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**SWANSEA UNIVERSITY
SCHOOL OF THE ENVIRONMENT AND SOCIETY
CENTRE FOR DEVELOPMENT STUDIES**

**NON-GOVERNMENTAL ORGANIZATIONS AND DEVELOPMENT IN THE
SUDAN: RELATIONS WITH THE STATE AND INSTITUTIONAL
STRENGTHENING**

BASHIR A.ABDELQAYOUM ALI

March 2010

**Thesis submitted to the Swansea University in partial fulfillment of the
requirements for awarding the degree of Doctor of Philosophy**

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ABSTRACT

This dissertation is unique in looking at Sudanese NGOs and not at the INGOs in Sudan. Most of the literature concentrates on the role of INGOs in Sudan and neglect the contribution of Sudanese NGOs. The research offers a corrective to these stereotype created by the literature on Sudanese NGOs.

This study focuses on important aspects of the voluntary sector in the Sudan. It describes informal traditional practices and indigenous associations, like communal labor, rotating savings and credit associations, and migrant associations. Although these social forms have been given some attention in the third world studies literature, the subject has never been dealt with systematically in the field of Sudanese studies. The study reveals the strengths and weaknesses of Sudanese NGOs. It doesn't, however exaggerate the role of Sudanese NGOs, given the local context. On the other hand we can not underestimate their contribution to poverty reduction efforts and peace process and in realization of rights in the last two decades.

The study focuses on the present political situation in the Sudan, including the regime's institutions and its social organizations on the one hand and the position of social and political oppositions on the other. It shows how Islamic movement uses religion and power to sustain and protect a system which has lost its credibility and legitimacy among many Sudanese citizens. It focuses on the rise of the National Islamic Front (NIF), its growth and development from a small political party to the third political power, based on the election of 1986, and to a party of full ruling power as a result of the NIF military coup of 1989. It also discusses and analyzes the nature of the government organizations and the causes leading to the failure of the Islamic project in the country. The rise of Islamic movement in Sudan can be viewed as part of the decline of local initiatives as the center of the social capital.

The rapid changing situation in Sudan since 1989 is gathering by new momentum with the government policies of control and restriction, on the one hand, and with the

increasing numbers of civil society organizations seeking to legitimize their identity and recognition, on the other hand. The study discusses the NIF-NGO relations and concludes by raising issues of concern and discussing the way out as an alternative approach contributing to development process.

DECLARATION

This work has not previously been accepted in substance for any degree and is not being concurrently submitted in candidature for any degree

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TABLE 8: TYPE OF DELINQUENCY

Abbreviation

Agency for Cooperation and Research in Development	ACORD
Babiker Badri Scientific Associations for Women Studies	BBSAWS
British Broadcasting Corporation	BBC
Civil Society Organizations	CSOs
Community-based Organizations	CBOs
Committee on the Rights of the Child	CRC
Comprehensive Peace Agreement	CPA
Darfur Assessment Mission	DAM
Deutche Development Service	DED
European Centre for Development Policy Management	ECDPM
Farmer Organization	FA
Friends of Child Society	AMAL
Gender Centre for Research and Training	GCRT
Grass-root Organizations	GROs
Great Britain	GB
Higher Council for Environment and Natural Resources	HCENR
Humanitarian Aid Commission	HAC
Human Rights and Legal Aid Network	HRLAN
International Monetary Fund	IMF
International NGOs	INGOs
International Federation of Agricultural Development	IFAD
International Development Research Centre	IDRC
Internally Displaced Persons	IDPs
International Institute for Environment and Development	IIED
Joint Assessment Mission	JAM
Local Organizations	LOs
Local NGOs	LNGOs
Local Institutional Development	LID
Ministry of Social Planning	MOSP

National Council for Child Welfare	NCCW
National Islamic Front	NIF
Non-Governmental Development Organizations	NGDOs
Non-Governmental Organizations	NGOs
Northern NGOs	NNGOs
Optional Protocol on the Sale of Children	OPSC
Oxfam Netherlands	NOVIB
Popular Committees	PCs
Poverty Reduction Strategic Paper	PRSP
Save the Children	SC
Southern NGOs	SNGOs
Sudanese Child Rights Group	SCRP
Sudanese Civil Society Network for Alleviation of Poverty	SCSNAP
Sudanese Communist Party	SCP
Sudanese Council of Voluntary Agencies	SCOVA
Sudanese Development Association	SDA
Sudanese Environment Conservation Society	SECS
Sudanese Organization Against Torture	SOAT
Sudan Organization for Social Development	SUDO
Sudanese People Liberation Movement	SPLM
Sudanese Women's Empowerment for Peace	SuWEP
Sudanese Victims of Torture Group	SVTG
Sudanese Writers Union	SWU
United Nations	UN
United Nations Development Program	UNDP
United Nations Children's Fund	UNICEF
United Kingdom	UK
United States of America	USA
U.S. Agency for International Development	USAID
World Food Program	WFP

CHAPTER ONE

LITERATURE REVIEW

1.1 Background to the Debate

The central theme of the studies of Sudanese politics in the last four decades has been the significant political change from democratic to authoritarian forms, which is known in Sudan as the vicious cycle of short democracy (1956-1958, 1964-1969 and 1985-1989) interrupted by lengthy dictatorship (1958-1964, 1969-1985, 1989-to date). During these periods and processes, the Sudanese Civil Society Organizations (CSOs) such as trade unions, Non-Government Organizations (NGOs) and Community-Based Organizations (CBOs), have played an important role. The relations between state and these CSOs/NGOs throughout these periods have never been easy, even during the democratic regimes.

The Sudanese NGOs and voluntary sector have survived and contributed to coping mechanisms of mutual cooperation, solidarity and support. Despite the impact of the colonial period: Pre-independence in 1956 and the social and political challenges of both democratic and military authoritarian forms. Sudan had also experienced drought, famine, civil strife, and displacement since 1970s. Because of these circumstances, and inadequate development policies, the 'food- basket country' relies on relief aid and international humanitarian assistance.

Sudan, however, has maintained rich social capital. Traditional structures and organizations whether introduced or transformed aggregate demands and capacities at the how to assist in the implementation of sustainable and locally managed development. Both NGOs and official agencies have no proper documentation of the contribution and role of NGOs and voluntary sector in Sudan. Poor literature and lack of documentation of CBO sector is a sound justification and rationale for conducting this research.

The 1990s witnessed an explosion in the number of NGOs and community-based organizations active in development and relief aid. The capacities and capabilities among NGOs and CBOs have gradually been strengthened. The content of their work have shifted from charity oriented activities to developmental issues. Within the development framework their dynamics evolved and expanded to address environmental, human rights, child protection, gender equality and social justice. The organizations have changed from simple local and traditional structures to institution structured bodies and networks. The signing of peace agreement on January 9, 2005 and the continuation of civil strife in Darfur, contributed to the rapid political changes and therefore shaped the work of the NGOs to focus on areas of peace and war such as; conflict prevention and resolution, peace culture and social inclusion. NGOs and CBOs were able to play a more effective and independent role in development.¹ These changes led to new set of challenges and needs in institutional strengthening.

Yes, despite the complex set of challenges and constraints encountering NGOs in Sudan, the relation with the state has not been overlooked. On the contrary, the thesis allocates two case studies to illustrate the NGOs relations with the state. The thesis explains how promising organizations succeed in incorporating plans into the government national strategy and work together with governmental technical departments to meet the needs of communities such as street children and rural poverty. The peaceful rights based approach developed by these organizations demonstrates that working relations and partnerships with governments can be promoted even under authoritarian regime. These organizations are a good example of commitment to matters related to marginalized groups.

Unfortunately, these challenges have become more complicated as the government, instead of being neutral and supportive to voluntary work intensified mechanisms of control are used. The government created many organizations and assisted only those of similar historic origin or being politically affiliated to the regime. NGOs who show their

¹ The Comprehensive Peace Agreement between the Government of the Republic of Sudan and the Sudan People's Liberation Movement/ Sudan People's Liberation Army. Available at: www.unmis.org/English/document/cpa-en. Accessed 21 November 2007.

own political standing have been suffering when coming to re-register or simply to implement their activities. The new NGOs Law Regulating the Voluntary Work (2006) is one of these measures taken by the regime to control the humanitarian work of NGOs.²

The thesis' chapters and the case studies show how the NGOs/CSOs – state interface has grown and developed. It has been also observed how the Sudanese ruling parties used the apparatus of the state to set up a pattern of authoritarian rule in which CSOs and NGOs would be either restricted and controlled or included in the hegemonic framework of the ruling regimes. Those CSOs and NGOs which have not accepted the government agenda and demonstrated their own identity and independence have been excluded from the social, cultural and material privileges and facilities. NGOs, by virtue of their historical origin and political commitment to the government's program, became deeply bound in this hegemonic process. As NGOs themselves were able to maintain identity, acquire resources, and provide social standing mechanisms to control them intensified. In some cases, the regime succeeded in manipulating and speculating within CSOs and NGOs to further its political agenda.

The other interesting aspect is the role of different social forces in the promotion of an effective environment for local institutional development. This issue is of particular concern to non-governmental organizations (NGOs) that look at the accountability of their interventions, scale-up the impact of their activities and contribute to the strengthening of civil society. The commitment of various development workers including public and private sector and their interest in supporting local institutions is of significance in maintaining local integrity and social cohesion.

1.2 Introduction to Chapter One

In the literature on NGOs, social change is the ultimate goal and the impact they want to achieve. It means a world free of poverty, discrimination, exclusion and injustice. In

² The Voluntary Humanitarian Work (organizations) Act. 2006. Available at: www.hacsudan.net. Accessed 28 December 2008.

order to achieve this goal, NGOs must maintain values which are in harmony with the expected social change. To be an effective NGO, there is a set of democratic practices and approaches to follow, including participation, democratization and right-based approaches and equality. In comparison to governments and markets, NGOs' role as described by Michael Edwards and Alan Fowler that they "must achieve elements of both these sets of goals – efficiency, effectiveness and public support – and use them to transform the worlds of economics, politics and social relationships through the prism of a different set of values."³ Values must be reflected in the internal capacity of the NGO, including the organizational structure, service delivery, human resources, governance, strategic thinking, planning and financial management. Those values of transparency in information sharing, respect of all partners and cooperation with other NGOs and stakeholders must also be reflected in the NGO's external relationships.

This chapter reviews literature relevant to boarder issues of civil society organizations, NGOs, capacity building, organizations of local institutions, definitions, roles and concepts. It focuses on the state and state–civil society relations. It touches on development and NGOs in some countries in the Arab and Islamic world.

The last section of this chapter presents the research methodology, including the research problem, selection of NGOs and research outline.

1.3 Civil Society/NGOs and Development

1.3.1 Introduction to Civil Society/NGOs

This introduction is about the definition and capabilities of civil society to achieve changes in a society where their members have sought through society priority needs, participation and actions. Have civil society in developing countries lived up to its

³ Introduction: Changing Challenges for NGDO Management. In: Michael Edwards & Alan Fowler ed. NGO Management. London, Sterling,VA: Earthscan Publications Ltd, 2002 p.6

ambitions in the generation since independence? Have they become strong civil society organizations?

In the mid-1980s, Milton J. Esman and Norman T. Uphoff studied local organizations as intermediaries.⁴ The relevance of such work studying local organizations and local institutional development depends on the continuing discussions about the experiences and lessons learnt and about the resolved and unresolved matters in most developing and developed countries in relation to the understanding of the local context, its environment, culture, dynamics and vulnerabilities.

In 1980s, NGOs capacity development was scarcely a topic of public debate. The development challenges during this critical period were characterized by drought, famine and civil strife and resulted in refugee influx and internal displacement. These challenges brought NGOs to worldwide attention and questioned their management capacities and credibility. In the absence of critical literature guidance and advice, some NGOs focus simply on blueprint instruments and tools instead of focusing on experiences, stories and approaches. These observations were visible in the writings of Edwards M. and D. Hulme,⁵ Edwards M. & Fowler,⁶ and Edwards M. (2008). The latter summarizes the conclusions of the first Manchester Conference in 1992 as that: "...there were different strategies suited to different circumstances, specifically: (1) working with government; (2) operational expansion; (3) lobbying and advocacy; (4) and networking and 'self-spreading' local initiatives".⁷ The theme of the conference was "Scaling-up NGO impact on development: how can NGOs progress from improving local situations on a small scale to influencing the wider systems that create and reinforce poverty?"⁸

During 1990s and 2000s, new thoughts have emerged in both analysis and policy. The need for greater specificity and sensitivity in terms of approach and methodology is

⁴ Local Organizations: Intermediaries in Rural Development. Cornell: Cornell University Press, 1984.

⁵ Non-Governmental Organizations: Performance and Accountability, Beyond the Magic Bullet. London: Earthscan, 1996.

⁶ NGO Management. London: Earthscan, 2002.

⁷ Have NGOs 'Made a Difference?' From Manchester to Birmingham with an Elephant in the Room. In: A. J. Bebbington, S. Hickey, and D.C. Mitlin, eds. London & New York: Zed Books, 2008, p.39.

⁸ Ibid, 2008, p.39

stressed. Alan Fowler described the current discourse: “In other words while bonded to civil society, they use their value-base as a ‘springboard’ to interact with state, market and civil society itself – which is far from homogeneous and is not inherently ‘civil’ or conflict free. They would have the competence to speak different ‘sector languages’ and to engage across diverse institutional boundaries and foster inter-organizational linkages”.⁹ The importance of integration has been emphasized by Michael Edwards: “NGOs cannot fulfill any of their new roles unless they agree to work together, both with other NGOs in other parts of the world and with other allies in civil society. They need to integrate themselves into wider civil society coalitions and cross-sectoral alliances that can reach further into the economic and political arena”.¹⁰ It is probably an overstatement that NGOs always share the same broad goals. NGOs need in the first place to understand what they share in common. NGOs have tended to mask the distinctions while doing little to elaborate on the similarities. The necessity for NGOs integration requires personal change towards values of cooperation which cannot be imposed.

Sarah Michael¹¹ defines NGOs that: “...as independent development actors existing apart from governments and corporations, operating on a non-profit or not –for-profit basis with an emphasis on voluntarism, and pursuing a mandate of providing development services, undertaking communal development work or advocating on development issues”. To distinguish CBOs from NGOs we can describe CBOs as less structured, not necessarily registered and they focus on specific local issues, such as water, education or health to meet the urgent needs of their communities. CBOs are more familiar to local knowledge; therefore they are in a better position in terms of mobilization of available local resources.

⁹ Beyond Aid: NGDO Values and the Fourth Position. In: Michael Edwards and Alan Fowler, ed. The Earthscan Reader on NGO Management. UK and USA: Earthscan Publications Ltd, 2002, pp.13-26

¹⁰ International Development NGOs: Agents of Foreign Aid or Vehicles for International Cooperation. In: Michael Edwards & Alan Fowler, ed. NGO Management. London, Sterling, VA: Earthscan Publications Ltd, 2002, pp.27-37.

¹¹ Undermining Development: The Absence of Power among Local NGO in Africa. Oxford: James Currey, Bloomington: Indiana University Press, 2004, p.3.

With respect to the concept of civil society some western theorists exclude inscriptive associations based on for example, ethnicity because they belong to a category of primary units. Stephen Orvis¹² describes an African perspective that: "We focus on the broad array of collective activity and norms, whether "democratic" or not, that constitute actual existing African civil society. This approach leads to an analysis of patron-client networks, ethnic associations, and some "traditional" authorities as part of civil society, demonstrating that African civil society is more rooted in and representative of African society as a whole than the pessimists have admitted, but also less internally democratic and less likely to support liberal democracy than the optimists assert". Civil society organizations are democratically constituted and function as the foundation of a democratic society. This definition excludes deviant and criminal groups from being member of civil society membership. One controversial issue was what had been shared by western literature with regard to the role and impact of democracy. It was believed that only a democratic state can create a democratic civil society, only a democratic civil society can sustain a democratic state. The civility that makes democratic politics possible can only be learned in the associational networks; roughly equal and widely dispersed capabilities that sustain the networks have to be fostered by a democratic state. According to Julius E. Nyang'oro¹³ that Thomas Callaghy summarizes two basic definitions of civil society: "The first relates to autonomous societal groups that interact with the state but delimit and constrain its action; here associational life is seen as the core of civil society. The second and less common definition deals with the emergence of norms about the nature and limits of state power, including its role in the economy, and about the creation of a public sphere and the political rules that govern its functioning. These two meanings, separately or together, often merge with a third, more general

¹² Civil Society in Africa or African Civil Society? Journal of Asian and African Studies, Vol. 36, No.1, 2001, pp. 17- 37.

¹³ Civil Society and Democratic Development in Africa. Perspectives from Eastern and Southern Africa. Harare: Mwengo. Background Paper on UNDP Decentralization and Local Governance, Policies, Legal Frameworks, Programmes, Lessons Learned and Good Practices, submitted to Local Governance Forum in the Arab Region, Sana'a Yemen, December 2003.

usage-what...others have called the popular upsurge against despotism". In the Sudanese context there is perhaps a correlation between the popular rise and crisis of the authoritarian regimes. In other words there are the strengths of civil society movement and the weaknesses of the state and its institution. These circumstances led to political strike and therefore the overthrow of two military regimes in Sudan in, October 1964 and April 1985. This is similar to what Agbaje Adigun¹⁴ describes on his list of what civil society could do to the unfolding democratic experiment that: "Help to address what Cameroonian economist Celestin Monga calls civic deficit.... Given that life is one long fight against the state, the collective imagination has gradually conspired to craftily defy everything that symbolizes public authority." These analyses begin to link the role of civil society organizations to debates on whether or not they influence state power and whether or not they are involved in taking-over state power.

Blair¹⁵ writes: "Thus we exclude such essentially single-purpose organizations as a business enterprise or a political party. The former main goal is to make a profit, while the latter's is to takeover state power {as opposed to influencing it, as with the institutions of civil society}". Saad Eldeen Ibrahim understands civil society as a voluntary independent action that is not a family or relative initiated group, neither a government effort¹⁶. Such contributions show the characteristics of civil society. One of these

¹⁴ Nigeria: Prospects for the Fourth Republic, in: Gyimah-Boadi (eds). Democratic Reform in Africa: The Quality of Progress. London: Rienner, 2004, pp.201-233.

¹⁵ Donors, democratization and civil society, in D. Hulme and M. Edwards, NGOs States and Donors: Too close for comfort? London: Macmillian Press, 1997, pp. 23-42.

¹⁶ The Changing Face of Egypt's Islamic Activism. In: Phebe Marr, ed. Egypt at the Crossroads: Domestic Stability and Regional Role. Washington, D: National Defense Press, 1999, pp.29-47.

characteristics is that civil society is a collective organization or a number of organizations whose members voluntarily agree to establish an organization. Civil society comprises the collectivity of those social organizations that are independent from the state and have as one important goal among others to influence the state on behalf of their members. Civil society is defined as value-based or value-led organizations. The other characteristic is the acceptance of differences and diversity in society between the different social forces and between civil society organizations and state. As Alan Thomas¹⁷ writes that: “the values underlying development NGOs in particular are if anything even more varied, although many relate to participation or empowerment”. Other definition of Celestin Monga¹⁸ (1995:14) states that civil society: “includes all organizations and individuals whose actions have helped to amplify the affirmations of social identity and the rights of citizenship, often in opposition to those in power whose natural tendency is to repress such identities and rights”. Thomas M. Callaghy (1994:9) contributes to the definition as follows: “...civil society seems to mean the emergence of a situation where societal groups assert their autonomy from the postcolonial authoritarian state in Africa and challenge its political hegemony. Teleological, civil society comes to stand for reinvigorated forms of participatory politics, for forces pushing toward some type of democracy. Society strikes back against oppression in the form of civil society”. In case of Sudan, for instance, the struggle for CSOs autonomy continues beyond the colonial period and under both authoritarian and democratic governments and the continuing debate of the role of CSOs and NGOs has not achieved its goal to engage them in the democratization processes and to contribute to social and economic reforms.

Ali, Hyder Ibrahim : Islamic Current and Democratic Issues – centre of Arab Union Studies – Beirut. 1996, p.5

¹⁷ Thomas Alan. Whatever Happened to Reciprocity? Implications of Donor Emphasis on Voice and Impact as Rational for Working with NGOs in Development. In: Bebbington A.J., Hickey S., Mitlin D.C. Can NGOs Make a Difference? London & New York: Zed Books. 2008, p.91.

¹⁸ Monga, C. Civil Society and Democratization in francophone Africa. In the Journal of Modern Africa Studies, 33, 3. 1995, pp. 359-379.

Thomas M. Callaghy¹⁹ responded to the concept of civil society that: "Spending considerable time and energy grappling with civil society as what Crawford Young vividly calls "yet another child of the anthropomorphic fertility of the social science imagination" and a metaphor masquerading as player" may impede this imperative". It was hard not to be struck by the widespread view among development practitioners that there are fast changing attitudes in Sudan, which may be leading toward new underlying challenges for civil society. Will civil society, by its own, help to bridge cultural barriers of multicultural society and break down stereotypes? What indicators should be used to assess the quality of civil society? How do donors select CSOs with which to work?

There are two basic strategies, developed by donor agencies, in supporting civil society organizations to promote democracy. Blair²⁰ (1997: 26) defines them as system reform, where the support for civil society focuses on the enabling environment and conditions in which it can work effectively. The second strategy, sectoral agenda, is the support given to specific SCOs. The former strategy interests in issues like: who benefits? Who is excluded? Who is included? The latter strategy implies questions such as: What happened? Who took decisions? Who made policy?

