

# THE POSSIBLE ROLE AND RISK OF POWER-SHARING IN SUDAN

Options on Power-Sharing Arrangements



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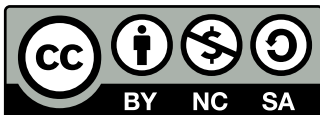
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# EXECUTIVE SUMMARY

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## PURPOSE OF THIS PAPER

This paper aims to assist discussion about power-sharing regarding:

1. a possible negotiated ending of Sudan's current war; and
2. a possible negotiated transition to peaceful civilian governance.

The field of power-sharing apparently offers a range of tools that might help to manage conflict in divided societies, basically by providing for group representation in various institutions of government. It is important to note from the outset that in much of the literature, a 'divided society' does not mean the same as a society that happens to be diverse in cultural or ethnic terms—but one in which the diversity is politically relevant, in the sense of being a factor for 'political mobilization'. Many societies might have substantial sociocultural diversity with no significant political mobilization. In this paper, the term power-sharing is expanded to refer also to the situation where belonging to a military force can be an 'identity' for political mobilization, and hence the basis for a claim to share power. This expansion also includes the allocation of political representation on other grounds, such as political movements or parties.

For Sudan in 2024, still in a brutal civil war, with at least three recent failed substantive agreements for a transition (discussed below), and with no immediate signs that the war will end, might there be useful lessons from comparative examples of power-sharing, and from Sudan's own history?

From Sudan's experience at least, the quick answer looks grim: consistently, further war—including the current war—has followed Sudan's power-sharing attempts to build peace. As of January 2024, there was evidence that negotiations between the two main military forces to establish at least

a ceasefire were under way. Even if some accommodation between these two forces can be reached (the problems are considered later in this paper), the record suggests that it will be difficult to move successfully from a ceasefire to a negotiated and effective transition to civilian rule. Overall, Sudan's experience suggests that the military will try to stay in power in future negotiations and processes, and that any supposed transition will be temporary in relation to peace, flawed regarding governance, and will be followed by more war.

The purpose of this paper is to help discussion about how to assess and manage the advantages and risks of power-sharing in Sudan in 2024–2025.

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## THE POWER-SHARING FIELD

There is a substantial literature in this field, examining details of the methods and outcomes of mechanisms to manage politics in divided societies, with a great many case studies, statistical evaluations, commentary and recommendations. For this paper, a short working definition of power-sharing focuses on the situations where it is most relevant; its purpose and mechanisms; and the explanations offered for why such mechanisms work:

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**Situations where the current framing of power-sharing is most relevant are divided societies (those with politically mobilized divisions), often with a history of violence.**

- *Situations* where the current framing of power-sharing is most relevant are divided societies (those with politically mobilized divisions), often with a history of violence.
- *The immediate purpose* is to ensure group representation in 'relevant institutions' of state power—in order to remove or 'manage' conflict risks.
- *Mechanisms* for this representation range from electoral systems that enable participation of groups in legislatures (e.g. by proportional representation systems, or quotas) to various forms of compacts that guarantee representation for group leaders in other institutions of state, especially the executive.
- *Explanations* as to why power-sharing should work rest on common sense and democratic theory—to the effect that representation should enable group leaders to participate in decision making and hence avoid the reality (or perception) of being permanently excluded from governance and its results (policies, programmes, wealth, etc.). Such participation is thought to build trust in the institutions of governance, and to remove the argument that group interests can only be protected or claimed by force.

The power-sharing field reflects extensive work by political scientists, mediators, designers, practitioners, combatants, competitors and evaluators that has compared concepts, systems/mechanisms, goals, failures/achievements, lessons and projections for new experiments. Certain examples dominate the analysis (e.g. Cyprus, Lebanon, Northern Ireland) but there is an enormous diversity from across the globe.

The main division about methodology and theory in the power-sharing literature is between two broad categories of systems: those that ensure 'group representation' (in the literature, termed *consociationalism*) and those that favour 'group cooperation' (in the literature, termed *centripetalism*). Each of these have some claim that their systems work to manage conflict—but there is often no clear boundary, and some systems have elements of both.

In terms of critiques, some argue that elite representation favours extremist leaders, fosters identity politics, traps governance in rigid systems of group membership, reduces accountability and fosters government corruption (because leaders claim state resources for their groups, and often, for themselves). There are also well-documented risks in situations where rebel groups are integrated into regular armed forces (as might be proposed for Sudan), such as in Nepal. Analysts of power-sharing in Africa in general are particularly scathing of the record.

A related body of analysis has focused on comparative evidence supporting the importance of 'elite bargains' in managing the realities of local power to assist with transitions away from conflict, rather than attempting vague and unimplementable hopes for liberal democratic transitions. Some research shows that in some systems of elite group representation, the fact of meeting and working with other leaders can change minds and perspectives. This can sometimes foster a different way of thinking: less confrontational, less suspicious, and less hard-line chauvinist.

Sudan's own power-sharing history appears to have consistently used elite representation as its primary form of power-sharing. It is hard to find evidence of where Sudan's electoral systems might have favoured group representation or compromise—even when there were elections. But in the event that genuine elections ever return to Sudan, this is a potentially critical issue; every electoral system produces different incentives and outcomes.

It is important to highlight the difference between:

- temporary use of deal-brokered elite representation in decision making regarding arrangements for ceasefires, and related steps in ending war (involving armed and other kinds of groups); and
- more permanent allocations of power that become built into the functioning of state power.

Although there are examples where both models have contributed as intended to peaceful processes (e.g. South Africa), there are also cases of problems—including trapping societies in elite arrangements that do not progress (Lebanon) and repeated failed transitions, as in Sudan. One of the recurrent questions in cases of subsequent wars concerns who was included (or excluded) at each stage. There is some research regarding why elite inclusion, either in transitions or otherwise, may sometimes transform into more broadly inclusive governance. In Sudan's case, the central question is why elite deals

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have failed so badly. One author argues that the core reason why so much war followed the Comprehensive Peace Agreement (CPA) (CPA 2005) between leaders of Sudan and what became South Sudan, lies in mediators' deliberate choices to focus only on the Second Sudanese Civil War (1983-2005), putting aside all the related conflicts for some future process (Srinivasan 2021). For both South Sudan and Sudan, the consolidation of violent actors in power (and the effective exclusion of other political movements) was followed by recurrent war in both states.

Some regional examples also offer interesting lessons for Sudan. In Yemen in 1991, a successful power-sharing deal (alongside other, geopolitical factors) led to a quick and peaceful unification of 'north' and 'south' Yemen. But the arrangement broke down when election results diluted the transitional 50:50 north-south allocation of power and positions, to minimal representation for the south. War followed.

The relevance of this particular example for Sudan is the absence of any effective mechanism to transition elites from high status in transitional power-sharing (in Yemen's case, parity in representation) to what might follow: less influence, or even irrelevance. This has real risks for parties who believe they might have an electoral pathway, but who plan for violence in case this fails (as did Hassan al-Turabi in Sudan's elections in 1986, and thereafter).

A more recent regional example is the supposed formation of a national unity government in Libya (in 2015) in preparation for an elected national government. The actors concerned have since failed to agree to transitional arrangements, seemingly because elections would end their repeatedly-extended tenures of ostensibly 'transitional' office. In Sudan, the certainty of losing power in future elections is also likely to have been why the Sudanese Armed Forces (SAF) and Rapid Support Forces (RSF) leaders overthrew the power-sharing transition in 2021.

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**There is some evidence that the practice of power-sharing might change mindsets, moderate extremist demands, and build the methodology of negotiating competing claims peacefully in governance, in some situations.**

This body of experience and analysis is of course relevant to any possible new use of the tools of power-sharing. As already stated, there is some evidence that the practice of power-sharing might change mindsets, moderate extremist demands, and build the methodology of negotiating competing claims peacefully in governance, in some situations.

But there is also plenty of evidence of the reverse—that if fighting mindsets and practices are carried into governance, this builds violence (and corruption) into the governance systems that follow—and it is very hard to break out of that cycle. Sudan is a leading example.

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## THE SEQUENCE LEADING TO THE CURRENT CRISIS

Sudan's current war has deep roots. A summary might start with the military and political events that brought about the 30 June 1988 coup that began

Omar al-Bashir's rule, and those that brought about its end in another coup on 11 April 2019—by the leaders of the conventional SAF, and the separately-commanded paramilitary RSF. Following that 2019 coup, a military-civilian ('power-sharing') transitional government was established to prepare Sudan for elections and a new governing system. The military groups overthrew the transition, and then started fighting each other for dominance—a war that is still devastating Sudan.

Why did the 2019–2021 transition fail? A summary is that the arrangements:

- assumed that the main parties (military and civilian) had the capacity to act effectively and in good faith to implement the same;
- enabled the military to consolidate and even increase its power, having solved the 'street' protests; and
- attempted a transition that was too ambitious and poorly sequenced for the capacities of the key players.

Overall, Sudanese experts and other analysts saw the fatal flaw in all these arrangements as being that the military remained at the centre of government in the transition. In reality, it seems clear that the military used power-sharing to stabilize the protests and regain full power.

For the purposes of future civilian participation in any transitional or power-sharing arrangements, expert analyses of the problems on the civilian side are also instructive. Put simply, the Forces of Freedom and Change (FFC) was a new coalition of complex protest forces, insufficiently trained and organized for taking charge of the process, making clear decisions, acting as an authoritative and legitimate decision-making body, and counteracting the military's overwhelming dominance.

