

# The Emergence and Development of National Congress Party in Sudan (1998-2005)

Faiz Omar Mohammad Jamie<sup>1</sup>

<sup>1</sup>Director, Centre for Peace and Development Studies, University of Bahri, Sudan

Correspondence: Faiz Omar Mohammad Jamie, Director, Centre for Peace and Development Studies, University of Bahri, Sudan.

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## Abstract

The paper analyses the emergence of the National Congress Party (N.C.P.) within the context of the recent political history of Sudan in post 1989 era. The date marks the time when Islamists in Sudan assumed power following a coup d'état led by General Omer Al-Bashir, latter on came to be known as the Ingaz regime. The significance of the experience of this Party emanates from the fact that, though it started as a one ruling party, it managed to conclude in 2005 the Comprehensive Peace Agreement (C.P.A.) a major peace agreement ending one of the longest internal wars in Africa. The Agreement was included in the Constitution of the country, consequently hosting Sudan People's Liberation Movement (SPLM), the movement which led the rebellion to become a partner party/movement in the rule of the country. The paper reflects on this power sharing experience during the Interim Period up to 2011 wherein the Referendum on Self-determination of South Sudan resulted in dividing the Country into two sovereign states.

**Keywords:** South Sudan, Islamists, Ingaz, interim, Tawali, party, Sharia, secession

## 1. Introduction

Political parties in Africa succeeded liberation movements in mobilizing the masses towards the strategic national goals in individual states after the decolonization period in the 1960s of the 20<sup>th</sup> century. Therefore the background of many of these parties is military in nature (Algeria, Ethiopia, Angola, Mozambique, Eritrea...etc.), however others have different political backgrounds (Sudan, Egypt... etc). Nonetheless in most of these countries military coup d'états took place shortly after independence (Koonings & Kruijt, 2002). The new military regimes opted to establish political parties to gain popular support of the masses. In few cases where military did not interfere to overthrow government, pre-independence political parties still exist, examples could be seen in KANU in Kenya, UNIP in Zambia and CCM in Tanzania. In this context the paper is going to test the case of Sudan after six decades of independence (Salih, 2003).

Functions of political parties in Africa have been analyzed by theoreticians (Randal and Theobald, 1988) who produced common features shared in most 3<sup>rd</sup> World Countries; they include among other things that they provide legitimacy for governments through ideology - building and avenues for political participation. The case under investigation in Sudan belongs to the generation of parties established by the military who assumed power after overthrow a civilian government. One important element in this case is the fact that this Party is backed by a very influential group namely the Islamists whose political wing is known as "Al-Jabha Algawmia", a term which stands for a coalition of Islamic - oriented political organizations.

Political history of the Sudan as from independence, could be seen to have reflected an ever- growing tendency by the Sudanese towards free and democratic type of governance. Out of 33 years of national government, since independence up to 1989, the country experienced 11 years of democratic rule, and twice that period (22 years) of military rule. In between 2 important popular uprisings were launched in 1964 and 1985 respectively, the main objective of both had been to realize a return to civilian rule, by over- throwing military regimes. Lessons drawn out of that entire legacy, has informed political awareness of the people in Sudan. To an extend wherein; the Sudanese, invented their own proverb to the effect that the Sudan is the land of 35 million politicians, the implication is that all the Sudanese are politicians by instinct, another tribal group went as far as to imagine that: "they were born to rule".

The history of successive national governments – military and democratic in the Sudan, is characterized by a long tradition of secularism, as a stereo type African nation – state. Secularism in the country does not mean more than the

fact, that religion has some minimal influence in the daily affairs of government; even that mild type of secularism came to an end, by the adoption of Islamic sharia as a governing law of the country during the military regime of Nimeri 1983. That event had had significant internal and external impacts on the future development of the Sudanese state. Five years after the adoption of the sharia, in 1989, the "Ingath" regime came up in a military coup- like movement, just to further reinforce the rule of the Sharia on the land, in addition to some other minor political reforms and major economic achievements.

