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## Consolidating Sudan's transition A question of legitimacy

The 2019 Sudanese uprising – fueled by years of authoritarian rule, a worsening economy, and systemic marginalization and violence – has led to a transitional government with a civil and military component. An eventual transition to full civilian rule will depend on the civil component's ability to establish its legitimacy and carry out much-needed reform, particularly with regards to the economy. This provides an opening for donors and the wider international community, which in the past struggled to encourage the former regime towards democracy, and in some cases enabled authoritarian practices. In 2020, through political economy mapping, European policy makers should invest and support the more liberal sections of the Sudanese economy, and provide opportunities for the civil component to secure tangible, quick project results. It is impossible to identify entirely 'clean' sections of the current political settlement to work with, but if nothing happens and the economy continues to stagnate, the legitimacy of the civil side may expire due to a lack of tangible improvements in citizens' lives.

A recent article in the Dutch press captures the spirit of post-revolution Sudan in 2019: mobile blood banks arriving daily in Khartoum neighbourhoods so residents can donate blood for local hospitals, volunteers taking charge of refuse collection, and community groups repairing and redecorating dilapidated school buildings. A wide range of Sudanese organisations are both positive and eager to get involved, revitalised by the revolution and committed to protecting it. As one interviewee put it, 'I get up at 6am with a goal. The revolution has become our job.'<sup>1</sup>

Away from the streets and inside the corridors of government institutions, the atmosphere is one of both optimism and trepidation. The Bashir regime was finally overthrown in April 2019, as a result of months of sustained protests against a backdrop of three decades of latent and explicit unrest and an ailing economy. In August that year, civilian leaders behind the protests and military leaders responsible for Bashir's ousting agreed on a power-sharing deal and transitional government. That deal installed as Sudan's prime minister Abdallah Hamdok, a 'widely-respected economist' with a background in several international organisations and the figurehead of the

1 Sharifi, M. N. (2019), *Het Nieuwe Soedan is van en Voor de Soedanezen*. Online: <https://www.nrc.nl/nieuws/2019/10/10/het-nieuwe-soedan-is-van-en-voor-de-soedanezen-a3976243> (Accessed 27-01-2020).

civil component of the government.<sup>2</sup> His appointment came with the approval of the Forces of Freedom and Change (FFC), the civilian bloc that was a driving force behind the revolution and whose members now occupy significant government posts.

Alongside the civil component stands the Transitional Military Council (TMC), ostensibly overseeing Sudan's transition and the eventual transfer of all power to a civilian government. Yet the TMC is viewed with scepticism both internally and externally, as some consider it to comprise relatively young opportunistic military and security actors seeking to capitalise on Sudan's popular unrest in order to dispose of the weakened Bashir regime and its Islamist remnants, but retain authoritarian rule.<sup>3</sup>

The deputy leader of the TMC, Mohammed Hamdan Daglo (also known as Hemedti), is head of the paramilitary Rapid Support Forces (RSF) and one of Sudan's most influential security actors. Given his established links with the former regime, with Déby in Chad and Haftar in Libya, and with several Gulf states active in Sudan,<sup>4</sup> many suspect he is well placed to act as the *de facto* ruler of the country. However, while Hemedti may wield ample coercive power and has access to substantial funding, his lack of legitimacy vis-à-vis the Sudanese public and other security actors will hinder any quest for leadership, including an authoritarian power grab. Hemedti's reputation is compromised by his association with the RSF, which carried out a brutal crackdown of protests in June 2019. RSF forces also found themselves at odds with the Sudanese military after opening fire on civilians conducting a sit-in near army

headquarters in April.<sup>5</sup> Furthermore, Hemedti is viewed by Khartoum elites as unqualified to be head of state, while his main support clusters in Sudan's peripheries are also dashed with strong opposition, particularly among non-Arabs in Darfur.<sup>6</sup>

There is an implicit tension within the current governing arrangement, as the balance of power could shift towards a military-dominated ruling system rather than a transition towards outright civilian rule. Given Sudan's longstanding history with military governance – the country's previous two uprisings appeared promising in their early stages but ended in authoritarian rule – the current situation must be considered an opportunity that also poses considerable challenges and risks.

Despite attempting to ramp up the pressure on Sudan and its ruling actors, European policy makers have made little progress in encouraging Sudan towards democratic rule in recent years, and may in fact have compromised this pathway by cooperating with the former regime in the name of regional stability and migration control. The transitional government, coupled with the Sudanese economy being a primary source of mass discontent with the previous political model, provides an opening. The civil opposition was brought into the transitional structure in order to shore up the governing coalition's domestic and

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2 Malley, R. (2019), *Open Letter to the Friends of Sudan*. International Crisis Group. Online: <https://www.crisisgroup.org/africa/horn-africa/sudan/open-letter-friends-sudan> (Accessed 27-01-2020).

3 Email exchange with Sudan expert, January 2020.

4 De Waal, A. (2019), *General Mohamed Hamdan Dagolo 'Hemedti'*. World Peace Foundation. Online: <https://sites.tufts.edu/reinventingpeace/2019/07/01/general-mohamed-hamdan-dagolo-hemedti/> (Accessed 27-01-2020).

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5 Human Rights Watch. (2019). *"They Were Shouting 'Kill Them'" Sudan's Violent Crackdown on Protesters in Khartoum*. Online: <https://www.hrw.org/report/2019/11/17/they-were-shouting-kill-them/sudans-violent-crackdown-protesters-khartoum> (Accessed 27-01-2020).

6 Although Hemedti descends from an offshoot of a relatively influential Arab tribe, the Rizaget, he is viewed as unqualified by Khartoum elites owing to his lack of formal education and humble beginnings as a camel trader. The non-Arab population of Darfur are also fundamentally opposed to him because of his recruitment and rise through the ranks of the Janjaweed, which waged a brutal campaign of ethnic cleansing in the region. For more information, see Krauss, J. & Magdy, S. (2019), *A New Strongman in Sudan? Experts Aren't So Sure*. Online: <https://apnews.com/fd1c3fcd5d2e45468bca29de5010c0ee>.

international legitimacy, and European policy makers can support this by ensuring that civil forces play a prominent role in Sudan's future economic recovery, a key facet of long-term legitimacy.