Why did the December 2022 Framework Agreement (Diez 2022) fail? When the 11 April 2022 deadline passed to appoint the transitional prime minister and establish the transitional institutions, it was clear that there were major difficulties inside the two armed force groups. Going by appearances, the key was the RSF's unwillingness to integrate with the SAF within two years. But more likely, the RSF was unwilling to surrender its Darfur economic resources (gold) and the power in funds and weapons that flow from that—and it knew it had the backing of the United Arab Emirates (UAE). This backing is because the SAF remains closely linked with Islamist political forces, that is the same alliance that characterized President al-Bashir's rule from 1988 to 2019.

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## HOW MIGHT THE WAR END?

Obviously, any possibility that a new attempt at power-sharing in Sudan will work this time will depend on the circumstances, starting with how the war

ends—or doesn't. Simplified, the possible scenarios are: decisive victory for one side; a protracted war between these forces; or a negotiated end to the war. For the purposes of this paper, the last seems most relevant.

Negotiations would revisit the 2019 and 2022 attempts, but with the critical additional step that the two armed forces would first to agree to stop fighting and either to integrate their forces or to allow a continuation of the separately funded and commanded RSF.

If lessons can be learned from the last two years since the war started, the last five since the 2019 coup, and the last 60 or so since independence, it seems likely that some combination of the two rival forces will try to use the process to consolidate their hold on executive power— and maintain their capacities to resume fighting if that is threatened. It will therefore be critical to find some way to reduce each of their capacities, alongside building a far stronger social and public base for civilian politics—movements that compete for power peacefully, according to agreed rules of the game and which can mobilize public support and make effective decisions in the exercise of power. This will help to transition the military leaders out of governing power via a new constitution and elections. Sudan's past offers possible lessons in preparation.

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## **SEEING SUDAN'S REPETITIVE WARS THROUGH A POWER-SHARING LENS**

The decades of Sudan's elite power-sharing deals have shaped governance; favoured exclusive interests; denied the inclusion that might have given all parties a stake in peaceful governance; enabled violent actors to dominate—and have been followed by war.

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## **SPECIFIC ISSUES**

### **Managing the military-civilian arrangements post conflict**

Despite the involvement of civilians in forming the main post-2019 agreements for possible transitions, generally speaking the civilian side needs to be better prepared to play roles at every stage of the processes ahead. Otherwise, they will surely be sidelined and then excluded by the armed forces. This is also an important point for mediators and international backers. The challenge is thus to be better prepared.

There are potentially key roles for civilians in negotiating each possible step between ceasefire, emergency humanitarian response, transition and constitutional rule. But apart from the problems of finding a way into the negotiations, the military in some combination will surely try to once again dominate the process, using the interim to calm the crisis and reassert its control. The questions for Sudan's civil and political society include how to

manage these risks, including from international backers. Any ceasefire will be a start. But if the big issues are not addressed, the history points towards a temporary process in which each side will know that the other will use the process to re-arm and prepare for a decisive strike.

### Particular issues for civilians

To date, civilians have been the primary victims in Sudan's wars, especially in this current iteration. But some civilian groups have been on the side of violators, especially in the regions—Darfur is a case in point. Those groups aligned with violators will know that the victims may seek revenge/redress if the fighting stops, especially if their former 'protector' loses power. This will be a critical issue all over Sudan, as its people balance accountability, reparation, justice, ending the violence immediately, and trying to prevent recurrence. This is of course the field of transitional justice, but also common sense. The military groups will seek complete immunity so that they can keep their resources, avoid accountability, and do it all again when they think conditions are ripe. They will threaten more violence in their bargaining. This sort of threat has many precedents. In Yemen in 2011, President Saleh agreed to leave office and initiate a peaceful transition to an elected government, in exchange for complete personal and family immunity. But Saleh then changed his mind and tried to stop the transition, working with Ansar Allah (aka the Houthis) to take over the capital. Civil war followed and as of 2024 there is still no end in sight. Saleh himself fell out with the Houthis at the end of 2017, tried to escape, and was killed. Somehow, Sudanese actors will have to balance the likelihood that violent actors tend to repeat their methods.

A critical task for Sudan's civil-political society before the next round of talks will be to learn the lessons from post-2019 and try to prepare for effective participation.

### Addressing the power-sharing questions

A great deal can be learned from the 2019 Political Agreement and the related Constitutional Declaration (Political Agreement 2019; Sudan 2019), the Juba Agreement for Peace in Sudan (JPA 2020), and the 2022 Framework Agreement. The current war started not only because the military apparently disagreed about preventing a transition to civilian rule, but because one military group feared being dominated by the other. On a technical level, the questions include: Which elements of power might be shared between the armed forces (executive, legislative, judicial, appointments to office, resources, territorial government, armed force, other)? Shared between who? To what end (temporary, leading to a new constitution and then elections)? Using what mechanisms (a political deal, a new constitution imposed by the armed forces)? Managing what risks? And what might be the relative proportions and justifications in power-sharing: 50:50; 70:30? How might genuine agreement among relevant domestic and regional actors be built, in support of any formula for power-sharing? Finally, how would decision-making systems look in practical terms, addressing humanitarian, economic, security and political realities?

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**How might genuine agreement among relevant domestic and regional actors be built, in support of any formula for power-sharing?**

**The absence of agreed fundamental principles and effective dispute-resolution processes meant that the armed groups and the new civilian shared government had essentially no alternatives to keep the armed groups from defaulting to war.**

### **Guarantees to be included in interim post-conflict constitutions**

This issue goes to the heart of this paper. Constitutional guarantees are needed to ensure that peace is not trumped by tensions around power-sharing between the former warring parties. The essential questions might be framed as follows:

- could the 2019 transition have been protected from military overthrow?
- could Sudan have avoided the SAF-RSF war?

In the end, nothing prevented Sudan's combined armed forces from overthrowing the transition and then going to war against each other. But the suffering from this current war (including among the armed forces) has been so great that it is possible that all parties might agree to establish a better framework, including effective mechanisms for deciding disputes and resolving differences. Some analysts believe that the armed groups in 2019 never intended to cede power to a civilian government. All they wanted was to pretend to compromise to end the mass protests, while preparing to retain power. By this analysis, there is no point in looking for transitional weaknesses or options. But another view is that the absence of agreed fundamental principles and effective dispute-resolution processes meant that the armed groups and the new civilian shared government had essentially no alternatives to keep the armed groups from defaulting to war.

Given the suffering, Sudanese players at all levels might at some point demand something different. How that might happen is not clear. But it will not be surprising if there is massive public demand for an account of what happened and what might produce security, less violent competition for public power, and protection from armed men who kill, rape and loot without limit. At some point, Sudanese actors will articulate their tragedy-shaped values about what has been suffered and learned. If those values capture public imagination and support, they might be reflected in the next round of agreements, if this war ever ends. It would be surprising if there was no summary of how and why Sudan's tragedy developed, and what is needed to prevent repetition. A truth commission will surely be demanded by those who suffered most, and avoided by perpetrators. The 2022 Framework Agreement contained some brief pointers to that possibility, where the military had apparently agreed to step aside in favour of civilian rule. As quickly became clear, the RSF saw no future in those actions. Even if the SAF was ever able to dominate the battlefield (the contrary is the current evidence), it may be that even the military leadership would realise that it could never again govern Sudan by armed force. Overwhelming public support for peaceful civilian rule might therefore provide a social foundation for systems and guarantees in institutional, legal, and perhaps international mechanisms.

As noted, the SAF's attempt from 2020 onwards to integrate the RSF into the SAF was one of the key factors that started the current war. Logically, comparatively and historically, a single-command army has been a pre-requisite for ending civil war. In Sudan, the issues are sensitive and difficult.

The RSF has independent command, funding, external support, territory and apparently unbridled capacity to act, including to commit atrocities. By way of summary, the factors include its control of Darfur's gold, its support from UAE and Wagner/Russia, a record of brutality—and its dominance on some battlefields.

External pressures may offer some support for steps towards an end to the war—the withdrawal of external support may focus local actors on the need to negotiate with fellow citizens. But ultimately any settlement depends on support from local actors.

### Examples from the region

Yemen in 1991–1994 shows the success of a power-sharing arrangement for the transition to a unified Yemen—but it was quickly followed by a war when elections effectively ended the power-sharing by removing all influence and access to power for the former rulers in South Yemen. In 2011–2014, Yemen again demonstrated the failure of a transitional power-sharing arrangement. The reasons included the absence of any political space or buy-in from the alliance between Houthi forces and a key faction of Yemen's state forces (Salleh supporters) —and the Southern Movement referred to above. In Lebanon, power-sharing after independence and then following the 1989 Taif Agreement produced some stability, followed by profound problems. Arguably both arrangements solidified the relevant group divisions and provided entrance points for foreign influence, funds, weapons and power—for example Hezbollah. In Somalia, clan-based representation in the absence of elections has provided an agreed mechanism for governance in those areas not controlled by Al Shabaab. But clan representation has become so established that it may be hard in the future for Somalia to base governing power on electoral support, if genuine elections can ever be held. Meanwhile Libya's sequence—war, transition, war, possible agreements and current non-transition—offers the simplest of lessons: power-sharers may try to hold on, including by delaying or preventing substantive transition.

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## CONCLUDING THOUGHTS

Power-sharing arrangements are built on the recognition that if governing systems systemically exclude defined groups that mobilize politically, that will increase the risks of conflict—and on the reverse hope: that where there is already such conflict, power-sharing to ensure group representation can help manage the tensions. Of many lessons from Sudan's history of power-sharing, four are highlighted.

1. *Essentially all Sudan's previous examples of power-sharing appear to have focused on the key armed force leaders in the particular circumstances,*

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**Although there have been regular attempts (including the 2020 Juba Agreement), attempting a just political settlement in regional government without addressing injustice and basic flaws in governance in Khartoum has not worked.**

giving them prominent roles in governance. That has arguably institutionalized the mindset and practice of violence.