## 2. The Pre- 1989 Sudan

Nimerie regime (1969-1985) started all the way long as a one- party system, where the "Sudanese Socialist Union" S.S.U. was the only ruling party (1971-1985). Perhaps among the longest- serving political parties in Africa (Salih, 2003), the assumption was that; being an alliance of social forces; workers, peasants, soldiers ... etc. the (S.S.U) could best express the interests and aspirations of the masses. Nimeri regime responded in different ways to various opposition movements, coups and uprisings (Jamie, 2000), military movements were dealt with militarily, cases to be cited could include 1971 and 1975 movements, whereas civilian armed movements were adequately maneuvered and/or aborted through conciliations and pacts, a case in point was 1976 movement led by the "National Front " headed by ex- prime minister Sadig Almahadi. Although non-S.S.U members during Nimeri regime could assume office as ministers or in other posts, as part of the tactic of the regime towards this or that opposition movement, the regime remained all through a one- party system, with highly centralized political and administrative orientation. In a later development the country was decentralized in 1981 into five regions in the North and three regions in the South. That was done despite the fact that 1972 – Addis Ababa Agreement provided for the establishment of one region in the South (Altayib 1999) to parallel one region in the North. The event was considered an outright violation of the agreement, internally the S.S.U. experienced various tensions as newcomers of "National Front" with whom Nimeri concluded the "National Reconciliation" (1977), as they exerted much pressure to challenge S.S.U leftist ideology. At that moment the countdown for the fall of the regime started, to last in 1985 by the "Intifada" a second popular uprising in post-independence political history of the Sudan, (the first being in 1964 over- throwing military regime of General Aboud (1958-1964). The "Intifada" paved the way for General Swar Ad- hab to lead a one- year transitional period, whose prime concern was the preparation for a general election to form the new legitimate government. General elections took place in 1986, won by "Umma Party" and Sadig Al- mahdi as prime minister. The later managed to rule the country for four years on multi- party basis. An era that came to be known as 3rd democracy in recent political history of the Sudan. Democratic rule in the country did not last more than four years, compared to 16 years of authoritarian rule during the military regime of Nimeri. "Umma Party "led by Al- Mahdi opted to make coalition governments with the other two strong competing parties; National Unionist Party and National Islamic Front "N.I.F". The motivation behind the option was the understanding that being vast and diverse in almost evenly aspect, Sudan could hardly be ruled "effectively" by one party- no matter how fair the election might have been. Unluckily, even that option did not work properly, as the parliament reflected profound differences between the government "of the Umma Party" and her ally (coalition member) on the one hand, and the other (non –coalition member) party on the other. Political bickering between parties in the parliament reached "withering heights". Political and economic performance for the government became under heavy attack by the press, hence provoking public opinion against government of Al- Mahdi.

Over and above that entire burden, war in the South was intensifying under unfavorable balance of power for the government. Rebel troops managed to conquer Kurmuk border town, South Blue Nile to become the only non-government controlled area, outside Southern region. Al-Mahdi under these pressures attempted to reach a compromise with rebel leader by then Dr. John Garang. Being so controversial, that event encountered much parliamentary opposition and popular resistance, particularly from "N. I. F" elements, who managed to lead a nation- wide campaign against that policy. The argument by the campaigners rested on the idea that as the bargaining power of the government was so weak, it will not be able to reach an easy and just agreement. A would-be price for that would not be less than compromising a cease- fire with cancellation of the Islamic Sharia Laws introduced by Nimeri Regime since 1983. Therefore the campaigners labeled their movement as the "Revolution of the Quran". Not long after that the military establishment intervened to seize power on the 30th of June 1989, to put on end to the so- called 3rd democracy era in the recent history of the country.