Sudan's economy is pervaded by 'deep state' actors, and opportunists will seek to capitalise on transitional unrest and steer the country's course towards their own interests. However, if the economy's more liberal sectors – which supported the revolution and the civil side of the new government – can be safeguarded and invested in, they could make a positive and invaluable contribution to Sudan in the coming years. While it is impossible to identify entirely 'clean' sections of the current political settlement to work with, if nothing happens and the economy continues along a similar pattern as in the past, the legitimacy of the civil side may expire due to a lack of tangible improvements in citizens' lives. In turn, the civil component may have to cede ground within the ruling coalition as it begins to resemble a military dictatorship.

This policy brief will explore ways in which European policy makers could support the transitional government and other actors in Sudan in order to support a transition towards a legitimate and stable longer-term governance arrangement. It will first examine the drivers of the recent uprising in Sudan, and why it has so far succeeded where previous endeavours have failed. This will include a brief account of the country's history of civic mobilisation, and an overview of some of the characteristics that make the events of 2019 stand out. The brief will then address the legitimacy and stability of the current balance of power in Sudan, and subsequently analyse the various pathways that might ensue. Finally, it will provide practical steps that European policy makers could take to help the civil component of the transitional government simultaneously address some of the grievances that underpinned the revolution, while at the same time bolstering its long-term legitimacy.

## Sudan's revolutionary background

Civic mobilisation has been integral to Sudan's long history of protest. For example, during the 1964 uprising, an allegiance between trade unions and opposition parties helped mobilise large demonstrations of collective non-violent protest. The Gezira Tenants Association, the Sudan Workers Trade Union Federation and the Sudan Communist Party formed the crux of this allegiance, known as the National Front for the Professionals. Before the 1985 uprising, leaders of trade unions and professional organisations gathered to form the Trade Union Alliance, which grew into the National Alliance for National Salvation, a central component and organiser of the subsequent uprising. In 1985 trade unions such as the Gezira Tenants Association and the railway workers' association were less influential than they had been in 1964, and professional organisations such as lawyers' and doctors' organisations were more at the forefront. The Doctors Union played a particularly prominent role in 1985, motivated by the government's refusal to acknowledge Sudan's famine or provide relief.<sup>7</sup>

Following the 1989 coup, trade unions, civil society organisations and professional associations were banned. Underground networks of opposition groups maintained alliances and organised outbreaks of street protests during the 1990s, but throughout most of Bashir's 30-year reign explicit opposition came largely from the former ruling class, which had been displaced in 1989, and from armed groups in Darfur, South Kordofan and Blue Nile.<sup>8</sup>

- 7 De Waal, A. (2013), Sudan's Elusive Democratisation: *Civic Mobilisation, Provincial Rebellion and Chameleon Dictatorships*. *Journal of Contemporary African Studies*, 31, 213-234, DOI: 10.1080/02589001.2013.786901
- 8 El-Gizouli, M. (2019), *The Fall of al-Bashir: Mapping Contestation Forces in Sudan*. Arab Reform Initiative. Online: [https://www.arab-reform.net/wp-content/uploads/pdf/Arab\\_Reform\\_Initiative\\_en\\_the-fall-of-al-bashir-mapping-contestation-forces-in-sudan\\_5154.pdf](https://www.arab-reform.net/wp-content/uploads/pdf/Arab_Reform_Initiative_en_the-fall-of-al-bashir-mapping-contestation-forces-in-sudan_5154.pdf) (Accessed 27-01-2020).

In recent years, several notable attempts have been made to mobilise popular momentum and oust the Bashir government, or at least pressure it towards democratic reform. For example, in the wake of popular uprisings across the Arab world in 2011, including in neighbouring Egypt, Sudanese opposition figures sought to replicate the momentum of those uprisings by organising protests in Khartoum through social media channels. However, the public response and turnout was underwhelming, with protest organisers also losing interest.<sup>9</sup> While social media is a significant and growing medium in Sudan, the limited digital infrastructure in 2011 restricted its effect as a tool for popular mobilisation.

In 2012 the Sudanese government cut fuel subsidies and introduced other austerity measures in order to address the deteriorating economic situation, prompting mass demonstrations on the streets. The government response was brutal, with an estimated 80-200 deaths in September alone.<sup>10</sup> Demonstrations continued into 2013, particularly among university students. However, once again the security forces responded with lethal force, killing more than 200 people in one week.<sup>11</sup> The brutal crackdowns of 2012 and 2013, alongside an offer of national dialogue in 2014, helped the government subdue manifestations of public unrest for a number of years. One exception was a series of protests that broke out in 2016, with thousands taking to the streets to protest the death of a student who had

participated in a peaceful march; however, these demonstrations were largely limited to Sudan's student and youth community.<sup>12</sup>

Such unsuccessful attempts to oust the Bashir regime in recent years share certain common traits. Early 2011 efforts were limited by a lack of popular participation and mobilisation. The demonstrations of 2012 and 2013 witnessed far larger numbers but popular will was unable to withstand the brutal response by the security services. Moreover, these protests came to be ascribed to certain Sudanese demographics, such as university students, poor urban citizens, or displaced Darfuris and other victims of Sudan's peripheries.

The 2019 uprising stands alone in its ability to mobilise urban communities across generational and ethnic lines. Support for the revolution was also evident in the traditional support bases of the former regime, such as the Khartoum elite and influential business owners, who were increasingly aware that Bashir could no longer protect their interests. No single societal sector dominated, and a sense of inclusivity and interconnectivity among urban areas was apparent throughout the protest movement. An unprecedented level of popular preparation and organisation laid the foundations, especially at neighbourhood level, ahead of the 2019 uprising. There has been a concerted effort in recent years, especially after 2013, by Sudanese civil society to disseminate information across the country about nonviolent resistance, the particular tactics and strategies involved, and how to coordinate it.

However, it should be noted that although connected at a central level, the 2019 uprising cannot be considered wholly inclusive. Observers suggest that people in Sudan's peripheral areas were markedly absent from the protests in comparison with earlier years, despite repeated slogans such

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9 El-Affendi, A. (2018), *Sudan Protests: How Did We Get Here? And What Happens Next?* Online: <https://www.aljazeera.com/indepth/opinion/sudan-protests-181227154036544.html> (Accessed 27-01-2020).

10 Copnall, J. (2013), *Sudan Feels the Heat From Fuel Protests*. Online: <https://www.bbc.com/news/world-africa-24938224> (Accessed 27-01-2020).