2. *None of the examples have made sufficient space for inclusive politics*—in the sense of wider representation that could foster organized and peaceful civilian participation. Without this, armed-force rule (and corruption/war) has continued to dominate Sudan’s governance.
3. *Injustices and centre-periphery dynamics pose serious obstacles.* Although there have been regular attempts (including the 2020 Juba Agreement), attempting a just political settlement in regional government without addressing injustice and basic flaws in governance in Khartoum has not worked.
4. *It is hard to find any real interaction between what leaders have actually done, and the many statements of fundamental values and principles.* Sudan has seen repetitive wars and massive violations of human rights. Connecting principle and leadership/citizen/state performance is a key challenge.

In summary, Sudan’s history suggests that the military has repeatedly used power-sharing to consolidate its own power, not to share it and certainly not to hand over to civilian rule. That pattern has significantly harmed the growth of, and options for, Sudan’s civil politics. Looking ahead, there is little evidence that either military group will be able to govern alone—and they surely do not expect to again share power together. Both forces’ leaders and their international backers must know this. So at some point, possibly quite soon, civilians will be needed to help manage the rehabilitation of Sudan and its humanitarian crisis, and a transition. If this works, civilians will actually compete for power peacefully, and govern the regions and Khartoum, respecting the high principles that introduce all the constitutive documents. All this is likely to start with offers for another attempt at power-sharing and transition. Sudan’s civil side might insist on a negotiating process that includes all relevant actors and groups, particularly a greater role for Sudan’s women if they should choose to play. At the very least, Sudan’s civil-political society must be better prepared this time to manage the risks.

## Chapter 1

# PURPOSE OF THIS PAPER

This paper aims to assist discussion about power-sharing regarding:

1. a possible negotiated ending of Sudan's current war; and
2. a possible negotiated transition to peaceful civilian governance.

The field of power-sharing apparently offers a range of tools that might help to manage conflict in divided societies, basically by providing for group representation in various institutions of government. It is important to note from the outset that in much of the literature, a 'divided society' does not mean the same as a society that happens to be diverse in cultural or ethnic terms—but one in which the diversity is politically relevant, in the sense of being a factor for 'political mobilization':

In a divided society, political claims are refracted through the lens of ethnic identity and political conflict is synonymous with conflict among ethnocultural groups... The extreme consequences of the failure to address these challenges adequately are well-known: discrimination and exclusion, forced assimilation, civil war, ethnic cleansing, and even genocide.  
– (Choudhry 2009)

Many societies might have substantial sociocultural diversity with no significant political mobilization of such—such as Sarajevo in pre-war **Yugoslavia**. But this can change. In Sarajevo, as all over the Balkans, the end of the Cold War saw religion and identity suddenly politically and militarily mobilized—with essentially all the extreme consequences noted above. In this paper, the term 'power-sharing' is expanded to include situations where belonging to a military force is an 'identity' for political mobilization, and



hence the basis for a claim to share power. This expansion also includes the allocation of political representation on other grounds, such as political movements or parties.

For Sudan in 2024, still in a brutal civil war, with at least three recent failed substantive agreements for a transition (discussed below), and with no immediate signs that the war will end, might there be useful lessons from comparative examples of power-sharing, and from Sudan's own history?

From Sudan's experience at least, the quick answer looks grim: consistently, further war—including the current war—has followed Sudan's power-sharing attempts to build peace. As of January 2024, there was evidence that negotiations between the two main military forces to establish at least a ceasefire were under way (see Abdelaziz 2024). Even if some accommodation between these two forces can be reached (the problems are considered later in this paper), the record suggests that it will be difficult to move successfully from a ceasefire to a negotiated and effective transition to civilian rule. Overall, Sudan's experience suggests that the military will try to stay in power in future negotiations and processes, and that any supposed transition will be temporary in relation to peace, flawed regarding governance, and followed by more war.

Almost every transitional situation regionally and internationally offers lessons, including the risks regarding power-sharing (Gündüz 2011).

Sudan's lessons from the last four decades of governance and war—including the independence and problems in South Sudan, and the experience of the last five years since the 2019 coup that ended al-Bashir regime—point to the risks. The purpose of this paper is to help discussion about how to assess and manage the advantages and risks of power-sharing in Sudan in 2024–2025.

## Chapter 2

# THE POWER-SHARING FIELD

There is a substantial literature in this field, examining details of the methods and outcomes of mechanisms to manage politics in divided societies, with a great many case studies, statistical evaluations, commentary, and recommendations (Choudhry 2009). In a broad sense, power-sharing is as old as humanity itself given the universality of groups, competition, shared decision making and cooperation across history. But seeing almost any inter-group allocation of power in governance as ‘power-sharing’ risks making the term mean everything, which would make comparison and analysis almost impossible (Strøm et al. 2015). For this paper, a short working definition of power-sharing focuses on the situations where it is most relevant; its purpose and mechanisms; and the explanations offered for why such mechanisms work:

- *Situations* where the current framing of power-sharing is most relevant are basically divided societies (those with politically mobilized divisions), often with a history of violence. These divisions may be historical or new, and refer to a wide range of categorizations, such as caste, tribe, ethnicity, religion, language—and military.
- *The immediate purpose* is to ensure group representation in ‘relevant institutions’ of state power—in order to remove or ‘manage’ conflict risks.
- *Mechanisms* for this representation range from electoral systems that enable participation of groups in legislatures (e.g. by proportional representation systems, or quotas) to various forms of compacts that guarantee representation for group leaders in other institutions of state, especially the executive. These compacts may be short-term (e.g. agreements for armed group representation in the processes for managing ceasefires) or more enduring. (For example, the 1960 Cyprus Constitution allocated representation for Greek and Turkish Cypriots in almost every institution, including courts—and gave their representatives vetoes over many decisions on matters of most concern to them.)

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**In a broad sense, power-sharing is as old as humanity itself given the universality of groups, competition, shared decision making and cooperation across history.**

- *Explanations* as to why power-sharing should work rest on common sense and democratic theory—to the effect that representation should enable group leaders to participate in decision making and hence avoid the reality (or perception) of being permanently excluded from governance and its results (policies, programmes, wealth, etc). Such participation is thought to build trust in the institutions of governance, and to remove the argument that group interests can only be protected or claimed by force.

Since the post-war formation of the United Nations and the modern international system based on states as a key unit of governance, the power-sharing field has produced an enormous literature of comparison and analysis (Farag et al. 2023). One international example of power-sharing is the formula that gives primary responsibility for the maintenance of international peace and security to the UN Security Council; seats are allocated based on geographic representation by election, but also five states are permanent members, each of whom has a veto over any substantive resolutions (UN n.d.).

The power-sharing field reflects extensive work by political scientists, mediators, designers, practitioners, combatants, competitors and evaluators that has compared concepts, systems/mechanisms, goals, failures/achievements, lessons, and projections for new experiments (Elfverson and Sjögren 2020). Certain examples dominate the analysis (e.g. Cyprus, Lebanon, Northern Ireland) but there is an enormous diversity from across the globe.

The main division regarding methodology and theory in the power-sharing literature is between two broad categories of systems: those that ensure 'group elite representation' (in the literature, termed '*consociationalism*') and those that favour 'group cooperation' (in the literature, termed '*centripetalism*'). Drawing on the experiences of Bosnia and Herzegovina, Burundi, Fiji, Lebanon, Malaysia, and Northern Ireland, Bogaards (2019) explains that these approaches are not, in fact, mutually exclusive:

Democracies in divided societies are often presented with a fundamental choice of institutions. Consociationalists... advocate a package of proportionality, a grand coalition of communal leaders, group autonomy, and mutual vetoes to protect vital interests. The underlying philosophy is one of inclusion, representation, and power sharing. Centripetalists... advocate institutions that provide incentives for the electoral success of cross- and multi-ethnic parties and candidates. The aim is to change the nature of ethnic politics by encouraging moderation. Consociationalism and centripetalism are seen as varying 'dramatically' in their prescriptions. 'Centripetalism versus consociationalism', reads a typical caption. ...A closer look reveals that many consociational regimes around the world today have centripetal elements.

– (Bogaards 2019: 519)

To summarize this in non-technical terms, the two main power-sharing methodologies for managing inter-group conflicts are as follows.

1. *Elite representation systems* use executive power-sharing and proportional electoral systems to ensure representation in governing systems (and often resources) in divided societies for group elites. Note that proportional electoral systems only function if there are strong political parties in a system (voters cast votes for parties). For executive power-sharing, there can be a spectrum of such arrangements, such as 'grand coalitions' (Bosnia-Herzegovina's collective presidency: Bosniak, Serb, Croat) and less prescriptive representation (see Choudhry 2009). Other intended permanent examples of these systems include Cyprus (Turkish and Greek Cypriots), Lebanon (several groups), and Somalia's clan-based system (Rift Valley Institute 2023). These systems can be based on laws or elite deals that allocate powers to group leaders to ensure group access to state power/resources, and, perhaps more importantly, to ensure that no group benefits, excludes or threatens the others unduly.
2. *Group cooperation systems* mainly use a particular electoral system (the alternative vote) to structure representation in ways that incentivize moderation and cooperation between groups. The reasoning is that getting elected is likely to require candidates to appeal to voters beyond their own group (i.e., for their alternative vote), which requires the candidate to moderate their position in favour of cooperation. As regards the executive, this voting system would work best with a presidential, not a parliamentary system (Trzciński 2012; Reilly 2012).