## 3. The Post - 1989 Sudan

Like any other military regime the constitution was suspended, political parties were banned, a new Military Council assumed executive and legislative powers. Leaders of most political parties were detained, including Dr. Turabi of the "N. I. F". however, one year later in 1991, the regime declared the Islamic Sharia as governing law in the country. That very declaration was so significant for many Sudanese who feared most a return of a left- wing authoritarian regime like that of Nimeri, their fears withered away. Internationally the cold war was coming to an end, as the Eastern block was disintegrating as a consequence of the breakdown Of the Soviet Union. The new regime in Sudan declaring itself as

"saver" of the country, embarked on a long process formulating policies addressing different issues pertaining to the economy, politics, culture, security, information, education ... etc. through conferences where experts, professionals, intellectuals and politicians of different orientations and background, were invited to deliberate on various sartorial topics, to come up with conclusions and recommendation to be adopted and turned into policies by the new one- year old regime. The period extending from Sep. 1989 up to August 1990, more than 10 conferences were convened, the first of which was the conference of "National Dialogue on Peace Issues", the subsequent conferences included National Dialogue on Economic Issues, Sudanese Diplomacy, Political System, Women affairs, High Education, Youth and Sports, Trade Union ... etc (Bashir, 2002). That method proved to be unprecedented in tapping national expertise in an inclusive policy – making mechanism free of unhealthy rivalry atmosphere of polarized party politics, experienced during coalition governments in the 3rd Democracy era.

#### **4. The Political System (Post 1989 Era)**

Over the last two decades political leadership in the country was determined to develop a system designed to realize as much political participation as possible, on the one hand, and to observe a moderate flavor of Islamization on the other, this balance is a hard- won task requiring exceptional leadership capabilities to invent professional political modalities out of ideological and enthusiastic Islamic jargon, discourse and literature. Despite instances of noticeable over-emphasis on Islamic-centrism resulting in poor relation with almost all of neighboring countries in the mid- 1990s (Nibloc, 2002) and U.S led international community; mainstream line of thought in the regime was able to adjust itself, whenever circumstances arise, to standards of innovative self- reliance rational political independence.

The study of the political system for the last decades could best be approached through considering major developments characterizing different episodes in this recent history.

#### **5. Popular Conference System (1990-1997)**

The "National Conference on Political System" was convened in Oct 1990. Out of the deliberations of that conference emerged the idea of establishing a system that could best allow as much political inclusivity as possible. The idea was developed into a system of "popular conferences" on bottom- up basis on local, provincial and regional levels where representatives are to be elected. Every adult Sudanese is eligible for membership irrespective of past political or religious affiliation. Therefore the door was wide open for diversities in opinion, thought, all under the umbrella of the political establishment. The understanding was that by so doing, the component of participation was fulfilled, so long as people in their villages, towns and regions can take part in selecting/ electing their representatives to the federal level, in the absence of traditional political parties. This episode was characterized by an atmosphere of revolutionary legitimacy wherein the level of political freedom allowed was somewhat limited.

The other component, balancing the idea of public participation in the political mind of the new regime; was the observance of Islamism in all walks of life, which was however realized by the introduction of the Islamic Sharia as a law of ultimate and absolute centrality. That declaration was launched in 1991 in the presence of almost one million supporters who took to streets to celebrate the event. One solid implication that event have had, was in connection with 1983 Sharia laws adopted during the regime of General Nimeri, that "March" brought to the notice of the international community that Sudan is becoming an Islamic state, or at least in that process. That was at the time U. S started to influence world politics through the U. N. "in 1993 Sudan had been placed on U. N. governments list of states harboring terrorism" (Nibloc, 2002) it seemed that bitter memories of the experience with the Islamic revolution in Iran were still in the echo, not to mention inability of U. S. army to free their nationals taken as hostages in the embassy by university students in Tehran. Now back again to the "popular conferences" as they represent the early attempts by the new Sudanese government to establish an interactive machinery- (to use an alternative term for) participation- with the masses of the people. Many would argue that signs of similarities may exist between this system, and the next door Libyan system based on the "Green Book" third theory ideology of Colonel Gaddafi. A counter- argument would indicate that central to the Sudanese system self-perception is the fact that much emphasis is laid upon the idea of "Islamism", as a cornerstone of the whole system, whereas the Libyans won't be happy to have their system classified as "Islamist", they would rather prefer to be described as "Arab" or "Jamahiyria", to mean popular or pertaining to the people, as a unique type of system in the world of politics.

