a network of political, ideological, and economic interests that was established during the thirty years of their rule and extended deep into the state apparatus in Sudan – both its civil and military aspects.

Though some regional supporters of the coup – such as Saudi Arabia, the UAE, and, to a lesser extent, Egypt – are unhappy with Islamists' return to the civil service, the coup government has justified it by saying that they are experienced employees, not ideologues, and that they will not influence policy. However, Islamist influence is visible once more throughout the civil service, particularly in the public prosecutor's office, the foreign service, the police – and, most of all, the judiciary. Since the coup, court decisions have handed many formerly confiscated assets to Islamists. Senior figures from the previous regime have been released from prison. Bashir, who had received a prison sentence, has been transferred to a hospital, where he is allowed free movement, based on what appeared to be falsified medical reports. And on 10 August 2022, the government established the Community Police Service, which strongly resembles the police service that implemented the old regime's notorious Public Order Act.

On 25 February 2022, Burhan replaced the central bank governor, reappointing the last person to hold the post under Bashir. Moreover, on 1 October, Mohamed Tahir Eyela – the last prime minister of Bashir's regime – returned to Sudan. Eyela, who assumed the prime ministership between February 2019 until the fall of the Islamist regime in April 2019, fled to Egypt after the fall of Bashir. He previously held the positions of governor of the Gazira and Red Nile states, and he enjoys significant tribal and native influence in Eastern Sudan. Islamists received him in droves upon his arrival at Port Sudan airport. He, in turn, addressed them with an enthusiastic political and ethnic discourse, revealing his aspirations to positions

of political action and power.

Opponents of the coup

The civilian opponents of the coup are also divided. Some want to negotiate a peaceful political solution, while others want to overthrow the current regime through mass action.

The Forces of Freedom and Change (FFC1)

The FFC1 now represents the forces ousted from government in the coup. Due to its chaotic roots as the FFC at a time when its components were organising protests against Bashir, it has never had a clear structure. Decision-making has been limited to a small and shrinking group, including some individuals who do not fully represent political factions or constituents. To maintain their control, they have resisted all attempts to restructure the FFC, even rejecting internal democratic reforms in the blocs that make up the coalition. At times, they have cooperated directly with the military. For example, in December 2020, against the will of the prime minister and his cabinet, the FFC colluded with the military to amend the constitution and establish the Council of the Governing Partners (an apolitical supervisory body similar to the Iranian Expediency Discernment Council. It included FFC and military leaders, in addition to the prime minister to act as the supreme leader of the country). They were attempting to cling on to power by gaining supervisory powers over the executive and preventing the formation of a Transitional Legislative Council, which would have widened popular participation in politics and empowered the civilian government by directly linking it to communities. The Transitional Legislative Council is just the sort of initiative the civilian-military government should have undertaken in response to the demand in the country for proper channels of democratic participation.

Following the FFC's split over the October 2021 coup, the leadership of the remaining FFC1 has demonstrated intransigence and poor strategy, and neither the wider public nor the resistance committees any longer view it as the main civilian representative, something that is also being expressed repeatedly by the international community. These stakeholders consider the FFC1 just another stakeholder that might be bypassed in political processes. Nevertheless, the FFC1 has resorted to direct secretive negotiations with the military behind closed doors, with unofficial facilitation by the Quad. This process prompted the FFC1 to try to expand its base by adding organisations previously allied with the Bashir regime (such as the original Democratic Union Party, the Popular Congress Party, and Ansar al-Sunna). However, this too has split the FFC1 and threatens to further push it further away from the street, which views these new joiners as remnants of the old regime.

The FFC1 coalition's major mistake in dealing with the political process was that it has claimed to have broad representative legitimacy, rather than using the stronger and more realistic argument that it represents the government that was illegitimately overthrown. The FFC1 does not appear to have a unified position on the current political process, with some actors welcoming it, and others denouncing it. Some within the FFC1 are seeking to expand their base by adopting populist positions, such as publicly rejecting the political solution and calling for a mass movement while negotiating in secret with the military.