11 Amnesty International. (2013), *Sudan Escalates Mass Arrests of Activists Amid Protest Crackdown*. Online: <https://www.amnesty.org/en/press-releases/2013/10/sudan-escalates-mass-arrests-activists-amid-protest-crackdown/> (Accessed 27-01-2020).

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12 Salih, Z. M. (2016), *Sudan Student Killing Sparks Wave of Protests*. Online: <https://www.theguardian.com/world/2016/apr/22/sudan-student-killing-abubakar-hassan-protests> (Accessed 27-01-2020).

as ‘we are all Darfur’, chanted throughout the protests by participants in a symbolic but not nationwide-supported sentiment.<sup>13</sup> Peripheral communities continue to feel under-represented in the transitional environment, with regards to both the FFC and the TMC, potentially creating a long-term threat to the uprising’s legitimacy.

A source present in Sudan at the time of the uprising emphasised that a key turning point for this revolution took place on 30 June. Back in April, during the protests that ultimately led to Bashir’s removal, the Sudanese military had largely refused orders to open fire on protestors, highlighting a significant weakness in the regime’s support from a key coercive partner.<sup>14</sup> While the gap was filled by the RSF and other militias, their actions damaged their reputations, as they came across as brutal thugs and may have further undermined the regime’s support in key constituencies. Then came the 3 June violent crackdown on protestors by the RSF and other paramilitary groups, resulting in the death of more than 100 demonstrators.<sup>15</sup> This was followed by a nationwide internet blackout, and a decline in popular morale. Yet the turning point came when, despite communication difficulties, the popular movement retained its momentum and another mass mobilisation took place on 30 June. This sent a clear message to Sudan’s post-Bashir leadership that protestors would not be coerced into accepting a solely military governance arrangement and would not be quashed by security forces.

Finally, during the protests, the regime made several attempts to portray the unrest as a product of external interference. Yet such assertions were contradicted by the Sudanese public. Few international actors were engaged in Sudan to begin with due to the sanctions regime, and the reticence of international actors to overtly display support for the revolutionaries in these early stages perhaps made such claims even more untenable, indirectly contributing to the success of the endeavour by allowing it to be fully owned and championed by the Sudanese.

## Legitimacy and a rebalancing of power

Several months into the transitional phase sees Sudan at a critical juncture, and questions remain about where the real balance of power lies within its transitional council. Some international observers state that Hemedti<sup>16</sup> and the military council are the *de facto* rulers of the country, in a situation where the leadership has changed but Sudan’s underlying economic problems persist.<sup>17</sup> Hemedti is seen as a leader who is aware of these dynamics, but his economic base relies on gold, mercenarism and finance from Gulf states, none of which will address the Sudanese economy’s structural challenges. Such resources are also likely to be insufficient to sustain a coercive regime against popular resistance, or to buy off influential Sudanese sectors to maintain an oligopoly. This, in turn, prompts an analysis that the fundamental challenge for Sudan’s military rulers is to obtain the requisite skills and reputation to harness Sudan’s economy as it currently operates, or change it for the better.<sup>18</sup>

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13 Tubiana, J. (2019), *How Darfur Became Sudan’s Kingmaker*. Foreign Policy. Online: <https://foreignpolicy.com/2019/07/09/how-darfur-became-sudans-kingmaker/> (Accessed 27-01-2020).

14 Magdy, S. (2019), *Sudan Protesters at a Crossroads After Deadly Crackdown*. Online: <https://apnews.com/eb2581696da14ae3a15d3772815cdab2> (Accessed 27-01-2020).

15 Human Rights Watch. (2019), *op. cit.*

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16 Lt Gen Abdel Fattah al-Burhan is officially chairman of Sudan’s sovereignty council, with Hemedti as his deputy, although the latter has greater coercive power and influence.

17 De Waal, A. (2019), *Sudan: A Political Marketplace Framework Analysis*. Occasional Papers (19). World Peace Foundation, Somerville, MA.

18 Ibid.

**Box 1: The FFC**

The FFC emerged in January 2019, after an agreement was made between the Sudanese Professionals Association (SPA) and 21 other civic and political opposition groups to work together and bring about meaningful change in Sudan.<sup>19</sup>

**The role of the SPA in the FFC**

The SPA began in 2016 as an alliance of three professional associations – the Sudan Doctors' Central Committee, the Sudan Journalists Network and the Alliance of Democratic Lawyers. It emerged as an opportunity for professionals to break free from state co-optation, as official 'unions' (dismantled and then re-established by the Bashir regime as pro-government entities) had long failed to serve the interests of their members. Unlike Sudan's civic mobilisation movements of the past, the SPA membership primarily consists of urban professionals with less representation from farmers, agricultural labourers and miners. Announcing its 'Freedom and Change Declaration' at the beginning of 2019, calling for the end of the Bashir regime, the SPA continued to incorporate other professions such as university academics, engineers and teachers. This quickly positioned the association as a major mobilising force, and the fundamental component of the FFC.<sup>20</sup>

Yet while fundamentally intertwined, the SPA and FFC are not always coherent. For pragmatic reasons, FFC representatives in the transitional government's sovereign council have made compromises and appointments that are not necessarily endorsed by the SPA. Furthermore, the association's broad membership and support base is becoming increasingly tested by greater involvement in politics. A Sudanese academic points out that 'you can be a mechanic or an engineer but also an active political member.'<sup>21</sup> For this reason, any external involvement or investment in its professional associations would require 'a good grip on the leadership of that association'. The academic warned that the politicisation of the civil side of the government is 'going to become more and more of a problem', especially now that they are directly involved in governance. The source speculated that 'perhaps the success of the SPA or other umbrella unions is easier to achieve in opposition, with a united enemy, and having assumed power we will begin to see cracks appear'.<sup>22</sup>

**Forces outside the FFC**

It is important to acknowledge that the FFC has achieved an impressive degree of consensus between Sudan's various opposition and civil forces, but it does not constitute a wholly inclusive entity. As one Sudanese civil society activist explained: 'It is representative of a group in Sudan but not the entire spectrum.'<sup>23</sup> The source elaborated that in order to shore up the legitimacy of the civil side of the government, more efforts need to be made to reach out to entities that are not officially part of the FFC. 'The Prime Minister doesn't speak to forces outside the FFC,' he contended, elaborating that the coalition applies pressure on all government appointments, including nominating heads of banks, provincial governors, and committees on corruption, livelihoods and empowerment. The source also explained that 'The practice of only installing people who are part of their club is mirroring the mistakes of the past. These things send a negative sign in terms of the government not doing enough to reach out to other forces outside the FFC – they could easily play a spoiler role.'<sup>24</sup>

19 International Crisis Group. (2019), *Safeguarding Sudan's Revolution*. Online: <https://www.crisisgroup.org/africa/horn-africa/sudan/281-safeguarding-sudans-revolution> (Accessed 27-01-2020).