Fowler (1990) lists 16 NGO comparative advantages: 1) Reach the poor; 2) obtain true, meaningful participation of intended beneficiaries; 3) achieve the correct relationship between processes and outcomes; 4) choose the proper mix of assistance; 5) be flexible and responsive in their work; 6) strengthen local level institutions; 7) achieve outcomes at less cost; 8) tailor interventions to the needs of specific situations; 9) experiment with alternative ideas and practices; 10) employ long-term, strategic perspectives and time-scales; 11) undertake people-centered problem identification and research; 12) utilize

¹⁹ Callaghy, T.H. Civil Society, democracy, and Economic Change in Africa: A Dissenting Opinion about Resurgent Societies. In: Harbeson & N. Chazan, Civil society and the state in Africa. Boulder: Lynne Rienner Publishers, 1994, pp. 231-53.

²⁰ Blair, H. Donors, democratization and civil society, in D. Hulme and M. Edwards, NGOs States and Donors: Too close for comfort? London: Macmillian Press, 1997, p.26

indigenous knowledge and other local resources; 13) learn from and re-apply experience; 14) analyze and identify with the reality of the poor; 15) motivate and retain personnel; 16) promote sustainable development.

The Fowler list of NGO comparative advantages is a mixture of the roles that could be played by CBOs, local NGOs and INGOs. The latter is intermediary rather than implementers. CBOs and local NGOs have developed a space for themselves, providing development services, before other INGOs were at work. Other competitive advantage is their familiarity of local knowledge, culture and therefore needs and their novel approach to development in their work of participation, mobilization and management of local resources. This role of CBOs and local NGOs could match and complement with the role of INGOs that have pursued advantages for themselves, specializing in particular areas of development and gaining a level of skills, training and experience and contacts. The INGOs create a niche for themselves and expand it, capitalizing on donor funds and diversifying their areas of intervention.

Stephen Biggs and Arthur Neame ²¹ criticize Fowler's analysis in three points:

First, one cannot exclude the role of the government from the NGOs' success or failure. They write "The nature of the government, and what it does with its power and resources, determines whether an NGO might do development better. By the same token one has to look at specific NGOs in particular contexts to see whether they do better in these circumstances." Second, the local institutional development vision argues that each actor in the society has a role and each one has to concentrate on what they are able best to do. This is also the origin of the theory of comparative advantage. Stephen Biggs and Arthur Neame argue that, "It is strange that the language and arguments of neo-classical theory appear so significant in making the NGO case". Third, the list of Fowler, in reality, is a romanticized view of what is expected from NGOs, rather than what they actually do and

²¹ Negotiating Room for Manoeuvre: Reflections Concerning NGO Autonomy and Accountability Within the New Policy Agenda, in: Edwards, M. & Hulme, D., ed. Non-Governmental Organizations: Performance and Accountability, Beyond the Magic Bullet. London: Earthscan, 1996, pp.31-40.

achieve. Biggs and Neame continue to criticize and question the quality of relationships that NGOs can foster with clients and the way they create and design their organizations. They write that, “The notion that NGOs select their development tasks hints at mythical autonomy, and it is highly questionable anyway if NGOs are supposed to be acting in response to local needs and as agents of empowerment”.

While Biggs and Neame criticize the role of NGOs described by Fowler in his analysis, they show also the powerful role of the government that “...determines whether an NGO might do development better”. Sarah Michael²² describes what governments do when threatened by the power of civil society: “Afraid of relinquishing political space or political power to civil society, they have actively worked to hinder the operations of certain NGOs in their countries and to destroy them”. But as we illustrated elsewhere in the thesis that even under the present authoritarian regime in Sudan, the government have moved from repressing NGO activity to incorporating some of its strategies into the national plan, or co-operating with NGOs on isolated activities. Therefore the civil society organizations are dealing with the current problems facing democratic transitions in the country and the broader issues of reforming social and political relations, rather than seeking to reinforce the existing relations.

Peter Morgan²³ introduces new areas on the concept of capacity and suggests five central characteristics or aspects of capacity: empowerment and identity; collective ability; an emergent property or an interaction effect; a potential state, elusive and transient; and creation of public value.

²² Undermining Development: The Absence of Power among Local NGO in Africa. Oxford: James Currey, Bloomington: Indiana UniversityPress, 2004, p.164.

²³ The Concept of Capacity. A draft version paper. ECDPM. 2005, Available at: www.ecdpm.org/study. Accessed 10 Feb. 2007.

Echoing many of the definitions of capacity elaborated in this chapter, one has to mention a contribution made by an anonymous: "I can't define capacity but I know it when I see it". Others believe that capacity is everything we do everyday in order to better our life.

We may well put the cart before the horse, a balance between theory and practice is essential in development work in order to avoid the consequence of premature judgment. On the other hand and more important is that we are not trying here to approve or disapprove a theory of social change, but simply to find a way of talking about the links between the internal power, practice, organizational structure, behavior and the impact and change.

To sum up this discussion, the term civil society has had more confused meanings and conflicting usage and in this sense the term civil society should be used in a very restricted way. All the above observations and discussions raise legitimate concerns. What version of civil society is suitable for Sudanese perspective? Can we arrive at specific model of community-based civil society? To what extent civil society organizations are motivated by ethical ambitions and those elements of community are taken in consideration? Are they different from the individualistic elite version? Are they democratic, or developmental?

1.3.2 Organizations of Local Institutions

The importance of local NGOs in developing countries seems likely to grow given the increasing interest in NGOs by donor agencies. There is however much less literature on local NGOs than on NGOs. The literature neglects the role of the local organizations, their functioning and means of strengthening local integrity. As noted by Abbott and Miracle²⁴ that disappointment encountered with government programs to implant cooperative systems, which was due to their being seen "as structures designed more for

²⁴ Esman and Uphoff. Local Organizations: Intermediaries in Rural Development. Cornell: Cornell University Press. 1984: 38

administrative and political convenience than for concrete local advantage".²⁵ The first sobering contributions are by Wharton & Mosher in 1969 who introduced the voluntary farmers associations i.e. cooperative societies, farmer clubs, and other organizations as 'accelerators of agricultural development.'²⁶ They continue to say that these have two advantages. One is that they get tasks accomplished where individual farmers, operating alone, cannot achieve. And by involving group discussion of new ideas and ad hoc organizations around specific interests, they can affect the local climate of public opinion with which the individual farmer must live and work.

Uphoff²⁷ notes that local organizations are important for sustainable rural development because they:

- Can mobilize local resources and regulate their use with a view to maintaining a longer term base for productive activity.
- Put available local resources to their most efficient and sustainable use with specific knowledge, which is best, generated and interpreted locally.

Uphoff suggests that a local organization is an essential asset because:

- People's behavior is conditioned by community norms and consensus, so preserving or promoting practices required for sustainable development and natural resource management.
- Local institutions encourage people to take longer-term view by creating common expectations and a basis for cooperation that goes beyond individual interests. If local institutions are considered legitimate, people comply without inducements or sanctions.

²⁵ Ibid, 1984.

²⁶ Ibid, 1984.

²⁷ Local Institutions and Participation for Sustainable Development. Gatekeeper Series, No. 31. London: IIED. 1992b. Available at: www.iied.org. Accessed: 23 February 2008.

The neglect of local institutional development inhibits the development process and weakens the local capacity economically and technologically. Training, for example, is an area of concern for local organizations needed for the development of staff and members as well. To improve, for example poor resource management training is likely to be more effective with regard to practical skills like bookkeeping and maintenance of equipment. Training is considered as a contribution to reduce the risk of local organizations vulnerabilities such as subordination, ineffectiveness and internal divisions. It is found by Esman and Uphoff that: “too often, training is a top-down operation, assuming that the trainers know exactly what the trainees need to know. This one way transfer of knowledge is seldom effective for local organizational development”.²⁸ It is also evident that the lack of guidance of how training can be a bottom-up approach and how two way transfer of knowledge can be practiced. Greater success can be achieved if training packages consider the importance of local knowledge, e. g. culture, norms, language and behavior which can help to improve tools and approaches to attract poor people with low level of formal education. There is also the practical problem of who does the training and who benefits from it. A yet more positive training approach would be to understand the sensitive local contexts and to strengthen local capacity.

The contemporary approaches on local organizations include five main schools of thought:

[i] Marxists define the workers' organizations for the economic struggle as trade-union organizations. As Lenin²⁹ writes: "Let every worker who understands the need to unite for the struggle against the employers and the government join the trade unions". In response to the question how to make the trade unions as public as possible, Lenin³⁰ writes about the advantage of the legalization of the working-class movement and that: "...it is precisely our campaign of exposure that will help us to separate the tares from the wheat". Lenin repeatedly however reminded that this working-class movement that accepts the principle of the Party programmes and renders the Party all possible support.

²⁸ Local Organizations: Intermediaries in Rural Development. Cornel: Cornel University Press. 1984

²⁹ What Is To Be Done? Moscow: Progress Publications. 1973, p.111

³⁰ Ibid, p.111

This leads us to the question of centralism which is defined as the rule of the majority within its own party. Rosa Luxemburg³¹ arrives at conclusions that opposed to Lenin's "It is by extreme centralization that a young, uneducated proletariat movement can be most completely handed over to the intellectual leaders staffing a Central Committee".

[ii] Liberationists say that groups that represent the rural poor must not cooperate with the state and by no means be dependent on its incompetent and corrupt structure. Self-awareness, collective strength of the rural poor will lead them to confrontational tactics and then to liberation.³²

[iii] Technocratic school believes in an optimistic and individualistic approach that leads towards economic growth and technological modernization and those local organizations of purely voluntary nature may be useful for pooling resources so long as they maintain local integrity and do not distort local economy.

[iv] Esman, and Uphoff identify a perspective which they call structural reformist.³³ They believe that this perspective concentrates on the institutional and organizational results that can cumulatively shift the balance of socio-economic and political power. The strengthening of local organizations is by mobilizing and managing rural people's resources for their benefit. According to them this means building local power that limits and influences the actions of the state and the private sector. This peaceful approach of power transformation is rather theoretical based on the assumptions that governments have their limits of control, weaknesses and some degree of freedom. The two writers argue that the successes of local organizations in different parts of the world and under varying difficult conditions reflect that it is possible to utilize any feasible opportunities to struggle for improvement in any productive or human aspect of rural population.

³¹ Luxemburg, R. Leninism or Marxism.1904, p.4. Available at: <http://www.marxists.org>. Accessed 11 Feb. 2008.

³² Ibid, 1984.

³³ Ibid, 1984.

[v] Participation as an approach and strategy should not only be seen as 'effective struggle' and free exercise but also peace building making and constructive conflict resolution. Participation is a principal social value that respects people's talent and dignity and not something that one person does for another. People must do it for themselves or it does not happen. This is to say that the progress of a country relies on its relations to the people. Ultimately, mutual trust and respect must replace fear and suspicion. It has been observed that disadvantaged groups and individuals such as small farmers or displaced persons no longer sit passively at the outskirts of meetings, but participate actively and confidently.

Both the structural reformist approach as a multi-channel development framework and the participation approach as a key core of capacity building for various development stakeholders are relevant typologies to the research interest in the strengthening of capacity development and in the triangular relationship of CBOs, NGOs and the state. The concept of empowerment of communities through participation and the commitment of diverse social forces to improving living standard is crucial for the development of social capital, as an important element for nation-building that will be addressed in the subsequent chapter.

The concept of local institutional development has been originated in the early 1980s by international donor agencies such as USAID and the World Bank. The USAID policy paper ³⁴ on institutional development emphasized the importance of effective private and public institutions that provide a country with the self-sustaining capacity to critical development problems. The paper critically continues to address the development of institutional learning capacity and emphasizes that "institutions must have the ability to learn from and adapt to the environment in which they work".³⁵ The emphasis here is on

³⁴ USAID. Policy Paper on Institutional Development 1983. Available at: www.usaid.gov/policy/ads/200/instdev/. Accessed: 9 Feb. 2008.

³⁵ Policy Paper on Institutional Development. 1983. Available at: www.usaid.gov/policy/ads/200/instdev/. Accessed: 9 Feb. 2008.

the organizational theory that has long recognized that the nature of an organization's environment profoundly affects its structure.

The public aspect of the local institutional framework consists of; local administration as local government departments and staff of central ministries, and local government representing the district council or native administrations that have authority and accountable to local residents. This is essential in that they have the legitimacy and the resources.

The overall local institutional framework is strengthened when all social forces promote a system of organizations mediating between the local level and higher economic, administrative and political levels. Such institutions can build the capacity of the channels and forces involved and can be more promising than establishing any particular single effort.

The local institutional development, with its limited devolution of planning responsibilities to local government institutions, is a top-down approach which may undermine the local institutional capacity such as local integrity, values of civic culture, norms, transparency and accountability. This approach, however, overcomes the dominant conception and blueprinted manner, and if it stimulates the bottom-up levels aiming at strengthening local capacities and sharing the burden of local institutional development, it can be an effective forum and best solution to development problems.

Against this background of literature disabilities, Esman and Uphoff highlighted several key issues of local organizations and local institutional development in mid 1980s along with Alan Fowler, David Hulme and Michael Edwards in 1990s. It will be reviewed in the following section with particular reference to some issues related to the research.

1.3.3 Definitions, Roles and Concepts

The terms local organizations [LOs], community-based organizations [CBOs], intermediary organizations, non-governmental organizations [NGOs], and the concept of local institutional development [LID], reflect a huge diversity of organizations and institutions.

Local Organizations are defined by Esman and Uphoff as organizations accountable to their membership and involved in development activities. Examples of such organizations are cooperatives, farmers associations, health and water committees, and ethnic unions.³⁶ A similar definition can be applied to community-based organizations and grassroots organizations. The term local organizations introduced here have a wider usage and seem appropriate for different purposes.

Local institutions, as introduced in Esman and Uphoff³⁷ and Uphoff³⁸ range from public, local administration and local government, to private sector, with an intermediate sector of a broad category of LOs cover the middle range of membership organizations, cooperatives, and service organizations. Membership organizations can be classified as follows: Local self-help associations whose members may seek to handle:

- [i] Multiple tasks, e.g. local development associations or village development committees,
- [ii] Specific tasks, e.g. water and health committees,
- [iii] needs of members who have common interests and particular characteristics. E.g. mother clubs, tribal associations or tenant unions.

³⁶ Esman and Uphoff. Local Organizations: Intermediaries in Rural Development. 1984. Cornell: Cornell University Press.

³⁷ Ibid, 1984.

³⁸ Uphoff. Local Institutional Development: An Analytical Sourcebook with Cases. 1986. USA: Kumarian Press.

While organization and capacity building approaches can be traced back to the 1980s as NGOs grew in number and influence, approaches such as partnerships and coalitions, and support for CSOs have emerged in the 1990s.

Alan Fowler with Piers Campbell & Brian Pratt³⁹ suggested that institutions are set of norms, behaviors and values that persist over time serving collectively shared purposes. These rules, norms and values influence people's lives. Organizations are collections of individuals who fulfill roles in order to achieve common goals. They can become institutionalized as they acquire social value and stability.

Fowler insisted that there is no commonly accepted definition of NGOs. He defines NGOs "as third- party, serving non-profit-based, legally constituted non-state organizations, directly or indirectly reliant on the system of international aid. In most cases they function as intermediaries to promote sustainable development, social justice and enduring improvement in the circumstances of poor and excluded groups"⁴⁰.

Other broad definitions, rather loose and too narrow, describe different terms such as rural, peoples, community and participatory organizations. Other terms such as non-governmental organizations [NGOs] describe both Northern NGOs [NNGOs, or International NGOs [INGOs], and Southern NGOs [SNGOs], which are also local NGOs [LNGOs]. LNGOs can be intermediary who support community work directly or support LOs by providing funding, training, or technical assistance or through network, lobbying and advocacy.

Fowler located NGOs between other actors in society: state, market and civil society. He described their behavior as follows:"1) resembles the state in terms of pursuing public agendas; 2) is associated with markets in terms of surplus generation and self-financing;

³⁹Fowler, A., Campbell, P. & Pratt, B.. Institutional Development & NGOs in Africa', UK: Intrac. 1992

⁴⁰ Beyond Aid: NGDO Values and the Fourth Position. In: Michael Edwards and Alan Fowler, ed. The Earthscan Reader on NGO Management. 2002.UK and USA: Earthscan Publications Ltd, p.23

but 3) expresses a civic identity in terms of roots, a values-based and propagating role and agenda and the participatory methods they apply".⁴¹

Some crucial aspects of institutional development are described by European Centre for Development Policy Management (ECDPM) includes that: "Institutional development is a complex, messy, risky and experimental area, with tangible results emerging only over a long period of time.... Development agencies will have to rectify some of their 'old habits'. If they do not, they may quickly lose their capacity to generate genuine value, based on adaptability and responsiveness".⁴²

This lead us to the important question to what extent donors are ready to support or even accelerate institutional development processes, without undermining their local integrity, local ownership and the responsibility of the stakeholder involved? As a long term process, it is client-driven, concern itself primarily with results on the ground. It is above all an exercise in social transformation and therefore needs systemic support. This means taking account of the political, economic and cultural factors that may affect institutional performance.

Michael Edwards and Gita Sen directed our attention to equally important ingredient to sustainable changes, the personal change. This missing ingredient according to Edwards "cannot be forced by self-righteous; when hearts and minds are brutalized into submission or silence there will be little energy left for social engagement".⁴³ This is an accurate description for those alienated and marginalized to encounter authoritative and undemocratic system and oppressive regime, which is the case of many developing countries, particularly in the Middle East. In his contribution to what can NGOs do to foster personal change, Edwards debates the lack of integration of values into the practice of NGOs, and wonders whether NGOs are aware of their core values. Edwards writes:

⁴¹ Ibid, 2002:20.

⁴² Institutional Development Tools. ECDPM 2004:6-7. Available at:

http://portals.wi.wur.nl/files/docs/msp/institutional_dev_tools_ECDPM.pdf

⁴³ NGOs, Social Change and the Transformation of Human Relationships: A 21st-century Civic Agenda. In: Edwards Michael & Fowler Alan ed. The Earthscan Reader on NGO Management. London, Sterling, VA: Earthscan Publications, 2002, p.43.

“In other words, to show that it is possible to be an effective organization which values its employees as it does its partners, fights discrimination, practices internal democracy and always uses the organizational power it has in liberating ways”.⁴⁴

According to International Federation of Agricultural Development a farmer organization (FO) requires an effective management, negotiating and financing capacity in which the major source of revenue is obtained from its constituency. A self-supporting FO requires:⁴⁵

- A clear definition of organizational goals and objectives ;
- A participatory decision-making process ;
- A self-management capacity ;
- A process of accountability of the leaders to their constituency ;
- Clear lines of responsibility ;
- Financial Transparency ;
- Outside recognition and legitimacy.

These requirements reflect that IFAD projects aim to “improve the institutional framework that enables the development of the poor by using instruments [empowerment of grass-roots organizations and strengthening of locally-based institutions] which ensure that their interests and concerns are adequately heeded and reflected”.⁴⁶ The challenging question for IFAD is to what extent its distinct mission and focus on grass-roots intervention complements or contrasts the work of the World Bank and other multilateral financial institutions which have focused on macro level and therefore have tended to support a top-down approach?

OXFAM Great Britain⁴⁷, an international development organization suggests the following criteria for an effective local organization: a) Internal cohesion and solidarity: critical consciousness, active and critical participation, democratization of power and

⁴⁴ Ibid, 2002: 47.

⁴⁵ Resource Paper Role of Government Institutions. Available at: www.fao.org/docrep/fao/006. Accessed February 3, 2007.

⁴⁶ De Sand, Klemens van. Promoting Good Governance: IFAD’s Decentralized Approach .2000. Available at: www.un.org

⁴⁷ OXFAM (GB) 1999. www.oxfamgb.org. Accessed 19 January 1999.

collective responsibility, and self-management capability, b) Reduced dependence. Increased self-confidence and self- esteem; c) Linkages with other local organizations, and d) Ability to deal with government.

The key challenge expressed by OXFAM⁴⁸ during a workshop held in Uganda on Capacity Building for Empowerment is to link the building of social capital at the local level with a process at national level [creation of and support to a variety of national-level representative structures]. The joint efforts of both local and the national levels are necessary for policy influence and advocacy on poor rights and therefore reducing poverty.

OXFAM in Great Britain compared to IFAD for instance has achieved its success by creating innovative roles in policy debates internationally. Especially in issues such as international trade, its impact on poor segment, reforms, conditionality, and gender equality. OXFAM is one of powerful Northern NGOs that has “become institutionalized in the sense that they are a recognized and valued part of society”⁴⁹. OXFAM is also known of being helpful to Southern NGOs to develop their own advocacy work.

In spelling the role of NGOs as intermediaries, the World Bank⁵⁰ states that: “....they can create links both upward and downward in society and voice local concerns....In doing this they can bring a broader spectrum of ideas and values to bear on policy making. They can also exert pressure on public officials for better performance and greater accountability”. The experience in The Third World has challenged these declarations of the Bank and queries like the extent the Bank's development practice have become bottom-up and whether local people have been empowered. The harsh winds of

⁴⁸ OXFAM (GB). Report of a Workshop on Capacity Building for Empowerment. Jinja, Uganda, 6-8 March 2005. Oxford: Oxfam Publications.2005.

⁴⁹ Michael, S. Undermining Development: The Absence of Power among Local NGO in Africa. Oxford: James Currey, Bloomington: Indiana University Press. 2004, pp.23-24.