Radical camp

Another civilian faction opposing the coup is the radical camp, which comprises mainly resistance committees and the Communist Party. This camp categorically rejects any prospect of a political process. The resistance committees are groups of mainly young people who organised within their neighbourhoods during the revolution. Their political influence grew during the aborted transitional period as more people joined their ranks and called for action on issues of basic services in residential areas. Many of those committees have sided with the Communist Party in a radical stance against the coup, refusing to support negotiations. This camp adopts a strict “Three Nos” position – “No Legitimacy, No Partnership, No Negotiations” – and believes protest and confrontation are the only way to deal with the coup. They are the main driver behind the current protests. However, their lack of unity, and the pursuit by other anti-coup parties of political mechanisms, have greatly weakened the effectiveness of this approach. The prolonged period of the coup, the deteriorating economic situation, and violent repression by the security forces have resulted in protest fatigue.

The new grassroots powers

The resistance committees or ‘neighbourhood’ committees are informal, grassroots community networks of Sudanese residents that started organising civil disobedience campaigns against the NCP regime. Their political influence grew during the aborted transitional period as more people joined their ranks and called for action on issues of basic services in residential areas. They are now the main driving forces for the protests as part of the radical camp although some of them might accept the possibility of a negotiated political solution.

Political processes

Since the 2019 agreement, Sudan has struggled to find adequate processes to move forward

the democratic transition. Indeed, the ambitions and rivalries of those in the transitional government slowed and even scuppered this, and now the coup has rendered prospects for a democratic transition even more distant.

Several ‘political processes’ have either overlapped or run more or less concurrently in Sudan since the coup, and international organisations such as the UN and key Western states such as the US have been involved in some of these processes. Their success, however, has been weakened by the international community’s profound misjudgement of the domestic situation.

This situation is not merely the result of a political conflict among civilians. The broader context means that, to end the coup, it is not sufficient to just bring together all civilian factions. This was the concept underlying the trilateral mechanism effort in June to conduct a preparatory meeting for all civilian actors. The military has taken up this narrative of civilian disunity with alacrity: its leaders disseminate it to justify their coup as if it were an attempt to save the country from the consequences of the political dispute between civilians. In fact, the present conflict is one between coup supporters and the pro-democracy camp. The coup supporters include both members of the military and civilians whose main goal is to maintain their political power and privileges, regardless of achieving democracy or stability in the country. The pro-democracy camp includes a range of different parties that have not yet united on how to defy the coup.

International bodies continue to interact with the military and both civilian components of the post-2019 arrangements as legitimate and representative of key constituencies in the country. Yet they overlook the fact that the protest movement no longer regards the civilian components as representative of them. And the rebel movements, whose leaders entered power through the JPA, similarly lack legitimacy. They do not represent the people of the regions of Sudan in the way that they claim. Instead, they work with the central government to maintain power at the centre, and continue to deprive the regions of the attention, investment, and political power they require for their needs to be met – and for Sudan to advance towards a just democratic settlement. All the while, the coup authority, and various FFC2 members, Islamists, and rebel leaders all play a role in violently repressing the population, including in Darfur, working with Russian support to achieve this, and entangling Sudan in regional conflicts.

In January 2020, UNITAMS launched a consultation as the first stage of a process aimed at reaching a political solution in the wake of the coup. It carried out the first phase of its post-coup political process in early 2022, holding 110 consultation meetings with some 800 participants, and receiving more than 80 written submissions. However, this time and effort

were in vain. The AU pressured the UN leadership for a role in the process, on the flawed principle of “African solutions to African problems”. The IGAD also got involved. The process became the discussed trilateral mechanism whose role was to mediate with the government for a solution.

So far, this trilateral mechanism has merely repeated the consultations that UNITAMS already conducted. This process concluded with a public meeting on 8 June that was attended by the military, civilian supporters of the coup, Islamists, supporters of the Bashir regime, and individuals from fragmented political parties vying for positions. But it was boycotted by pro-democracy actors (including the FFC1, the radical camp, and others), who objected to the design of the process. However, as the UN’s special representative stated recently, their presence is essential to achieving any viable solution.

Following the failure of the June meeting, the US assistant secretary of state for Africa, Moli Phee, who was in Sudan, called jointly with the Saudi ambassador for the first direct meeting between FFC – central council and the military. They were later joined by the UK and the UAE to create the Quad mechanism. The Quad is currently mediating the concealed talks between the FFC and the military, and the de-escalation of tensions between Burhan and Hemditi and FFC1 and FFC2.