Supporters of this system during the deliberations of the conference on political system, have advanced justification for that option- of popular conferences – on the assumption that the Sudan have had unsuccessful experiences with multi-party systems- the last one being that of Sadig Al- Mahdi, whereas the other option that of one- party system- is an apparent permit for authoritarianism as was the experience of the "Sudanese Socialist Union"<sup>1</sup> S.S.U. (Centre for Strategic Studies, 1997). the option of "popular conferences" was advanced as a way out of these past experiences, in

<sup>1</sup>The Sudanese Socialist Union was the ruling political party in Sudan during the Nimeri regime 1969-1985.

anticipation that the new system would provide a mechanism whereby previous pitfalls would be avoided.

The system managed to hold conferences on geographical and sectoral basis, all the way up to the national level. The General Conference was called in 1996 to elect the first secretary- general who happened to be Dr. Hassan Turabi. That General Conference was indicative of a completion of a long process of organizational arrangements, and was ready to function not as a party yet, but as a political organization for the political leadership, which proved to be too ambitious. Presidential elections were held in 1996 and "Khartoum Peace Accord" was concluded with Karbino SPLA faction<sup>2</sup> 1997, many initiatives were launched by opposition elements including Al- Hindi and Al- Mergani. Consequently, a general mood towards freedom of association was felt inside the country. In response, the regime thought of crossing the floor towards constitutional legitimacy. It was therefore safe to conclude that circumstances were ripe for the elected National Assembly – by then- to endorse the 1998 constitution, which legalized freedom of association as a constitutional and human right. Shortly before that the "National Conference" declared itself for the first as a political party under chairmanship of the president of the republic, to mark the birth of the "National Congress" .

However it won't be a hasty generalization to notice that successes of National Conference during the period 1990-1997 to emerge as a mass party were somewhat limited. Critics of the experience went so far to assert that most (N. C.) supporters are but ex- National Islamic Front members (Hawi, 2004), the very Islamists elements who supported the overthrow of Mahdi government.

#### **6. The Emergence of the National Congress Party (1998- 2005)**

Generally speaking political party is an organization in pursuit of political power through electoral competition with other similar parties, whereas a political organization is an actor not necessarily in competition with others for power, possibly a place for ideological interaction and development of political culture. In the case of "N.C.P.", it seemed to have passed the level of political organization in a semi- one party situation, to enter a new phase, by the introduction of the 1998 Constitution. On the basis of that Constitution the celebrated law of "Atawali Assiyasi" came into force in 1999, allowing freedom of political association. The Arabic term "Atawali" has been translated to mean "association" (Salih, 2003), this controversial term was coined by Dr. Turabi. In actual fact that law was a step towards freedom of association; because article "26" in 1998 constitution which provided for right political association, "conditioned" that by adherence and observance of the basic policies of the "Ingaz regime", to be further elaborated by the law. However many of the practitioners at that time including the Register of Political Parties and Organizations Dr. Mohamed Ahmed Salim, who assumed that, "Tawali" law has been later on amended due to the heated controversies which that "condition" has affected. (Register of political parties and organization, 2003). "Atawalyi Assiyasi" law has been amended or developed into what came to be known as "The law for Political Association and Parties". The two basic amendments introduced included the right of practicing political activity without necessarily being required to register as a party- suffice only to notify the Register of commencement of activity. The other amendment was an implicit recognition of the right, of old and historic parties- represented in the National Assembly of 1989- by exempting them of any form of registration. As these debates and controversies were going on, Sudan encountered the most serious threat of that decade – long lifetime of the new regime. On the one hand the U. S government managed to pass many economic and political sanctions (Nibloc, 2002) on unilateral- and multi- lateral (U.N) basis, regionally African and Arab neighboring countries hosted armed and political opposition factions, and extended aid- in- arms for the rebel groups in the south on the other. Consequently the war in the south was intensifying, adding additional burden to the already weak economy. Amidst these very hard conditions and circumstances, it was hardly conceivable for the newly- established "N. C.P.". to be able to appeal to the public in search for sheer political support, in isolation of war- related issues and slogans- A task for which the new- born civilian party could hardly have adequate credentials. Another agent directly involved in war affairs took the lead to launch the largest mobilization campaign in recent history of the Sudan- Popular Defense Forces (P. D. F). Popular response was adequate, moral and material support was voluntarily supplied. Thousands of "Mujahideen" were recruited as voluntary fighters, most of whom university students, and high- ranking government officials and ministers. It was beyond doubt that- by then war seemed to be a top priority in the national agenda. Nonetheless up to 1998 "N.C.P." managed to hold two conventions, and was a full mass party- like organ, chaired by the President, with the Speaker (chairman of the national Assembly) as a Secretary- General, that formula (president + speaker) did not last long, for, all of a sudden towards 1999, president due to internal differences between/ within the leading elite (office holders) of the "N. U", beyond the scope of this paper- issued the so- called Ramadan Decrees, firing the Speaker (Dr. Turabi) of his posts in both the Party and the Assembly.