⁵⁰ Fowler, A. Non-Governmental Organizations as Agents of Democratization: An African Perspective, International Development Journal, Vol. 5, No.3. 1993, pp. 325-339.

alternative development approaches have clearly hit civil society organizations head on over the past two decades. Some international development organizations such as NOVIB, OXFAM has aligned with national organizations in developing countries to play a constructive role to achieve the following objectives:

- Building consensus for economic reforms and encouraging positive alignments within civil society and push for longer term development,
- Promoting institutional transparency and accountability, combating corruption and broadening the base on decision making,
 - Combating inequality and exclusion, promoting and protecting human rights, and influencing the quality and distribution of economic growth.
- Delivering social and economic services using alternative values and methods.
- Improving natural resource management and environmental protection.
- Building constituencies for poverty reduction, sustainable development, and international co-operation.

World Neighbor⁵¹ defines capacity building as a self-managed process of organizational change by which leaders and members learn to identify critical problems and diagnose and strengthen their organizational abilities in order to take collective action to solve them. The end result is that people develop more effective, and legitimate forms of local organization that succeed in creating long-term solutions to meet local needs.

During its intervention in West Africa, World Neighbor organization develops essential qualities for effective NGO's capacity to negotiate their interest with external agencies; to effectively mobilize and manage local resources; for broad-based leadership with mobilizing vision, spirit of initiative, ability to conceptualize, animate, and raise awareness. For organizations required to undertake ongoing community development activities such as farmer-to-farmer extension, identifying new technologies; for effective management of community self-development programme: problem diagnosis, needs assessment, planning, setting objectives, establishing indicators, budgeting, monitoring and evaluation, and reporting; for inter-village linkage, communication and collaboration

⁵¹ World Neighbour 2007. <http://www.wn.org>. Accessed 10 February 2007.

with other FO for cross learning and coordination of efforts to address common problems; and for democratic, transparent and representative decision-making.

Hussain Adam⁵² differentiates between three types of SNGO:

1. SNGOs founded on the basis of indigenous roots and knowledge. Adam describes them 'seize the past to gain the future' type.
2. SNGOs fight injustice, inequalities within own constituencies and outside and stress self-reliance. He calls them 'back to the source' type.
3. SNGOs that provide and improve services and resources which are lacking. These are 'transmission belts' type.

Ernesto D. Garilao⁵³ understands that 'NGOs have followed a fairly well-documented pattern of organizational development, passing through three stages of growth'. The first stage is the formation and development stage wherein groups of individuals identify common needs and problems and organize themselves to respond collectively to these problems. The second stage is the consolidation stage. At this point, the NGO consolidates its gains. Leaders emerge and form a core whose decisions and positions are respected by members. It is at this stage that the NGO is able to develop an expertise, whether this is a service or a product which can be utilized in favor of its beneficiaries. Any NGO remain at this stage, and if they eventually become inactive, it is due to the leadership's inability to maintain membership interest in pursuing the organization's objectives or the inability to meet the changes in the environment in which they work. Some NGOs, however, move onto a third stage – institutionalization. Here it can be said that the NGO has all the requisites needed for its survival as a long-term organization. Not only does it carry out its programs and projects well but these have a certain strategic impact in its geographic locality.

⁵² Adam, H. In Fowler, A. and James, R. The Role of Southern NGOs in Development Cooperation. Intrac Occasional Papers Series, No. 2. UK: Intrac. 1994.

⁵³ Garilado, E. Indigenous NGOs as strategic Institutions: Managing with Government and Relationship Resource Agencies', World Development, Vol.15, Supplement, 1987, pp.113-120.

The organizational effectiveness requires consistency between the organization's mission and vision and the actual tasks, behavior and practices. In other words the consistency between what it says it wants to become and what it does. According to Alan Fowler⁵⁴ there are three essential stages necessary for the organizational effectiveness and the consistency of the vision and action process:

- the coherence between vision, mission, identity and role;
- long-term strategic thinking, direction and expected results;
- moving from vision to tangible actions carried out by different stakeholders.

There are many lessons learned from the strategic planning sessions that some NGOs repeatedly respond to their priorities based on those of the donor agencies. Such exercise of strategic planning creates more dependency and does not allow such organizations to look for self-financial options and therefore be less dependent.

The whole process of the social changes must be participatory, involving all those affected through consultation and dialogue, relevant for those benefiting and sustainable.

Alan Fowler with Piers Campbell & Brian Pratt⁵⁵ emphasizes the significance of institutional development for community-based organizations and NGOs that advocate for social change. They also see the need for interactions between the NGO community and other development actors such as the state, official aid agencies and commercial enterprise. Institutional development will therefore aim at bringing change by:

1. Building the foundations of voluntary sector. The issues here revolve around the number and diversity of nongovernmental organizations - as service provider, as community groups, as people's movements, etc., - furthering the role they play in socio-economic development; ensuring greater accountability and responsibility; enhancing NGO ability to withstand external pressures, and so on.

⁵⁴Fowler, A. Organizing Non-profits for Development. In Michael Edwards & Alan Fowler ed. The Earthscan Reader on NGO Management. UK and USA: Earthscan Publications Ltd, 2002, pp. 74-85.

⁵⁵Fowler, A., Campbell, P. & Pratt, B. Institutional Development & NGOs in Africa. UK: Intrac. 1992, p.16

2. Enhancing collaboration and cooperation. Supporting NGO networks, associations, Councils and other instruments to make NGOs a more cohesive force in national, regional and international development; stimulating and institutionalizing NGO-based analysis of developing countries' problems and articulation of NGO perspectives on how they can be tackled.
3. Altering relations with the state, modifying NGO-state relations to give the sector greater autonomy of action;
4. Creating a more favorable policy environment for NGO work;
5. Limiting potentially negative impacts of official aid and gaining greater involvement of NGOs in national and local policy development.

Fowler mainstreams right-based approach into the goals and the tasks of NGOs, and that duty bearers are in compliance with human rights entitlements and developed risk mitigation strategy to reduce or redistribute it to those more capable ones. Based on these goals and tasks, Fowler⁵⁶ suggested the following four roles:

- “re-negotiators and trusted mediators between actors and sectors;
- trusted validators of a duty bearer’s compliance with rights;
- respected watchdogs of behavior of duty bearers and of claimants, including themselves;
- acknowledged innovators in the public interest with a constant eye on adoption by bigger and more powerful actors and on enhancing the capacity of claimants”.

Opinions differ widely among NGO activists as to the practicality and acceptance of the rights-based approaches by the duty bearer and the claimant. Irene Guijt⁵⁷ argues that: “Much of what is deemed to fit within a rights-based logic is considered ‘political’ and tackling structural causes of poverty, while the rest is considered ‘old style’ service delivery development that alleviates the symptoms of poverty”. Governments, in many

⁵⁶ Fowler A. Beyond Aid: NGDO Values and the Fourth Position. In Michael Edwards and Alan Fowler, ed. The Earthscan Reader on NGO Management. UK and USA: Earthscan Publications Ltd, 2002, pp.13-26

⁵⁷ Guijt, I., Civil Society Participation as the Focus of Northern NGO Support: The Case of Dutch Co financing Agencies. In: Bebbington, A. J., Hickey, S., Mitlin, D.C. (eds) Can NGOs Make a Difference? TheChallenge of Development Alternatives. London & New York: Zed Books. 2008, pp. 153-174.

third world countries, are skeptical of the approach, arguing that, it is influenced by western countries and it has a political cause. Some activists argue the usefulness of an imposed approach and suggest the participation of all actors in the design and implementation of the approach. Perhaps the most effective way for NGOs and donor agencies to capture their own space in development is through dialogue, and discussions with partners on issues related to local knowledge and culture and how that affect or being affected by rights-based approach. A vivid debate was initiated by CIDA for instance, in Egypt in 2005 on the relevance of rights based approach, including the views of government, CBOs and NGOs. Unfortunately, the debates have not continued and the outcomes of the approach have not been known. Such debates on culturally sensitive issue require an outdoor approach where the debates expand to reach those who have an in-depth local knowledge and those who critically contribute to its development. Since that there are attempts by some donors like CIDA, for instance, to incorporate rights based approach into capacity building processes, they should widen the range of dialogue and support that they offer to local partners and they must also begin to accept mutual responsibility for their performance and impact on their success.⁵⁸

In response to the division of labor between the various actors and the accusations and critique made by some donor agencies that some programs funded activities run by grass-roots organizations which play a role of substitute for weak state. Alan Fowler⁵⁹ described the roles of NGOs as: “social entrepreneurs and civic innovators, rather than users and distributors of subsidy”. This will lead us to the question of accountability; how possible that NGOs can be publicly accountable, while depending on specific funding resources? And if diversification of resources can solve partially the problem for international NGOs, what will happen to local NGOs where resources are very limited?

⁵⁸Fowler A. NGO Future – Beyond Aid: NGDO Values and the Fourth Position, in Alan Fowler (ed), Third World Quarterly, Special Issue, Vol 21, No 4. August Carfax Publishing. 2000, pp.589-603,

⁵⁹ Fowler A. Beyond Aid: NGDO Values and the Fourth Position. In Michael Edwards and Alan Fowler, ed. The Earthscan Reader on NGO Management. UK and USA: Earthscan Publications Ltd, 2002, pp.13-26

A worrying element is that the local institutional development approach seems to romanticize the relationship between the state and society, assuming that governments in developing countries are democratic, open-minded and willing to cooperate with local organizations at grassroots level. In theory donor agencies can suggest balanced assistance that encourages structural adjustments in economic, administrative and political higher levels and changes in behavior of officials to overcome resistance, subordination and excessive control invariably practiced by governments.

Another factor is the relationship between donor agencies and local organizations in the sense that donor agencies should not compromise the local institutional integrity and capacity by avoiding dependency which is essential for local spirit, for mobilization and management of available resources and for the development of local institutions as well.

One of the unresolved issues is whether or not the concept of assisted self-reliance contradicts with the local institutional development strategy of independence of individuals and self-determination. This will need a close look and possibly joint efforts rather than just promoting blue-print in pencil.

Virtually all external agencies now recognize the limits of donor-driven forms of cooperation and are reformulating their cooperation policies accordingly. Greater emphasis is being placed on principles such as ownership, participation, decentralization, process approaches and budgetary support. However, still there is a gap between the language of the new development agenda and the control-oriented style of operation displayed by many donor agencies.

Emphasis on and commitment to values such as empowerment, participation, gender equality, diversity are also considered by researchers and practitioners as indicators of progress or retardation, the extent of common understanding and ideology among the team of the NGOs. Michael Edwards and Alan Fowler sent their cautions by saying: "But these innovations must be organized and managed with great care lest they overly impede

decision-making-creating participation paralysis – and introducing tensions that impede responsiveness, flexibility and impact".⁶⁰

1.3.4 Participation as a Means and Goal in Capacity Building Processes

The most prominent concept that has emerged from the debate on capacity development is community participation. Considerable evidence shows that development efforts from outside or above forced on communities without their participation are often not successful and are doomed to failure. The top-down approach must be matched by a bottom-up process of consultation, dialogue and negotiation with other stakeholders involved.⁶¹ In Sudan, the grass-roots approach, which recognizes the political, social and cultural contexts and differences and uses potential powerful local institutional development actors, including local councils, community-based organizations, traditional structures, and private sectors is relevant. The local institutional conceptual model embodies the people's knowledge, the extent to which they exercise their civic rights and the level of participation of civil institutions.

On the other hand, the effective functioning of civic institutions will depend on the degree of state intervention, which in turn will depend on the nature of the powers devolved to local units.

Andreas Auprich⁶² writes: "The means to enhance participation fall under strategies for capacity building among and empowerment of the people. Capacity building is generally understood as a process by which individuals, groups, organizations etc. develop their

⁶⁰ Edwards, M. and Fowler A. Introduction: Changing Challenges for NGDO Management. In: Michael Edwards & Alan Fowler ed.: NGO Management. London, Sterling, VA: Earthscan Publications Ltd, 2002, pp. 1-10.

⁶¹ Organizing Non-profits for Development. In Michael Edwards & Alan Fowler ed. The Earthscan Reader on NGO Management. UK and USA: Earthscan Publications Ltd, 2002, pp. 74-85.

⁶² Auprich, A. A legal Framework: NGOS and Human Right to Development. In: Hollands Glenn and Ansell Gwen, eds. Winds of Small Change: Civil Society Interaction with the African State. Proceedings of multilateral workshops on good governance, sustainable development and democracy. Graz, Austria 1995 – Kampala. Athesis-Corplan. 1998, p.67.

abilities to perform functions, solve problems and achieve objectives. Empowerment suggests the expansion of peoples' capacities and choices but implies more specifically the strengthening of the ability of the people to participate in decision-making about national democratic development and to exert demands on the state and its servants". The devolution of powers to grass-roots institutions directly influences both the level and nature of community participation as a major proximate factor with a direct impact on people-centered and sustainable development.

Majid Rahnema⁶³ identified six reasons for the interest of governments and development institutions in the concept of participation:

1. The processes of economizations of people's lives, coupled with the gradual disintegration of vernacular spaces seem to have reached a point where governments and development institutions are no longer scared by the outcome of people's participation. At that level, a good number of people are manipulated into supporting those in power, hoping that the promised increase in the size of the national cake will ultimately also increase their share.

2. Participation has become a politically attractive slogan.

The peacefully negotiated forms of participation can take the heat out of many situations where development policies create tension and resistance on the part of their victims. The core institutional development problem is the unresponsiveness of many institutions to the needs of the poor. Improving this is a long-term process, requiring the empowerment of the poor, open communication between all actors and better organizational performance. In this process, institutional development is much more successful when institutions are challenged from the outside by citizens than when projects often carried out by foreigners try changing them from the inside.

3. Participation has become, economically, an appealing proposition. In a situation where developing countries have to adjust their economies, nothing can accommodate them more than passing on the cost to their poor - who is done in the name of participation and its corollary, self-help. The possibility of earning additional income is often the best

⁶³ Rahnema, M. Participation in Resource Centre, Chapter: In W. Sachs (ed.). Dictionary of Development. UK, 1992.

incentive for people to challenge ineffective institutions, as this puts economic issues on the agenda as well.

4. Participation is now perceived as an instrument for greater effectiveness as well as a new source of investment. Participatory process bring to development projects what they need most in order to avoid the pitfalls and failures of the past, that is: (a) a close knowledge of the field reality which foreign technicians and government bureaucrats do not have; (b) networks of relations, essential both to the success of ongoing projects and long- term investments in rural areas; and (c) the co-operation, on the local scene, of organizations able to carry out developmental activities.

5. Participation is becoming a good fund-raising device:

According to the Development Assistance Committee (DAC) report, already in 1983, no less than \$3.6 billion in NGO support was granted by European countries, a sum almost three times larger than the total funds allocated to developing countries through UNDP. The other side of the coin, however, showed the consequence of official adoption of NGOs, noted by Alan Fowler, while he was trying to contribute to his own question: Why beyond aid? Fowler⁶⁴ wrote: "Meanwhile, a recent conference examined how official adoption of NGDO-promoted "participation" was evolving into a homogenizing "tyranny" around demands for the use of specific tools and techniques, irrespective on the Gods' own competences and context".

6. An expanded concept of participation could help the private sector to be directly involved in the development business. An interesting update on the involvement of private sector in development is observed by Michael Edwards: "...aid delivery and management are being penetrated increasingly by commercial private –sector companies and specialist non-profit consultancies which have the skills and critical mass to put together winning bids in competitive tendering".⁶⁵ While most participatory approaches may be poorly used in development at the moment are participation as means, it is

⁶⁴ Fowler A. Beyond Aid: NGDO Values and the Fourth Position. In Michael Edwards and Alan Fowler, ed. The Earthscan Reader on NGO Management. UK and USA: Earthscan Publications Ltd, 2002, pp.13-26

⁶⁵ Edwards. M. International Development NGOs:Agents of Foreign Aid or Vehicles for International Cooperation. In: Michael Edwards & Alan Fowler, ed.: NGO Management. London, Sterling,VA: Earthscan Publications Ltd, 2002, pp.27-37.

important that development practitioners involved in participatory projects work with an eye to the future to create participation as an end, a long-lasting process which noted to be an active and dynamic form of participation.

Experience has shown that the efficacy of participation is mainly due to the presence of organized groups and that local organizations are crucial factors in development efforts. Organizations are therefore a strategic resource for effective management. Wherever possible, existing organizational capacity should be built upon. Failure to identify informal structure or indigenous groups leads to costly intervention, unnecessary risks of imported structures, and potential failure.⁶⁶ Examples from the Third World demonstrates that organizations require continued purposes which the members value; those created by projects only to provide cash and labor inputs will not continue to exist once the additional resources of the project have dried up.

The roles and strategies described will probably see local institutional development as framework and strategy through the next development generation or so. The investment has got to be in strengthening civil society to seize social and decision-making roles in the administration in development planning. The growing emphasis on NGO and civil society performance and role must include the challenges of making them more efficient and effective. We consider these challenges next.

1.3.5 Challenges Encountering CSOs/NGOs

CSOs will grow in number and will also face a range of challenges pertaining to legitimacy, operational efficiency and accountability. In meeting these challenges the following discussion offers some suggestions for civil society organizations to ensure that they remain participatory, democratic and transparent. First, CSOs must maintain their identity and independence by changing the structures of governance for greater

⁶⁶ Rasmussen, Lise Nordvig and Meinzen-Dick, Ruth. Local Organizations for Natural Resource Management: Lessons from theoretical and empirical literature. EPTD Discussion papers 11,International Food Policy Research Institute. 1955.

participation and democratization. Second, CSOs should advocate for good governance by pluralizing and strengthening grass root organizations. Third, CSOs must advocate for the rights of the poor by mitigating the negative impact of the macroeconomic policies on marginalized and vulnerable groups. Fourth, CSOs must be financially transparent by sharing information on financial sources and establishing systems and policies. Finally, one of the key elements that contribute to effective relationship between CSOs, government and private sector is the level of trust, knowledge and commitment shared between these social forces.

Blair⁶⁷ however describes how civil society organizations can influence democratization process: "... concern has grown that too much interest group influence on the state over too long a period may well lead to immobilism and a hardening of the democratic arteries or gridlock rather than to a rich and vibrant democratic polity. A debilitated state continuously pummeled by conflicting special interest groups may well then become too feeble to act in the interest of the citizenry as a whole". Blair⁶⁸ adds that: "...any real sense of the larger public good may be effectively suffocated in the rush of interest groups to appropriate societal goods for themselves. Civil society, then, is not an unmitigated blessing, and it may have deleterious as well as beneficial effects on democracy".

In addition development practitioners have identified a specific risk related to the sustainability. The lack of sustainable funding to support civil society initiatives and networks, combined with the tendency of NGO/CSOs to operate in isolation creates a competitive environment that also threatens the sustainability of the program efforts. This can be managed largely through the networking component, stressing collaborative approaches and collective actions, as well as efforts to build capacities for dialogue and negotiation with the state, as one of the main partners in development processes.

⁶⁷ Blair, H. Donors, democratization and civil society, in D. Hulme and M. Edwards, NGOs States and Donors: Too close for comfort? London: Macmillian Press. 1997, pp. 23-42.

⁶⁸ Ibid, 1997, p.30.

1.4 State

Many roads in development lead to the question of the state. The motivation of interest rose from the complex of the development issues, and theories of state and models. However the most challenging issue is the relationship between the state and other institutional development channels.

Pluralism is one of these theories which recognize the existence of diversity in social, institutional and ideological practices. Avoiding arbitrary interference by government with individuals' natural rights, pluralism advocates the separation of powers and federalism. The inclusion of heterogeneous social forces and territorial areas was crucial for any diverse political system. Pluralists started with an attack on state monism and debated the role of institutional and social checks and balances as preventive mechanisms. They agreed that group's conflicts are unavoidable in any complex society and they understood the consequences of self-interested society and the absence of traditional social ties in the society. This particular awareness differentiates pluralism from individualism that used public choice theory to espouse new-right values. The most key feature of Pluralism was its value of group and institutional autonomy and diversity. The following pages illustrate that states must foster pluralism if they are to successfully promote development.

Pluralism was successful because it seemed qualified to respond to central issues of political science, like the question formulated by Harold Lasswell⁶⁹ "who gets what, when and how?" Robert Dahl⁷⁰ illustrated in his classic study of urban politics in New Haven, Who Governs? He explored the oligarchy-the rule of the few, the elite theory view and polyarchy-the rule of the many, the pluralist view. Political power therefore is in the hands of many in a polyarchy, and in the hands of few in an oligarchy and it is equally distributed in a democracy. Pluralism believes that individuals' interests are

⁶⁹ Dunleavy, P. & O'leary, B. Theories of the state: The politics of Liberal Democracy. London: Macmillian. 1987, p.35.

⁷⁰ Ibid, 1987, p.39.

usually reflected in the policies and the individuals' behavior that reveals their policy preference.

The positions on representative institutions are complex and valid in different political situations. Pluralism insists on the importance of multiple channels, for example interest groups, generation of information, and legislature, through which citizens can control their political leaders and change the development of public opinions. The interest group process is central to pluralist. The three factors felt by pluralism as legitimate democratic criteria to assess an interest group-its membership size, rate of mobilization and the intensity of members' preferences. In other words groups build up their size, mobilize their members and motivate them to express strong feelings.

As mentioned earlier that there are many roads leading to the state as central development issue. Pluralism, historically has been a theory of society addressing question such as who has power? Rather than what is the state? They do admit the existence of state organizations and the concept of the state. State regarded literally as a person of no importance, a passive vehicle and it mirrors or responds to the balance of pressure group forces in civil society. Latham⁷¹ described the state as 'cash register'. In cipher model state means set of organizations which are colonized by the strongest pressure groups in their domains. The second image is the neutrality of the state which described the state as mediator, balancer and harmonizer of interests. The third broker state model interprets public policy as the aggregate of pressure group activities going on inside the state apparatus.