This created a new and parallel political process that effectively replaced the UNITAMS and trilateral process. The military’s 4 July announcement that it would withdraw from politics had little or no effect on the situation on the ground. The military under the under the auspices of the Quad continued to engage in secret talks with FFC1 about the way forward. The military appears to be using these talks to prolong the life of the coup, with certainly no track to democracy emerging but also no clear path forward for the military to retain power on a permanent basis. The secret nature of the negotiations assists them in retracting their positions in the absence of public oversight or public commitments to what is agreed upon.

UNITAMS did not fall into this trap on its own. The AU blackmailing of UNITAMS to favour the coup camp went as far as to accuse their partner publicly of fostering a process “lacking transparency, honesty and inclusion” announcing the AU’s intention not to “attend further hidden, evasive and opaque meetings in an exclusionary atmosphere”. It was also exploited by the directives of the AU envoy, who was – and still is – enjoying the backing of the coup authority. The AU envoy has insisted on the coup authorities’ participation since the beginning.

The purpose of this public blackmail – which took place via a press statement from the AU ambassador while he was surrounded by a group of coup supporters – was for the AU to gain

more influence over the design of the political process. In the face of AU blackmail, the UN mission fell prey to the secretary general's myopic focus on maintaining strong ties with the continental body, granting the AU more influence over the political process, which ultimately rendered it dysfunctional. Several civil society actors and legal groups publicly criticised the role of the AU and its envoy and accused them of bias and implementing the agenda of the military. The trilateral mechanism is barely functioning now, awaiting the secret talks between FFC1 and the military to reach an agreement based on their current understandings. Once they have done so, the trilateral mechanism will receive the agreement in order to reverse engineer it via a formality process. This will entail the announcement of a political negotiation process and then adding other parties through the trilateral mechanism to make it public.

The FFC1 claims that the ongoing understandings are based on the draft constitutional document recently produced by the Sudanese Bar Association, which is backed by the FFC1 and the international community. Its goal is to create a draft constitutional document as a base for the political solution, with the goal of restoring the transition and building a wider alliance around the document that goes beyond the FFC. It would include mainly the Original Democratic Unionist Party, Popular Congress Party, and Ansar Al-Sunna – all old allies of the NCP regime. The process of drafting this proposal was dominated by the FFC1, and it fails to address the political issues at the core of the disagreement between the civilians and the military or to offer a roadmap for addressing them. However, the international community, mainly the Quad, is pushing hard for this document to be the cornerstone of a wider civilian alliance based on the international community perception that unification of civilian groups is the key to addressing the coup problem.

Conclusions and recommendations

The 2021 coup is just the latest manifestation of an ongoing crisis of legitimacy of the Sudanese state. The legitimacy of the traditional political class has been contested repeatedly since the country gained independence in 1956: with the long civil war and independence of South Sudan; the civil wars and military rebellions in Nuba Mountains, Blue Nile, Darfur, and East Sudan; and the repeated cycle of military coups and popular uprisings. All reflect challenges from large sections of Sudanese society to the authority of the central state, and by proxy to the political class that runs it – whether in the democratic or dictatorship eras.

The 2019 revolution not only succeeded in bringing down one of the fiercest dictatorships in the world, but also undermined the legitimacy of the remaining elites by opening the door to direct political participation outside the usual sphere; mainly the new influence of the

grassroots bodies represented in the resistance committees. Instead of seizing the opportunity to organise these newcomers into structural political activities, the political class failed to recognise that it is impossible to continue politics as usual in Sudan after the December revolution.

The crisis cannot be tackled without reforms to address its root causes and ensure genuine and broad political representation. The 2019 civilian-military power-sharing deal gave the political class its last chance of survival. But, instead of focusing on establishing a service state that holds power in return for performing duties towards its citizens, the political class repeated the same old manoeuvres of attempting to seize and monopolise power.

The coup was an attempt by the political class – or at least one part of it – to restore Sudanese politics to the way it was before the revolution: without a democratic mandate, brought about through agreement between elites (the military, the FFC2, and some rebel leaders), and with no prospect of widening political involvement – although the coup authority point to FFC2 and rebel movement representation to claim legitimacy. To attempt to address this deficit of legitimacy, the putschists forged alliances to claim broader representation, with entities that themselves needed to consolidate the illusion of their own broad power base, namely the signatories to the JPA. However, the ongoing mass resistance and mobilisation against the coup show that this is not possible.