<sup>2</sup>Karino Kuwnin was the second man in the leadership of the Sudan People's Liberation Movement(SPLA) which led the armed rebellion against Sudan Government. Kuwanin later on established his own faction apart from mainstream SPLM led by John Garang.

It was beyond doubt that, introduction of 1998 Constitution as a regulator of the political process, marked evident maturity in the legislative and legal domains in the state, however it was equally unfortunate that signs of setbacks in the political and diplomatic domains were as well evident. Constitutionality is indicative of the rule of law, recognition of civil and human rights, identification of methods and techniques of succession of power. During this period many reconciliatory moves were initiated by the "N.C.P."; with Umma Party in Djibouti, talks with SPLM/ A were in progress in different African and European capital cities. Before that Zain Al- Hindi as a prominent leader of the National Unionist Party Faction launched what he called "Popular Dialogue" initiative, in which he declared in his talks with government leadership his preference for a return to democratization and parliamentarianism as a way out of what he called crises of the Sudan (Haj Hamad, 1998). The 1998 constitution and the law regulating political association stimulated aptitude of many actors in political arena to establish new parties, or even tempting factions or break away groups within established parties, to resume or commence activity. Consequently the "office of the Register" became a very busy bureau, full of applications for registration, appeals against registration, conflicts over party names, and /or notification letters... endless types of conflicts and problems arose, however the Register admitted that he were able to accept registration of more than 22 parties (Bashir, 2002) examples of new parties include; "Equity Party "led by Amin Banani and Ali Balayil and others. Whereas examples of breakaway groups include Umma Party a faction led by Anour Jadain, National Unionist party- Al- Hidi faction. The first phenomena- new parties- marks the emergence of new generation of young politicians entering the political labor market, whereas the second phenomena- break-away groups- informed mainstream parties movement aboard to join armed opposition. National Democratic Alliance- "N.D.A" at Asmara, whose backbone was SPLM/ A. The "N. D. A". opted to have Al- Mirgani of the "N. U. P" as an honorary chairman. It seemed the temptation was so great that all of a sudden – Sadig Al- Mahdi leader of mainstream Umma Party in a surprise movement – code- named "Tahtadoon"- decided to leave the country to join "N.D.F" in Eritrea. Feasibility of that risk remains yet to be investigated, because Al- Mahdi did not seem to have enjoyed a warm welcome as he might have thought at Assmara.

