The imperative of decentralization

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One of the root causes of conflict in Sudan is a sense of marginalization from the corridors of power and a share in national wealth. For generations Sudan’s rulers have come from the far north of the country. This imbalance was encouraged by colonial rule; at the time of independence only a handful of parliamentarians did not hail from the Nile valley north of Khartoum. As soon as power becomes inaccessible or people lose control of the administration of resources, grievances begin to emerge.

Holding these grievances in check requires an independent legislature, executive and judiciary at whatever level is most appropriate and practicable; in a country as large and diverse as Sudan the most appropriate or practicable level is unlikely to be the centre. If people are more closely involved with policy changes that affect their daily lives and most matter to them, such as education, healthcare and transparent revenue sharing leading to improved livelihoods, they will be more inclined to accept that some decisions need to be taken at the centre. In other words, effective decentralization strengthens the centre, and by encouraging participation, strengthens transparent and accountable governance. Decentralization guards against civil war by ensuring that everyone has access to power and acknowledging their right to decide for themselves how they wish to control their resources and manage their society.

Decentralization is therefore an important part of the peace process. The Comprehensive Peace Agreement (CPA) between the Sudan People’s Liberation Movement/Army (SPLM/A) and the Government of Sudan – and the Interim National Constitution it initiated – have helped to address the regional inequalities in Sudan by bringing the decision-making process closer to the people, both by giving states more devolved power and by recognizing southern Sudan as a separate administrative entity enjoying substantial autonomy within Sudan. These achievements are testament to the positive working relationships between the two negotiating parties and to the early agreement on wealth sharing during the Naivasha process.

Self-determination, decentralization and the CPA

The principle of self-determination for southern Sudan was key to the peace process because it enshrined the idea that the southern Sudanese have a right to govern themselves and recognized that not all regions of Sudan share the same traditions or priorities. Southern Sudan obtained significant autonomy as a self-governing region, in recognition both of the principle

Figure 1: states and regions

Sudan’s current 25 states (left) and its 9 regions to 1994 (right).

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of self-determination which had been agreed some years earlier (and which is not argued for by the other parts of Sudan) and of southern Sudan’s very different history and culture. The peoples of southern Sudan identify themselves as African first and foremost; their shared southern Sudanese identity is a product of a history of integration into and exclusion from a nation-state dominated by northerners and Islamists who considered them primitive unbelievers. They value their regional identity in order to preserve their distinct traditions, especially their secularist politics.

Moreover, decentralized government is ingrained in the political life of the communities of southern Sudan. Throughout their long history, many tribes (with some exceptions such as Zande, Shilluk and others) chose not to have hereditary kings but a system of leadership based on community-level decision-making. When the SPLM/A leaders came to negotiating the CPA it was clear that their communities would need to be given substantial autonomy in decision-making if peace were to have any chance of success: without it the southern Sudanese would be less willing to feel a part of Sudan and more likely therefore to pursue independence.

Notwithstanding the special autonomous status agreed for the south, the CPA’s provisions for decentralization across the whole country highlight its significance as a national agreement with implications for all Sudanese. Decentralization was an important element of the SPLM/A’s negotiating position during the talks. John Garang’s vision was a secular, devolved ‘New Sudan.’ The interim period between the signature of the CPA and the referendum on southern independence was extended from six months to six years at Garang’s insistence because he felt it was important to give the whole country time to establish a more decentralized system before judging whether or not southern and northern interests would best be served by independence.

The principles of decentralization are enshrined in the Interim National Constitution much more solidly than in the previous 1998 Constitution in four main ways. Firstly, the Interim Constitution introduces a Council of States as a second chamber of government in addition to the National Assembly. This ensures that the states have some say in the legislature rather than being simply subject to legislation by the National Assembly. Secondly, the system of decentralization is now the responsibility of the Government of National Unity (ie the Presidency and Council of Ministers, with the percentage allocations agreed by the CPA), broadening the previous system under which the President retained substantial control over state legislature and the appointment of state governments. Thirdly, there is now a specific chapter on decentralization, which accords the states greater autonomy in decision-making and local government. Fourthly, many references to the Islamic nature of Sudan have now been replaced by statements which allow political leadership and governance to be exercised in accordance with either Islam or Christianity; officers of the state must take an oath in the name of God Almighty, and Islam is now only specifically referred to in the context of the dual banking system.

The Interim Constitution makes further provisions which underpin decentralization, including the introduction of English as a national language concurrently with Arabic, the emphasis on healthy and mutually supportive intra-governmental relationships, and the promise of revenue sharing which “reflect[s] a commitment to devolution of powers and decentralization of decision-making.”

**Unsatisfied demands**

Despite these reforms, decentralization has not been accepted at the highest level nor implemented at the lowest level. Khartoum’s record of being unwilling to take into account Sudan’s diversity has led other regions, especially the three states of Darfur and the three states of eastern Sudan – but even the far north and Kordofan too – to seek more autonomy from the centre to run the states within them.

Sudan has been reorganized administratively on several occasions, but in 1994, Sudan’s nine regions were reorganized into twenty-six smaller states (now twenty-five, see figure 1). In many parts of the country they are considered unsatisfactory: they do not have the political or economic weight of the old regions, but are too large to be viable as political or social communities. Many people in Darfur (which was an independent Sultanate until 1916 and a region until 1973) and eastern Sudan (which was a region until 1973) want regional recognition for specific historical and political reasons, and these have been addressed to different degrees and in different ways in the Abuja and Asmara peace talks (see summary on page 53).

Recognition of these claims will make the decentralization of the whole country – beyond a confederal arrangement with the south – inevitable. But it will also make conflict much less likely and could be a catalyst not for the break-up of the country, so feared in Khartoum, but to economic prosperity and sustainable peace. Decentralization will only be complete when subsidiarity has filtered down to every village.