Many in the international community have fallen for the justifications of the putschists, who claim that their coup was necessary because of the lack of broad representation, the exclusion of many groups, and the control of the political elite. However, the parties to the coup have the same shortcomings. The putschists' actions have exposed their bad intentions: violence against peaceful demonstrators, foreign policies which serve the interests of the regime rather than the nation, a blind eye to corruption and nepotism within the state apparatus, and the increasing militarisation of the state and uninhibited recruitment by militias.

The Sudanese people urgently need national reconciliation that goes beyond the current crisis to address the larger question about lack of legitimacy of the governance framework of the state. Undoubtedly, addressing the coup should be the starting point. However, any real solution needs to include clear steps towards creating a representative political system with a state in which the government draws its authority from its role in serving the people and not from military power or historical privileges.

The EU and European states should consider pursuing the following four recommendations.

Support pro-democracy actors and press for a new political process

There is no chance of reaching a solution by repeating the elite deal of 2019, nor by simply writing a better constitution. The problem is political, and it needs a political solution. This should take the form of a new social contract based on supra-constitutional principles that includes the rule of law, equality, a modernised and unified security sector under the command of the civilian leadership of the country, a social service state, and – above all – the supremacy and consolidation of pluralist democracy as the political system of governance for Sudan. The EU and other international partners who are interested in the democratisation of Sudan should push for a better coordinated process that is inclusive of the more relevant actors, such as the grassroots resistance committees. It is not helpful to tacitly bless the secretive manoeuvres of an elite class that only aims to protect and preserve its privileges. Any process needs to be able to actually confront difficult questions about the future of Sudan, and not continue with the ongoing political trade of stances between the parties of the political class.

Furthermore, EU and international community representatives in Sudan should stop meeting and recognising the newly re-branded fronts of the ousted NCP. The interests of the party's affiliates (such as the El-Tayeb Aljid initiative) are fundamentally at odds with the political and social change that has taken place in Sudan. The network of social, economic, and ideological interests that unites the NCP, and which is still active through the deep state, will – sooner or later – push them to try to turn the clock back and re-install NCP rule. This will drive the country into a still-worse spiral of instability, and the military leaders who favoured change in 2019 – regardless of their subsequent positions – will be the biggest losers as those who return seek revenge. Moreover, the officials who helped to create Sudan's problems during the 30 years of Bashir's rule are not fit in any way to carry out the reforms needed to address the legacy of his rule. The international diplomatic corps in Sudan needs to exert greater efforts to understand the domestic political context. Knowing who is who in the Sudanese political arena is necessary to avoid sending the Sudanese public mixed or wrong messages about the positions of the countries they represent. Conducting proper mapping of the political actors in Sudan seems to be a priority.

The unconditional support from the international community – in its eagerness for a quick solution – for the Sudanese Bar Association's draft constitution as the only game in town is short-sighted and ill-advised. This is not only because it fails to address the real problems the country faces, which is the lack of the commitment from the military not to interfere in

politics, but even the best constitution on paper means little without political will for its implementation. The constitution cannot guard against intransigence by those who are supposed to follow it when their interests and alliances shift – precisely as happened during the last transition period. All actors in the FFC1 and FFC2 and the military proved their intentions to manipulate and change the constitutional arrangements when they does not serve their interests.

In such a contested political environment, reaching a solution needs to be gradual and based on structured negotiations promoted and guarded by the international community and in the public eye. Such a process will allow for political dialogue that reaches a national common ground rather than simply finding compromises in order to maintain privileges. This would facilitate the creation of wider ownership and consensus on its outcome. Moreover, the stepladder design of any intended process will permit the engagement of different and more actors (especially grassroots) at the different stages that are relevant to their interests and concerns. The current predetermined outcome approach appears to be putting the cart before the horse, which is unlikely to yield the desired outcome desired; that is, a lasting and viable political solution to restore the transition and send the military back to its barracks. The current understandings between the FFC1 and the military can be used to draft a framework agreement that starts the process, conditioned on the understandings becoming public and being accepted by the wider components of the revolution. However, that framework cannot be the core of the political agreement on how to restore transitional path to democracy in Sudan.

This process should aim at agreeing on the general doctrines that run the state and the basic objectives of the transitional process, and how to manage, monitor, and ensure its stability. The transitional process itself requires prior agreement between all the parties on its roadmap and structure, and should be linked to a realistic timetable. This timetable should include the gradual transition to electoral legitimacy of state institutions, especially the legislature, to address and resolve questions that require a larger consensus that goes beyond the political elite class. Gradual partial elections of state bodies during the transitional period – particularly structures of local government – will train people in democratic practices and help the political parties to implement internal reforms.