Some electoral systems contain mixes of these basic features. For example, cooperation is needed in order to form a government after proportional systems have produced lots of parties that represent different political groups (some of which might be based on one of the common social characteristics, such as affiliation with a minority ethnic group). Relatedly, features of both elite representation and group cooperation may be found in electoral systems where voters can allocate preferential second or alternative votes to moderate leaders. Examples include experiments in Fiji and Northern Ireland, and more permanent systems in Australia, Indonesia, Kenya, Nigeria and Papua New Guinea.

Each of these have some claim that their systems work to manage conflict, but there is often no clear boundary and as we have seen, some systems have elements of both (McGarry 2019).

In terms of critiques, some argue that elite representation favours extremist leaders, fosters identity politics, traps governance in rigid systems of group membership, reduces accountability and fosters government corruption, because leaders claim state resources for their groups, and often, for themselves (Cheeseman 2011; Kendhammer 2015; Johnson 2023). There are

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**Elite representation systems use executive power-sharing and proportional electoral systems to ensure representation in governing systems (and often resources) in divided societies for group elites.**

also well-documented risks in situations where rebel groups are integrated into regular armed forces (as might be proposed for Sudan), such as in Nepal (Mukherjee 2006). Analysts of power-sharing in Africa in general are particularly scathing of the record (Lemarchand 2007).

A related body of analysis has focused on comparative evidence supporting the importance of elite bargains in managing the realities of local power to assist with transitions away from conflict, rather than attempting vague and unimplementable hopes for liberal democratic transitions (Cheng et al. 2018). Some research shows that in some systems of elite group representation, the fact of meeting and working with other leaders can change minds and perspectives. This can foster a different way of thinking: less confrontational, less suspicious, and less hard-line chauvinist (Borman et al. 2018; Elfversson and Sjögren 2020).

The mechanisms for structuring group representation (taking power-sharing at its broadest) discussed in the field include special compacts, electoral systems (proportional representation), parliamentary systems, federalism, and various forms of quotas and vetoes on key issues (Choudhry 2009).

One example near to Sudan that is almost never considered in any power-sharing analysis is the electoral system in Somaliland. This small entity declared independence from Somalia in 1992 and has been self-governing since, though its independence has not been recognized. Somaliland has structured its electoral system precisely to avoid clan representation (Centre for Policy Analysis 2020). By contrast, Somalia's clan-based power-sharing system that has become entrenched in practice, if not in law (Odowa 2021).

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**Sudan's own power-sharing history appears to have consistently used elite representation as its primary form of power-sharing.**

Sudan's own power-sharing history appears to have consistently used elite representation as its primary form of power-sharing. It is hard to find evidence of where Sudan's electoral systems might have favoured group representation or compromise—even when there were elections. But in the event that genuine elections ever return to Sudan, this is a potentially critical field of discussion because every electoral system produces different incentives and outcomes.

The framing of power-sharing globally is often focused on relatively permanent mechanisms for ensuring that each group in a divided community is represented in government (e.g. Greek and Turkish Cypriots in Cyprus; several groups in Lebanon, Catholics and Protestants in Northern Ireland, Hutus and Tutsis in Burundi). Sometimes these arrangements were constitutionalized (Cyprus 1960). At other times there were supposedly temporary ceasefire agreements that endured over decades (Lebanon's 1989 Taif Agreement). But as transition 'deals' proliferated to manage post-conflict situations, the term power-sharing has come to mean almost any arrangement of group representation in decision making for ceasefires, transitions and governance (Gündüz 2011).

Reflecting on these examples, it is important to highlight the difference between:

- temporary use of deal-brokered elite representation in decision making regarding arrangements for ceasefires and related steps in ending the war (involving armed and other kinds of groups); and
- more permanent allocations of power that become built into the functioning of state power.

Although there are examples where both models have contributed as intended to peaceful processes (e.g. South Africa), there are also cases of problems with both—including trapping societies in elite arrangements that do not progress (Lebanon) and repeated failed transitions, as in Sudan. As will be clear in this paper, one of the recurrent questions in cases of subsequent wars concerns who was included (or excluded) at each stage. There is some research regarding why elite inclusion, either in transitions or otherwise, may transform into more broadly inclusive governance (Menocal 2015). In Sudan's case, the central question is why elite deals have failed so badly.

Srinivasan (2021) argues that the core reason why so much war followed the 2005 CPA (CPA 2005) between leaders of Sudan and what became South Sudan, lies in mediators' deliberate choices to focus only on the Second Sudanese Civil War (1983–2005), putting aside all the related conflicts for some future process. Further, the mediators allocated overwhelming state power to the two main protagonists, both of whom were long-standing leaders of violent organizations. This focus effectively prevented the development of civilian politics, of non-violent, organized competition for power. This double exclusion essentially consolidated violent actors in power (in Khartoum and Juba) and violence followed. By ending the SPLM/A (Sudan People's Liberation Movement/Army) war, the Khartoum government could deploy far more force in other regional wars, not least producing the genocide in Darfur. Certainly for both South Sudan and Sudan, the consolidation of violent actors in power and the effective exclusion of other political movements was followed by recurrent war in both states (Srinivasan 2021; Maru 2013).

### **Some regional examples also offer interesting lessons for Sudan**

In **Yemen** in 1991, a successful power-sharing deal (alongside the collapse of the Soviet Union that had backed South Yemen, a significant economic crisis, and the discovery of oil deposits that the South could not exploit on its own) led to the remarkably quick and peaceful unification of 'north' and 'south' Yemen. But the arrangement broke down completely after the first elections—as it always was going to—when the election results diluted the transitional 50:50 north-south allocation of power and positions, to minimal representation for the south. In the tensions that followed, prominent southerners were assassinated, and southern leaders launched an armed secession (backed secretly by Saudi Arabia). Civil war followed. In 1994 the former north won decisively, and many surviving southern leaders fled into exile—where some still are. The victory established Saana dominance in a unified state, but also produced a deep grievance that is today still expressed by the 'Southern Movement' that retains a separatist or autonomy goal (Dostal 2021).

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**Some parties might believe they have an electoral pathway, but plan for violence in case this fails.**

The relevance of this particular example for Sudan is the absence of any effective mechanism to transition even the elites of the southern leadership from the first power-sharing arrangement (50:50) to what was likely to follow: the elections would deliver tiny proportions of southerners to the national legislature, effectively rendering southern leaders irrelevant in government. This illustrates the real risks of democratic elections replacing power-sharing mechanisms where both parties have been armed actors. Some parties might believe they have an electoral pathway, but plan for violence in case this fails (as did Hassan Abdallah al-Turabi in Sudan's elections in 1986 and thereafter—Johnson 2021; Burr and Collins 2003). In Yemen, gaining power in elections guaranteed a share in its system of patronage. But with the southern population a small fraction of that in the north, election results were always going to exclude the southern elite from state power, hence patronage. The leader of the former South Yemen went from Vice-President in a power-sharing government, to an irrelevant member of parliament, structurally and permanently excluded from all future power. They chose to fight, perhaps believing that would reposition them to negotiate for a better deal at some point, or to regain South Yemen's independence. The north decisively defeated this movement and modern Yemen has remained a unified state. But the 'Southern issue' remains a significant factor in Yemen's ongoing crisis—with a simmering potential for a new 'southern' armed struggle, in addition to the civil war of Ansar Allah (the Houthis) against all other Yemenis.

A more recent regional example concerns the supposed formation of a national unity government in 2015 in **Libya** for the purposes of preparing arrangements for an elected national government (Badi and Lacher 2021). These actors have since failed to agree to transitional arrangements, seemingly because they know that elections would end their repeatedly extended tenures of 'transitional' office (Al Jazeera 2023). In Sudan, the certainty of losing power in future elections is also likely to have been why the Sudanese Armed Forces (SAF) and Rapid Support Forces (RSF) leaders overthrew the power-sharing transition in 2021.

This body of experience and analysis is of course relevant to any possible new use of the tools of power-sharing. As already stated (and see below), there is some evidence that the practice of power-sharing might change mindsets, moderate extremist demands, and build the methodology of negotiating competing claims peacefully in governance, in some situations.

But there is also plenty of evidence of the reverse: that if fighting mindsets and practices are carried into governance, this builds violence into the governance systems that follow—and it is very hard to break out of that cycle. Sudan is a leading example that such mindsets and practices endure. Al-Bashir regime seized power in a coup in 1988, never faced genuine elections and was overthrown in a coup in 2019. Those decades in power were consistently violent—including responsibility for genocide in Darfur.

This warning echoes that of a detailed paper that criticizes the focus on elite bargains in the Middle East and North Africa:

In their attempts to reach political settlements among rival elites in the Middle East and elsewhere, international policymakers have repeatedly prioritized ‘stability’ over accountability. The resulting settlements (or ‘elite bargains’) have instead created and perpetuated political systems that benefit those elites at the expense of citizens. Many citizens in affected countries now protest against, and demand an end to, the very settlements that were meant to solve the problem of violence. Focusing on the examples of Iraq, Lebanon and Libya, this research paper shows that, while these ‘elite bargains’ have successfully reduced direct violence, they have overlooked structural forms of violence and failed to improve—and, in some cases, worsened—corruption and human development scores. The paper proposes a revised, inclusive approach to political settlements centred on increasing accountability and addressing the harms caused by violence in all its forms.

— (Mansour, Eaton and Khatib 2023: 2)



## Chapter 3

# THE SEQUENCE LEADING TO THE CURRENT CRISIS

The reason for outlining this sequence is to underpin our analysis regarding the risks of power-sharing arrangements involving the military (either the dominant force if one emerges, or a combination if they reconcile) under current conditions.