20 El-Gizouli, M. (2019), op. cit.

21 Telephone interview with Sudanese academic, November 2019.

22 *ibid.*

23 Interview with Sudanese civil society activist, November 2019.

24 *ibid.*

However, such analysis overlooks local legitimacy, which was a central component of the Sudanese uprising and will prove to be a critical component of power in the future. Even the Bashir regime could not rely on coercion alone and the deposed president went through considerable efforts to lend his rule some legitimacy. Throughout his rein, Bashir would carefully balance support from the military and Islamist factions of the National Congress Party (NCP), portraying himself as a mediator between the two. Simultaneously, he played off rival security forces and armed groups against each other, while protecting the key business interests and investments of his inner circle and key constituencies.<sup>25</sup> This strategy may not have earned Bashir legitimacy among the population at large, but it earned him respect and durability among influential tiers of Sudanese society. This afforded his rule sufficient credibility for the West to re-engage with his regime, particularly with regard to counterterrorism and migration control.

Hemedti has tried to enhance his local legitimacy and that of the RSF in the wake of the revolution, sending the RSF to provide assistance when there is a shortage of commodities – distributing rice, pasta and lentils labelled with the RSF logo.<sup>26</sup> He has also attempted to reinvent himself as someone who can appeal to the urban Sudanese, away from his traditional support base in Darfur. But these endeavours will only improve his standing to a limited extent. Hemedti is aware that what still resonates, as has been confided by sources close to the military council, are the events of June 2019 and the role of the RSF. As head of an entity that has committed crimes

against humanity in Darfur for years,<sup>27</sup> been implicated in human smuggling and mercenarism,<sup>28</sup> and opened fire on unarmed Sudanese protestors,<sup>29</sup> Hemedti is unlikely to be able to bolster his standing in the eyes of all relevant stakeholders sufficiently to carry a ruling coalition. Consequently, it is highly unlikely that Hemedti, by association, will be accepted as legitimate in the eyes of the Khartoum elite, the wider population, or the international community.

If the legitimacy of the military component of the transitional government is tarnished by links with the RSF, this presents an opportunity for the civil component to portray itself as the legitimate voice of the Sudanese revolution, and establish a presence in future governance. If this local legitimacy remains high, the security apparatus will continue to be under pressure to transfer power to civilian leaders.<sup>30</sup> However, as international observers have noted, the civil component of the government faces difficulties in meeting the expectations of the Sudanese people and addressing the fundamental grievances behind the revolution. For this reason, economic reform has been described as being ‘at the top of the agenda’ to shore up legitimacy.<sup>31</sup>

25 Most notably the urban elites within Khartoum state and the wider ‘Hamdi triangle’, where the vast majority of non-oil related domestic investment has taken place in recent years. For more information see: <https://sites.tufts.edu/reinventingpeace/2014/05/07/3-visualizing-sudan-geographical-inequality/>

26 Interview with European official based in Khartoum, December 2019.

27 Amnesty International. (2019), *Sudan: Fresh Evidence of Government-Sponsored Crimes in Darfur Shows Drawdown of Peacekeepers Premature and Reckless*. Online: <https://www.amnesty.org/en/latest/news/2019/06/sudan-fresh-evidence-of-government-sponsored-crimes-in-darfur-shows-drawdown-of-peacekeepers-premature-and-reckless/> (Accessed 27-01-2020).

28 Tubiana, J., Warin, C., & Saeneen, G. M. (2018), *Multilateral Damage: The Impact of EU Migration Policies on Central Saharan Routes*. Clingendael Institute. Online: <https://www.clingendael.org/pub/2018/multilateral-damage/> (Accessed 27-01-2020).

29 Human Rights Watch. (2019), *op. cit.*

30 Weber, A. (2019), *For a Peaceful Transition in Sudan: Current Developments and Plausible Scenarios*. Stiftung Wissenschaft und Politik (SWP). Online: <https://www.swp-berlin.org/10.18449/2019C39/> (Accessed 27-01-2020).

31 *ibid.*

Prime Minister Hamdok has maintained strong public support with a range of economic and symbolic reforms so far, but more is expected in order to achieve substantially greater results in the future. His first civilian cabinet appointments were largely popular among the revolutionary forces, while his visits to internally displaced persons (IDP) camps to listen to displaced Darfuris have boosted his standing outside Khartoum. Hamdok's subsequent announcement of his intention to hand over Bashir to the International Criminal Court was described by one source as 'a political risk, but one that significantly enhances his legitimacy'.<sup>32</sup> Finally, in an act to 'to preserve and restore the dignity of our people'<sup>33</sup> Hamdok formally dissolved the NCP in December, simultaneously repealing various public order legislation that regulated women's behaviour, in a move that was heralded by local activists.<sup>34</sup> Yet while such measures have earned the new prime minister a substantial degree of popularity and trust, far greater battles lie ahead. Remedying Sudan's economic development will take a number of years, if not decades. While substantial economic reforms will be key, a number of shorter-term measures and successes will be required to satisfy the hopes and demands that Sudanese society has placed on the new transitional council.

## Potential future pathways

Successful democratic transitions following long periods of autocratic rule are rarely straightforward, and there are many risks and challenges associated with the transitional process. In order to mitigate the impact or likelihood of such risks, it is necessary to be aware of the potential pathways that the transitional process in Sudan could follow in the coming months and years, drawing on the experience of similar recent endeavours in nearby countries.<sup>35</sup>

It is important to note that the following comparisons with other transitional cases are brief, and as such only address key components. There are multiple internal complexities, applicable to individual cases, which this policy brief is unable to outline in full.