It is true that in many developing countries, the state is too weak and already collapsed and doing little or nothing of significance for the middle and lower income groups. It would be naive to suppose that these groups are waiting for their disappointing states to improve, in fact and indeed they search for new alternatives and mechanisms of service delivery. In the agricultural sector, for example, the policy changes and public sector reforms introduced by donor agencies and states have not always stimulated attention to

⁷¹ Ibid, 1987, p.43

alternative local institutional developments. And the public sector has simply been felt to get weaker and weaker by itself, without any attempt to involve other organizations or social forces.

The state officials play an intermediary and middleman role by facilitating the acceptance of policies amongst key groups. Policy-making is considered a well developed research area by pluralists. This is clear in the contribution of Hirschman's theory of unbalanced growth and Charles Lindblom's theory of incrementalism and muddling through. According to Ellerman David⁷² that "The Hirschmanian unbalanced growth approach to institutional change is an alternative to the planning approaches that try to 'do everything at once' for fear that piecemeal attempts will fail (as they undoubtedly might)". In other words the emphasis is on the dynamics of the development process in the small. Lindblom argues, as explained by Ellerman⁷³ that "...in most commonly occurring policy environments, sequential decisions are better made in this manner. When exploring a largely unknown environment, it is better to take small steps in the neighborhood of what is known than to take bold leaps into the unknown". The general theory is that comprehensive rational decision-making, assessing all available options and choosing the best is impossible. Pluralism developed behavioral approach of decision making by avoiding the heroic assumptions of rationality and that only incremental changes will occur. Pluralism recognizes the complications of a collective decision on behalf of a group or a society cannot be made in any single best form. The other dimension is that because decision making is outcome of a group bargaining process, it is frequently disjointed.

In fact the form of the impact of policy changes has often been determined by the answers to a series of queries that these changes are suggesting. In this context John

⁷² Ellerman, D., 2001. Hirschmanian Themes of Social Learning and Change. Policy Research Working Paper. Working Paper Series 2591. 2001, pp. 9-12. Available on: www.wds.worldbank.org/external. Accessed 9 February 2008.

⁷³ Ibid, 2001, p.11

Farrington⁷⁴ writes about functions to be carried over by public sector; responsibilities that to be passed over to the private sector; who does what; the role of private sector, NGO and CBOs; what the value added for those agents to do these functions incentive, if any, will those private agents need to encourage them to assume these new roles; and finally how might a reduced public sector best interact with these private agents?

Pluralism as well believes that all groups especially those who are less heard, can find a political leader to ensure their participation in the process. Despite the pluralist optimism about "Who has power in a polyarchy?"⁷⁵ and the ruling of majority, they have always doubts about the pattern of social cleavages. A single social cleavage means insufficient social pluralism. Pluralism, however, does not regard the multiple cleavages in society as detrimental for state stability. Ross⁷⁶ described it as follows: "A society.... ridden by a dozen oppositions along lines running in every direction may actually be in less danger of being torn with violence or failing to split just along one line. Each new cleavage narrows the cross clefts, so that one might say that society is sewn together by its inner conflicts".

There are some intellectuals who see the state as the public power, the ultimate source of ethical authority, a mechanism for realizing the common good and public interest. Ian Loader⁷⁷ describes the role of the states: "We must recognize that states have indeed historically been involved as ordering devices, as sources of the rules, resources and administrative capacity necessary to the production of collective security. We must acknowledge that through the development of a sense of belonging, dignity and authenticity in the form of national identity, they have also been engaged in crafting social identities which provide the motivational force both for providing and maintaining the ordering infrastructure and for nurturing a social environment in which civility is

⁷⁴Farrington, J., ed. *Reluctant Partner?* London and New York: Routledge.1993.

⁷⁵ Dunleavy, P. & O'leary, B. *Theories of the state: The politics of Liberal Democracy.* London: Macmillian. 1987, p.42

⁷⁶ *Ibid*, 60

⁷⁷ Loader, I.. *Necessary Virtues: The Legitimate Place of the State in the Production of Security.* A Research Project funded by the Sixth Framework Research Programme of DG Research (European Commission). 2005. Available at: www.libertysecurity.org . Accessed 14 July 2008.

relatively high, security risks are relatively low, and thus the ordering infrastructure is reasonably sufficient for its task”.

In practical political terms there are different ideological perspectives on state intervention. It is necessary to point out some development principles and values within the social, political and cultural context of a developing country like Sudan⁷⁸ : a) Equal treatment under the law; b) A compulsory educational system; c) Elimination of all forms of discrimination and prejudice; d) Gender equality; e) Equality between people regardless of their ethnic or religious background; f) Economic and social sustainable development; and g) Freedom of expression, organization and information. Increasingly, people in Sudan are expecting to see the translation of these values and principles in their life, particularly after the signing of CPA in 2005. The dream however has not come true and the CPA is facing huge challenges that can only be resolved by meticulous political will.

Anisur Rahman⁷⁹ shared views on the role of the state: “The machinery of the state is constituted by structures which have enormous power over the people; such power inevitably invites bids to capture these structures or control them in some way or other to provide private interests. This is the central lesson of the present century's experiments with social governance through the instrument of nation states which has systematically undermined the people's own governing abilities and imposed social orders - e.g. capitalist, mixed, socialist which have predominantly served the interests of minorities in the society”.

Whatever the disappointments with the role of the state in development and in relation with civil society, we argue for the importance of negotiation and dialogue between the public and the civil society sector. Clarke⁸⁰, for example, sets out the case for relating

⁷⁸ The Interim National Constitution of the Republic of the Sudan, 2005.

⁷⁹ Rahman, A.. Towards an Alternative Development Paradigm. Inaugural address at the biannual conference of the Bangla Desh Economic Association. Dhaka, 23 November 1990 .1990, p.14

⁸⁰ Clark, J. Democratizing Development: The Role of Voluntary Organizations. West Hartford: The Kumarian Press.1991.

more closely to the state, whether to campaign against it and/or to transform it to advocate for reform or to find ways of working together to better the life of the community. During the same period of 1990s David Korten⁸¹: “The strengthening of civil society to allow the people to mobilize and apply social energy to the improvement of their futures, with an accountable government assuming an enabling role, is one of the central themes of the people-centered development vision. The people, by right and by necessity, must be both the architects and engines of development”. Unfortunately, people are not joining hands in the spirit of global citizenship, as Korten hopes and the world after 9/11 is not one to define and implement an agenda for social transformation.

In using an ideal-type definition J. S. Migdal⁸² describes state as: “...an organization, composed of numerous agencies led and coordinated by the state's leadership {executive authority} that has the ability or authority to make and implement the binding rules for all the people as well as the parameters of rule making for other social organizations in a given territory, using force if necessary to have its way”.

The most important factor in strengthening the state and increasing its ability to survive is mobilization of the society. This involves channeling people into specialized units, build strong security and control system, create mechanisms to reach every village, and collect more taxes. Kugler and Domke⁸³ write: “Governments acquire the tools of political influence through the mobilization of human and material resources for state action”. S. Burkey⁸⁴ notes that: “Totally autonomous grassroots development, proceeding regardless of the wider context, is something of a myth. No serious development practitioner would

⁸¹ Korten, D. C. Getting to the 21st century: Voluntary Action and the Global Agenda. USA: Kumarian Press. 1990, p. 157

⁸² Migdal, J. S.. Strong Societies and Weak States: State-Society relations and State Capabilities in The Third World. Princeton: Princeton University press. 1988, p.19

⁸³ Kugler, J., Domke, W. Comparing the Strength of Nations, Comparative Political Studies, Vol. 19, No.1, April 1986, pp. 40.

⁸⁴ Burkey, S. People First: A Guide to self reliant participatory rural development. London and New Jersey:Zed Books. 1993. pp. 211-244

today dispute that the bottom-up approach is the only one that remains viable: all recent evidence points in this direction. But also, it is true that such developments cannot simply, on their own account, provide the roads, the transport, communications, or the water and fuel essential to their own success; or for that matter, the credit, agricultural inputs, marketing, or the basic education and health services. These can for the most part only be made available through government programme. Grassroots developments may point to the needs, but they cannot hope to meet the mall on their own". Many of the state's inefficiencies and biases in development policies and in resource allocations are fundamentally effects of the weakness and absence of mechanisms through which society can hold the state accountable for its actions. Most NGOs "argue that they constitute an interest group in society that at the same time provides support to grass-root organizations."⁸⁵

According to David C. Korten that "Conventional development assistance must bear a substantial share of the blame for the increases of poverty, environmental destruction, and communal violence experienced by Southern countries. This assistance has failed to achieve the reforms that reduce or eliminate the economic and political dualism that makes a substantial contribution to creating and sustaining these conditions. To the contrary, it has all too often served to legitimate and sustain, or even strengthen, these dualistic tendencies"⁸⁶. The international financial institutions, for instance, have been severely criticized for the impact of their structural adjustment policies on deteriorating services for the poor. Their policies of accumulation of debt and creation of condition of debt dependence have led many poor countries to political and social instability. The export-led growth and growth-centered vision tend to concentrate economic and political power in the hands of multinational companies and elite elements. In reality, it serves the interests of those who already hold power and who are thus positioned to capture the

⁸⁵ Farrington, J., ed.. *Reluctant Partner?* London and New York: Routledge. 1993, p.11

⁸⁶ Korten, D. C. *Getting to the 21st century: Voluntary Action and the Global Agenda.* USA: Kumarian Press. 1990, p. 59

benefits of that growth. As David Korten⁸⁷ notes that, "Unfortunately, this same vision now holds us captive to ways of thinking and acting that are increasingly inappropriate and self-destructive to the point of threatening to destroy our environment, push ever increasing numbers of people into exactly the condition of poverty it promised to alleviate, and tear asunder the social fabric of human society".

On the other hand, the people-centered development vision advocates an equity-led strategy⁸⁸ which clearly distinguishes from the economic growth strategy: "Stage 1: [Preparation for Change] seeks simultaneously to: a. Strengthen the forces supporting reform by introducing educational and organizational initiatives aimed at increasing the political participation of those who will stand to benefit by the more fundamental reforms; and, b. Reduce the barriers to reform by: 1) creating an appreciation among power holding elites of the economic opportunities that would open for them under an equity-led sustainable growth strategy and the increasing violence, environmental deterioration and economic stagnation they may expect for themselves and their children if they successfully oppose such a strategy; 2) increasing the impartiality of the courts and police in enforcing the law; 3) professionalizing the military as disciplined defenders of the constitution; and 4) strengthening press freedom to increase accountability and the transparency of decision making". The key element of Stage 1 is people power which is a social movement including mass organizations, and civil society groups. This social force must be directed toward a peaceful transformation of existing undemocratic institutions and toward justice, sustainable and inclusive development.

1.5 State-Civil Society/NGOs Relations

Traditionally, state-NGO relationships in most developing countries were fraught with suspicion, mistrust and conflict. Some countries have developed repressive and hostile attitude toward NGOs. Others have created mechanisms to support NGOs. Therefore, the question of governance takes centre stage, for it goes right to the heart of the state-NGO

⁸⁷ Ibid, 36

⁸⁸ Ibid, 38.

relations. One of the definitions of governance is offered by McCarney⁸⁹, as "...this relation of civil society to state ...that distinguishes the study of governance from other studies of government". What are the recipes of good governance? Participation, consensus building and consultation are considered as a recipe of good governance. Who participates? The state has shown no proven commitment to genuinely involving people in decisions and actions concerning their development. The government's understanding of participation is essential. It understands participation as one of a means to control and mobilize local resources for its own interest. Migdal⁹⁰ notes: "Mobilization involves channeling people into specialized organizational frameworks that enable state leaders to build stronger armies, collect more taxes (especially important in maintaining those armies), and complete any other number of complicated tasks". The mobilization power is used by the state as tools for political influence. In reality, the need for a particular degree and quality of participation has to be assessed within the social and political context of the system. In this respect participatory democracy is necessary to be clearly stated in the Constitution to encourage the involvement of communities and civil society organizations in development matters.

The strengthening of inter-governmental relations is crucial for governance. It is important to extend the principle of governance beyond the relations between state and civil society. The involvement of local governments and municipalities as main social forces is significant for local institutional development and for participatory democracy. The government must support and strengthen the capacity of municipalities to self-manage their resources and to exercise powers to perform their duties.

It has been observed that some governmental officials are highly interested in voluntary work and supporting the efforts of NGOs in an unofficial as well as official capacity. It is

⁸⁹ McCarney . Civil Society Interaction with the African State, in: Glenn Hollands and Gwen Ansel, ed., Winds of Small Change, , Proceedings on multilateral workshops on good governance, sustainable development and democracy, Graz, Austria 1995 – Kampala, Uganda 1998, p.119.

⁹⁰ Migdal, J. S. Strong Societies and Weak States: State-Society relations and State Capabilities in The Third World. Princeton: Princeton University press. 1988,p.21

also evident that NGO staff and trustees come from a broad range of public and private sector interest groups. The latter sector created its own partnership with the state. In most cases the state supported the establishment of profit making companies. As a result two conceptions of CSOs-state relationships have been in place: the corporatist and voluntary-pluralist. The former type's organizations are incorporated into decision-making process by the state. The state manipulated and gained greater social control in return for giving functional representation to such groups in economic management.

There had been some controversy over the assumption that only democratic state can create a democratic civil society. In the absence of democratic state, civil society organizations can contribute remarkably to democratization processes including the creation of space leading to pluralist state. Nevertheless for the development and dynamics of the state-civil society relations, that the functioning of civil society will be more effective in the presence of a democratic state. Fowler⁹¹ believes that "NGOs are expected to play an important role in fostering the democratic changes now argued to be needed. It is assumed that NGOs will function as agents of democratization through their increasing presence and ability to transform society. It is argued that NGOs are unlikely to have significant impact on political reform because (a) regimes have effective instruments to contain such a possibility and (b) the legal standing, typical development approach and the relations maintained by the NGO community are not sufficiently consistent with this aim. In order to effectively promote democratization in developing countries NGOs will need to adopt more complex development strategies and consciously include the issue of citizenship in their interventions".

There is skepticism over the internal and external social and economic forces that are driving the trend of globalization and decentralization. The pressure of globalization in fact results in deflection of responsibility; currency devaluation, free trade and removal of price control, increase of taxation, removal of state subsidies, and central government find ways of relieving of the financial burden of providing basic services. By

⁹¹ Fowler, A. Non-Governmental Organizations as Agents of Democratization: An African Perspective, International Development Journal, Vol. 5, No.3. 1993, pp. 325-339.

decentralization they mean devolution of responsibility to local government without power and resources. On the other hand, the private profit-making sector gains considerable power by being contracted to deliver services. The increasing responsibility of the already powerful private sector will undermine the role of non-profit making organizations within civil society and will be little or no prospects of achieving good governance.

In an exhaustive debate about what is a recipe for good governance, the tendency is to prescribe the size of participation and consultation. In reality, the degree and quality of participation has to be assessed within the context of existing systems of democracy. As many analysts have pointed out, civil society and trade unions behavior during the few democratic experiences that result in the marginalization of elected representatives or neglect of democratic practices of formal political process is destructive of rather than conducive to democratization and good governance.

The views of the role of civil society organizations and the state are different. Most analysts admit the influence of civil society on the state but do not acknowledge the link between state and civil society. Robert Fatton⁹² describes the dialectical interaction between state and civil society: "... the totalitarianism of the ruling class and the anti-statism of subaltern classes are two projects that cannot fully materialize. The first is constrained by the private powers and mechanisms of resistance of civil society; the second is limited by the predatory reach and coercive force of the state".

The Forum of Philippine Alternatives views civil society and state as entirely distinct entities. It describes the relations between civil society and state based on the definition of Gershman and Bello⁹³: "Civil society is an arena of social and political life

⁹² Fatton, R. Africa in the Age of Democratization: The Civic Limitations of Civil Society. *African Studies Review* 38(2). 1992, pp. 67-100.

⁹³ Gershman and Bello. In Biggs and Neame: Negotiating Room for Manoeuvre: Reflection Concerning NGOs Autonomy and Accountability within the New Policy Agenda. In Michael Edwards and David Hulme (ed.): *Non-Governmental Organizations: Performance and Accountability*. London: Earthscan 1996: 35.

autonomous from state domination where progressive values and political practices can be articulated, counter-hegemonic institutions can be created, which can nurture and nourish the creation of autonomous political actors who are able to articulate and defend their interests, propose alternative projects for structuring the state and society, and transform the relations of state and society”.

Some NGOs and donors view Southern governments as passive actors and set up NGOs as the victims of capitalist conspiracy. However, as noted by M. Edwards and D. Hulme⁹⁴ that: “...there are sound reasons for NGOs to enter into a positive and creative relationship with the institutions of both state and government. Governments remain largely responsible for providing the health, education, agricultural and other services on which people rely, although this is changing under the impact of the ‘new conditionality’ and its attempts to expand the role of the private sector at governments’ expense”. Many of the new developments came from highly trained professional staff in government research institutions, universities as well as from field practitioners with few or no NGO affiliations.

Our views on this conflicting analysis originate from the local institutional development strategy that successful developments occur as a result of combined efforts between complementary social forces including government, civil society, private sectors, beneficiaries and donor agencies. Biggs and Neame⁹⁵ suggest that: “NGOs need to move away from rhetoric which suggests that their staffs are more committed to reducing poverty than those in the public sector, to an understanding that some public sector staffs are as committed and effective in poverty-alleviation as any self-proclaimed activists. If NGOs become more reflective they will see in their own behavior some of the actions of

⁹⁴ Edwards M and Hulme D. Making a Difference: Scaling-up the Developmental Impact of NGOs – Concepts and Experiences. In: M. Edwards & A. Fowler ed. NGO Management. London: Earthscan. 2002, p.56

⁹⁵ Biggs, S., and Neame, A.. Negotiating Room for Manoeuvre: Reflections Concerning NGO Autonomy and Accountability Within the New Policy Agenda, in: Edwards, M. & Hulme, D., ed. Non-Governmental Organizations: Performance and Accountability, Beyond the Magic Bullet. London: Earthscan, 1996, pp.31-40.

those in governments and the private sector that they often condemn (self-promotion, a failure to learn, etc)". There is no recipe or set of instructions about a better way forward. However there are some sign-posts that might be useful to those wanting to improve and further develop the state-CSOs relations.

Most of the governments in developing countries, however facing growing fiscal crisis that should encourage public sector to look toward local institutions to help with resource mobilization in favor of productive investments. It is true that in most of developing countries governments establish local organizations or work through the existing ones for different reasons. The successful activities of some such organizations may reflect the fact that voluntary and collective nature of rural life is primarily for the well-being of the rural people and political commitment is hardly considered as strong motivation to improve their way of life. This may confirm some aspect of the structural reformist approach but does not rule out that local organizations are not sufficient to produce rural development, in the absence of other channels of local institutional development and of sound economic policies, infra structural investments, appropriate technology and adequate public services. Johanna Kalb⁹⁶ argues that: "For NGOs to succeed, they must exist in an economy with a functional state and private sector. Attempts to use NGOs as substitutes for private and public sectors not only weaken NGOs but actually impede the development of these other sectors and perpetuate institutional failures".

One of the elements in the relationship between state and society and which can be a potential crisis within liberal democracies is the sign of inaccessibility. Some Pluralists blame declining policy effectiveness and weakened consensus on 'too much' democracy while other radical pluralists blame too little democracy.

⁹⁶Kalb, J., The Institutional Ecology of NGOs: Applying Hansmann to International Development. Texas International Law Journal, Vol. 41. 2006, p. 297.
Available at: <http://papers.ssrn.com>. Accessed 22 July 2008.

E.D. Garilado⁹⁷ points out some differences between government and NGO sector which may lead to tensions: differences in values and ideology; differences in development priorities; and differences in development approaches. He identifies three areas of concern for the NGO in managing its relationship with government. First, the NGO must show that what it does is of use to the poor population. It is at this stage that the NGO develops an expertise and offers a service or a range of services relevant to the community. It is also able to do this within the context of the local power structure. Second, once the NGO has proven that it can deliver effective services at lower costs, there is the opportunity to transfer this technology and approach to the other user institutions, i.e., government, with greater impact potential. Third, having established credibility in its organization and in its programs, the NGO can move into policy advocacy. It is in fact able to do this since it has the experience, expertise base and a constituency.

The mistrust between governments and civil society organizations including NGOs derived from the latter's emancipatory view of the socio-economic changes which sometime frustrate and even counter product the government view. Irrespective of political stance, governments are most comfortable with activities including provision and improvement of social services that substitute their own. The creation of a countervailing power to governments threatens their legitimacy. Theoretically, the state must shoulder three major responsibilities: provision of a form of political process that is acceptable by people; insurance of realistic material needs of its population; and maintenance of justice. In defining the acceptable form of a democratic political process two conditions are to be fulfilled according to Fowler⁹⁸: "first, that there is public accountability of those in power, and second, that the political process, through openness and free discussion, should integrate and resolve individual and collective interests for

⁹⁷Garilado, E. Indigenous NGOs as strategic Institutions: Managing with Government and Relationship Resource Agencies', World Development, Vol.15, Supplement. 1987,pp.113-120.

