

Local Government Experiences in Sudan In the Period (1937-1979)

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This paper discusses the evolution and development of local government in Sudan since its early foundation in 1937 (during the colonial period), and before the implementation of the Regional Rule in Sudan in 1980. The paper illustrates the general features of different types of decentralization and local government systems implemented in Sudan throughout the period mentioned above. Special consideration is given for studying the changes introduced in this era, and the intended objectives of each ruling regime. The major purpose here is to examine the impact of the changes that happened to the central government policies, and their impact on local government.

(1) Pre- Independence Local Government Experience:

Throughout its long history, Sudan witnessed implementation of different types of administrative systems. During the Funj Kingdom (1504-1821), the Traditional Indigenous Tribal Administration prevailed. The Sultans of the Kingdom found it impossible and impractical to rule their kingdom from the capital Sinnar. So, the management of tribal affairs was left to the chiefs of the tribes with some degree of autonomy, provided that each tribal leader pays fixed annual taxes to the Sultan. The Turku-Egyptian Rule (1821-1885) implemented a strict centralized type of field administration. The country was divided into a number of provinces with a governor (Modeer)⁽¹⁾ on the top, accountable to the Governor General in Khartoum. During the Mahdi's Regime (1885-1898) a highly centralized system of government was implemented. The country was divided into

(1) Modeer: Is an Arabic Word meaning manager, or, sometimes governor.

Provinces and military provinces governed by military commanders who were directly accountable to the Caliph (Khaleefa)⁽²⁾ in Omdurman.

The Anglo-Egyptian Rule (1899-1956)

1. The Direct Rule: Sudan was conquered by the Anglo-Egyptian forces in 1898 after the collapse of the Mahdi's State. The colonial forces were confronted by many religious movements and tribal uprisings.⁽³⁾ To deal with these security challenges they implemented direct rule which was fully exercised at the beginning of the occupation by the British and Egyptian military officers.

The intended objectives of that policy were to suppress the tribes and resisting religious groups and to realize security in the state and keeping order and discipline. After subduing the religious and tribal uprisings, the British implemented a strict centralized system. The country was divided into provinces; at the head of each one was a British Military Officer, as Governor. The provinces were divided into districts; at the head of each one was also a British Military Officer as District Commissioner⁽⁴⁾ assisted by an Egyptian Military Officer known as Mamoor⁽⁵⁾. As explained above, all the personnel were almost all military, composed of British and Egyptian Military Officers.

2. The Indirect Rule: The second step for the colonial power was to build trust and loyalty of Sudanese. So, the British Administration implemented indirect rule through a series of legislations. In 1922, the Powers of Nomads Sheikhs Ordinance was enforced with judicial powers given to NomadsSheikhs within their tribes.

(2) The Khaleefa: The name given to the deputy of El Mahdi during the Mahdi's Islamic State in Sudan. He was the Supreme Commander of the Mahdist Armies and the head of the Mahdist State after the death of El Mahdi. It means Caliph.

(3) Most famous among these movements and uprisings are : Al Shukaba Incident 1899 and Wad Haboba Movement 1908 – Sultan Agabna up rise in Nuba Mountains and Dinka and Nuer Up rises in South Sudan).

(4) District Commissioner: During the era of Direct Rule in Sudan, the District Commissioner was a British Military Officer accountable to the Provincial Governor for maintaining security and public order in the district. In the 1951 Local Government system the District Commissioner was the chief executive officer in the District Council. By virtue of the office, he was also the judge and head of the police in the district.

(5)Mamoor: Arabic word meaning the person who receives orders and instructions from higher ranking official. It is an administrative post introduced by the British in local government structure in Sudan. The Mamours at that time were Egyptian Military Officers working under direct supervision of the British District Commissioners. After the withdrawal of the Egyptian Troops from Sudan this post was manned by Sudanese Local Leaders.

When the experience of the Nomads Sheikhs was found to be successful, the Village Courts Ordinance was passed in 1924, to extend the experiment to rural areas. After that, in 1925 Powers of the Sheikhs Ordinance was implemented giving more powers to strengthen the tribal chief's authority to act as administrative and executive heads of their communities. In the period immediately following the First World War, two important events happened, and strongly influenced the policies of the British Colonial Authority in Sudan after that:

- a. The first was the assassination of the Governor General of Sudan at the time (Sir Lee Stack) in Cairo in 1924.
- b. The second was the 1924 White Flag Movement ⁽¹⁾, and the sympathy expressed by the Egyptian Troops in Sudan towards the revolutionists. On the other hand, the British were really annoyed by the tendency of most of Sudanese Elites to strengthen their relationships with Egypt. Accordingly, the British started to implement a new policy. The British started to clear off the Egyptian Troops from Sudan, and the Egyptian Officials from the government service. This situation paved the way for implementation of new policies in Sudan, and recruitment of small number of Sudanese in the government service after that.