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**The CPA essentially institutionalized in office the principal fighting force leaders, and ignored all the wider crises in Sudan—paving the way for further war in both Sudans in the years and decades ahead, including this present war.**

Sudan's current war has deep roots and starting points for a summary are likely to be somewhat arbitrary. For example, analysts can trace the roots of recent and current wars (in both Sudan and South Sudan) decades back into Sudan's independence, including the events that led to wars in many of the regions of Sudan (Johnson 2021). Others focus on the CPA of 2005 that provided for interim power-sharing between the leaders of those two forces, John Garang of the Sudan People's Liberation Movement/Army (SPLM/A) and then President Omar al-Bashir of Sudan, and eventually for a referendum that led to the independence of South Sudan. The argument is that the CPA essentially institutionalized in office the principal fighting force leaders, and ignored all the wider crises in Sudan—paving the way for further war in both Sudans in the years and decades ahead, including this present war (Srinivasan 2021; Nouwen et al. 2020).

For the purposes of this paper, the summary of events might start with the military and political events that brought about the 30 June 1988 coup that began al-Bashir's rule (Burr and Collins 2003; Johnson 2021), and those that brought about its end in another coup on 11 April 2019—by the leaders of the conventional SAF, and the separately commanded paramilitary RSF.

Following that 2019 coup, a military-civilian ('power-sharing') transitional government was established to prepare Sudan for elections and a new governing system over the course of three years. This period saw several military-civilian agreements attempting to move to civilian rule (Davies 2022):

- 17 July 2019: the 'Political Agreement' which set up the framework for a transitional power-sharing government between the military and the Forces of Freedom and Change (FFC) coalition of civilian groups;
- 17 August 2019: the 'Constitutional Declaration' that established the authoritative constitutional framework for the power-sharing deal in the transitional period (executive, legislative, and confirming judicial powers), with power-sharing for the first two; and
- 3 October 2020: The Juba Agreement for Peace in Sudan (a 245-page peace agreement between the transitional government and a series of armed groups—the first part of which, the 'Agreement on National Issues', stated that it was a nationwide agreement on issues affecting the entire country, binding on the transitional process, and superseding the 2019 Constitutional Declaration in the event of any clash between these foundational transition documents.<sup>1</sup> Critically for the purposes of this paper, the Juba Agreement placed 'the people with the guns at the top of the political arrangements, without necessarily considering who and how many people they actually represented' (Davies 2022: 20).

These arrangements were overthrown in the coup of 25 October 2021.

- 5 December 2022: the 'Framework Agreement' to relaunch the political transition (see ACLED 2023). This arrangement was mediated by the UN and signed by the two ruling generals, and 40 civilian members from the FFC. But it was quickly rejected by both anti- and pro-coup forces (Sudan-in-the-News 2023). The military agreed to limited representation in the transitional arrangements, the establishment of a single professional army, that it would only engage in business and the economy in areas related to defence, and that the commander in chief could be the civilian head of state.

This 'Framework Agreement' was never implemented or cancelled. It appears to have been simply put aside when war broke out between the two armed forces in April 2022.

#### *Why did the 2019–2021 transition fail?*

Without setting out an extensive analysis of the reasons, the summary version is that the arrangements:

- assumed that the main parties (military and civilian) had capacity to act effectively and in good faith to implement the same;
- enabled the military to consolidate and even increase its power, having solved the 'street' protests; and

<sup>1</sup> It added three representatives of the regional signatories to the transitional executive (the Sovereignty Council) and 25 per cent of the seats in the (never established) Transitional Legislative Council; it expanded the power-sharing arrangement between the military and the FFC, to grant 25 per cent of the power to Sudan's regional armed groups.

- attempted a transition that was too ambitious and poorly sequenced for the capacities of the key players.

Overall, Sudanese experts and other analysts saw the fatal flaw in all these arrangements as being that the military remained at the centre of government in the transition. In reality, it seems clear that the military used power-sharing to stabilize the protests and regain full power:

... there was little in the Declaration or other constitutionalized documents that established any incentive—positive or negative—for the military to reform its own structures, give up its vast financial holdings to the state, and then hand over power a civilian leadership that had clearly demonstrated a desire to prosecute officials from the previous regime. There were informal discussions at the time of the Constitutional Declaration’s drafting about including provisions on a general amnesty, but they were ultimately excluded because it was expected that the protesters would flatly reject any deal that would seemingly violate one of the main tenets of the revolution: justice for the 3 June massacre specifically, but also for decades of state-sponsored violence against Sudanese citizens in Darfur and across the country. It is also unclear whether assurances like a general amnesty would have been enough for the military to hand full control of the government to civilian leadership.  
— (Davies 2022: 26–27)

**The FFC was a new coalition of complex protest forces, insufficiently trained and organized for its critical role of ‘taking charge’ of the process, making clear decisions, acting as an authoritative and legitimate decision-making body, and counteracting the military’s overwhelming dominance.**

But for the purposes of future civilian participation in any transitional or power-sharing arrangements, the expert analyses of the problems on the civilian side are also instructive. Put simply, the FFC was a new coalition of complex protest forces, insufficiently trained and organized for its critical role of ‘taking charge’ of the process, making clear decisions, acting as an authoritative and legitimate decision-making body, and counteracting the military’s overwhelming dominance.

An expert legal analysis (by the transitional Minister of Justice) of factors relating to the military overthrow of the transition, suggests that there are lessons in the drafting of the main ‘constitutional’ transitional documents (primarily, the Constitutional Declaration and the Juba Peace Agreement). Specifically, they created an ambiguity regarding the date on which civilian authorities would replace the military in the governing arrangements:

Although the coup has obviated the effectiveness of the Charter and JPA, the analysis is instructive for other questions of constitutional significance—and as a warning for others navigating the challenging territory of constitutional transition. Ambiguity in drafting, while it might be initially strategic, can

ultimately undermine the transition to democratic, constitutional rule, especially when one party fails to engage in good faith legal interpretation... [The author argues in conclusion, that this ambiguity in the legal interpretation of the transition] 'drove the military to seize control'.  
– (Abdulbari 2022)

While there may be lessons regarding ambiguities for drafters of such agreements, it seems unlikely that a legal ambiguity was a real reason for the coup that destroyed the transition.

#### *Why did the December 2022 'Framework Agreement' fail?*

When the 11 April 2022 deadline passed to appoint the transitional prime minister and establish the transitional institutions, it was clear that there were major difficulties inside the two armed force groups. Going by appearances, the key was that the RSF's unwillingness to integrate with the SAF within two years. But more likely, the RSF was unwilling to surrender its Darfur economic resources (gold) and the power in funds and weapons that have flowed from that—and it knew it had the backing of the UAE (Council on Foreign Relations 2024).

The apparent reason why the UAE Government backed the RSF militarily and financially is because the SAF remains closely linked with Islamist political forces—in other words, the same alliance that had characterized the rule of President al-Bashir from 1988 to 2019 (Talal 2023).

Whatever the proximate reason, open warfare broke out in April 2023 between the SAF and RSF. Although there are ethnic elements in this contest, the core conflict is not really a 'civil war' in conventional terms, as opposed to a 'power-struggle war' (Stigant 2023). As of 2024 this war is still raging, causing an ever-increasing crisis of governance, civilian casualties, economic damage and flight.

There has been a great deal of local and international analysis of these events (e.g. Sudan-in-the-News 2019, 2023). In short, the failure of transitional arrangements has added to the list of failures of power-sharing in Sudan, such as the 2004 Darfur Peace Agreement and the 2005 CPA. Although the more recent 2020 Juba Peace Agreement marked a potentially significant step in addressing Sudan's regional conflicts, it too has added to the list of failures. Importantly, analysts note that the latter was driven by the SAF, although it was signed by the transitional authorities and by regional armed groups. The critical negotiation process largely bypassed the transitional government and highlighted the SAF's dominance. This may have helped persuade the RSF to join with the SAF in overthrowing the transition.

## Chapter 4

# HOW MIGHT THE WAR END?

Obviously, any possibility that a new attempt at power-sharing in Sudan will work this time will depend on the circumstances, starting with how the war ends—or does not. This section outlines some possible scenarios which highlight the difficulties of any attempted power-sharing involving the warring armed forces, in any combination.

Although Sudan's current war is between two armed forces, it has strong 'group characteristics' (Nashed 2024). The RSF has its Janjaweed-Darfur base. On the SAF side, there are recurrent reminders of the SAF's former links with al-Bashir's National Congress Party and political Islamists (Lenoir 2023). Those characteristics have also been reflected in the brutalities against civilians by both armed forces, which will haunt the hopes of each for any public support (Nashed 2023).

Analysis in late 2023 suggested that the RSF may be doing better than the SAF, at least in terms of territorial gains in the regions and denying SAF control of Khartoum (*Economist* 2023). The RSF now substantially controls Darfur and the supply routes for arms and gold to fund its war, reportedly assisted in both respects by (at least) Russia and the UAE, via its proxy mercenary forces (Eltahir 2023). And the RSF has apparently made large parts of Khartoum ungovernable by the remnants of Sudan's central government as directed by the SAF. Egypt is reportedly backing the SAF militarily, but with limited resources. Simplified, the possible scenarios are: decisive victory for one side; a protracted war between these forces; or a negotiated end to the war.

For the purposes of this paper, the last seems most relevant. This would revisit the 2019 and 2022 attempts, but with the critical additional aspect that the two armed forces would first have to agree to stop fighting and either to integrate their forces or to allow a continuation of the separately funded and commanded RSF.

If lessons can be learned from the last two years since the war started, the last five since the 2019 coup, and the last 60 or so since independence, it seems likely that some combination of the two rival forces will try to use the process to consolidate their hold on executive power— and maintain their capacities to resume fighting if that is threatened. It will therefore be critical to find some way to reduce each of their capacities, alongside building a far stronger social and public base for civilian politics—in the sense of movements that compete for power peacefully, according to agreed rules of the game and which can mobilize public support and make effective decisions in the exercise of power. This will help to transition the military leaders out of governing power via a new constitution and elections (Elfadil 2023).