⁹⁸Fowler, A. The Role of NGOs in Changing State-Society Relations: Perspectives from Eastern and Southern Africa, in: The Development Policy Review, vol.9, No.1. 1991. p.13

the common good. The prevailing view is that most African states have failed in both respects".

In another context the understanding of the role of the market economy, its system and political dimension, and its relationship with civil society is necessarily touched upon. Gordon White⁹⁹ describes the political nature of markets in terms of four separate categories: "the politics of state involvement; the politics of market organization; the politics of market structure; and the politics of social embeddedness". Apart of its mechanism as inefficient allocator of resources and unfair distribution of wealth, market economy sheds light on power struggle between competing forces. Geof Wood¹⁰⁰ describes the political process: "alongside this career [the career of the NGO phenomenon] has been the use of conditionality to break state monopolies in both service and goods delivery and to remove regulations and licensing to allow the market to breathe. But since the market cannot breathe normally, as demanded by theory, then NGOs in all their shapes and forms have been available to fill the institutional space arising from the critiques". Very little research has been done on the impact of global political and social changes on the allocation of resources between north and south and within countries, on efficiency and growth of inequalities and unemployment. The following section addresses how these changes affect NGOs in the Middle East.

1.6 NGOs in the Arabic and Islamic World

The Summary of UNDP's Human Development Report¹⁰¹ described the decline of aid as follows: "Aid has fallen rapidly in both absolute and relative terms over the past decade. For developing countries as a group aid to agriculture has fallen in real terms from \$4.9

⁹⁹ White, G. IDS Bulletin, Vol. 24, No.3, 1995, p.4.

¹⁰⁰ Wood, G. States without Citizens: The Problem of Franchise State, in: D. Hulme and M. Edwards, 1997: NGOs States and Donors: Too close for comfort? London: Macmillian Press. 1997, p.86

¹⁰¹ UNDP. Human Development Report. New York: Oxford University Press. 2006, p. 28

billion a year to 3.2 billion or from 12% to 3.5% of total aid since the early 1990s. All regions have been affected. Aid to agriculture in Sub-Saharan Africa is now just under \$1 billion, less than half the level in 1990".

Middle East is a good example of the consistent relation of growth of poverty and inequalities. A.S. Bhalla and Albert Berry wrote that:

"Poverty often responds faster to growth where inequality is lower: intuitively, if many people are bunched closer to the poverty line, growth tends to pull them more quickly out of poverty than it does in societies where income distribution is polarized and many of the poor are a long way from the poverty line. Bringing such people closer to (but still not *above*) *the poverty line may be as useful as raising others above it, but their being very poor in the first place often signals a lack of immediate economic potential and a lack of political voice, which together may imply that they will not systematically share the fruits of overall growth*"¹⁰².

According to the United Nations Development Program¹⁰³ about 20 per cent of the population in developing Muslim countries in the Middle East and North Africa were without access to safe water between 1990 and 1996, and close to 37 per cent were without access to sanitation during the same period.

All these rapid social and political conditions challenge civil society and NGOs in Arab and Islamic world to develop coping survival mechanisms that are less focused on quality of their work, transparency and accountability and more concerned with resources, particularly funding for development assistance and long-term intervention.

¹⁰² Bhalla A.S., ed. Globalization, Growth and Marginalization. New York, London, Ottawa: ST.Martin's Press, INC., Macmillan Press Ltd London, IDRC.1998, P.179

¹⁰³ UNDP. www.undp.org 1998. Accessible 3 March 2001.

In his comments on recent Arab economic, social and political change Galal Amin¹⁰⁴ finds that recent experience differs from the colonial experiences in that: (1) its extent is now much greater and accelerating; (2) trade and capital inflows are more diversified; (3) a much greater share of the population is directly involved; and (4) there is a much greater involvement by multinational corporations and agencies.

According to El-Sheikh (ibid, 2006), Amin examined five channels through which globalization impacts human development: (1) international trade; (2) labour migration; (3) capital movements; (4) movements of technology, information and ideas; and (5) the changing role of the state. Amin observed the varied impact of the political and cultural development change in four Arab countries: Kuwait, Yemen, Tunisia, and Egypt.

As one of the oil rich countries, Kuwait has a remarkable economic performance in terms of per capita income, mortality and morbidity, health and education services. On the other hand, despite its globalized economy, Kuwait suffers severe dependency on imported food and politically dependent on the United States. Amin summarized the far-reaching effects of the rapid political changes both globally and internally on Egypt. The rise in income disparities, for example was clearly reflected in the pattern of consumption even in such basic goods and services as foods, health, and education. Such differences divide the community into two nations. Amin goes on to elaborate and reflect on the substantial changes in the character of society: "What is peculiar about social mobility in Egypt that has caused it to produce effects and manifestation so opposite to the experience of developed countries? Well! besides being too fast and accelerating, the process belongs to a particular periphery with its historical; institutions and system of exploitation, and that, because of her geopolitical, historical, and cultural importance, Egypt's arduous attempts to escape dependency on western centres were repeatedly defeated."¹⁰⁵

¹⁰⁴ El-Sheikh, S. Book Reviews. In: Canadian Journal of Development Studies. Ottawa : University of Ottawa, XXV11, NO. 4. 2006

¹⁰⁵ Ibid, 17

The analysis of Amin with respect to Egypt's social, political, economic and cultural dynamics and progress raised many questions and concerns: to what extent that globalization can be a force for national and international good, the role of democratic institutions, who lead the process; the power of the market in the absence of the humanistic mandate. What has been striking is the missing role of civil society in the analysis, particularly in Egypt where the civil society has strong presence and influence. One would add to these questions whether or not a democratic development state is able to survive a globalized blueprint world.

The mainstream of political Islam has also great influences in the political, economic, social and cultural life in Middle East. In other words, the monopoly of religion in the interest of political group provides the rights of religion empowerment so the group is the greatest and superior¹⁰⁶. If we take Egypt as an example, we find that the political Islam consists of Muslim Brotherhood, Islamic charity voluntary organizations and Islamic private business companies. The open-door policy of Sadat in 1970s had both the economic and the political impact on growth and empowerment of the Islamic movement. He released Muslim brothers from prisons and agreed with them to defend his regime. The Muslim brothers took advantage of the agreement with the regime and slowly and steadily managed to infiltrate the public institutions. The striking performance of political Islam was reflected recently in the growing numbers of seats captured by Muslim brothers in the People's Assembly, trade unions and professional associations and student movement. Saad Eddin Ibrahim described the dynamics of Muslim brothers and their level of engagement in the Egyptian life: "In times of crisis, such as the Egyptian earthquake of October 1992, IPVOs and the MB-controlled professional

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السعيد رفعت، (2006) التأسلم السياسي جماعة الأخوان نموذجا، سلسلة العلوم الاجتماعية، الهيئة المنوّية العامة للكتاب القاهرة.

Alsaeed, Rifaat. Political Islamization. The Muslim Brothers' Pattern, The Social Science Series – the Public Egyptian corporation for Books – Cairo.2006, p.16

syndicates outperform not only their secular counterparts but the state itself, At least, that is how it appeared to the public at large and to the foreign media".¹⁰⁷

Ibrahim continued to search and analyze the root causes of the swift rise and spread of political Islam in Egypt. He looked at the internal, regional and international factors contributed to the progress of the political Islam. He pointed that: "the political crisis flows from the slow and sluggish process of democratization and government's failure to make the transition from the highly mobilized society of the 1950s and 1960s to a genuinely participatory polity in the 1980s and 1990s".¹⁰⁸

John L. Esposito contributed to this debate on Egypt by writing: "Islamic activism in Egypt has not receded; rather it has rooted itself more deeply and pervasively in Egyptian society. The reality of Egyptian society today contributes to a climate in which the influence of Islam and activist organizations on sociopolitical development will increase rather than diminish"¹⁰⁹. Eight years since the publication of the article of John L. Esposito "The Islamic Factor" to which we refer, the Muslim Brothers managed to obtain the second representation in Egypt's parliament in December 2005 (88 seats out of 455), compared to 38 seats in 1987 and 12 seats in 1984¹¹⁰.

Being the strongest opposition to the ruling party, the Muslim Brothers are able to criticize the failings of the government, from poverty reduction, housing and employment to corruption, poor services and mal-distribution of wealth. They repeatedly play this critical role, without offering their own alternative solutions to seemingly complicated problems. John L. Esposito concluded that: "As a result, the Islamic factor is regarded as both an effective change agent and challenge or threat. While many Muslims find meaning, direction, assistance, and a sense of empowerment, others, in particular the government and many elites, see Islamic movements as an indirect critique of the

¹⁰⁷ Marr, P. ed. Egypt at Crossroads: Domestic Stability and Regional Role. Washington, DC: National Defense University Press.1999, p.33

¹⁰⁸ Ibid, 41

¹⁰⁹ Ibid, 47

¹¹⁰ www.wikipedia.org. Accessible 5 November 2005

government's failures, a challenge to its legitimacy , and a direct threat to the stability of the Egyptian government and society”¹¹¹.

The other controversial development issue which attracts many scholars, UN and NGOs, in stance, is policy on population in Islamic and Arab world. It is difficult to find evidence in Islam to support a ban for family planning. Many predominately Muslim countries such as Algeria, Egypt, Iran, Morocco, and Tunisia have a definite government policy on population, while others encourage NGOs to distribute contraceptives and disseminate family planning knowledge: for example, Iraq, Jordan, Sudan, and Syria. In Iran, radical changes, in favor of family planning, have occurred to make a dramatic result. The minimum age for marriage was increased, and every Iranian couple must attend mandatory classes on birth control before even applying for a marriage license. All forms of contraceptives are free. The UN awarded Iran the Population Award in 1999. Women, however, in other predominately Muslim countries, continue to have very high fertility rates. For instance, the rate in Yemen in 1997 was 6.4, while in the Western Bank and Gaza it was 6.0. USAID¹¹² highlights Yemen overview that: “Persistent poverty has contributed to its fertility rate of 6.4 children per mother, one among the highest in the world”.

The hard reality is that most the Arab and Islamic counties suffer lack of democracy, good governance and transparency. The absence of democratic values, free expression, and rule of law hinders development initiatives and people’s participation in matters affected their life. Primary among these are institutional mechanisms that will allow for community input and participation in the process so that the hard choices necessary for equitable allocative efficiency are made by everyone concerned.

¹¹¹ Esposito, J. L.. The Islamic Factor. In: Phebe Marr, ed. Egypt at the Crossroads: Domestic Stability and Regional Role. Washington, DC : National Defense Press, 1999, pp.47-64.

¹¹² USAID. Yemen Overview. 1999. Available at: www.usaid.gov/pubs. Accessed: 23 March, 08.

In response to the question how we measure progress, Fowler responded: “What will make a difference to global poverty in the years to come will not be the number of villages that are served or children that are sponsored, but how grassroots action is connected to markets and politics at multiple levels of the world systems, a collective task in which the ability of NGDOs to work together – not individual competitiveness – will be critical”¹¹³.

Consensus among participants of the workshop on the Islamic perspective relating to decentralization and community participation, presented by Saeeda Khan of International Development Research Centre (IDRC) as follows: ‘First, in contrast to the centralized decision-making system in many Muslim countries, the input of the community on any matter that concerns it, including water management, is mandatory in Islam. Second, according to Islam, this consultation is required of all those who are entitled to a voice, including women. In addition, because women are mainly responsible for collecting water in developing countries and are consistently more concerned about the related issues of hygiene and waste management, their input is as important as or more important than that of men. Yet women in most developing countries – regardless of religion or culture – have historically been left out of decision-making. Certainly, in most Muslim countries, despite the rights accorded to them by Islam fourteen hundred years ago, and the Prophet’s consultation with his wives and other women, decision-makers, who are almost all men, often do not follow the example set by him. Third, both true community participation and Islam require communities and individuals to be proactive. Fourth, because equitable water management ultimately depends upon a concern for fairness at the individual level, this change necessarily has to happen at the grassroots level’¹¹⁴. Political Islamic movements, however, such as in Sudan, have also used women to imagining their political communities. By establishing law institutions to restrict their

¹¹³Fowler, A. Beyond Aid: NGDO Values and the Fourth Position. In Michael Edwards and Alan Fowler, ed. The Earthscan Reader on NGO Management. UK and USA: Earthscan Publications Ltd, 2002, p.8

¹¹⁴Faruqui, N. I., eds. Water Management in Islam: Overview and Principles. Tokyo, New York, Paris: United Nations University Press. 2001, pp.19-20

appearance and mobility outside the households¹¹⁵ and “by tying their visions of the ideal political community to women’s dress or comportment, they have limited the possibilities of women’s equal citizenship”¹¹⁶.

On the other hand, the Egyptian NGO Forum for Women in Development, for example, improved the institutional capacity of organizations through networking, training, and awareness raising in gender equality, women’s equal participation and full human rights. The project enabled representatives of Egyptian women to participate as decision-makers in issues related to development and human rights¹¹⁷. Another inspiring example is from L’Espace Associatif (LEA) in Morocco. The partnership with L’Espace Associatif (LEA) was initiated in 1995 through more than a year of discussions that resulted in the formal registration at the end of 1996. Since 1997 through to the present, LEA has carried operations based on project funding that it receives from a variety of international sources. Partnership with LEA is an excellent example of its model of program delivery in action. LEA’s organizational goal is to build and strengthen civil society in Morocco by supporting and assisting in the development of civil society and by promoting and implementing the “mouvement associatif”. The latter is defined as a “social movement involving a large variety of grass root organizations that are committed to working with, and responding to, issues and needs related to social and humanitarian issues, youth and

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النفر، سامية الهداي، 2006. الجمعيات الأهلية والإسلام السياسي في السودان. القاهرة، مطبعة مدبولي.

El Nagar, S.h., algamiat alahlia wa al islam alsiasi fi el sudan, madboli press, Cairo, Egypt, 2006,p.137

¹¹⁶ IDRC and UNDP. Women are citizens too: The Laws of the State, the Lives of Women. The papers were discussed at an expert group meeting coorganized by UNDP and Maroc20/20, in Casablanca on July 28-29, 2002.

¹¹⁷ Alternatives. Annual Report. 2000, p.17. Available at: webmail.alternatives.ca. Accessible 19 April 2001.

children, economic and developmental needs, the environment, human rights, gender, poverty, anti-corruption etc”¹¹⁸.

The growth of such social movements and the increasing role of civil society in developing countries is described by Marc Nerfin¹¹⁹: “this phenomenon reflects the power that people have as citizens, autonomous from governments and markets, to operate as a Third System”. He describes the Third System as “functioning benignly, helping the people to assert their own power and making efforts to listen to those who are never or rarely heard, rather than seeking governmental or economic power”.

In a perverse way, lack of democracy in Arabic and Islamic countries has created more scope for closer co-operation, networking and dialogue among civil society organizations. The awakening of civil society serves, on the one hand, to provide information and knowledge of human rights and democratization processes and to make development policies more community and nation-oriented.

1.7 Methodology

Research Problem:

The key problem which has been addressed by this research is non-governmental organizations and development, their relations with the state and their capacity building. The research examines the growth and development of the traditional local structures and voluntary work in Sudan. The research illustrates the early types and forms of Sudanese local initiatives such as communal labour, immigrant associations, saving systems, and cooperative groups. The role of the spontaneous or traditional organizations has often raised a number of questions and recent reviews of NGO performance suggests that successful interventions are strongly dependent on the extent of community participation,

¹¹⁸ Ibid, 2005.

¹¹⁹ Nerfin, M. In: Hollands Glenn and Ansell Gwen (eds). Winds of Small Change: Civil Society Interaction with the African State. Proceedings of multilateral workshops on good governance, sustainable development and democracy. Graz, Austria 1995 – Kampala. Afesis-Corplan. 1998, p. 70

including the mobilization and management of available resources and encouraging and supporting capacities for problem-solving and self-management. The good understanding and respect of local capacity, practice and knowledge is a strength contributing to the development of partnership between NGOs, CSOs, private sector and government. The thesis presents the new forms of NGOs and civil society organizations (CSOs), for instance the professional associations and political parties. All these forms and their dynamics in local context constitute a social capital which challenges all sorts of repression, social exclusion and injustice and which meets the people's needs, especially the marginalized communities.

The research assesses the NGOs capacities and reviews the NGOs local institutional development strategies from a variety of variables. Six main capacity variables are chosen to assess the internal capacity of the participating NGOs: internal governance, strategic planning, human resources and management, service delivery, financial management and external relations. These variables has been selected on the basis of the needs of organizations which could include: participatory program development, organizational and financial management, gender sensitization, strategic planning, results-based management, rights-based approach and other innovative program approaches such gender equality and human rights, child rights and environmental rights. The research examines as well the ability of the organizations to effectively engage with other actors including government.

Research Approach:

Participatory and collaborative approach is followed to select the project and to contribute to the overall design of the research agenda¹²⁰. This approach proved to be of direct relevance to the activities of participating agencies as well as generating comparative insights for the research process. The following key features of participatory research have been considered while planning and conducting the research: (1) People who have been researched are in general the beneficiaries of NGOs capacity building process; (2) The knowledge generated is of genuine value for practical purposes because

¹²⁰ See Appendix A.

it has been collected through vivid discussions which often succeed to capture the perceptions of the participating NGOs; (3) NGOs see a direct benefit for the organizations' development, from the information collected and analyzed. Moreover, the knowledge generated is used to promote actions for change or to improve existing local actions.¹²¹ The attitude and behaviour is a fundamental pre-requisite of participatory research. Gyanmudra believes that: "No personal biases of the researcher must influence the process. The attitude must be enabling and with the intention to learn and share information rather than dominate and extract information"¹²²

The research activities require the collection of qualitative data, and documenting the unique experiences of the organizations and the networks. Research tools will be used to compile and analyze existing information and to corroborate data through interview and focus groups. Interviews and focus groups are a very useful tool for gathering information. They allow for the opportunity to clarify any questions that participants may have difficulties in understanding. Another benefit is that they allow the interviewer a unique chance to probe the participant for a more complete answer or clarification and to build on each answer with additional questions and clarifications.

To sum up the research involves input from people with direct experience in capacity building and others involved in participatory ways of working. The research therefore drew on the knowledge and experience of many different individuals and organizations. In other words Sohng, Sil Lee¹²³ noted that "Research is not done just to generate facts, but to develop understanding of oneself and one's context. It is about understanding how

¹²¹ Tilakaratna, S. A Short Note on Participatory Research. 1990, p.2. Available at: <http://www.caledonia.org.uk/reserach.htm>. Accessed 11 Feb. 2008.

¹²² Aid et Action. Participatory Research and Development. Proceedings of EduAction Thematic Workshop on Education and Livelihoods, 2nd to 10th December 2006, NISIET, Hyderabad. Available at: wwwaea-india.org. Accessed 11 Feb.2008.

¹²³ Sohng, S. L. Participatory Research Approaches: Some Key Concepts. 1995, p.1 Available at: <http://www.irdc.ca/en/ev> Accessed 19 Feb. 2008.

to learn, which allows people to become self-sufficient learners and evaluate knowledge that others generate”.

Selection of Participating NGOs/Networks:

The research looks at the capacity building needs within the following four selected Sudanese organizations/networks: i) Friends of Child Society (AMAL); ii) Human Rights Legal Aid Network (HRLAN); iii) Sudanese Environment Conservation Society (SECS); and iv) Sudanese Civil Society Network for Alleviation of Poverty (SCSNAP). The case studies presented here two organizations (AMAL and SECS) that are clearly membership organizations with their origins going back certainly many generations, and two networks (HRLAN and SCSNAP) that are quite contemporary in their modes of operation. The four participating NGOs/networks represent a cross-section of national NGOs currently operating in Sudan with particular interest in institutional development, advocacy and networking issues. Case studies are selected in order to highlight a broad range of capacity development strategies, including relation with the state. The research aims to balance an assessment of capacity development with a situational analysis of broader social and political factors affecting the relations between NGOs and the state. Case studies are all exemplary of collaboration between state and NGOs. They differ, however, in the type of the constituencies they represent which vary from member organizations, individual members to branches.

Outline:

Chapter One: Literature Review:

This chapter gives information and brief statement on background of the debate and introduction to literature review. The chapter briefly touches on issues related to the understanding of the local context and its impact on dynamics of local structures and NGOs. It focuses on the relevant literature on the organizations of local institutions, definitions of concepts and roles of various types of organizations including NGOs and civil society organizations. It also provides a few notes on the state-civil society/NGOs interactions. The chapter provides a few cautionary remarks about the methodology,

including research problem, research participatory approach, the selection of the participating organizations/networks and finally the research outline.

Chapter Two: Traditional Social Structures and Local Organizations in Sudan:

This chapter begins with the growth and development of local structures, CBOs and NGOs features and attributes, their contribution to social development. The analysis covers three distinct periods: pre-independence; post independence period 1956-1989 and the Islamic period post 1989. The chapter discusses the social capital in Sudan and mechanisms for cooperation and solidarity. The chapter describes the voluntary sector and its diverse forms and types such as communal labor, migrant associations, saving systems and professional groups. The chapter ends with some of NGO vulnerabilities and problems

Chapter Three: Civil Society: Totalitarianism, Pluralism and Challenges for the Future:

This chapter begins with the rise of Islamic movement and its two distinct periods: Post independence and the current post 1989. The analysis includes the state central authority and ends with the question: Whether what has occurred was a failure of the project or the regime? The second section described the NIF – NGOs/CSOs relations and the impact of the breakthrough event, the peace in the Sudan. The third section contains the positions and the role of the political parties and civil society, the debate on the impact of colonial state and impact of democracy. It concludes with describing the key features of the main political parties. The chapter suggests a way out in the last section and addresses issues related to the impact of rural culture on Sudanese life, the role of NGOs and CSOs during the transformation period.