The map of the transition could be structured as follows: a pre-transitional period of 12-18 months, followed by the election of a legislative body. This body would have a mandate to address deeply rooted political questions that remain unanswered in modern Sudan. It would conduct the processes of establishing a permanent constitutional arrangement over the next 24-30 months. A general election would then take place and mark the end of the transition period. During these periods, the structure of the executive branch should be kept stable as

much as possible to be able to conduct and implement the necessary reforms.

Encourage a comprehensive peace process

The root causes of violence in Sudan – and thus of much of the ongoing political impasse between the coup authority and protesters – are political in nature, related to the longstanding unequal distribution of services and the under-development of the peripheries. The track-based JPA, detached from overall democratic transitional arrangements, risks producing another authoritarian regime. It has resulted in nothing but the creation of a new governing elite (mainly the FFC2) who are not interested in dealing with the real roots of the civil wars in Sudan, but prefer to consolidate their own political power – evidenced by their support for the coup. JPA signatories have exploited the unconditional political support offered to the agreement by local and international supporters in longing for peace. However, it is an effort that cannot and should not be thrown away. It is improvable – but only with rigorous and principled adjustments and monitoring. The continuance of the current unconditional support to the agreement in its current shape is pushing signatories to focus on preserving the privileges it provides them, regardless of its failure to achieve any tangible progress for constituents that have suffered the devastation of war.

The international community and the EU member states should link any support for the peace process in Sudan to the practical impact on the ground for displaced people, refugees, and other victims of war. This can be achieved by establishing an effective monitoring mechanism –which was suggested in the text of the JPA but never formed. The work of such a mechanism should go beyond ticking boxes to look at actual impact. Only a genuinely democratic system will ensure the representation of these groups and their interests. The current self-proclaimed representation of the citizens of the peripheries is not real and it is a product of the militia war system waged by the armed struggle movements under political slogans. The continuation of ethnic representation in Sudanese politics should not be tolerated. It is a recipe for further fragmentation of the country. The EU and European and other Western countries should refuse to support peace processes that only yield privileges for rebel leaders, without tangible impact on the ground. Rebel leaders should be dealt with as political leaders and judged based on their political positions. Acquisition of a military force that is not part of the formal state apparatus should not be rewarded.

Security sector reform (SSR)

The EU and the international community should exert pressure on the Sudanese military to accept the central importance of SSR as a pillar for the transition in Sudan. This reform

should be part of both political and peace arrangements aiming to achieve a unified armed forces in Sudan that is under united leadership, that does not engage in politics or economics, and that follows the policies set by the legitimate civilian head of state.

International actors and Sudanese political forces should work on changing public and military perception of SSR. It should not be seen as an attempt to dismantle the army, as the coup leaders claim to mobilise their bases. It is rather one of the core reform processes required during the transitional period to develop, modernise, and professionalise the Sudanese armed forces and ensure future stability and democracy in Sudan. SSR is a political process rather than a technocratic one, and no short-term or long-term political solution can be reached or meaningfully implemented without a clear plan for this type of reform – accepted by all key actors. The armed forces (and armed movements) should be prohibited from using guns – or threatening to use them – when they do not like the course of the political processes. Otherwise, any agreements with them will merely be a truce before the next coup. As part of this process, the military should abide by its commitment to refrain from political activity and support the creation of a unified army with a professional doctrine that rules out interference in politics or the economy. This is primarily a political obligation.

Both military and civilian political actors should commit to aligning the military's foreign relations with the official foreign relations policy of Sudan, within a framework that aims to achieve the overall interests of the state, not those of a specific regime or party. The multiplicity of decision-making centres on foreign relations makes Sudan prey to conflicting international and regional interests. Military leaders should accept the principle that the army is one of the state institutions, not a supra-state one. EU member states and the regional actors who continue to have direct bilateral relations with the armed forces (including in particular the RSF and the armed struggle groups) should restrain from these relations and recognise that they are feeding a beast that will eventually devour both them and the Sudanese people.