### Security-derived legitimacy replacing popular support

As described above, the issue of legitimacy is central to the potential future pathway of a transitional government. An October opinion piece in the popular Sudanese daily *Al-Jarida* proudly asserts that 'revolutions derive their legitimacy from themselves and from the majority of the people who carried them out',<sup>36</sup> implying that the civil component of the transitional council is the legitimate entity and should not be overshadowed by the TMC. However, recent history demonstrates that post-revolutionary legitimacy can be hijacked or steered in different directions.

32 Interview with European official based in Khartoum, December 2019.

33 Hamdok, A. (2019), Twitter post. Online: [https://twitter.com/SudanPMHamdok/status/1200187070624468992?ref\\_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1200187070624468992&ref\\_url=https%3A%2F%2Fwww.france24.com%2Fen%2F20191129-sudan-omar-al-bashir-abdalla-hamdok-transitional-military-council](https://twitter.com/SudanPMHamdok/status/1200187070624468992?ref_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1200187070624468992&ref_url=https%3A%2F%2Fwww.france24.com%2Fen%2F20191129-sudan-omar-al-bashir-abdalla-hamdok-transitional-military-council) (Accessed 27-01-2020).

34 Burke, J. (2019), *Sudan 'On Path to Democracy' as Ex-Ruling Party is Dissolved*. Online: <https://www.theguardian.com/world/2019/nov/29/sudan-dissolves-ex-ruling-party-and-repeals-morality-law> (Accessed 27-01-2020).

35 For further reference on democratic transitions and the legitimacy of post-revolution governments, consult Bitar S. and Lowenthal A.F. (eds) (2015) *Democratic transitions: conversations with world leaders*, and Linz J.J. and Stefan A. (1996) *Problems of Democratic Transition and Consolidation: Southern Europe, South America, and Post-Communist Europe*.

36 Al-Jarida Newspaper. (2019), ساخر سييل/ الفاتح جيرا .. الله، يكضب الشينة. Online: <http://sudan.press.net/?p=21191> (Accessed 27-01-2020).



The case of Egypt demonstrates a situation in which a military-backed government has been able to establish itself by promoting some level of legitimacy based on security and stability rather than developing and incorporating civil society. When the al-Sisi government came to power in 2013 it portrayed itself as a 'corrective' revolution in response to the Muslim Brotherhood-headed government that preceded it. This allowed al-Sisi and the government to repress Muslim Brotherhood figures and media outlets, while at the same time presenting itself as an extension of the will of the people and the January 25 Revolution. A crackdown on civic space and political opposition was justified under the rhetoric of counterterrorism.<sup>37</sup>

This path is particularly relevant to Sudan because it illustrates the current delicate balance of power. If that balance were to alter in favour of the military component of the transitional government, it is not implausible that subsequent events would mirror the situation in Egypt, where popular legitimacy of the government is sidelined and overridden by rhetoric of security and emergency law. By marginalising civil actors and liberal voices under this guise, a new version of an autocratic government might be established. However, it should be noted that the underlying conditions that facilitated the rise of a military government in Egypt are markedly different to those in Sudan. The latter has a more influential Islamist component, having ruled the country for the past three decades, as well as a more pronounced recent history of armed opposition and rebel-held territory. But in both contexts the state military is a highly significant actor with access and interests that permeate society.

### Balancing popular approval and unpopular reforms

A second dangerous pathway can emerge when legitimacy is based solely on popularity. In such a case, the legitimate civil forces

are granted sufficient executive powers in the transitional government, but because their status is intrinsically tied to public perception they are reluctant or hesitant to enact the necessary legislation and reform to address the underlying issues that partly fuelled the revolution in the first place. In the case of Sudan, local perceptions are united in their assessment that the economy is pivotal to the long-term stability of the country. There is widespread recognition that the country's economic troubles run deep. Local media such as *Akhbar al-Youm* newspaper talks of a 'crisis economy' characterised by years of dictatorship, parasitic practices, war, corruption and international isolation.<sup>38</sup> Meanwhile, another newspaper, *Al-Intibaha*, highlights a fundamental flaw in the Sudanese model of government officials profiting from their own positions. They elaborate on practices of the previous regime – for example, imprisoning farmers who would not sell their land to government officials, and finance ministers trading in currency and owning shares in banks.<sup>39</sup> Local media advocates wholesale economic reform (including land reform, bank and industry regulation and anti-corruption measures) as the main priority of the transitional government.

Rebuilding the Sudanese economy will require difficult steps such as austerity measures, and enacting genuine reform will require an earnest breaking up of the oligopolistic economic structure. Such measures will undoubtedly be unpopular with certain influential sections or indeed the population at large, and a government that derives its legitimacy from popularity may feel reluctant to carry out such necessary steps.

The case of Tunisia is pertinent here, as the overall post-2011 transition ostensibly contains many of the elements to which the civil component of the Sudanese government aspires. In Tunisia, after a particularly difficult

37 Van de Bildt, J. (2015), *The Quest for Legitimacy in Postrevolutionary Egypt: Propaganda and Controlling Narratives*, *The Journal of the Middle East and Africa*, 6:3-4, 253-274, DOI: 10.1080/21520844.2015.1087817.

38 Keblo, S. (2019), من أين نبدأ الإصلاح الاقتصادي؟, Online: <http://www.akhbarelyoum.net/tfr/2752> (Accessed 27-01-2020).

39 Al-Intibaha Newspaper. (2019), القرابة ام دق/ محمد, Online: <http://sudan-press.net/?p=20608> (Accessed 27-01-2020).

and violent 2013, and following the results of the 2014 elections, the moderate Islamist Ennahda and secular Nidaa Tounis embarked on a power-sharing deal.<sup>40</sup> This was in part brokered with input from civil society and trade unions, sections of society that are also seeking a more influential role in Sudan.