Chapters Four, Five and Six represent the heart of the thesis with three case studies: Organisational Cultures of Sudanese NGOs, NGOs Relation with Governments and NGOs Laws, a Comparative study between Laws in Sudan and Egypt.

The first case study (Chapter Four) focuses on the NGOs capacity as dynamic, participatory, ongoing processes, and as a process connected with the achievement of the

organization mission and vision. The chapter is divided into four sections; each section is on one of the four participating NGOs/networks. The organizations/networks are Friends of the Child Society (AMAL), Human Rights and Legal Aid Network (HRLAN), Sudanese Environment Conservation Society (SECS), and Sudanese Civil Society Network for Alleviation of Poverty (SCSNAP). Each part includes an introduction of the NGO/network and the description of the status of the six variables: internal governance, strategic planning, human resources and management, service delivery, financial management and external relations.

The second case study (Chapter Five) examines the relations of the four participating organizations/networks with the government. The chapter discusses the government's strategy towards NGOs and discrepancies between what, for example in the constitution with respect to voluntary work and the actual practices and behavior characterized by lack of recognition and trust. NGOs are developing their own strategy towards government in two directions: responding to formal requirements of registration, re-registration and reporting and working effectively with governmental technical departments. The chapter illustrates some of these examples of relations and gives an idea of some of government institutions and NGOs and CSOs.

The third case study (Chapter Six) provides a comparative study between NGOs laws in Sudan and Egypt. The chapter provides important contextual information for the analysis of Sudanese NGOs and the political environment in which they operate. The provisions of the laws in Sudan and Egypt are similar in areas such as registration procedures, rejection of registration, and dissolution of organizations. The Sudanese law is more restrictive in areas of internal and external funding.

Chapter Seven: Conclusion:

This chapter summarizes the research findings with respect of NGOs' relations with state and NGOs' capacity enhancement. The chapter presents the crucial contribution to knowledge the research made in areas of the impact of democracy and to what extent the Sudanese NGOs and CSOs work under authoritarian regimes and succeed in achieving

tangible results in development issues related to environment and rights. This is contrary to the Western notion notes that only a democratic state can create a democratic civil society. On the same line the Sudanese NGOs, despite obstacles and challenges, manage to establish a good working relation with government's technical departments in areas affecting the local communities such as street children, joint juvenile courts and national planning for environmental work in Sudan. The research discusses briefly the role of popular Islam vs. the political Islam in Sudan and makes a few cautionary remarks that NIF has to recognize that the virtual realities which are repeatedly being imposed by them cannot succeed in a country that popular Islam is deeply rooted.

1.8 Conclusion

This chapter reviews cautionary remarks on lack of literature of local institutions and voluntary sector. The neglect of role of community-based organizations and people's social capital hinders capacity building. On the other hand, the overemphasis of western literature on international organizations misses the opportunity for understanding and learning the local knowledge, values and multiple accountability.

The location of NGOs as one of the social forces between other actors in society or within the local institutional framework, agrees with the perspectives which concentrate on the institutional organizational results and contribute to social and economic reforms. It is interesting to observe the NGOs expectations and how they behaved towards each of other actors.

In terms of state – civil relations, the noble theoretical and romantic expectations that the state role is to establish a system and political process, and provide material needs is no longer realistic or acceptable by individuals and collective interests who set their priorities of equality, justice and rights and claim that the state has to be accountable to them.

Overall the chapter illustrates the complex and multi-faceted dimensions of organizations, social change, definitions and roles. It is clear a more textured and dynamic framework of analysis of civil society/NGOs and their capacity development is long overdue and need to be expanded. Substantial conceptual and analytical tunnel vision is compounded by limited and simplistic understandings of more fundamental inter-related concepts, such as social capital and state-civil society relations within the specific political and social context of political Islam in Sudan. The following chapters will discuss in depth some features of the social capital in Sudan represented in the traditional structures and local organizations.

CHAPTER TWO

TRADITIONAL SOCIAL STRUCTURES AND LOCAL ORGANIZATIONS IN THE SUDAN

2.1 Introduction

This chapter focuses on important aspects of the voluntary sector in the Sudan. It describes informal traditional practices and indigenous associations, like communal labor, rotating savings and credit associations, and migrant associations. Although these social forms have been given some attention in the third world studies literature, the subject has never been dealt with systematically in the field of Sudanese studies. It is a discredit that no serious writings in Sudan, consider the importance of local organizations and community-based organizations as genuine grassroots players at local level that invariably committed to developing their communities. It is hoped, therefore, to present empirical descriptions of some modes of formal and informal voluntary organization to provide information that is relevant to wider studies of Sudanese politics and society.

This chapter is divided into two main sections: The first section describes the growth and development of local structures during the colonial period and post independence period. The second section presents the social capital in Sudan, including the forms of voluntary and NGO sector.

The chapter represents a contribution to, and it comments on, one of the most important efforts in Sudan during the last two decades the increasing participation of Sudanese communities in larger local institutional structures.

In spite of many prophecies about the expected erosion and decline of voluntary community-based initiatives such as communal labor (*Nafir* and *Faza*) and other forms of rotating saving system, known as *Sandug*, they have reacted to this involvement by coping with the new circumstances and developing new ways of integration.

During the 1930s, Sudanese graduates established Graduates' Congress in the main towns like Wad Medani, Omdurman and Port Sudan. The key role of those who completed their education and worked as civil servants was the struggle for independence. In addition to their political activities they made a significant contribution to the provision of services and social infrastructure in the communities in which they lived or from which they originated. Most primary and secondary schools and dispensaries in both urban and rural areas, for instance, were built on self-help basis. These local initiatives have been part of Sudanese tradition in the 1930s and 1940s and indigenous culture concerned with communal labour, saving associations and migrant institutions.¹²⁴

According to the Sudanese literature on formal co-operation, the origin of the co-operative movement dates back to the traditional informal practices in Sudanese societies during the 1920s and 1930s. The Law of the Co-operative Associations of 1948 was based on these traditional structures of social informal co-operation. The Cooperative Act¹²⁵ explains that “the organizational set-up of the co-operative societies consists of primary societies with individual physical persons as members at the level of village, or area or locality”.

These traditional practices are known in English and Arabic by a number of terms, for instance, communal labor [*Nafir* and *Faza*], exchange labour, co-operative labor, and *Aiad Al Hasad* (Harvest) and wedding or funeral days (festive labor). Other terms are rotating savings and credit associations, or *Sandug*, literally meaning 'box'. It involves a regular contribution in cash by members of a savings group where the sum is distributed to a single member of the group every particular period. Migrant associations are based

¹²⁴

النقر، سامية الهدى، 2006. الجمعيات الأهلية والإسلام السياسي في السودان. القاهرة، مطبعة مدبولي.

El Nagar, S.h., algamiat alahlia wa al islam alsiasi fi el sudan, madboli press, Cairo, Egypt, 2006,p.49.

¹²⁵ Co-operative Societies Act 2003. Available at: www.unsudanig.org

on rural-urban linkages which support members in their transition to urban life and support their rural communities by raising funds and mobilizing resources and channel them to implement certain activities such as building for schools, purchase of school bus for girls, maintenance of primary health units.

Communal labor is common in rural communities in where productive tasks are mostly similar in structure and in type of work. In such societies there will be a need for temporary labor to complete a task initiated by individual unit. Such collective efforts can be found in the field of agriculture, house construction, community buildings, and well-digging.

The traditional saving system known as *Sandug* was found in both rural and urban Sudanese societies. It began during the Second World War among women in order to cope with economic difficulties resulted from the war.¹²⁶ I was fascinated by *Sandug* when I read the Journal of *Sot Al Mara [Women's Voice]* of the Sudanese Women Union when I was in primary School in early 1960. Al Nagar¹²⁷ writes that *Sot Al Mara* was established in 1955 to express the visions of Women Union. The Journal was distributed in primary schools at that time. The membership of *Sandug* groups is largely composed of members of extended families, neighbors, friends and work colleagues, i.e. people bound by distinct personal ties.

The nature of relationships between members of these informal associations and practices will vary between societies and vary according to social and economic practices as well.

¹²⁶ *Sot Al Mara Magazine [Women's Voice]* of the Sudanese Women Union, 1965, Central Documentation Unit, Khartoum, Sudan.

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النفر، سامية الهادي، 2006. الجمعيات الأهلية والإسلام السياسي في السودان. القاهرة، مطبعة مدبللي.

El Nagar, S.h., algamiat alahlia wa al islam alsiasi fi el sudan, madboli press, Cairo, Egypt, 2006,p.130.

Employment-based groups, for example, recruit members from outside the family group. The key principle in the formation of these associations is kinship in the form of direct family relationships or some other form of direct personal ties. Close personal ties are a determinant factor in mobilizing people in order to make informal co-operation possible.

As mentioned earlier, these different forms of social capital have rather specific tasks to fulfill, but their practices as well as their basis for membership lead us into broader issues of understanding social organizations and the local economy.

This chapter is an attempt to describe these traditional informal modes of Sudanese co-operation, including capital, types, functions, memberships, structures and systems. It includes discussion on the growth and development of local initiatives, including CBOs and NGOs, and their contributions to social development.

2.2 Growth and Development of Local Initiatives

2.2.1 Diverse Structures

Despite the differences of the ethnic composition and social structure of Sudanese people, there is still a certain degree of similarity in social habits such food making, dresses, wedding and funeral events. The studies of Sudanese groups, for example, in the northern and central areas along the Nile indicate a high degree of cultural similarity in customs, dress, religious practices and social and political institutions. Sayyid H. Hurreiz¹²⁸ states: “Whether we are discussing *Nafir*, facial marks, divine kingship or certain kinds of Sudanese food, we can point out continuity and similarity that runs across time from the Meroitic period up to the present era, and that runs across space from Sennar to Shilluk-land and Dinka-land”. Hurreiz¹²⁹ concludes that “No imposed Islamization, Arabization or Africanization was deliberately carried out through the long genesis of the Sudan”.

¹²⁸ Hurreiz, S. H., & Abdel Salam, E.A.. Ethnicity, Conflict and National Integration In The Sudan. Khartoum: University of Khartoum Printing Press.1989, p.67

¹²⁹ Ibid, 67

However, the current military regime, which came to power in June 1989, imposed its political religious mandate and determined to pursue violations of human rights and contributed to increasing civil strife in the country. El-Affendi¹³⁰ emphasizes that “What is important is that there is a will to co-exist” and this is particularly necessary in a multicultural context like Sudan. The common thread is intolerance toward other various cultural and ethnic backgrounds. Ethnic violence as a political problem originates with the beginning of nation-state building which created tensions between those in power and opposition groups.

The *Mahdist revolution* began in 1881 after a long period of Turk-Egyptian rule supported by British intervention. Despite the religious roots of this reformatory movement Mandour El Mahdi noted that ‘political supporters found the time opportune to show their hatred and resentment and to join the *Mahdi* in order to throw off a regime they detested.’ The desire to return to true Islam and increasing political resistance against foreign intervention succeeded in maintaining solidarity and forming the new state. After the death of *Mahdi*, six months after the fall of Khartoum in 26 January 1885 the *Khalifa*, the *Mahdi*’s successor faced difficult situation in maintaining the unity of the Sudanese people. He established however strong central administration system by introducing a constitution and restructuring the central government including *Bayt al Mal al-Amm* [the general treasury] which became the centre of administration. The decline of *Khalifa*’s government was caused by a mix of problems such as tribal conflicts, growing number of followers and inappropriate policies.

2.2.2 Colonial Experiences

Colonial policies take a variety of forms and intend at the end to achieve their goal, both economically and politically. According to Tim Niblock¹³¹: “The Condominium’s

¹³⁰ El-Affendi, A. For a State of Peace: Conflict and the Future of Democracy in Sudan. Centre for the Study of Democracy. Amsterdam: Reproduced by courtesy of The Pepin Press. 2002, p.39

¹³¹ Niblock, T. Class and Power in Sudan: The dynamics of Sudanese Politics, 1898-1985, (s.l.): (s.n.) 1987, p.143

development efforts were concentrated on the valley of the Nile to the north of Khartoum, the Blue and White Nile areas immediately south of Khartoum, central Kordofan and the southern part of Kassala province. These areas contained the major agricultural schemes [private and public] and benefited most from the spread of education and health services. With the exception of Port Sudan, they were the only parts of the country where significant urban development occurred”.

A major contribution to rational development process in Sudan was initiated by few civil servants and educated persons who established an anti-colonial movement known as the Graduates' Congress in big towns like Omdurman and Wad Medani after the First World War in 1918. The political concern of this movement expanded in the 1930s to include efforts to construct primary schools and health units all over Sudan by raising funds locally and by mobilizing local resources through communal work. These development initiatives followed by the elders' informal committees in urban and rural areas together with Sudanese businessmen have built most of the schools and primary health clinics on self-help basis.

Sudanese traditional structures shouldered the basic responsibility for leading the development process. One of the indicators of the success of such development efforts was the creation of a social and political climate in which development would take place. This is clearly demonstrated in the initiatives of the political movements in Sudan when the liberation struggle evolved in several directions including the social development aspect such as establishment and improvement of the basic services; education and health. As mentioned earlier these different social forms have rather specific tasks to fulfill, but their practices as well as their basis for membership lead us into broader issues in understanding social organization, local economy and integrity.

In asking why self-help and community-based initiative and development have succeeded in providing strategies for future, an argument is presented that goes something like this. To promote sustainable development, the role of the state and political elite is crucial

during this period, to survive the transition to independence. Mohamed Hashim Awad¹³² argues that: “But it is significant that the end of colonization which has kindled the strongest of pan-Africanist sentiments has failed to alert the Sudanese peoples to their common heritage, let alone raise any sense of nationalism among them”. Linked to this, are certain other proposals which see the traditional political elites and “the bureaucrats that never entertained any idea of structural transformation or radical change in Sudanese society”.¹³³ This explanation agrees with El-Affendi¹³⁴ who describes the efforts of modern elite after independence was frustrated. Both El-Affendi¹³⁵ and Ali¹³⁶ refer the failure of elite to the political environment dominating by the traditional political parties based on sectarian, ethnic and regional loyalties. As a major consequence of this explanation that the country was beginning to develop an economic and social elite whose prime concern was benefit for their sects and not the needs of the majority for better living standards.

2.2.3 Post Independence Period: 1956-1989

After independence in 1956 a number of factors in Sudan contributed to the internal conflicts and instability and led to a questionable legitimacy and uncertain authority of the state such as the complexity of Sudanese society resulting from the presence of different nationalities, languages, religions and identities.

¹³² Awad, M. H. The Bilad Al Sudan: The Common Heritage as a Basis for Regional Co-operation. In: Y. F. Hassan and P. Doornbos, The Central Bilad Al Sudan Tradition and Adaptation, Sudanese Library Series No.(11), El Tamddon Press. 1977, p.312

¹³³ Ali, T. M., and Matthews, R.O., (ed). Civil Wars in Africa: Roots and Resolution. Montreal & Kingston, London, Ithaca: McGill-Queen's University Press. 1999, p.202

¹³⁴ EL-Affendi A. For a State of Peace: Conflict and the Future of Democracy in Sudan. Centre for the Study of Democracy. Amsterdam: Reproduced by courtesy of The Pepin Press. 2002, p.8

¹³⁵ Ibid

¹³⁶ Ali, T. M., and Matthews, R.O., (ed). Civil Wars in Africa: Roots and Resolution. Montreal & Kingston, London, Ithaca: McGill-Queen's University Press. 1999

During Nimeiri period (1968-1985) the system of native administration was replaced with villages' development committees, and elected councils. The role of sheikhs and tribal chiefs was abolished and a civil service system supervised by a single party was introduced. The regime advocated a strong governmental commitment to social welfare through community development.

During the drought misery of the 1970's the crop of most Sudanese failed to an extent that they did not produce enough even for their own subsistence and had to supplement their nourishment by collecting the seeds of wild growing grass and grinding them to flour. Many animals died and many Arabic gum trees died as well leaving many households without their important source of cash income. For those who lost their livestock their labor became an important source of cash income. There is significant income and wealth inequality. The latest data¹³⁷ indicates that the poorest 90% of the households receive only 8% of national income while the wealthiest 10% receive 70%. According to Belal the poor people pay 25 times of what the wealthiest pay for drinking water. The disparities are also reflected in the ownership of land and the power structure. Widespread poverty prevails; more than 70% of the rural people are in absolute poverty.

In addition to the drought, civil wars, inappropriate policies, combined with difficult economic circumstances made it impossible for economic growth and social development. According to IDRC (1992) some 85 percent of the population in Sudan is said to live at the level of absolute poverty. In the case of Sudan, United Nations Children's Fund (UNICEF) described the situation that the whole generation of children

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بلال عبد الرحيم أحمد، 2005. القضايا الاجتماعية والمجتمع المدني في السودان، الخرطوم، دار عزة للنشر.

Belal Abdelrahim Ahmed. Algadia al egtimaya wa al mugtama al medani fi al sudan, dar azza, Khartoum.2005

has now bypassed the educational system, providing a further impediment to future economic growth. Malnutrition has been endemic and widespread for years.

In the 1980s the country experienced a dramatic relief and emergency situation resulting from natural disaster such as drought and famine and civil strife coupled with political instability. Alex de Waal¹³⁸ describes the drought and famine in Darfur: “In the far north there stand huge forests of dead trees, many uprooted by the wind, with sand drifts forming in their lee. One elderly man in Dar Zagahawa explained that this drought was to be found described in the Koran, and was a sign of the end of the world. Charles Gurdon¹³⁹ describes the power struggle in Khartoum: “On the political front this has meant an increasing concentration of power in the hands of President Nimeiri. He has become more autocratic and this has led to the arbitrary arrest of political opponents and sudden changes in policy which have had dire effects on the country”. Beyond the natural disasters, the famine, drought and civil war in the south are the consequence of the policies and practices of the ruling elite. According to this explanation, the deteriorating economic crisis and political instability emerge from the bad governance and governments’ mismanagement of resources, inequality and regional development disparities. Weak government institutions and the emergency conditions encouraged the international community including NGOs to intervene with relief assistance. The assistance received within the emergency program in Sudan falls into two broad categories: relief such as food, logistics, shelter, and non-food items and rehabilitation and reinforcement such as reconstructing of schools, health units, and provision of services such as education, health, and agriculture. Most striking and missing during the relief and emergency operations, is the building of local capacity for humanitarian action. The relief projects, therefore, could not be integrated with broader reconstruction strategies and could not translate into development assets.

¹³⁸ De Waal, A., Famine That Kills: Darfur, Sudan 1984-1985. UK: Oxford Clarendon Press.1989, p.79

¹³⁹ Gurdon, C., Sudan at The Crossroads. Whitstable, Kent England: Menas Press. 1984, p.56

Inappropriate development policies and absence of long-term strategies characterize post-independence period and continue to abound, in part because of serious lack of cultural and political consciousness. As described by Mohamed Omer Beshir¹⁴⁰ “The Sudan, as a whole, is still ruled through a temporary constitution and colonial laws by a centralized administration. Its educational system inherited from the colonial administration has changed little. The economic and political problems of the North and the South are complex and fast”. According to Tim Niblock¹⁴¹ that: “The regional imbalance in development created conditions and attitudes among the population in the less developed areas which were to be of political significance. Niblock continues¹⁴² : “Too much of the population in the less developed fringe of Sudan, then, the Sudanese state as it emerged at independence seemed a distant and alien entity, just as it did in the colonial era”. The absence of political will of the state and Sudanese political parties has encouraged the intervention of external and international actors in the Sudanese political life. The solution to this problem lies in the building of the political will and the participation of people in all stages of sustainable development.

Compared to India, for example, the political will of a leader like Mahatma Gandhi in 1920s and 1930s inspired and motivated many young Indian men and women to participate in rural development among the rural poor and scheduled castes. These efforts emphasized constructive collective action. Another example is Zimbabwe and Tanzania, since independence, where domestic political stability under civilian rule and good governance distinguishes them from many other countries.

According to Ministry of Social Welfare the number of international NGOs was about 96 and the Sudanese more than 100 organizations in early 1988. No serious researches studied this period to assess the impact of both the dramatic relief circumstances,

¹⁴⁰ Beshir, M. O. The Southern Sudan Background to Conflict. Khartoum: Khartoum University Press. 1968, p.101

¹⁴¹ Niblock, T. Class and Power in Sudan: The dynamics of Sudanese Politics, 1898-1985, (s.l): (s.n.).1987, p.144

¹⁴² Ibid, p.146

including the response of the government, the psychological and social consequences of emergency assistance on one hand, and the intervention of external support, including the behavior and practices of donor agencies and NGOs. The official literature ignores this period. A good example is that the National Comprehensive Strategy only mentioned in few lines the role of NGOs. The neglect of the local organizations inhibits the development learning process and widens the gap between the state and the civil society institutions.

Another development, during this period, was the role of the Muslim Brotherhood which was officially disbanded in 1977 and Turabi became Attorney-General in the government. According to Charles Gurdon¹⁴³ “This was exacerbated when Turabi chaired the Law Revision Committee, whose principal job was to ensure that Sudanese laws conformed to Islamic principles”. This period witnesses the growth of Islamic banking, which plays an increasing role in the country’s economic and financial systems.