3. The Native Administration 1928:⁽²⁾the creation of the Native Administration (NA) in 1924 was an attempt to provide more opportunities for local leaders to manage the affairs of their tribes and the local communities. The NA played an effective role in realizing important objectives (at the time) such as the following:

- a. Preservation of law and order in the local communities.
- b. Resolution of tribal disputes and realization of peaceful co-existence between the tribes.
- c. Collection of taxes and local revenue.
- d. Organization of land use at the local level and protection of the natural resources.

(1) White Flag Movement: The White Flag Movement is a Sudanese National Military Movement that took place in 1924 in Sudan.

(2)Native Administration: The tribal administration introduced by the British in Sudan in 1928 in attempt to create a cheap local administration; presided by cooperative local leadership to keep law and order, collect revenues, and solve local tribal disputes.

But, despite that success, NA was subject to criticism by Sudanese Elites and members of the National Movement⁽³⁾ because they argued that:

1st: The Native Administration was based on a tribal system, so, the educated Sudanese were not involved because it was restricted on certain groups (the Tribal Leaders).

2nd: The Sudanese Elites and members of the National Movement opposed the NA experience, because they think that the NA would encourage tribal bonds, while they seek to strengthen the loyalty of Sudanese to their country, not to their tribes.

3rd: They think that the NA has been used by the British as a brake to abort the National Movement and to reduce its role in the administration of the country.

4. The 1937 Local Government Ordinances: As a result of the pressures of the Sudanese Nationalist Elites and, when the British were convinced that the NA did not succeed in aborting the National Movement, or reducing the Egyptian influence among the Sudanese Elites, the British started to adapt NA into local government. Accordingly, three local government ordinances were enacted in 1937, these were:

- a. The 1937 Local Government Ordinance (the Municipalities).
- b. The 1937 Local Government Ordinance (Townships).
- c. The 1937 Local Government Ordinance (Rural Areas).

Accordingly, councils under strong central controls were established for municipalities, townships and rural areas. In 1943, the Province Councils Ordinance was passed, dividing Northern Sudan into six provinces. In each province council (with only advisory powers) was created with all or at least half of the members appointed.

The General Features of the 1937 Local Government Ordinances: The 1937 local government experience (in reality) was field administration, because it was based on delegating power to officials representing the central government. No devolution to representatives of local communities was ever practiced.

(3)The National Movement: Movement of Sudanese elites against the Anglo-Egyptian Rule. The movement started in the early 20th of the previous century and culminated in the creation of the Graduates' Congress in 1937 and the founding of Sudanese Political Parties after that.

The general features of the 1937 local government experience can be summarized as follows:

- a. Powers of local councils were delegated by a warrant from the Governor General.
- b. Functions assigned to local councils were poor and marginal.
- d. Women and certain categories in local communities were excluded from nomination in local council elections (the electoral franchise was restricted only to males of 25 years age and to those who had certain financial ability).
- e. Council's Chairmen were appointed in most local authorities.
- f. Councilors in rural areas were completely appointed.
- g. Concentration of power in the hands of the British Provincial Governor.
- h. Dominance of tribal leaders in council's work. As Marshal reported later¹, "Tribalism plays very effective role in rural areas. In some areas such as Darfur, the local authority was really the Native Authority operating under a warrant".

5. The 1951 Local Government Ordinance: After the Second World War, and as a result of increase of political awareness, and the demand for self-determination by Sudanese Elites, the British started to think about providing more opportunities for citizens to participate in local government. So, and as recommended by marshal's report (presented 1949), a new local government system was introduced in 1951.

As described by Adam Azzain², "The 1951 local government system can be considered as the starting point for practical arrangements towards creating local councils which acquire the contentment of local citizens, exercise substantial power, render social services, and preserve discipline and public order".

Describing the colonial local government systems, Alderfer³ argued that, "As a general rule, colonizing powers upon gaining sovereign rights in

1 . Malcolm, Norris, in, Maw hood, Philip," Local Government in developing countries", McGraw- Hill, New York, 1964, "Sudan Administrative versus Political Priorities", P. 52.

2 . Adam AzzainMoohammed, AllaMarkziaWaGadayahaWaTatbeegatiha fi Assoudan – Min Manzour Al HukmArrashid, (in Arabic), Sudan Currency Printing Press, Khartoum February 2011, opcit, p. 37.