However, in recent years, the Tunisian government has failed to address one of the key underlying issues behind the 2011 revolution, namely the economy. Unemployment rates have increased from 12-13 percent during the late 2000s to around 15 percent today. Inflation has doubled, from roughly 3-4 percent before the revolution to 7.4 percent today. As observed by the Brookings Institution, ‘by nearly all metrics, the economic situation is even worse than that which prompted the 2011 revolution’.<sup>41</sup>

Much of this failure can be attributed to the fact that neither Islamists nor secularists in the Tunisian government were willing to undertake the necessary reforms and austerity measures to bolster the economy for fear of appearing the more unpopular component of the power sharing deal. Although an increase in public spending was necessary to offshoot the tumultuous impact of the 2011 revolution, this has now reached an unsustainable level. Moreover, despite the introduction of expansionist policies, the Tunisian business sector has declined, with the incumbent government

accused of corruption and cronyism. Finally, key Tunisian industries have failed to recover since 2011, most notably tourism, but also phosphate and oil and gas production.<sup>42</sup>

Neither party was willing to assume responsibility for the vital but unpopular economic measures that the country required, including austerity measures, and were instead lured by further expansionist policies. The impact of such reticence can be seen in the private sector, where many companies that benefited in the Ben Ali era had their assets seized or privileges renounced, and a new investment climate, and with it new companies, has failed to emerge. Instead, due to political rivalry, parties are offering business incentives in exchange for financial support, creating a new class of business elites tied to government. Finally, the limited investment and growth that has been seen is concentrated among the elite in the north of the country, further marginalising the south.<sup>43</sup>

This case poses a warning to the new Sudanese leadership, as it demonstrates that a coalition government created with the input of civil society, trade unions and technocrats can nevertheless fail to achieve the revolution’s aims. The Sudanese government must be sufficiently secure in its own standing to enact policies and reforms that are urgently needed but which may be unpopular with key constituencies in the short term. The government must also heed the danger of consolidating investment in and around Khartoum state at the expense of the peripheries, so as not to mirror the Tunisian case of inequality between the north and south.

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40 The Islamist Ennahda party won the country’s first democratic elections in 2011, but there was a clear disconnect between Islamists and secularists, and violence threatened to derail the transition. Coalitions were formed in 2012 and 2013 in a bid to form consensus between polarised factions, and to draft a constitution. In 2014 a constitution was adopted along with the appointment of a technocratic cabinet and a new round of elections. The National Dialogue Quartet – comprised of civil society activists and trade union leaders – helped to mediate between Ennahda and Nidaa Tounis, the country’s largest secular party.

41 Grewal, S. (2019), Political Outsiders Sweep Tunisia’s Presidential Elections. Brookings Institution. Online: <https://www.brookings.edu/blog/order-from-chaos/2019/09/16/political-outsiders-sweep-tunisia-presidential-elections/> (Accessed 27-01-2020).

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42 Diwan, I. (2019), Tunisia’s Upcoming Challenge: Fixing the Economy Before It’s Too Late. Arab Reform Initiative. Online: <https://www.arab-reform.net/publication/tunisia-upcoming-challenge-fixing-the-economy-before-its-too-late/> (Accessed 27-01-2020).

43 Sadiki, L. (2019). *Regional Development in Tunisia: The Consequences of Multiple Marginalization*. Brookings Institution. Online: <https://www.brookings.edu/research/regional-development-in-tunisia-the-consequences-of-multiple-marginalization/> (Accessed 27-01-2020).

## A hard break from the past may damage government capacity

Post-revolutionary settings often signify a wholesale break from the past, with those assuming power eager to portray themselves as having no connection to the former regime. The transitional government can derive early legitimacy simply by being in overt opposition to the regime that preceded it. In the post-revolution climate of Tunisia, the transitional government quickly dispelled its associations with the former regime with a temporary law excluding all Ben Ali-era officials from participating in the 2011 elections.<sup>44</sup> Many companies that benefited from access to the former regime had their assets seized or privileges renounced, with the government hoping such actions would usher in a new investment climate.

Yet aside from these measures, Tunisia initiated no wholesale purge of former regime officials, and in recent years they have gradually been incorporated back into the political scene. Five former members of the Ben Ali government returned to the cabinet in 2017,<sup>45</sup> and most controversially, in the same year, the government passed a bill granting amnesty to officials and businesspeople suspected of corruption during the former regime.<sup>46</sup> The move was passed under the banner of reconciliation, particularly on the part of Nidaa Tounes, a party that incorporates a broad spectrum of secular views, including those of the former regime. However, such endeavours have proved particularly damaging to

the incumbent government's legitimacy, particularly in the eyes of civil society activists and revolutionaries who fear that the former ruling system is re-establishing itself.

Sudan must also pay particular attention to how it deals with the remnants of the Bashir government. The country has a very powerful deep state, the product of the past three decades of 'violent kleptocracy' when Bashir and his inner circle set about state capture through exclusively administering the production and distribution of resources and institutionalising corruption.<sup>47</sup> A warning of how volatile a confrontation between remnants of the former regime and the transitional government can be took place in January 2020, when members of the now defunct National Intelligence and Security Services (NISS) engaged in a 15-hour standoff with military personnel in a residential area of Khartoum. The NISS members were protesting against their unit being disbanded but the incident escalated into violence, resulting in the death of two soldiers.<sup>48</sup>

There are less explicit challenges when it comes to transitioning from the former regime. A network of Bashir-era individuals and entities, particularly NISS-affiliates, control various influential Sudanese companies, and by extension industries. Sudan's new government must negotiate a series of opaque business ventures that form Sudan's 'patronage-driven economy'<sup>49</sup> – a system where influential and high-ranking military leaders are incentivised and enabled to cling on to power. For example, recent reports have disclosed the extent to which

44 VOA News. (2014), *In Tunisia, Old Regime Figures Make a Comeback*. Online: <https://www.voanews.com/world-news/middle-east-dont-use/tunisia-old-regime-figures-make-comeback> (Accessed 27-01-2020).

45 Razipour, K. (2017), *Details on the New Tunisian Cabinet*. Project on Middle East Democracy. Online: <https://pomed.org/details-on-the-new-tunisian-cabinet/> (Accessed 27-01-2020).

46 Cordall, S. S. (2017), 'Amnesty of the Corrupt': Tunisia's Move to Heal Old Wounds Branded a Sham. Online: <https://www.theguardian.com/global-development/2017/oct/27/tunisia-reconciliation-act-dismissed-amnesty-of-the-corrupt> (Accessed 27-01-2020).

47 Enough Project. (2017), *Sudan's Deep State: How Insiders Violently Privatized Sudan's Wealth, and How to Respond*. Online: <https://enoughproject.org/reports/sudans-deep-state-how-insiders-violently-privatized-sudans-wealth-and-how-respond> (Accessed 27-01-2020).

48 Al-Jazeera. (2019), *Sudan Government Forces Quell Armed Protest by Security Agents*. Online: <https://www.aljazeera.com/news/2020/01/gunfire-erupts-khartoum-security-agents-resist-reform-200114133759736.html> (Accessed 27-01-2020).