The Sudanese traditional values and self-help initiatives, which sustain social integrity, have been eroded by the emergence of new values related to the political ideology of the state and the erosion of such values threatens the political stability. A good example is Darfur conflict which started in 2003. The root causes of the conflict were the government policies of neglect and exclusion. This is in addition to the limited natural resources available for nomadic and sedentary groups¹⁴⁴. Due to government political intervention and its weak capacity, national efforts to resolve the conflict has fallen and the government’s authority and effectiveness has been impaired. This is also demonstrated by acknowledged policy failures in alleviation of poverty and in

¹⁴³ Gurdon, C., Sudan at The Crossroads. Whitstable, Kent England: Menas Press. 1984, p. 68

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محمد سليمان محمد (2004): دارفور حرب الموارد والهوية.

Mohamed, Suliman Mohamed. Darfur, The War of Identity and Resources, Cambridge Press. 2004

implementation of CPA. As stated by Dunleavy, P. and O'Leary, B.¹⁴⁵ : "When states have to rely on multiple groups for successful policy implementation, then government ceases to be the authoritative allocator of values for society, and becomes merely one participant, though a powerful one, in a complex process of bargaining". Historically, the self-help efforts, including conflict resolution approaches initiated by local communities in conflict zone-areas contribute to the wealth of Sudanese culture and successfully resolved many internal issues without the intervention of the central authority.

2.2.4 The Islamist Period: Post 1989

The third democratic experience ended with a coup of June 1989. The national Islamic Front (NIF) dissolved by the decision of the Islamic movement. This defines the new military nature of the movement. In 1991 the movement re-emerged as the National Congress. Turabi described it not as a political party but a national structure. On the other hand Turabi's understanding of Islamic revolution, compared to Iran's total revolution, has been rather different. At the time of Al-Bashir's coup, Turabi was placed in detention for six months, and then under house arrest. The Islamic movement only pledged its support for Al-Bashir later, largely because of the latter's commitment to implement Sharia. It was clear that Al-Bashir was always a member of the Islamic movement and had been acting on Turabi's instructions all along, and that Turabi's detention had been a play to disguise the Islamic nature of Al-Bashir's takeover. The National Congress was envisaged in 1991 as the country's only legal political organization, and it was to provide both a forum for political action and produce the government.

The most devastating was the ideological brain washing carried by the regime's official institutions and media that the northern-southern conflict is Islamized as a jihad. Turabi stressed that jihad, the holy war, should only be waged in self-defense and not in aggression against others. The former First Vice President Ali Osman Mohamed Taha said to a brigade of fighters heading for the war front, according to Sudan's official

¹⁴⁵Dunleavy, P. & O'leary, B. *Theories of the state: The politics of Liberal Democracy*. London: Macmillian. 1987, p. 67

SUNA news agency (1995):" The jihad is our way, and we will not abandon it and will keep its banner high. We will never sell out our faith and will never betray the oath to our martyrs". Mahmud¹⁴⁶ described post-1989 Sudan: "This image has actually led to the most tragic cycle of suffering and misery. Jihad whether in its classical or modern form is not only a war of self-defense but can also be an aggression against others for the cause of expanding the realm of Islam. In its aggressive form, jihad is a negation of the "other", a negation that can ultimately lead to annihilation, at best subjugation". *Jihad can also be defined as military action or any effort in the way of God (fi sabil Allah) according to Benthall J. and Bellion-Jourdan J¹⁴⁷. Hassan Al Turabi responded to economic situation at the time of famine which threatened Sudan in 1989 by saying that: "We will never declare a famine as long as we are an Islamic nation... We will never allow international aid organizations to do what they want in our country and to oppose the plans of the Islamic Revolution in the South "¹⁴⁸. The priorities of NIF reflected in the agenda of jihad and Islamic revolution were challenged by some internal activists and by international community which saw them as a particularly northern Arab and Islamic agenda.*

The Sudan, since the military coup of June 1989, is described by its own citizens as a failed state with respect to democracy building. The country's human rights records, including torture of political opponents, civil strife, raping of women, exclusion and marginalization, are self-evident factors of violence and injustice. According to SOAT¹⁴⁹ that: "In many cases, those arrested by security forces have been taken to unknown locations. These detention centres in Greater Khartoum area, where individuals have been subject to torture and other methods of physical and mental abuse, are known as Ghost

¹⁴⁶ Mahmoud, M. Religion, Nationalism, and Peace in Sudan, A conference paper submitted to U.S. Institute of Peace conference, September 16-17, 1997, p.5. .Available at: <http://www.usip.org>. Accessed 2 August 2006.

¹⁴⁷ Benthall J. and Bellion-Jourdan J. The Charitable Crescent, Politics of Aid in the Muslim World. London: I.B. Tauris & Co Ltd. 2003, p.70

¹⁴⁸ Ibid, p.121

¹⁴⁹ SOAT (former SVTG) 1999, 2001, 2004. Reports on the Situation of Human Rights in Sudan. March 1998-March 1999. 1999,p.1. Available at: www.soatsudan.org/public/ahrr.asp. Accessed on 8/2/2008.

Houses". El-Affendi¹⁵⁰ criticizes the regime "It is the attitude that undermined the values of trust in people, as well as doing away with respect for the individual's rights which was mainly responsible for many human rights violations and acts of cruelty that characterized Ingaz [National Islamic Front] revolution under the leadership of Turabi". The practices of NIF during this period tell how Islamists look from inside the skull. The cost of such hostile behavior is horrendously high. Unless genuine reconciliation is to take place, the implications of these crimes will continue to profound alienation and self-exclusion.

Why this has becomes so intimately intertwined with democracy and nation- building? In response to this question, first; the mechanism of free elections, which is seen as a useful instrument for resolving deep rooted civil conflict have been disastrous. The second reason is the unrivalled legitimacy that democracy today enjoys as a form of governance. This is particular important when is related to nation-building.

2.3 Social Capital in the Sudan

Sudanese societies have always had mechanisms for social co-operation and solidarity in essential tasks and for mutual support. Some local initiatives have been eroded by urbanization, the decline of the subsistence economy, rising food insecurity and conflict, and compounded by natural factors. It is a mistake for donor agencies and international non-governmental organizations, however, to assume as they often do, that formal group formation is the only solution to development problems. Many traditional informal forms of co-operation have been marginalized and replaced by new structures, often because they are invisible to outsiders. Agency for Cooperation and Research in Development (ACORD) is a London-based international organization. Its Small Scale Enterprise Project in Kassala town, in Eastern Sudan, created a number of NGOs to provide loan

¹⁵⁰ El-Affendi A. Sudan's Turabi and the Crises in Contemporary Islamic Movement, this paper is published in the Arab language Al-Quds al Arabi on April 25, 2006,p. 4(translated by John A. Akec, May 28, 2006). Available at: www.sudantribune.com/article. Accessed 17 June 2006.

assistance instead of working with established local CBOs¹⁵¹. Another example was the experience of SECS (1999) in *Karton Kassala*, a scatter sub-urban area for internally displaced persons (IDPs), when SECS decided to establish a branch while there were many local groups to work with.

As Robert Chambers¹⁵² (1997) noted, the empowerment can not be achieved in the absence of institutions. He pointed out the necessity of the new or transformed organizations at the group or community level and that they have been increasingly recognized by NGOs and governments and have increasingly become the reality.

The functions of community-level organizations range widely from maintaining community solidarity to mobilization and management of resources and power to protect their communities from the prevailing and powerful yet disappointing state. Other functions include provision and improvement of services, claiming and negotiating with governments and outside agencies, savings, and income-generating activities. The communities of two villages in Kordofan State in Western Sudan; Al Diwakheil and Bit Joda, raised funds from Canada Fund Local Initiative (1997 and 1998) to dig a water reservoir in Diwakheil and dig a well in Bit Joda. The two communities mobilized their own people and neighborhood to successfully complete their work in the two projects. Both projects are still working. However, the project in Bit Joda faced difficulties when government decided to take over the water management responsibilities from the community.

The NGOs and local structures are more cost-effective, equitable and quality manner in provision and improvement of services compared to state delivery of services, particularly in remote areas. Norman Uphoff¹⁵³ argues that:

¹⁵¹ ACORD. Annual report, London. 1998, p.7

¹⁵² Chambers, R.. Whose Reality Counts? Putting the first last. London: Intermediate Technology Publications. 1997.

¹⁵³ Uphoff. Preface in: Blunt, P., and Warren D. M., Indigenous Organizations and Development. London: Intermediate Technology. 1996, p.viii

"In indigenous organization, as with indigenous knowledge, one confronts the reality that practices and beliefs are not things to be decided on independently and separately. There is a quality of connectedness and embeddedness which distinguishes indigenous things from modern things, the latter in Western analytical tradition to be separated from each other and judged independently".

These small informal and formal groups retain a good reputation as trustworthy traditional institutions. They usually are not attractive for politicians and local leaders because they enforce their own accountability. The reason for the success of these local initiatives is that they identify their own priorities, design their responses to local needs. Some International NGOs in Sudan have been strengthened through their close relationship with local indigenous structures. Good examples are observed by me for ACORD intervention in refugee affected areas in Eastern Sudan, where the local community succeeded in managing their agricultural activities including extension and tractor services. The other success is from OXFAM (GB) in Darfur, Western Sudan, where Oxfam has been providing capacity building support to several pastoral and agro-pastoral community-based organizations since 1995, all of which have been severely affected by the current civil strife¹⁵⁴.

The local institutions are able to target poor and vulnerable groups. The leaders of these local groups are active community members such as teachers, medical assistant, and community Sheikh and are aware of the community needs. They also know how to mobilize the local resources. The membership of these organizations within the community is open and does not exclude any person. The most important issue is that the members of these local structures are the poor. The nature of target group, however, has changed clearly during the last two decades to include 'new comers' due to economic crisis which enforces the poorest to be destitute. This all resulted from the macro-environment and socio-economic conditions as well the introduction of a new category of

¹⁵⁴ OXFAM (GB). Report of a Workshop on Capacity Building for Empowerment. Jinja, Uganda, 6-8 March 2005.

low income groups such as soldiers, teachers, junior staff and young people who have been fired from jobs.

These local groups are better able to develop effective community participation in problem diagnosis, needs assessment, planning, implementation and evaluation. In River Nile province, for instance, the local community managed to control the desertification in the area by establishing a forestry belt to protect their villages¹⁵⁵. The local group mobilized the community who participated in establishing community nurseries and by raising the awareness of people to self-manage their resources. Women and school children contributed in protecting their villages by working in the nurseries. The community was also engaged in observing the illegal cutting of trees. The largest impact was in increasing women confidence and women were proud to be contributing to fighting against desertification and discovering new capabilities and skills in themselves.

Sudanese social systems are based on a high degree of community participation. All members participate voluntarily and they are responsible for the performance of their local organizations. A good example for participation is the communal work and neighborhood relations.

The local NGOs are able to support and strengthen community-based organizations to assure the sustainability of the project activities beyond the termination of external funding. Public Work (P.W.) is an organization working closely with local communities in Diwakheil and Bit Joda, Umrawaba province, Kordofan State, Western Sudan.¹⁵⁶ P.W. trained women in water management and grain storage. These initiatives are still working years after the end of the financial support from Canada Fund.

¹⁵⁵ SOS Sahel (UK). Available at: <http://www.sahel.org.uk/programmes/sudan.htm>. Accessed 25 February 2008.

¹⁵⁶ Canada Fund Local Initiatives.. Field Internal Reports. Khartoum, Sudan. 1997-1998.

CBOs have a crucial role in setting up new forms of partnerships in collaboration with government technical departments and agencies particularly in environment related issues, public health and agricultural extension and research.

Intermediary NGOs play a role in decentralized decision-making and in democratization by promoting popular participation and empowering marginalized groups. The formation of interest groups is considered by the intermediary organizations and the CBOs in the area as a potential role for NGOs to challenge the weak performance of the state.

NGOs have an influence on reducing the poverty of marginalized areas where no government agencies work. These are areas which have poor economic potential and where access to social and technical services is very limited. This is true in both urban and rural areas in Sudan, where people suffer from severe poverty and lack of resources.

Donor-supported structures and modern organizations more generally tend to require literacy and related technical and management skills in order to operate them, thus excluding all those whose education has not equipped them for this. In case of Sudan the female literacy rate was 49.9% between years 2000 and 2004 compared to 69.2% male literacy rate during the same period.¹⁵⁷. On the service delivery and supply side, there is the small capacity to save, resulting from the low level of real income which is a reflection of low productivity which in turn is due largely to lack of capital. This vicious circle of poverty is described by Arturo Escobar¹⁵⁸ as “A circular relationship exists on both sides of the problems of capital formation in the poverty-ridden areas of the world”.

Participation in development is meant to consider what forms of co-operation already exist and can be built on. Participation, as empowerment, is also concerned with ways of improving the capacity of marginalized population and indigenous groups which are potentially capable of strengthening the position within the society of those whose voices

¹⁵⁷ Britannica, Encyclopedia. Female Literacy Rate in Sudan. 2007. Available at: www.encyclopediabritannica.com. Accessed 9 September 2007.

¹⁵⁸ Escobar, A. Encountering Development. Princeton: Princeton University Press. 1995. p. 76

are least often heard, not just those with access to the means. Working with women for example must take into accounts not only women's immediate needs but also their roles and relationship with the total community.

There are still no satisfying answers to a number of questions such as the impact of modern rural development approaches such as food for work programmes on traditional forms like communal labor and on local capacity and integrity. Other unresolved issue is whether there is a need for new organizational structures. Joachim Ziche and M.A.M. Salih¹⁵⁹ (1984) raised the following concerns about CBOs in Sudan: 1) Linkage systems between formal modern agencies and traditional informal forms; 2) Strategies to incorporate local organizations into planned policies; 3) Support of legal and economic government to grass-root organizations; and 4) Creation of new social forms instead of strengthening the established ones.

These questions are still relevant after more than twenty years of being raised by Ziche and Salih in terms of the role played by the local NGOs and CBOs in development and in terms of strengthening the capacity of these local groups to effectively engage in development process with other actors.

The diversity of Sudanese community would not be introduced without identifying the various types of local organizations. The typology was also characteristic for example, the charitable/service provision versus development/advocacy. The local community, in many cases, consciously made efforts to set people's priorities, design these local activities and organizations and to allocate responsibilities and resources in support of them. How these different types of the voluntary sector have been classified and managed will be mentioned in the next section. The Sudanese voluntary/NGO sector consists of different types of work groups, NGOs, and civil society organizations known in different Sudanese communities. NGOs including indigenous groups are known to be membership

¹⁵⁹ Ziche, J. and M.Salih, M.A.. Traditional Communal Labour and Rural Development. Examples from Africa South of Sahara'. DSRC Seminar No. 49, University of Khartoum. 1984.

or non-membership organizations which implement activities in their own right, or provide support to grassroots organizations such as community-based organizations (CBOs) and co-operatives.

2.3.1 Communal Labor Groups

Ziche and Salih¹⁶⁰ define communal labor as constituting "...people who unite in larger groups to solve problems which definitely cannot be solved or at least, not in one time, by single persons or very small groups of people". Another definition from Moore¹⁶¹ that: "The joint performance of a task, or a series of sequentially related tasks, by a group of persons practicing a minimal division of labor whose relationship to the beneficiaries, of their work is other than that of employer to employee". Ziche, Salih and Moore distinguish the communal labour, as informal social structure from local formal organizations that they are collective and group solution actions, and they are voluntary. On the other hand the deterioration of these work groups in the contemporary context is mitigated by the increase in the living cost and therefore by the search for paid work in urban centres.

Leif O. Manger¹⁶² writes about the significance of two aspects of communal labor in a Sudanese context, the ecological context in which communal labor takes place and the systems of social organization which define the context within which each groups can be mobilized. In terms of ecology, Sudan is a country of great variation, both in geographical areas as well as economic factors. The communal labor, such as *Nafir*, in rural agricultural zones is different from the forms of cooperation and support practiced in urban communities. In the rural areas the whole community is organized into various functional groups such as women group, water committee, village club committee, health committee etc. As a matter of fact these functional community structures ensure popular participation and establish a close relation between the village and the local

¹⁶⁰ Ibid, 1984, p.7

¹⁶¹ Ibid, p.8

¹⁶² Manger, L. ed. Communal Labour in the Sudan. Department of Social Anthropology, University of Bergen.1987

administration. Despite of diverse social habits, for example between Eastern Sudan and Southern or Western Sudan, the principles of sharing and cooperation are visible. An example from Western Sudan could easily demonstrate the environment differences. In the North of Western Sudan there is a sand belt and the South is made up of areas of clay plains. The rainfall pattern varies from North to South from 100mm to 800mm.

Communal labor is used in all agricultural activities but the most important one is weeding due to its short period and to the labor bottleneck where physical efforts are made to prepare and clean the land before the heavy rains. In regard to social organization the Northern part of Western Sudan where the populations are of Arab stock, the mobilization for *Nafir* is undertaken within a context of patrilineal relatives and village neighbors. A great variation in social organization forms is clear in Western Sudan where the societies vary from being patrilineal, in the North to being matrilineal in the South and duo-lineal in some other places. Despite the different gender role between the North and South, the Sudanese women are contributing greatly both in rural agricultural areas and in urban settings. Other groups are based on age-system membership, where specific age groups are responsible to accomplish specific tasks. If successful they will be promoted to higher grade. Recruitment principle is changing from being based on kinship and neighborhood to be based on religious identity. The change in recruitment pattern has become evident due to several factors: First, the demographic changes in rural areas were due to the expansion of mechanized farming and arrival of new technology and new comers. Second, the escalation of civil war forced many people to leave their areas of origin to safer locations. Third, the imposing of Sharia law in 1983 by Nimeiri regime changed the social habits, particularly those related to communal labor such as drinking of alcohol. The culture and tradition of ceremony accompanied the work group has changed from ordinary beer-drinking to Islamic prayers.

Communal labor groups in Sudan are diverse and fall into ten main categories as follows:

1. Reciprocal work (or labor exchange) groups: households work in rotation on each other's fields. Membership is clearly defined and each group is bounded with exclusive

membership. The members each receive as much labor from the others as he or she gives to them. The group has a formal leadership for direction and problem-solving.

2. Festive labor such as *Aiad Alaras* and *Al Bulug*: A host is preparing food and drinks and inviting people to work. It is not a strict group and no permanent organization. Organizational skills are required on the part of the host in order to obtain the labor needed.

3. Age Specific Labor Group: The criterion for the membership of age group is constant. The work groups undertake work which has to do with the role of the age-set group in society. An example of work labor for this group is construction and maintenance of community buildings, cultivation, etc. Francis Mading Deng¹⁶³ (1974: 184) describes the age-set systems: “Initiation into age-set subjects young men to severe physical pain, which tests their valor and warrior spirit. To endure the pain of the operation involved means maturity and ability to face responsibilities of a warrior. But more physical pain follows initiation, in the form of institutionalized fights with age-sets immediately senior to the newly initiated age-sets”.

4. Custodial labor: It is a type of a forced labor where participation is based on power relations like work group undertaken by prisoners for the senior officers or the public. People here have to work for stronger traditional and political leadership and authority.

5. *Nafir* and *Faza*: These are the terms used for work group in Sudan. They are common forms of inter-household co-operation organized on the basis of lineage, gender or, more frequently, representing an all-inclusive community group. In Northern Sudan, for example, people call *Nafir* or *Faza* meaning emergency call to mobilize community to contract flood defenses. The work in communal labor is divided based on gender, and age. For example women in Northern Sudan contribute in construction work by preparing

¹⁶³ Deng, F. Mading, Dinka Folktales African Stories from the Sudan, New York: Africana Publishing Company. 1974, p. 184

food for the participants, while women in Western Sudan are sharing by building and they are also active in agricultural activities such as weeding and harvesting.

6. Hierarchically organized groups: According to Ziche and Salih¹⁶⁴ (1984) this type is disappearing because the traditional leaders who used to mobilize these groups have been replaced by modern leaders and other non-traditional elements, which do not have the basis on which to organize such labour.

7. Bride-service group: It is a type of work group when young man is in bride-service. It is a reciprocal work between age mates [12-20 years]. 4-8 men work in agricultural activities, house building and fencing of garden or houses. It has two forms- the bride service and age-mates. The practices of sharing in the preparation of wedding, for example, are well known in most areas of Sudan amongst the young people both male and female. This social value of sharing and supporting each other continues beyond the age zone as a habit encouraged by the community.

8. *Hakuma* [literally meaning government], according to Magner¹⁶⁵ is a labor institution known in South of Nuba Mountain, organizing cleaning of peanuts, participation in weeding and in house building. Members of *Hakuma* are around 30 holding different ranks and grades in organization. They also collect money in a collection box. The money is collected from members as membership fees and fines paid by those who are not following rules and regulations. This money may later be distributed among the members or used for collective goals. Women can be organized in their own *Hakumas* which are smaller and informal. They work in each other's field or pay money instead. Women are also members of men's *Hakumas*.

¹⁶⁴ Ziche, J. and M. Salih, M.A.. Traditional Communal Labour and Rural Development. Examples from Africa South of Sahara'. DSRC Seminar No. 49, University of Khartoum. 1984.

¹⁶⁵ Manger, L. ed. Communal Labour in the Sudan. Department of Social Anthropology, University of Bergen.1987, p. 82

9. The other institution for mobilizing labor in the Nuba Mountains is called ‘*Maliki*’¹⁶⁶ from ‘malik or king’ [maliki also meaning civilian]. It differs from *Hakuma* in that grades system is not applied. Members are not more than 20. *Maliki* members are not fined for bad conduct. Membership can overlap and one member can be a member of more than one labor institution.