Obviously, the planned transitional sequence did not lead to peace, but to Sudan's current catastrophe.

So the issue would be how to manage the risks, including the evidence that some transitional authorities know that they will lose power in elections, hence prolong or sabotage the transition (Egypt, Libya, Yemen and Sudan itself). Still, in theory at least, some form of power-sharing along with other factors may help to manage these risks.

Putting aside for now, the difficulties of finding any realistic scenario where power-sharing might play a useful role, the next section looks at Sudan's violent history through a power-sharing lens. It is not a peaceful picture.

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**Putting aside for now, the difficulties of finding any realistic scenario where power-sharing might play a useful role, the next section looks at Sudan's violent history through a power-sharing lens.**

## Chapter 5

# SEEING SUDAN'S REPETITIVE WARS THROUGH A POWER-SHARING LENS

The view highlighted in this paper is that several decades of elite power-sharing deals have shaped Sudan's governance, favoured particular interests, denied the wider inclusion that might have given all parties more of a stake in peaceful governance, enabled violent actors to dominate—and been followed by war.

This analysis can be applied to the decades of al-Bashir's rule (power-sharing between National Congress Party, army, Islamists), the 2005 CPA (between the SPLM/A and the Khartoum government), the governance of South Sudan before and after independence, the arrangements that institutionalized the genocidal former Janjaweed forces at the centre of power in Khartoum—as to the RSF after about 2013 (formalized by law in 2017 as an independent security force), Sudan's transitional arrangements in 2019, the Juba Peace Agreement of 2020 and finally the coup and joint-force power-sharing of 2022.

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**The current 'power-struggle war' is therefore arguably the logical result of how Sudan has used elements of power-sharing over the decades.**

The current 'power-struggle war' is therefore arguably the logical result of how Sudan has used elements of power-sharing over the decades. This does not mean that no elements in the power-sharing toolkit should ever be used in Sudan; rather, it suggests that for managing conflict risks in divided societies, negotiating power, and conducting peaceful governance, mechanisms to date have focused on a particular tool (elite deals, mainly with leaders of armed or violent groups) to the exclusion of others.

This perspective does not of course apply only to central state governance in Khartoum to relations with, and within, regional states. The first of several attempts to settle regional wars focused on South Sudan. In accordance with the 2005 CPA, the SPLM/A's John Garang was appointed as national Vice-President in the power-sharing transition. Garang apparently hoped that this arrangement would not only end South Sudan's war, but reform Sudan as a whole—captured by his vision of a 'New Sudan.' That vision died with him only four months after he took office. But Sudan's centre-periphery issues have

never been settled, evident in the ongoing crises in Darfur and in the 2020 Juba Peace Agreement (Young 2005).

Ending Sudan's current war will require relevant actors to try again to find viable power-sharing arrangements in regional governance, as well as in the central state. Can this be done in Darfur? Can power-sharing somehow include surviving fighters of the RSF or SAF, without enabling them to use the transition to consolidate themselves in governance, as they have done over the last few decades?

There are no simple answers. The following sections detail further some aspects of the picture so far outlined.

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**Ending Sudan's current war will require relevant actors to try again to find viable power-sharing arrangements in regional governance, as well as in the central state.**



## Chapter 6

# SPECIFIC ISSUES

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**Despite the involvement of civilians in forming the main post-2019 agreements for possible transitions, generally speaking the record suggests that the civilian side needs to be better prepared to play roles at every stage of the processes ahead.**

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### 6.1. MANAGING THE MILITARY-CIVILIAN ARRANGEMENTS POST CONFLICT

As noted, how the war ends between these rival forces will shape the framework for a role for civilians in government. The term ‘post-conflict’ assumes that there will be separate processes for ending the war and for setting terms for civilian roles in a subsequent transition. It is likely that the armed groups will try to control the whole process.

Despite the involvement of civilians in forming the main post-2019 agreements for possible transitions, generally speaking the record suggests that the civilian side needs to be better prepared to play roles at every stage of the processes ahead. Otherwise, they will surely be sidelined and then excluded by the armed forces. This is also an important point for mediators and international backers to understand. The challenge is thus to be better prepared.

Building on the failed transitional agreements so far, the next will have to be different in managing to:

- reach agreement between the armed forces (and just as importantly, their backers) for a ceasefire and methods to secure it;
- establish rules for emergency and interim governance to address the economic and humanitarian catastrophe;
- establish structures for interim governance;
- decide what, if anything, to salvage from the post-2019 arrangements; and
- establish the next set of constitutional and related mechanisms that will lead to permanent peaceful governance.

These are discussed in turn.

### **Agreement about a ceasefire; securing the ceasefire**

It is hard to see how either side might completely defeat the other. So the logical ending will surely be some sort of compromise starting with a ceasefire, pressured by the international backers of the two sides, primarily Egypt, Saudi Arabia and the UAE. And as this paper has made clear, Sudan's civilians should anticipate that both sides will try to position themselves to share power in the ceasefire, share power in any transition, and stay in power thereafter—perhaps having found a way to eliminate the other in the meantime.

The question for Sudan's civil and political society will be how to manage these risks, having assessed the factors that might drive decisions for each armed force.

The red line for the UAE is likely to be effective mechanisms to remove/reduce the 'backdoor' influence of the Muslim Brotherhood in the army and in politics generally. Given the economic crisis in Egypt as well as the fact that its own army has neutralized political Islam in Egypt, a 'triple pressure' of all three regional powers is likely to persuade the SAF to agree.

Gaza has distracted this process, but talks have started and will surely gather pace over the next few months (so the discussions on this paper and other issues may be well-timed).

On the SAF side, it is possible given the carnage of this war, exhaustion and economic crisis, that military leaders will bend to the pressure, accept a ceasefire, address the Islamist influence in the army, try to set clear conditions for neutralizing the RSF threat—and agree to a transition.

On the RSF side, its leaders may assess that recent gains have increased their bargaining position—and believe that they cannot be defeated. So the leadership will try to set a high price for a ceasefire. Further, that leadership surely fears that any acceptance of a subordinate role will carry massive risks (as the leadership of Russia's Wagner group will surely also have known). The RSF leadership is extremely vulnerable. Despite wider recent recruiting of fighters, it appears to be personalized to one family, its income has been captured by that family, and its forces depend on particular tribes from Darfur.

This presents the RSF with a classic dilemma in such situations, especially if there have been terrible crimes in the war, and especially if they have betrayed their former fellow soldiers. They face revenge. Their leaders will fear losing everything if they compromise. So they will fight on and bargain hard. Other than weapons, their likely best way of building a future will be if they can grow a wider political base. In wider Sudan, they are likely to try to project themselves as guaranteeing a return to civilian rule, without the 'criminal' SAF who killed protestors, and without repeating the Islamist/al-Bashir era. In addition, they may try to secure a separate political/military base in Darfur.

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**Absent a well-equipped and professional international monitoring group, the two forces will have to structure an efficient and effective monitoring process themselves. It is likely to be precarious.**

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**A critical task for Sudan's civil-political society before the next round of talks will be to learn the lessons from post-2019 and prepare a range of organizations for effective participation.**

All said, the UAE has considerable leverage over the RSF and if the SAF agrees to reduce the Islamist role itself, the UAE will have far less need for the RSF. Faced with losing external support, the RSF may accept a temporary arrangement that stops the fighting, leaves its command structure in place, and does not remove its golden lifeline in Darfur.

Any ceasefire seems better than none, but if none of the big issues are addressed, all this points to a highly sensitive ceasefire process and a security dilemma—in which each side will know that the other will use the process to re-arm and prepare for renewed conflict. Absent a well-equipped and professional international monitoring group, the two forces will have to structure an efficient and effective monitoring process themselves. It is likely to be precarious.

#### **Civilians: Revenge/redress/rehabilitation**

To date, civilians have been the primary victims in Sudan's wars, especially in this current iteration. But some groups have been on the side of dominant aggressors, especially in the regions—Darfur is a case in point. Those groups aligned with aggressors will know that the victims may seek revenge/redress if the fighting stops, especially if their former 'protector' loses power. This will be a critical issue all over Sudan, as its people balance accountability, reparation, justice, ending the violence immediately, and trying to prevent recurrence. This is of course the field of transitional justice, but also common sense. The military groups will seek complete immunity so that they can keep their resources, avoid accountability, and do it all again when they think conditions are ripe. They threaten more violence in their bargaining. This was the deal that Saleh offered in Yemen and which was accepted by the transition actors. Saleh assisted the Houthis to stop the transition—and in the end was himself killed by the result. Somehow, Sudanese actors will have to balance all these issues.

#### **Participation in negotiating and implementing agreements**

A critical task for Sudan's civil-political society before the next round of talks will be to learn the lessons from post-2019 and prepare a range of organizations for effective participation.

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## **6.2. ADDRESSING THE POWER-SHARING QUESTIONS**

A great deal can be learned from the 2019 Political Agreement and the related Constitutional Declaration (Political Agreement 2019; Sudan 2019), the 2020 Juba Agreement for Peace in Sudan (JPA 2020), and the 2022 Framework Agreement.

On one key point, the current war started not only because the military apparently disagreed about preventing a transition to civilian rule, but because one group (RSF) feared being dominated by the other (SAF). In this sense, the civil war in Khartoum is a power-struggle with group dimensions (basically the same as between the key leaders in South Sudan).

As noted earlier this paper, an agreement between the two armed forces is critical to ending the war. But thereafter, any power-sharing that gives the respective armed forces substantive roles in government is fraught with risks—it is surely clear that they will try to minimize the role of civilians, other than those co-opted to help the armed forces govern.