49 Enough Project. (2017), *op. cit.*

Hemedti's private wealth has been derived from the country's gold mining industry, and how this wealth bought significant access to and power within the Bashir regime. Hemedti himself acknowledged such business ties in a BBC interview in August 2019, stating 'I'm not the first man to have gold mines. It's true, we have gold mines, and there's nothing preventing us from working in gold.'<sup>50</sup>

This is a problem that must be addressed at some stage in Sudan's transition, but how to go about doing so is proving to be a subject of fierce internal debate. One popular Sudanese newspaper suggests that the greatest threat to the transitional government's legitimacy are certain remnants of the former regime working to 'disrupt it'.<sup>51</sup> Yet other commentators are cautious about the new government becoming exclusionary or seeking revenge. A further article explained that while those who committed crimes under the former regime must be held accountable, the definition of loyalty (both civilian and military) to the former regime is complex, and officials that could make a positive contribution should not be considered guilty merely by association.<sup>52</sup>

This debate is particularly intense when it comes to Sudan's economic problems. As one civil society member explained, 'If we go back far enough you will find that every member of the FFC participated in some form with the former government.' He added that with regard to the economy, 'the hard line of not having anything to do with the previous regime is that you are not leveraging the experience of the former officials – there is no handover. Good luck trying to figure it out

for yourself.'<sup>53</sup> Hence the dilemma faced by the transitional government: adopt a stance towards the former regime and its business interests that is too harsh and there is a risk of provoking a deep state backlash while also alienating experienced professionals; adopt a stance that is too soft and there is a risk that Sudan will not witness a meaningful change away from decades of state capture.

## Recommendations

In the final years of the Bashir era European policy makers had little traction in Sudan. Economic sanctions largely prevented the use of financial incentives and overseas development aid, and the Sudanese regime was for the most part immune to European diplomatic pressure due to its alliances and dealings with other geopolitical forces.<sup>54</sup> However, in the wake of the 2019 revolution, there is a renewed opportunity for Europe to make a positive impact in Sudan and support the country's moves towards a more liberal governance model.

The Sudanese transitional government will require considerable international assistance to reform an impoverished economy and reform an entrenched authoritarian state. Prime Minister Hamdok estimates that the country needs up to \$10 billion in aid to rebuild its economy.<sup>55</sup>

50 Abdelaziz, K., Georgy, M. & El Dahan, M. (2019), *Exclusive: Sudan Militia Leader Grew Rich by Selling Gold*. Online: <https://www.reuters.com/article/us-sudan-gold-exclusive/exclusive-sudan-militia-leader-grew-rich-by-selling-gold-idUSKBN1Y01DQ> (Accessed 27-01-2020).

51 Al-Jarida Newspaper. (2019), *op. cit.*

52 Al-Sudani Newspaper. (2019), *حاطب ليل/ دعبداللطيف*, *الابوني .. تصفير المعارضة*. Online: <http://sudan-press.net/?p=21193> (Accessed 27-01-2020).

53 Interview with Sudanese civil society activist, November 2019.

54 Saudi Arabia has invested more than any other country in Sudan, but the Bashir regime was notorious for opportunistically playing off rival global actors. On one occasion in 2016, following Sudan's pivot from the Iranian axis, Saudi Arabia deposited US\$1 billion to stabilise currency. For more information, see <https://www.reuters.com/article/sudan-saudi-diplomacy/as-economy-crumbles-sudan-ditches-iran-for-saudi-patronage-idUSL8N14V2WV20160112>

55 Abdelaziz, K. (2019), *Exclusive: Sudan Needs up to \$10 billion in Aid to Rebuild Economy, New PM Says*. Online: <https://www.reuters.com/article/us-sudan-protests-exclusive/exclusive-sudan-needs-up-to-10-billion-in-aid-to-rebuild-economy-new-pm-says-idUSKCN1VE0QZ> (Accessed 27-01-2020).

### The SST and international investment in Sudan

As has been observed elsewhere, much of Sudan's potential to reduce its national debt burden and rebuild its economy is dependent on its removal from the US State Sponsors of Terrorism List (SST).<sup>56</sup> The SST prohibits the US from voting in favour of debt relief for Sudan, rendering it ineligible for initiatives such as the joint IMF-World Bank Heavily Indebted Poor Countries (HIPC) Initiative. Moreover, Sudan's outstanding debt burden precludes any new lending from international financial institutions.<sup>57</sup>

The SST does not restrict companies from doing business with the private sector in Sudan, but cooperation comes with the reputational risk of perceived ties with an SST-designated state. Sudanese companies in turn face increased procurement difficulties, particularly in obtaining sensitive equipment and technology from the US.

Ostensibly, the SST does not impede development aid, whether from the US or elsewhere. In this regard, a more significant obstacle for EU member states over the past decade has been Sudan's failure to ratify the near-expired Cotonou agreement.<sup>58</sup>

In spite of such restrictions, the international community has sought to explore ways in which the new Sudanese government could be supported to improve the country's economic prospects. In October 2019 the Friends of Sudan, a group comprising notable Western and Gulf states alongside multinational organisations including the African Union, UN and EU, agreed in principle to establish a multi-donor trust fund (MDTF). The MDTF would allow the international community to support the transitional government's undertaking of 'quick impact projects'<sup>59</sup> and help to assuage the concerns of donors unwilling to provide medium- or long-term funding at this nascent stage of Sudan's transition.<sup>60</sup>

Bearing in mind the restrictions explored in the box above, European policy makers should adhere to the following

recommendations, with an emphasis on capacity building and support where direct investment remains prohibited.

## 1. Support longer-term economic development through political economy analysis

Resolving Sudan's economic issues is key to the longer-term sustainability of livelihoods throughout the country, and thereby the legitimacy of the new government. At the same time, it is important to acknowledge the extent to which security sector-owned or controlled companies permeate the Sudanese economy and the myriad of other ways in which they deplete government resources. These companies will not disappear overnight. An economic transition will likely require their gradual dismantlement or long-term efforts to ensure their benefits are more widely dispersed. From the perspective of the transitional government,

56 International Crisis Group. (2019), *op. cit.*

57 Enough Project. (2017), *The Missing Track: The Case for a New Policy Framework Between the United States and Sudan*. Online: [https://enoughproject.org/wp-content/uploads/2017/06/TheMissingTrack\\_June2017\\_Enough\\_Final\\_small.pdf](https://enoughproject.org/wp-content/uploads/2017/06/TheMissingTrack_June2017_Enough_Final_small.pdf) (Accessed 27-01-2020).