3 . Harold, F., Alderfer," Local Government in Developing Countries", Mc Graw-HILL, New York, 1964, P.104.

foreign places have concentrated upon establishing national and top provincial administrations to carry out their political, economic, and social objectives. They have either neglected the local field, being satisfied to accept local leadership if found to be cooperative, or had half-heartedly tried to remake local institutions in their own image. As a result, these colonial governments, even when ultimately they became independent and manned by native officials and personnel tend to be centralized in the national colonial and provincial capitals".

The Main Features of the 1951 Local Government System: The 1951 local government system was designed on the English Pattern of local government. The main features of the system were the following:

- a. The local government councils were created as corporate bodies.
- b. The structure of local government was non-pyramidal; meaning that no council was accountable to another higher level council. Every council had direct contact with the center.
- c. The local councils in urban areas were constituted by election and in rural areas by nomination, while there was no councils in back warded areas.
- d. The work of councilors was voluntary, as the councilors do not receive any payments for their work in the council.
- e. The local councils were given reasonable independent financial resources matching the limited powers assigned to them.
- f. The legal right to vote was granted for the first time to women.
- g. The local councils were given the legal right to own land and properties as its own, and to make contracts. Most of the Municipalities were given the power to recruit certain categories of officials.
- h. The local councils were empowered to oversee the performance of the executives.

Post-Independence Decentralization Experiences

1960-1971

1. The 1960 Province Administration Act: After General Abbood came to power in November 1958 a commission headed by Abu Rannat was established in 1959 to make recommendations on the best ways of realizing

effective popular participation in local development. The commission submitted its report in 1960 suggesting the following:

- a. Continuation of local government councils under the 1951 Local Government Ordinance (LGO), but with fully appointed members.
- b. The Commissioner should be given sufficient powers to supervise and control the government activities in the province.
- c. Abolition of the office of the District Commissioner.
- d. Appointment of a Government Representative at the province level
- e. Creation of a Province Executive Council and Province Legislative Authority.

Accordingly in 1960 the Province Administration Act (PAA) was issued, including most of the recommendations of the Abu Rannat Commission. Hence, provincial administrations were created composed of Military Governors as government representatives and, Province Executive Councils and, Province Legislative Authorities.

The General Features of the 1960 Provinces Administration Act: The general features of the 1960 PAA can be summarized as follows:

- a. The Province Councils was established by warrant issued by the Council of Ministers.
- b. The membership of the councils included the heads of departments in the province, chairmen of the province's local government units, and appointed members selected for their technical profession and general experience.
- c. A Military Officer appointed by the Supreme Council of the Armed Forces as government representative and, by virtue of post, he is the chairman of the Province Council and head of all government officials in the province.
- d. Powers of the Province Councils included the following:
 - Supervision and control over all governmental units in the province.
 - Approval and control of the annual budget of all provincial and local government authorities.
 - Promotion of local government in the province.
- e. Power to issue local orders and to approve the annual budget was shifted from the local authorities to the Province Executive Council.

- f. Imbalance between the financial resources allocated and the functions assigned to the Province Council.
- g. The Central Government Ministers have the power of inspection, and control over the Provincial Council activities in matters relating to the work of their ministries. In addition to this, they have the power to suspend the decisions of the Provincial Council, and to inform the Executive Council to refuse execution of such decisions. But, the Minister is required (according to the Act), to submit a report to the Council of Ministers on the issue suspended.
- h. Council members were fully appointed, no election was ever conducted.
- i. The autocratic powers given to the Military Governor (who was also the Chairman of the Province Council), paid no heed for democratic participation.
- j. Central controls practiced over the Province Council and local authorities, were so excessive that, the province and local authorities were merely seen as field agencies to the central government.

The fully appointed councils proved to be a great handicap to real popular participation, and were against the principals of democratic local government. As stated by Adam Azzain⁴, “the remarkable point in this experience that this middle level unit (the Province) became the basis for the subsequent local government systems in Sudan.”

2. The 1971 People's Local Government Act: In 1969 the regime led by Nimeri assumed power, and accordingly a new era started in Sudan. The People's Local Government Act (PLGA) was introduced in 1971, starting new local government system, highly influenced by the ideologies of the May Revolutionary Regime. The leaders of May Regime believe that a radical change in local government system was essential for the implementation of the regime's policies and programs at the local level. So, radical changes were introduced to the form of local government in Sudan. Accordingly, local government was highly politicized and new political roles were assigned to local authorities.

4 . Adam Azzain, opcit, page 39.