On a technical level, the questions include: Which elements of ‘power’ might be shared between the armed forces (executive, legislative, judicial, appointments to office, resources, territorial government, armed force, other)? Shared between who? To what end (temporary, leading to a new constitution and then elections)? Using what mechanisms (a political deal, a new constitution imposed by the armed forces)? Managing what risks? And what might be the relative proportions and justifications in power-sharing: 50:50, 70:30? How might genuine agreement among relevant domestic and regional actors be built, in support of any formula for power-sharing? Finally, how would decision-making systems look in practical terms, addressing humanitarian, economic, security and political realities?

As noted, the challenges are most evident looking back to the CPA of 2005. That strengthened the violent regime of President al-Bashir in Khartoum and shared power in Sudan with essentially one armed group (the SPLM/A). In South Sudan itself, allocating power to leading armed personalities from the SPLM/A quickly became a power struggle when there was a challenge for leadership. There are surely lessons from repetitive attempts to allocate power to warlords, army leaders and those whose governance schooling has been warfare. In relation to South Sudan, the sequence is especially clear. It is essential first to answer who started the war in South Sudan and then follow the events:

The results included the use of state force to subdue the challenge, the use of armed force to resist, the tribalization of the power struggle between the major tribes backing the leaders, the use of force against tribal supporters, responses... and so to war.

— (Kulang and Ogbonna 2018).

Arguably, much the same sequences can be seen in the current war in Sudan. Sudan’s challenge, clearly, is to learn lessons and stop repeating the sequences.

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### 6.3. GUARANTEES TO BE INCLUDED IN INTERIM POST-CONFLICT CONSTITUTIONS

This issue goes to the heart of this paper. Constitutional guarantees are needed to ensure that peace is not trumped by tensions around power-sharing

between the former warring parties. The essential questions might be framed as follows:

- could the 2019 transition have been protected from military overthrow?
- could Sudan have avoided the SAF-RSF war?

Many analysts have given their views. In the end, nothing prevented Sudan's combined armed forces from overthrowing the transition, and from then going to war against each other. But the suffering from this current war has been so great that it is possible that all parties might agree to establish a better framework, including effective mechanisms for deciding disputes and resolving differences. If analysts are correct in believing that the armed groups never intended to hand power to a civilian government, then arguably there were at least two weaknesses in the post-2019 arrangements: the relative absence of widespread agreement to and proclamation of basic principles; and effective provisions for dispute resolution, which might have modelled the rule of law, rather than further military violence. Building agreement to core values might have required mechanisms for listening and learning, processes for expanding social agreement to principles, including setting out the history and the lessons: such as a truth commission.

The second might have required an authoritative transitional court with jurisdiction to settle disputes about the process, and to punish violations of fundamental principles in the transition (a code of conduct?), with criminal and other penalties—including removal of assets gained or held in violation of Sudan's laws. As noted, the 2019 Constitutional Declaration only partly addressed the judicial side of this, perhaps to avoid pulling the judiciary into the politics and asserted legalities of transition. But the issue could be reconsidered for any future attempt.

Otherwise, what body could at least provide authoritative declarations regarding the upholding or breach of core principles and steps in the transition?

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**As regarding winning agreement from key players, it is possible the armed forces will themselves have suffered so much in the war that they will accept that it is not the armed forces' business to try to govern the country.**

As regarding winning agreement from key players, it is possible the armed forces will themselves have suffered so much in the war that they will accept that it is not the armed forces' business to try to govern the country. It may help to avoid another armed force sabotage of a transition if public opinion is mobilized. Apart from political organization, this might be helped by a structured process for Sudan's people to express their loss and their determination to stop this cycle repeating—such as a truth commission. Timing is a critical factor in such processes. In the short term it will be more important to address the overwhelming humanitarian needs. But the harm suffered in Sudan could also be expressed in fundamental principles and narratives, including in any future constitutional declaration—and in the future constitution itself.

**South Africa's** transition throughout the 1990s illustrated the powerful role that an agreed declaration of fundamental values and principles could play (Ebrahim and Miller 2010). Specifically, to manage the transition strong guidelines were adopted to frame the responsibilities of the interim government, including non-partisan control of the security forces, the electoral process, state media and defined areas of the budget and finance; and elections for a parliament that would both form the first democratic government and draft a new constitution that had to comply with 34 pre-agreed constitutional principles.

In the short term, it might be possible in Sudan to test public support for the protection of core principles—simple polls on key issues. The results could be reflected in any new agreements, not least to prevent recurrence of military takeovers. The 2022 Framework Agreement might be a pointer to that, where the military apparently agreed to step aside in favour of civilian rule. That agreement was rejected by the RSF, leading to the current war. Still, it seems unlikely that the SAF will be confident that it can govern the country in the aftermath. Greater public support would provide a social foundation for guarantees established in institutional, legal and perhaps international mechanisms.

A determined military will always be able to attack any transition, or indeed the resulting constitutional order—as has been done in the past. The key is to reduce the capacity of and incentives for the military to do so—and to ensure real consequences for such a choice. But this may take time. An eventual constitutional settlement might set the usual rules for peaceful competition for governance, including prohibiting the use of armed force to claim or exercise power, criminal and other penalties.

Absent a closely involved external power (e.g. the Bosnia-Herzegovina 'High Representative' role, with considerable domestic enforcement powers, backed by the EU and US), it might still be possible to have internationalized carrots and sticks, such making substantial aid and financial support for Sudan conditional on compliance with agreed basic principles and processes.

In Sudan, one actor's goal of reducing the another's capacity to use armed force (i.e., the SAF's attempt from 2020 onwards to integrate the RSF into itself) arguably started the current war. The issues are sensitive and difficult. The RSF is especially problematic given the financial incentives from Darfur's gold, the support from UAE and Wagner/Russia, the RSF's record of brutality—and the RSF's apparent dominance on some current battlefields.

There may be ways of meeting some version of security sector reform and disarmament, demobilization and reintegration (DDR) (McFate 2010), but in the end there will be a reckoning of hierarchy and control (as there was for Wagner in Russia).

As noted, one of the greatest risks to be managed in divided societies is the fallout from institutional exclusion. Apartheid was the paradigm example of

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a formalized institutional system that disempowered groups based on race; it bred humiliation, resistance, revolt and armed struggle. In Sudan's outer regions, particularly, but also on the streets of its main cities, many Sudanese have complained about systemic disempowerment throughout decades of non-democratic rule. The attempts to recognize this in Sudan's many peace agreements (especially in 2019) shows that the issues are well understood—perhaps more so than the reasons why these agreements failed.

Issues of who to include or exclude—and for what purposes—significantly affect power-sharing, transitions to peace and the risks of resumed conflict. Recent illustrations are exclusions from governance arrangements in post-dictatorship Iraq (Baathists, Sunni, the military) and Libya (everyone who had held office under Gaddafi); both led to civil wars. Put differently, effective power-sharing in building incentives for peace is also illustrated by the opposite: the incentives towards war that follow from exclusion.

External pressures may offer some support for arrangements—the withdrawal of external support for domestic actors may focus them on the need to negotiate with fellow citizens, rather than following external agendas. But ultimately the defence of any system depends on support from local actors.

An old example of the risks of relying on external guarantees is **Cyprus's** 1960 constitution that established elaborate and detailed power-sharing between Greek and Turkish Cypriots. The arrangement was so detailed that if one party did not cooperate, all governance would be logjammed. Greece, Turkey and the United Kingdom were the external guarantors. In 1974, faced with the breakdown of effective governance essentially from Turkish Cypriot non-cooperation, Greek Cypriots tried instead to unify Cyprus with Greece. In response, Turkey invaded, ostensibly to protect the 1960 constitution. Fifty years later, Turkish armed forces are still on the island, and there has been no final constitutional and peace settlement (Crisis Group 2023). A more recent example is the failure of the UN Security Council to prevent the Houthi-Salleh takeover of **Yemen's** transitional arrangements in 2014. That war is also still unresolved.

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#### 6.4. EXAMPLES FROM THE REGION

As noted above, **Yemen** in 1991–1994 shows the success of a power-sharing arrangement for the transition to a unified Yemen—but it was quickly followed by a war when elections effectively ended the power-sharing by removing all the influence and access to power for the former rules in South Yemen. In 2011–2014, Yemen again demonstrated the failure of a transitional power-sharing arrangement. The reasons included the absence of any political space or buy-in from the alliance between Houthi forces and a key faction of Yemen's state forces (Salleh supporters)—and the Southern Movement referred to above.

**Lebanon's** power-sharing after independence and then following the 1989 Taif Agreement produced some stability, followed by profound problems. Arguably both arrangements solidified the relevant group divisions and provided entrance points for foreign influence, funds, weapons and power, as happened for movements such as Hezbollah (Bahout 2016).

**Somalia's** clan-based representation in the absence of elections has provided an agreed mechanism for governance in those areas not controlled by Al Shabaab. But clan representation has become so established that it may be hard in the future for Somalia to base governing power on electoral support, if genuine elections can ever be held.

**Libya's** sequence of war, transition, war, possible agreements and current non-transition, offers the simplest of lessons: power-sharers in transitions may try to hold onto their positions, including by delaying or preventing the transition.



## Chapter 7

# CONCLUDING THOUGHTS

**Power-sharing arrangements are built on the recognition that significantly increased conflict risks follow from systematically excluding from governing systems various groups.**

Power-sharing arrangements are built on the recognition that significantly increased conflict risks follow from systematically excluding from governing systems various groups that mobilize politically (including military groups)—and on the reverse hope: that where there is already such conflict, power-sharing to ensure group representation can help manage the tensions. Almost every human society with such divisions has some ingredients of power-sharing that tries to stabilize inter-group conflict and divisions (Tverskoi et al. 2021). The greatest conflict risks are found alongside perceived permanent exclusion and existential threats (e.g. Bosnia Herzegovina, Burundi, Darfur, Israel-Palestine and apartheid-era South Africa). As many examples have shown, power-sharing mechanisms might assist in mitigating the risks—but might also increase the risks in the long term, especially if the downsides of power-sharing by way of elite bargains are not mitigated.