58 A treaty signed in 2000 between the EU and 79 African, Caribbean and Pacific countries. The agreement forms the basis of development, economic and trade cooperation between the EU and signatories, in accordance with agreed political and human rights standards. It is due to expire in February 2020, with negotiations ongoing over the exact details of a successive arrangement.

59 Radio Dabanga News. (2019), *Friends of Sudan Supports Planned Economic Reforms*. Online: <https://www.dabangasudan.org/en/all-news/article/friends-of-sudan-supports-planned-economic-reforms> (Accessed 27-01-2020).

60 Malley, R. (2019), *op. cit.*

however, an immediate wholesale purge of such ventures would be highly inflammatory and likely impossible.

A range of private sector actors and employees were key supporters of the 2019 uprising through several professional associations, and many have sought to establish new opportunities in the post-uprising environment. For example, in December 2019 the recently formed Sudanese Business Owner Association<sup>61</sup> (known as ‘Ha Nabnino’) launched the ‘Joint Vision Initiative’ between the private sector and the transitional government. This event in Khartoum brought together independent private sector representatives and the ministers of finance, trade and industry, agriculture and forestry, and animal resources.<sup>62</sup> These new independent forms of private sector organisations are a primary constituency of the civilian component of the transitional government. The international community should prioritise investing in and developing sectors in which actors with a demonstrable commitment to liberal practices are active.

Potential investors will need to work around the patronage-driven economy and identify emerging business groups that could be promoted as a counterbalance. To this end, a thorough understanding of Sudan’s political economy is essential in order to identify the sectors, businesses and individuals that are supportive of liberalisation, to find ways to counterbalance ventures captured by the security sector, and to determine how to deal with those entrenched clientelistic networks. In this context there are no entirely ‘clean’ sectors or even actors, but political economy analysis will help to identify the most promising investment opportunities.

When suitable partners have been identified, a conflict-sensitive approach to engagement is essential, as engagements can easily become politicised. Previous attempts to

strengthen professional associations, for instance, encountered problems in selecting participants for training courses or seminars. The symbolic significance and practical opportunities offered by such events risked causing conflict between potential beneficiaries. When foreign support comes in, particularly after a period of prolonged international isolation, and there are only limited seats available, this can in fact do much to destabilise and harm promising local endeavours. Additionally, participation in such programmes can jeopardise beneficiaries’ personal safety, as they risk becoming a target for Sudan’s deep state institutions.

## 2. Support quick wins to show progress and maintain popular buy-in

Genuine economic development, coupled with building the capacity of Sudan’s liberal professional sections and carefully deconstructing the patronage-driven economy, will take years if not decades to achieve. Although this is crucial to long-term stability for the country and the legitimacy of its government, a number of quick results are also needed. Early successes will boost the government’s current standing and allow it to pursue more ambitious projects related to economic reform, having achieved a degree of public trust.

Moreover, a successful transition will depend on a balance not only between civilian and military components, but also between Sudan’s centre and peripheries. To this end, the international community should complement its longer-term efforts by supporting projects that can start quickly, and which are highly visible and far reaching. One example would be an overt display of international re-engagement with Sudan, perhaps with the establishment of new international non-governmental organisation offices in Khartoum and regions beyond. Such a move would have high symbolic value and help to reassure the Sudanese population that the uprising has prompted a genuine shift in mentality, not only domestically but internationally.

61 The association is comprised of the dissolved employers’ federation, as well as small industries and crafts unions.

62 Interview with European official based in Khartoum, December 2019.

Implementing organisations should also take advantage of greater access afforded by the transitional government – in comparison with the former regime – to conduct effective relief efforts in drought and conflict-affected areas. Sudan is also in dire need of infrastructure development, particularly its road network – but such projects are likely to be expensive and take years to complete. In the short term, domestic and international efforts could focus on renovations and rehabilitation – such as buildings or bridges – that could begin more quickly, and generate considerable employment opportunities and public goodwill.

With regard to the donor community, a stable development trajectory is crucial. In the fragile post-uprising environment of Sudan, domestic observers have expressed reservations about engaging with international partners after years of minimal direct involvement.<sup>63</sup> Others in the Sudanese press have warned against renewed international interest potentially exacerbating and inflaming divisions within the new transitional government.<sup>64</sup> It will take time for a trusting relationship to be built between European institutions and local partners, and it is essential to establish a sustainable multi-year road map so that both sides can focus on long-term cooperation.

### 3. Prevent exclusionary tendencies in the new governing arrangements

The FFC represents a range of professional and societal interests, and its diverse composition was a major factor behind its rise to prominence as the driving force behind the 2019 uprising. However, as observed by sources within Sudan, the FFC's subsequent involvement in shaping

the political future of Sudan will inevitably provoke tensions both within the group and vis-à-vis actors operating outside of it. If the FFC becomes overly politicised, or caters only to those sectors that demonstrably supported it before or during the revolution, this could jeopardise its wider legitimacy and that of the transitional government. Young people in the country's urban areas express concerns that despite regime change the civil service continues to be dominated by familiar figures or classes. This, coupled with the more concerning reports of ongoing RSF violence on a daily basis in the country's marginalised areas, such as Abyei and Darfur, demonstrates the very real concerns within Sudan about the re-emergence of the previous regime's practices.

To mitigate this risk, the international community could work with the prime minister and his cabinet to ensure they serve to promote the business climate for all actors, whether established or newly created. International actors should ensure that inclusiveness is guaranteed in their support to the Hamdok government in order to promote inclusive policy making, ensuring that voices outside the FFC are heard and that young people, women and citizens from marginalised regions retain a voice in the process. These endeavours should be accompanied by programming that supports wide participation from key sectors, thus preventing potential exclusionary tendencies around FFC's support base, as groups within it may seek to capture the benefits of access to governance.

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63 For example, the Chairman of the Sudan Scholars Association warns against dealings with the World Bank and other international organisations, which they view as exploitative. For more information see <http://www.akhbarelyoum.net/tfr/3279> (Arabic link).

64 Al-Sudani Newspaper. (2019), *op. cit.*

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