It is worth noting here that all along- talks with SPLM/ A remained going on here and there. Most significant in this regard was the fact that government of Sudan "G.O.S" opted to include among official negotiating delegation with SPLM/A non- "N. C. P." members, as a sign of goodwill on one hand, and a rational recognition- on the part of G.O.S- of the need to enrich the negotiation process by the expertise of other national actors – on the other hand. In the meantime "G.O.S." managed to conclude peace Accord with SPLM/ A factions, notably Khartoum Peace Agreement 1997. With four SPLM/ A factions including; the

- The faction chaired by Dr. Riak Machar,
- the faction of Bahr Al- gazal group chaired by Karbino Kwanin,
- the faction of Bor group chaired by Commander Ton Arok Ton
- the Equatoria Defense Force chaired by Dr. Tobs los Ushang (Strategic Studies Centre: 1998, p.) efforts to consolidate Khartoum Peace Agreement were hardly successful, due to external factors pertaining to sanctions and embargos imposed, specially limiting travel of Sudanese holding constitutional posts. However negotiation with southern mainstream SPLM/ A continued for more than a decade, eventually crowned by the signing of the Comprehensive Peace Agreement "C.P.A", In 2005 after 100 days long negotiation round. That difficult but historic achievement was attributable to the tireless efforts by Ali Osman Moh. Taha then first vice- President of the Sudan on behalf of G. O. S, and late Dr. John Garang on behalf of SPLM/ A . The "C. P. A" is not a traditional ceasefire agreement between two warring parties .it is however an extensive and elaborate paradigm by the parties concerned on how best, could a country like Sudan with all its diversities be effectively governed. It is noticeable that the "C.P.A" laid much emphasis on the concept of power- sharing and wealth- sharing, as necessary steps towards what the Sudanese expected for so long; "Democratic Transformation". Provisions of the C. P. A were promptly included in the constitution of the country which became the "Interim National Constitution of the Republic of the Sudan 2005". It is clear that it was a transitional constitution for the interim period until the general election are to be held six years later.

## 7. Interim Period (2005- 2011)

The Interim Period is governed by the 2005 Constitution which clearly states that the Sudan is committed to respect fundamental freedoms, equality and Justice, and assume the observance of multi- party democratic process "Article 1", different levels of election and a decisive referendum on the (north- south) unity or partition are high in the agenda of that Constitution. The Constitution attaches great importance on two associated laws to the political process, namely; law for political parties, and separate law for the elections; their technique, system, ... etc. the first one was approved by the National Assembly in 2007. General features of it may be seen as follows:-

**Firstly:** Based on the "C.P.A" the law was exposed to heated debates from all political actors, both pro or anti-

government. The law has clearly stated that programs of political parties should in no way contradict provisions of the "C.P.A." or the 2005 Constitution. That 'condition' though controversial, is justifiable by the fact that, most post- conflict societies with fresh war memories are hardly immune of/ against setbacks to war situations, due to sharp polarizations along political, ethnic, and religious basis. Therefore only pro-peace political programs are allowed.

**Secondly:** The law provided for the establishment of a new body; the council of "Political Parties" not necessarily to replace the "office of the register", but to provide a way where political parties and organizations could manage their own affairs. Other than that the law stressed unacceptability of religious or ethnic- based parties. One can clearly notice a link on this point between the law and the "Asmara Decrees" issued by the "N.D.A". 1995.

The law even went as far as restricting government authorities of the right to check or forcefully enter any party headquarter or premises without consent or approval of the "Council of Parties".

The other law of equal significance is the 'law of the Elections' itself. It took the "N.C.P.", the SPLM/A, and the other parties in the "National Unity Government", so long to reach a common ground on this law. It was only on the first day of July 2008, that the National Assembly was able to approve that law, after prolonged indoor negotiations between political and social groups and parties. This was achieved two years after the assigned date in the C. P.A matrix which was fixed to be 2006.

## **8. Government of National Unity**

The interim National Constitution 2005 has provided for the establishment of a "Government of National Unity" G.N.U. whose prime concern was to observe the implementation of the "C.P.A". G. N. S as a C.P.A- based government made up of the signatories of the Agreement and other political actors, parties, was carrying on the duties amidst tense political and security problems, emanating from difficulties facing SPLM/ A and other armed movements, furthermore, difficulties emanating from absence of tradition of political partnership between signatories of C.P.A. themselves,, who encountered problems over interpretations of Protocols pertaining to Abeyi region, population Census, apart from antagonistic propaganda between "N.C.P." and "SPLM/ A" in the media ... etc. It is obvious that "G.N.U" is entitled to set an example of good governance for Sudanese, so that they become more likely to vote for unity rather than self-determination in the 2011 referendum. The popular slogan of that day was to make unity an "alternative option" particularly for the people in the South who were made to believe that, history of their belonging to central state is no more than a history of "too many agreements dishonored ", as was the title of the book by the veteran ex- vice president Abel Alier.