In a speech to a newly recruited Administrative Officers in 1973, the Minister of Local Government, Jafar Mohamed Ali Bakheit (generally regarded as the engineer of the regime), said: "our belief in political commitment cannot be disputed, local government officers should remain committed to the political ideologies, strategy and style of work of the May Revolutionary Regime, and they should exert efforts and energies in communicating them to the people"⁵. Among the political roles assigned to local government units in that era was:

- a. Promotion and consolidation of the political objectives of Sudanese Socialist Union ⁽¹⁾ (SSU) through the guidance of the activities of its Basic Units. ⁽²⁾
- b. Promotion and consolidation of the political objectives and ideology of May Socialist Regime.
- c. Organization and mobilization of the masses and popular organizations in a way that promote response and support to government strategic objectives.
- d. Political education of the masses.
- e. Provide support to the basic units of the SSU.

The General Features of the 1971 People's Local Government Act:

- a. The structure of local government was hierachal with the Provincial People's Executive Council at the top of the pyramid, and the Area Councils in the second level. Then: Towns, and Rural Councils. At the bottom of the pyramid were the Villages, the Market Areas, and the Industrial Areas Councils. Each local government unit was accountable and answerable to the higher level unit.
- b. Membership of local government units was exclusively devoted to the "Revolutionary Coalitions" ⁽³⁾ and supporters of the regime.

(1) Sudanese Socialist Union: The single political organization in Sudan during the May Regime 1969-1984.

(2) The Basic Units: The grassroots political units of Sudanese Socialist Union during the May Regime. It was established in villages, wards, market areas, industrial areas, and work places.

(3) Revolutionary Coalitions: Political Organizations created by the May Regime in The Sudan at all levels of government; for women, youth, and students, trade unions of public officials, farmers, and workers. The major role of these organizations was to support, promote, and consolidate the political objectives and strategies of the regime.

Strict controls were implemented to exclude the influence of traditional tribal and politically undesirable leaders. Moreover, all other persons who are not politically committed to the ideologies of the regime were also excluded. Furthermore, all trade unions of public officials, farmers and workers were almost all occupied by supporters of the regime.

- c. For the first time and in an attempt to empower the regime by stimulating women, 25% of local council's seats were reserved to women, (although it was not practiced in so many rural councils).
- d. Comprehensive powers were devolved to the province councils to manage many of the services in the province including agriculture, health, education up to secondary schools, roads, animal resources, housing, town planning, community development , and law and order, in addition to initiation and encouragement of self-help schemes and the establishment of cooperative associations.
- e. The powers of the area councils were delegated from the Province, and powers to issue local orders were shifted from local councils to the Provincial Councils.
- f. The Provincial Council stands as the single budgetary unit in the province. It has overall responsibility not only for the budgets of local councils, but also for all government departments under its authority. Revenues of subordinate departments and local councils should be deposited to the bank account or the treasury of the province council. Expenditures of Area Councils are subject to approval of the Provincial Council. On the other hand, Town and Rural Councils were merely field agencies for the Area Councils.
- g. The Provincial Council was subjected to excessive controls from the upper levels of government. The Commissioner can suspend each decision, if it is deemed endangering safety, public order, or considered against public interest.
- h. The Central Ministers have the power of inspection, investigation and suspension of decisions relating to their ministries' works. But, in the case of suspending any decision they have to submit a detailed report about the case to the Council of Ministers.

As described by Adam Azzain⁶, “the 1971 LGA can be considered as an example of a mix between the field administration (the Province Commissioner) and local government (the Province Popular Council). The 1971 experience was characterized by the dominance of the single party. The Sudanese Socialist Union was playing the same roles played by the Soviet Communist Party in the Soviet Local Government experience. This includes the intervention of the party in the selection of the membership of the local councils and the formulation of local policies and the strict controls exercised over local government performance”.

- i. The chairmanship of the Commissioner to the administration at the province level.
- j. The Province Commissioner was (by virtue of post) the General Secretary of the SSU, the Chairman of the Provincial Peoples Executive Council, the Government Representative, and the leader of the executive organs in the province.

Conclusion: The May Regime local government system was meant to be popular to draw political support. This can be clearly seen in the inflation of the number of local councils during the era of May Regime (from 86 councils in 1969, to 8,368 councils in 1984)⁷. Furthermore, one could say that the May Regime Local Government Experience was based on the Soviet Union pattern of local government. It is mainly characterized by democratic centralism, politicization of local government performance, and dominance of the single party (the Sudanese Socialist Union).

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6 . Adam Azzain, opcit, p.p 22,23,34.

7. Ministry of Federal Governance, the 1983 Ministry'sAnnual Report, page 11.