SSR requires a political process to define its objectives and the means to achieve them. Sudan, with its history of civil wars, military engagement in politics, and ideological military and security agencies, currently lacks the capability for such an operation. In addition, the economic situation makes it difficult to finance and implement such initiatives. The international community – including UN institutions, international financial institutions, and the donor community – should use their linkages within Sudan to support the reform, development, and modernisation of the Sudanese military and security institutions as an essential step in establishing and stabilising democracy in the country. This should take the form of bilateral and multilateral military partnerships and long-term military cooperation framework agreements that include supporting the integration, training, rehabilitation, and

appropriate armament of the Sudanese armed forces. The EU and other donor countries may find it difficult to start implementing this immediately given the Sudanese military institution's record of abuses. However, the development and progression of such steps and connecting the Sudanese military organically with state institutions subject to democratic political systems will contribute to structural and incremental change in the behaviour and concepts of the Sudanese military.

The use of private armies in politics and threats to foment instability and violence (by all parties, particularly the RSF and armed movements signatory to the JPA) must be halted through the threat of effective domestic legal sanctions and international sanctions and boycotts that should be led by the UN, the EU, and the US. The UN already has an established mechanism related to the situation in Darfur under Resolution 1591 (2005). What is missing is the political will to utilise the existing means to support the democratisation efforts of Sudan. Political actions and threats that disrupt stability must have clear consequences. No one should accept either political blackmail or countering racism as a justification for disrupting stability.

The EU and its member states should explicitly link development and humanitarian assistance to Sudan (approximately €480m in 2021) with the meaningful and genuine implementation and progress of such critical reform processes.

Truth, justice, and accountability

Accountability, justice, and transitional justice will be the cornerstones of any long-lasting stability in Sudan. International partners should make it clear to the domestic political actors that political amnesty in isolation from transitional justice and a truth and reconciliation process cannot be tolerated. This is the only safeguard against repeating the tragedies of the past and the only way to achieve a genuine national reconciliation. Military leaders and political forces who played a role in the deposed Bashir regime should recognise the need for truth before reconciliation can take place. It will not be possible to establish democracy in Sudan without pro-Bashir actors paying their political dues. This also applies to the military's attempts to consolidate their coup by returning the Islamists to positions of influence, whether in the army or in the civil service. Without addressing historical and current grievances in a manner satisfactory to victim groups, there will always be seeds of political and security instability in Sudan.

The international community can be instrumental in providing technical support for the development of transitional justice mechanisms. This should include consideration of comparative experiences not limited only to African experiences and the example of South

Africa – which is always celebrated in Sudan. Examples of transitional justice in post-Franco Spain, eastern European countries after the collapse of the Soviet Union, and Latin American countries may be more appropriate to compare with the situation of Sudan after the overthrow of the ideological regime of the NCP. Achieving transitional justice in every country has its own specificity related to its internal conditions, history, and context, but it is necessary for the Sudanese to make an intellectual effort in planning the local model by benefiting from all experiences – especially successful ones – to know what is viable and what is liable to failure. Appropriate financial aid and funding mechanisms should also be planned ahead by the political and development partners of Sudan in a realistic manner that puts the atrocities that have occurred in Sudan, especially against regional and ethnic groups, in its rightful comprehensive context that is related to the development of a more equal and just political system in Sudan.

All Sudanese political actors (including a future civilian transitional government, political parties, and civil society groups) should focus on awareness programs and mass communication about the necessity and need for transitional justice and its collective benefits to pave the way to the future.

Toward a democratic Sudan

This is a daunting set of requirements that asks much of the international community as well as of Sudanese domestic actors, both civilian and military. But these steps are necessary to put Sudan on a path to a sustainable democratic transition. It is time to end the illusion that there are shortcuts or secret political deals that can advance the cause of Sudanese democracy. Democracy in Sudan, like anywhere else, requires a firm institutional basis. We know how to achieve that basis, but we also know it is not an easy or quick path. It is nonetheless time to finally embark on that difficult journey.

About the author

Amgad Fareid Eltayeb is a Sudanese politician and political analyst who is based in Khartoum. Following the December 2018 revolution, he served as assistant chief of staff to Sudan's prime minister Abdalla Hamdok. In 2022, following the coup, he joined the UN special political mission to Sudan (UNITAMS) as a political advisor. Prior to that, he served in the leadership council of the Sudanese Professional Association (SPA), heading its foreign relations committee and as a spokesperson for the SPA and member of the foreign relations committee of the Forces of Freedom and Change.

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