"G.N.U" was so significant that chapter 5 in the Interim Constitution 2005 is devoted to its objectives, allocation of seats between northern and southern political forces notably "N.C". and SPLM/ A, and duties of each partner (Articles 79, 80, 81, 82). G.N.U. is necessarily responsible for the implementation of the C.P.A. in due consideration for the need of inclusiveness, transparency and accountability. According to the Interim Constitution G. N. U. comprises three branches.

### **A) The Executive "Council of Ministers"**

Ministerial posts in G. N. U shall be made up of the N.C, SPLM/ A, and other political parties according to the following constitutional formula (Article 80).

70% for the N. C.

28% for SPLM/ A.

14% for different northern parties. (non- N. C).

6% for (non- SPLM/A) southern political parties.

### **B) The Legislative Authority**

According to the interim constitution legislature is a bi-chameral type of authority comprising.

A) The National Assembly on the federal level whose 450 members are currently appointed by the president after consultation with the Vice- President according to the 20%- 30% formula of power- sharing in C. P. A. However after the interim period the National Election Law shall determine number of members according to electoral colleges... etc.

B) The council of states whose members are currently two presidential appointees from each of the 26 states of the republic. The National Election Law shall determine membership of this council according to electoral colleges.

### **The Judiciary**

Independent of both, the executive and the legislative authorities, the Judiciary is headed by the Chief Justice,

accountable only to the head of state. In the Sudan the national Judiciary comprises the following organs according to Article 124:

The National Supreme Court.

National courts of Appeal.

National courts.

The Sudanese system provided for the establishment of a body known as "The National Judicial Service Commission" to look into issues pertaining to the overall management of the judiciary at the federal state, and government of southern Sudan levels.

### ***The Presidency***

According to the C. P. A. the executive authority comprises the presidency and the federal council of Ministers. The Presidency consists of the president and two vice- presidents (Article 50). In the case of the current president who comes for the north, he has to appoint a southern first Vice- President, and vice- president of the republic reserves powers to appoint assistants and advisors and define their functions and seniorities. President Al- Basher has now two vice – president, two assistants, and a number of advisors. The Senior Advisor was ex- chairman of Sudan Liberation Movement (S. L. M) (A Darfuri armed movement) who signed Abuja agreement 2006 with G.O.S. The other presidential assistant is chairman of the "Eastern Front" who signed another agreement with G. O. S.

### ***Government of Southern Sudan***

Part eleven of the interim constitution is solely devoted for the provisions on the government of southern Sudan "G.O.S.S". including executive legislative and judicial authorities, according to the provisions of the Interim Constitution of southern- Sudan which shall be adopted by the Transitional Southern Sudan Assembly. G. O. S.S. shall act as a link between the federal government and the states of southern- Sudan (Article 126).

### **9. Conclusions**

The paper attempted to cast light on the experience of Sudan in post -1989 era in as far as the party system is concerned. In so doing the paper analyzes the emergence of the N.C.P. as a one ruling party, and the inclusion of the SPLM as a co-ruling party after conclusion of the 2005 Comprehensive Peace Agreement. This joint ruling experience lasted for six years by the Referendum on Self-Determination of South Sudan in 2011 which divided the country. The partnership did not prove to be cooperative between the two partners, because the N.C.P. was preparing itself to be the ruling actor in a one party system, whereas the SPLA/M was a military movement with minimum political expertise, by the time the C.P.A. came into effect. It goes without saying that common ground was lacking between both from the very beginning. Nonetheless the N.C.P. developed its own path along lines to allow political inclusivity among different political actors, in the most controversial law "Atawali Assyasi".

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