Of the lessons from Sudan's history of power-sharing, four are highlighted.

1. *Essentially all Sudan's previous examples of power-sharing appear to have focused on the key armed force leaders in the particular circumstances, giving them prominent roles in governance. That has arguably institutionalized the mindset and practice of violence in Sudan. Related to this:*
2. *None of examples have not made sufficient space for inclusive politics—in the sense of wider representation that could foster organized and peaceful civilian participation in competition for roles in governance. Without such a provision, armed-force rule (and war) has dominated Sudan's governance.*
3. *Injustices and centre-periphery dynamics pose serious obstacles. Although there have been regular attempts (including the 2020 Juba Agreement), attempting a just political settlement in regional government without addressing injustice and basic flaws in governance in Khartoum has not worked.*

4. *It is hard to find any tangible interaction between what leaders have actually done, and the many statements of fundamental values and principles in negotiated agreements and constitutional documents. Instead, Sudan has seen repetitive wars and massive violations of human rights. For example, the key principles in Sudan's 2005 interim constitution (which followed the CPA) included the unity of Sudan based on the free will of its people, supremacy of the rule of law, decentralized democratic governance, respect for human dignity, justice, equality, and the advancement of human rights and fundamental principles. With scant evidence of action on those values from Sudan's political and military players, building wide public and political support for these principles and connecting them with actual performance is a key challenge.*

Constitutions around the world have long been a possible vehicle for expressing core values, especially if the process of drawing up these principles is part of a socialization into public discourse and institutional adoption. Sudanese experts will have views on whether this is possibly relevant in the foreseeable future. As Sujit Choudhry notes:

In divided societies, because of a history of conflict or a lack of a shared existence, the constitution is often the principal vehicle for the forging of a common political identity, which is, in turn, necessary to make that constitutional regime work. To some extent, the constitution can foster the development of a common political identity by creating the institutional spaces for shared decision making among members of different ethno-cultural groups.

– (Choudhry 2007: 573)

These comments do not suggest there are easy answers in Sudan's crisis. They highlight the importance of building deeper agreement, at all levels of government and society, to the principles that might counter Sudan's suffering and war—and hence shape any future power-sharing in a transition. And they highlight the need to make such agreements work in practice, not just find their way into the introductory phrases of peace agreements and constitutions. Considering the extraordinary suffering in Darfur, and so much other suffering, critics may be right that there can be no peace or power shared with an unreformed RSF and allied forces that have shown no accountability or desire/practice of internal reform, that have caused so much harm, that retain the capacity to destroy any transition and that can without apparent restriction, simply resume the killing.

In challenging the SAF head on, the RSF surely knows that if it does not win, its power will be broken, and its leaders removed from all sources of power and wealth—and more. Similarly, given the brutality of the war, it is hard to see how sufficient trust might be built for any power-sharing between the two forces. And given the massacres of civilians and the extraordinary damage to Sudan's people in Darfur and Khartoum most notably, it is hard to see how any substantial civilian components might agree to share power with either of the

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military forces—at least not without a workable plan to transition to civilian rule and confine the military to its core security tasks, under civilian command.

As will be clear in Sudan's fractured environment, actually some Sudanese groups will indeed align with these forces, not least on the 'lesser of evils' calculus. This is why it is so important to build wider public support for key principles—and to establish those at the heart of any transitional process and future constitution.

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**There is little evidence that either military group will ever be able to govern alone—and they surely do not expect to again share power together. Both forces' leaders—and their international backers—must know this.**

There is little evidence that either military group will ever be able to govern alone—and they surely do not expect to again share power together. Both forces' leaders—and their international backers—must know this. So at some point, perhaps soon, civilians and the wider public will be needed to govern the regions and Khartoum. This will offer opportunities for more attempts at power-sharing with civilians.

As summarized in this paper, it has all been done before—and the results are clear. Regarding suggestions that Sudan's people should settle for some sort of 'hybrid' system that leaves the military in substantive charge, (Hala Al-Karib, one of Sudan's leading women, responds):

Some suggest—given Sudan's more than half a century of history of military control, economic fragility and the tendency for political violence combined with the current lack of a viable democratic leadership contender—the Sudanese should settle for military rule or a hybrid military-civilian government in the name of stability and security. Last month's framework agreement also appears to be an effort in this direction. However, the Sudanese people cannot and should not accept anything less than true democracy. After holding on to the government for decades amid extreme polarization, systemic corruption and civil wars, the Sudanese military and its allies from armed movements are in decay and in no state to rule over a country. Insisting on giving a role—any role—to the military in Sudan's governance would prevent the country from moving on from its painful past and building robust democratic institutions and systems. Keeping military rule alive in any shape or form would only bring more suffering and instability to the country. Sudan deserves an opportunity for democracy. We deserve a chance to move beyond military rule. What we need is not a 'framework deal', recycling broken promises, or even money. We need the international community to truly support our civil society so we can take the steps to finally return the military to its barracks for good and build truly democratic leadership for our country.

– (Al-Karib 2023)

Surely, something different is needed to break the repetitive cycles of elite deals followed by more war? If lessons really are learned from comparative examples and from Sudan's own history, it might be possible to manage the

risks. One test will be a ‘full table’ at every level of discussion in looking for ways out of Sudan’s conflicts—especially if some form of military-civilian power-sharing is a possibility. Insights and experience from the field of inclusion, alongside Sudan’s history, point to a greater role for Sudan’s women—but, of course, only if they choose such a role (Nampiima 2023).

How might it be possible to change the nature of and prospects for negotiations, settlement, transitional power-sharing and governance? Asking the question is not to burden Sudan’s women with the responsibility of repairing the destruction that has largely been caused by Sudan’s ruling and fighting men. It is a discussion that Sudan’s women should lead. Such a role would need agreement from key players, viable mechanisms and support—all somehow fitting within Sudan’s cultural, political and security realities.

Provided Sudanese actors choose, adapt and ‘own’ the processes, the experiences from other examples may be relevant. One mechanism for inclusive seats at the table in Sudan might be quotas (as in Yemen’s National Dialogue Conference). Another might be some indication of public support where women’s groups organize jointly across divides and so claim seats at the table and in governance (Fearon 2002).

As Sudan’s history shows (and the 2005 Interim Constitution promised), power-sharing arrangements that address regional conflicts might reflect decentralized governance with representation mechanisms to protect all groups, rather than systems that effectively institutionalize domination by some (often armed) groups. This will surely require tailored solutions for each geography, not a one-size-fits-all programme for the whole of Sudan. Darfur will be particularly hard—not least because it is both the source of RSF revenue and personnel, and the site of some of Sudan’s worst atrocities and suffering. The 2020 Juba Peace Agreement offers a glimpse of what might be possible—as well as what failed.

In addition to the issues noted in earlier sections, any consideration of power-sharing arrangements in Sudan looking ahead might try to manage the risks of:

1. *Getting inclusion wrong by having too narrow a political/social base of support for the transitional process (especially of women);*
2. *Making elite deals that institutionalize dominant power for some actors/groups to the exclusion of others (geographically, and in other ways);*
3. *Repeating bad-faith agreements that in clear terms promise high principles (the rule of law, equality, reparations, power-sharing) but where the actors on any side have ‘dirty hands’ and there is no evidence of transformation, or in other words when the actors have consistently violated such principles in practice;*

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**Power-sharing arrangements that address regional conflicts might reflect decentralized governance with representation mechanisms to protect all groups, rather than systems that effectively institutionalize domination by some (often armed) groups.**

4. *Negating diversity of social and religious views* (especially the Islamist history and current actions, seeking to impose conservative views across Sudan);
5. *Arrangements that empower military forces* (or military-political combinations) to use transitions to stabilize the situation (e.g. end public protests, start rebuilding the economy and society) and then re-take control by abolishing the transition;
6. *Enabling a military-tribal-political group to gain effective control over a key resource* (gold, oil, other);
7. *Failing to address the influence of external states* that support local actors;
8. *Failing to anticipate resistance* from any groups that would perceive proposed arrangements as existentially threatening; and
9. *Missing the importance of training key actors and officials* about practical mechanisms that will help the functional operation of power-sharing, so that all actors know how to make the systems work, and what to do if they break down—and how to resolve disputes.

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## About the author

Andrew Ladley, PhD, is an independent researcher, analyst and practical mediator. His experience has included conflict situations in diverse countries in Africa, the Middle East, Asia and Latin America. In 2008–2009, he served on the inaugural UN Standby Team of Mediation Experts as a senior advisor on constitutional arrangements. He has also worked with the Centre for Humanitarian Dialogue and with International IDEA in several contexts.

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This discussion paper was presented at a seminar organized by the Arab Association for Constitutional Law (AACL) in collaboration with the International Institute for Democracy and Electoral Assistance (International IDEA) to present constitutional options on issues related to build lasting peace in Sudan by discussing the issue of power-sharing in the Sudanese Constitution. A group of Sudanese constitutional law experts were invited to discuss the paper's content and share their experiences and knowledge to enrich the dialogue.

This discussion paper by International IDEA holds the potential to significantly impact the future of Sudan by presenting constitutional options for the issue of power-sharing in the expected constitution after the signing of a potential peace pact. Hopefully, this paper will influence policymakers and assist them in drawing up a constitutional framework for peaceful and democratic power-sharing in Sudan.