10 ‘*Baramka*’ institution is another type of group efforts initiated by *Bagara* Arabs, a pastoralists group in Western Sudan, as a ceremony for tea drinking. According to Arber cited in Manger¹⁶⁷: “for instance there were strict rules as to how a member should hold his tea-glass, using only two fingers at the top of the glass. The glass should further-more not be emptied, but some tea should always be left. The glasses would be put on a tray for a judge to decide whether someone had done it wrong, and the wrong-doers would be fined”. The *Baramka* used money boxes for savings which they then contributed to the community co-operative mill. *Baramka* is another example in Sudan of hierarchically based communal labor. According to Ziche and Salih¹⁶⁸ that *Baramka* labor was assigned to working the fields of the leaders or to repair community owned wells or village connection roads. Arber relates the origin of Nuba Mountain work groups to *Baramka* institutions.

In Southern Sudan other forms of social co-operation have been introduced by *Pari* society in East Equatorial province. The two principles of their social organizations are the age set and the lineage systems. The *Pari* are the youngest branch of the Nilotc group including the *Acholi*, *Amuak*, and *Shulluk*. Membership is based on friendship, respect and loyalty. Companies are other advanced form institution where members are accountable to a local law called the Book Law. They are the most important work group among the

¹⁶⁶ Ibid, p.82

¹⁶⁷ Ibid, p.97

¹⁶⁸ Ziche, J. and M. Salih, M.A.. Traditional Communal Labour and Rural Development. Examples from Africa South of Sahara’. DSRC Seminar No. 49, University of Khartoum. 1984.

Acholi. Membership in these groups is exclusive and it is a right. The 'Book of law' consists of rules and laws accepted by each member. The use of work groups is not evaluated in economic terms. The social aspect is more decisive. Members are fined in two cases when shrinking work and when a member wants to have his/her name withdrawn from the book of law. They are very strict that everyone should offer the same amount of labor and be paid the same amount of beer. The fines are kept by a cashier and this money can be spent later on a feast. Women also forming own companies and have a book of law. Women usually are more involved in weeding and harvesting compared to men.

2.3.2 Migrant Associations in Urban Centers:

Migrant associations are known in Sudan as *Rabitat Abna* [the tie that binds the sons]. They are established by migrants settled in the main towns like Khartoum, Wad Medani, Port Sudan etc., in order to serve the interest of their members and their communities.

Migrant associations are regional and tribal initiatives. They represent their villages and follow up matters concerning their communities with the central authorities. They are particularly active in disaster and emergency time. They play crucial facilitating and fund raising role.¹⁶⁹

Historically, migration in Sudan has been largely the movement of men. In most agricultural schemes in Sudan, there are small scatter villages around the scheme. Men come first to work and then families follow them. Most rural-urban migration may be characterized as labor migration. The mass movement of men from their rural areas has

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النفر، سامية الهادي، 2006. *الجمعيات الأهلية والإسلام السياسي في السودان*. القاهرة، مطبعة مدبولي.

El Nagar, S.h., algamiat alahlia wa al islam alsiasi fi el sudan, madbuli press, Cairo, Egypt, 2006,p.71.

important inputs both in the rural economy and on the rural social organization. To complete our overview of migration in Sudan we have to look at what we might call the rural-urban interaction including the new emerging social organizations like migrant association, their role and identity.

Of critical importance is the immigration pattern and changes associated with the motive, which is not always political. Francis Deng¹⁷⁰, for instance describes the current realities of Dinka social change and migration to northern towns: "Migration first began with young men who saw in the modern market an opportunity for independent wealth. Within the tribe, there is no paid labor. But more important, because of the Dinka's intense pride, paid labor is seen as servility and is regarded as inappropriate for a gentleman. Therefore, it must be carried out far away from the Dinka girls and in a country where it will no matter".

On the other hand Harir¹⁷¹ describes the impact of the ideology and the policies of marginalization and neglect as follows: "Regional clubs started to sprout in the capital. Although some of these regional clubs were older than from that date, the majority came to existence after October 1964. Thus regionalism, which was strongly abhorred before 1964, people having in mind the regional civil war which was going on in the Southern Sudan, now began to gain respectability". The same root causes of social injustice and exclusion are the main motive behind the current civil war in Darfur region and they could be the reasons for potential civil war in other areas of the country.¹⁷²

The role of migrant associations could be defined as how the new arrived migrants responded to urban conditions, and also highlighted by Parkin cited in

¹⁷⁰ Deng, F. Mading, Dinka Folktales African Stories from the Sudan, New York: Africana Publishing Company. 1974, p. 194

Harir, S. Old-Timers and New-Comers, Politics and Ethnicity in a Community Bergen Occasional Papers in Social Anthropology No. 29. 1983, p. 102

¹⁷² Hamid El-Bashir, 2008. Wars of Periphery; Darfur then Kordufan. Available at: www.sudanile.com

Pratten¹⁷³: '...migrants from egalitarian tribes adapt to the urban class system by using traditional social units and arranging them in some hierarchy by formalizing certain of their activities through associations'.

These ethnic associations represent their communities and are accountable to the broader community. They are elected members performing their duties in irregular way but they are always available in emergency and during crisis. Women are not normally represented in these male dominated institutions. In the recent years migrant students, both male and female, are increasingly forming their own associations focusing primarily on solving problems facing migrant students. This is mainly due to the increasing number of students accepted in urban settings. They are also active during school holidays arranging health, cultural and educational campaigns in their villages.¹⁷⁴ Ethnic political associations were banned in Sudan in 1969. There is however a number of urban community-based associations representing minority ethnic groups like the Nuba Mountain, Shulluk, Mahas and Beja groups. The major role of these groups is the preservation of indigenous and cultural identity. Some of them play a rather political role as pressure groups and as symbols of ethnic unity. Most of these ethnic migrant associations are organized based on their areas of origin such as Shuluk of Gogrial, Dinka of Aweel, and Dinka of Bour.

The migrant associations are considered as both a form of community-based organization, and as intermediaries between government and donor agencies and their communities in the provision and improvement of services and social infrastructure in the

¹⁷³ Pratten, D. and Ali Baldo, S. Return to the Roots: Processes of Legitimacy in Sudanese Migrant Associations in: M. Edwards and D. Hulme (eds.) NGO Performance and Accountability: Beyond the Magic Bullet, London: Earthscan, 1996, p. 13.

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النقر، سامية الهدى، 2006. الجمعيات الأهلية والإسلام السياسي في السودان. القاهرة، مطبعة مدبولي.

El Nagar, S.h., algamiat alahlia wa al islam alsiasi fi el sudan, madbali press, Cairo, Egypt, 2006,pp.71-72.

fields of education, health, water supply and agriculture. They are key participants in the mobilizing, facilitating and channeling of resources. An example of the response of migrant association to rural emergency during the flood of 1988 is illustrated by Al Batahani¹⁷⁵: “In August 1988 El Siyasa newspaper reported that, ‘During the rains and flood disasters of 1988, the state apparatus stood like a mud-house in the middle of a sea of water and inertia’. Al Batahani continues:

“Meanwhile, in the former Northern Region, migrant associations lobbied government miniseries for supplies, rented trucks or planes, and transported medical personnel, drugs, food and shelter to their rural communities where committees were established to target and monitor distribution. Some of the worst affected villages in 1988 were in Rural Karima Council, and on the basis of early warnings for the floods of 1994, associations made announcements on national television and on Omdurman Radio, calling upon all ‘sons’ of the area to return home and help build flood defenses. Indeed, it is significant that, unlike 1988, associations from the Rural Karima Council, co-coordinated their actions and formed a joint committee to collect damage and needs’ assessment reports which were presented to relevant ministries.”

Another example of projects sponsored by or through migrant associations are in the education sector, mainly the construction and maintenance of primary schools in El Hagiz village in Western Sudan, and in the provision of drinking water in El Diwakhil in Western Sudan, Dalawat and Tibabe in central Sudan, Arab Haj, El Gurier and Ibadab in Northern Sudan, in the delivery of health facilities in El Sireha, Wad el Bur villages in central Sudan. These are projects supported by Canada Fund for Local Initiative (1999) in Sudan during the period between 1995 and 2000.

¹⁷⁵ Pratten, D. and Ali Baldo, S. *Return to the Roots: Processes of Legitimacy in Sudanese Migrant Associations* in: M. Edwards and D. Hulme (eds.) *NGO Performance and Accountability: Beyond the Magic Bullet*, London: Earthscan, 1996, p. 43

Women are rarely encouraged to participate in migrant associations. Their exclusion from urban voluntary work was seen in many cases due to their increasing family role as household heads. The period of the 1980s and 1990s experienced the mass influx of male immigrants outside the Sudan due to civil strife and economic crisis. A few associations supported women in traditional handcraft production, income generating activities, training in small scale enterprises like dress-making, embroidery. However, a major contribution has been made by migrant women during the floods of 1988 by donating gold and money to emergency fund-raising campaign for their villages. Ideally, migrant women themselves should have a much greater role in defining their needs and acting upon them and their community ones.

The role of migrant associations in the management and support of these local efforts is very essential as a social force within local institutional development framework. The migrant associations are no substitute for government. They cooperate with the local authorities, donor agencies, non-governmental organizations and community-based institutions, to strengthen jointly development efforts.

2.3.3 Cooperative Groups:

For a long period in 1960s and 1970s development planners in Sudan considered cooperatives to be the only genuine form of organized self-help. Externally, Sudan was an active member of Non-allied States' Movement in 1950s and 1960s and had been inspired by the notion of national liberation and socialism ¹⁷⁶. The origin of co-operative movement also has been related to the traditional informal practices in Sudanese societies during the years of 1920s and 1930s. The law of the co-operative associations of 1948 was based on these traditional structures of social informal co-operation. They are formal registered groups, composed of males, females or both. They work on a shares' basis in goods, mainly for consumption, and in productive businesses. They have bad reputation in Sudan because of weak management and operational problems. The rules and

¹⁷⁶ Mohamed Ahmed Mahgoub, 1974. Democracy on Trial: Reflections on Arab and African Affairs. London: Andre Deutsche.

regulations of co-operatives are official, made by the government and therefore do not protect the members' interest. The field of the work of the co-operatives associations is attractive for government officials who are familiar with the market and commodities. Nidhi Srinivas¹⁷⁷ shares experience from India and agrees that: "As the co-operative becomes viable it can attract the unwelcome attention of government bureaucrats and local politicians intent on controlling it for their own purpose". This explanation agrees with the remarks of Hans Hedlund¹⁷⁸ that: "... experience has shown that state-controlled cooperatives that are used as transmission belts for implementing the government's policy do not mobilize people's resources for development". This also explains why people decided to engage in community-based initiatives rather than participating in associations that have degenerated into state-controlled development tools.

In addition to the social forms of cooperation, community-based and self-help organizations, a number of professional associations have been created. Most of these organizations are formed by elites and educated people, some of them were dismissed by the present regime in early 1990s. The following section describes some of their objectives and main activities which vary from human rights, child protection, gender equality and legal aid to broader community development.

2.3.4 Professional Groups:

The common feature of the professional associations is that some of them are registered as profit-making companies with Ministry of Justice. Therefore they fulfill their responsibility like other private sector business and pay their taxes. Some of them believe that by registering with the Ministry of Justice that distant them from the direct control

¹⁷⁷ Srinivas, N., Taking count of the depth of the ditches: Understanding local organization forms, their problems, and strategic responses, In: Blunt P., and Warren D. Michael. Indigenous Organizations and Development, London: Intermediate Technology, 1996 p.150

¹⁷⁸ Hedlund, H.,ed. Cooperatives Revisited: Kenya, Tanzania, Sudan, Ethiopia, Ghana. Seminars Proceedings No.21, Uppsala, Sweden: Scandinavian Institute of African Studies. 1988, pp.7-15. Available at: <http://books.google.ca>. Accessed 22 July 2008.

and observation of Humanitarian Aid Commission (HAC) and its meticulous registration process. They get their financial support from donor agencies, locally or externally, consultancy, research and training. Most importantly, they are driven by voluntary values and humanitarian cause. They work as implementing and intermediary organizations. Most of their beneficiaries are IDPs, women, street children, victims of torture and rural and urban poor. They provide training, research and technical assistance to grass-roots organizations, NGOs, civil society organizations, private sector and government. They work, like NGOs, in similar activities such as human rights, peace building, and conflict resolution. They are also active in advocacy, influence of policies, and local, regional and international networking. In brief they represent a point of convergence for the interests of diverse groups, and at the same time, a space for consultation, dialogue and actions. Other professional associations, defined as modern forces, focus on occupational matters and union activities such as medical doctors, women, lawyers, agriculturalists etc.

On the other hand, the professional associations are different from NGOs in many ways. They are not registered by the Humanitarian Aid Commission (HAC). The disadvantage of this is that they are not exempted from taxes. They can not be member of networks which are registered by HAC. The latter requires that an NGO to be registered first at HAC then to be member of a network. Professional associations also differ from NGOs in that they don't have general assembly. They do have however a trustee board or executive committee. Most of the professional associations are owned by not less than two persons according to the law. The limitation of this is that they are not accountable to constituencies. Few of them have structured institutions. Under the current regime NGOs and professional organizations are both at risk and they can easily be closed or suspended by security authority.

From the above background and discussion, it is evident that the history of NGOs in Sudan has followed a circuitous route. Beginning with what could be properly called self-help and local initiatives to the current situation where independent civic and professional organizations are more issue and advocacy oriented. This development itself is an indication of the different social forces at play at different periods in the rapidly evolving process of social change. The following are examples of these professional organizations:

Gender Centre for Research & Training (GCRT)

GCRT was established by women activists in 1997 in Khartoum. Its main general objectives are: a) Training targeted groups in the field of gender and development, b) Study and analyze the social, economic and legal policies and their implications on gender issues, c) create and develop women skills, particularly the poorest women, through small development projects.¹⁷⁹.

GCRT focuses its activities on the following: training to raise awareness on gender discrimination; conduct studies and researches for better understanding of the concept of gender, causes and analysis of inequality; create network between those of common interest to increase solidarity and building capacity in gender and development. GCRT also undertakes studies and training in the following areas: women in development, women and democracy, women and structural adjustment, women and employment and women and poverty. Its membership is accessible to all women. Recent publications include: (1) Peace Program and Gender Issues: Women within Machacos Agreement, Bridging Gender Gaps. Khartoum: 2005. (2) Engendering the Peace Process in Sudan: Conceptual and Contextual Framework. Khartoum: 2005. In 2004 GCRT wins the Betty Plewes award which is created by the Canadian Council for International Cooperation to honour its former President-CEO, and is granted to an African non-governmental organization engaged in research and policy development on issues of priority to women.¹⁸⁰ (Inter Pares, 2004).

Main achievements: awareness raising of gender issues, rights and democratization among civil society organizations, incorporation of gender into development activities,

¹⁷⁹ GCRT. Annual Report. (Unpublished report). 2003, p.6

¹⁸⁰ Inter Pares. Inter Pares Publications Bulletin, September 2004. Available at: <http://www.interpares.ca>. Accessed on 10 February 2008.

advocacy for women rights, participation in and establishment of networks and alliances with other NGOs and CSOs¹⁸¹.

Babiker Badri Scientific Association for Women Studies (BBSAWS)

BBSAWS was established in 1979 in Omdurman. Its membership was open to all women. Its main objectives are to: eradicate malpractices, female circumcision in particular; establish training centers for rural women; work to support democratization; advocate women's political rights; develop social and economic women skills. BBSAWS produced recently a package of six studies in various regions in Sudan addressing conflict resolution and peace building issues. The studies reflected the peace local knowledge and lessons from Sudanese communities in armed conflict areas of Darfur region, Southern Sudan, Kordofan, and Blue Nile region. The study was supported by NOVIB (OXFAM Netherlands). Main achievements: awareness raising of and fighting all types of malpractices, particularly fight against female circumcision, emphasis on the necessity and importance of rural development and involvement of young generation in rural development efforts, research and studies, publication and dissemination of information and knowledge of gender, peace building, education issues¹⁸².

Main challenges facing Sudanese women since 1989 according to BBSAWS:

Public Order Law which restricts women freedom; Dress type imposed on women working in the public sector and university students; Decisions and regulations affected women freedom, for example the Khartoum State governor's decision not allowing women to work in public cafeterias, hotels and petrol stations and all other jobs requiring women to work in night shifts; Problems related to women employment promotion. Women are not occupying senior positions in the government institutions; Sudanese government did not sign CEDAW, the international agreement against gender discrimination. Problems related to Personal Status Law; Low representation of women

¹⁸¹ GCRT. Annual Report. (Unpublished report). 2003, p.2

¹⁸² BBSAWS. 2008. Available at: www.ahfad.org. Accessed 12 Feb. 2008.

in the political and decision-making positions; Dismissal of women working in the government, 54, 8% of women lost their jobs since the NIF coup in 1989.¹⁸³

Khartoum Centre for Human Rights and Development of Environment

It was established in May 2001 in Khartoum.

Main objectives: 1) Introduction of human rights and human rights education and strengthening principles of human rights in the international agreements, particularly those ratified by the Sudanese government; 2) Declaration of rule of law principles and independence of jurisdiction; 3) Women participation in development; 4) Raising awareness of child rights and engagement of children in development; 5) Contribution in awareness rising on conservation of environment; and 6) Attention to assist IDPs affected by war and desertification.

Main area of activities: awareness raising and education on human rights and provision of legal aid to victims of human rights violations. Relation with government: The centre is registered as a voluntary organization with Humanitarian Aid Commission. The centre participates in workshops and seminars on human rights organized by Ministry of Justice in collaboration with UNDP. Suspicion and accusation from the government toward the centre and staff centre are questioned by security office.

Mutawinat Group

It was established in 1990 as a company registered at Ministry of Justice. Main objectives: working for rights of vulnerable women and children in Sudan; provision of human rights education; legal services and advocacy. Main components: Mutawinat (2000) consists of three offices: 1) The legal office responsible for the direct legal aid program; 2) The development office focuses on strategic planning and fund raising; and 3) the research, documentation and training office for effort in social scientific research and public education.

Main achievements:

¹⁸³ Al Kharasani, B. GCRT workshop on structural adjustment policies. 2001. Khartoum.

Establishment of AFAG (Horizon) organizations in 1998, under the umbrella of Mutawinat, to focus on juvenile justice; direct legal aid; for example legal aid for imprisoned women; Legal literacy programs; Training in human rights; Para legal training; Publication/library; Studies and researches, example is the review of all legislation discriminating against women; Human rights education and national legislation; and combating harmful traditional practices.

Relation with others: Donors and external partners: African Women Alliance; Caritas (USA); Christian Aid; Fredrich Ebert Foundation (Germany); National Endowment for Democracy (USA); OXFAM Australia; NOVIB; SC Sweden; SC UK; Urgent Action Fund (USA).

Relation with government: Mutawinat is registered as a company with Ministry of Justice. Registration as a company was considered by Mutawinat during group strategic planning sessions in 2004. The group strategic report, however did not elaborate further on the weaknesses and strengths of being registered as a company.

Sudanese Women's Empowerment for Peace (SuWEP)

SuWEP is a network consisting from following organizations from both Northern and Southern Sudan: Civil Society Network for Peace; National Democratic Alliance Group for Peace; National Working Committee for Peace; Non-Partisan Group Southern Sector; Nuba Women Group for Peace and Development; SPDF Women Group; SPLM - United Women Group; SPLM/A Women Group; and The Southern Women Group for Peace. SuWEP was a unique women group which contributed significantly to the peace processes and laid strong foundation for dialogue, good understanding, respect and joint efforts. Sudanese women for the first time found the opportunity to engage effectively in the negotiation and discussions on issues such identity, rights and social justice.

2.4 Challenges Encountering Traditional Structures, CBOs and NGOs

The wider contexts of Sudanese voluntary sectors' and NGOs' approaches to development and change were discussed in the previous section depending on when they took place. The internal mandate of these local dynamics to provide services or even enjoy community was evolved with the experience, and with the change in the political, economic and social context.

Overall, the initiation and the processes of Sudanese local voluntary sector require allocation of resources, time and effort. While informal structures have the attraction of flexibility and interaction, it was clear that reliance on ad hoc allocations in the Sudanese context has limited the productivity of certain efforts.

Lack of understanding of development concept is one of the main problems facing CBOs and traditional social structures. The absence of joint and common understanding of the principles and values of development lead to scatter efforts of social forces, lack of coordination, competition and unnecessary tension amongst NGOs, and CBOs and between them and the government.

The different social forces that are supposed to work together to promote local institutional development are operating without coordination and co-operation. This is particularly true with government agencies at central and local level, private sector and voluntary groups.

Resistance is a problem encountering most of independent NGOs and CBOs who are not serving the interest of the government and local elites. The reasons for the opposition could be political, social or economic. Under the present macro environment the government establishes its own bodies known as Popular Committees [PCs] in each residential area. The purpose of these structures is for control and security. The members of the PCs are either selected or appointed on political basis. The PCs are accountable to the political system and they are not representing their communities by any means. Their activities focus on political mobilization and advocacy for government policies. PCs do not allow NGOs both International and local to work without permission. They create

barriers to prevent them linking directly with community-based organizations and indigenous groups. According to Human Rights Watch¹⁸⁴: "A neighborhood network of popular committees, created by the current government, provides a means to control residential areas where demonstrations also played a political role in toppling past governments. These committees, too, cannot go beyond the 'red line' to defend the interests of residents against the government- such as opposing government demolitions of its members' homes".

Lack of democracy within NGOs and CBOs is an area of concern for local initiatives. Decision-making is top-down and they lack group consultation. These difficulties face organizations with unaccountable leadership and as well encounter communities that are not prepared to assume their role as partners in decision-making and in management. Carel Drijver¹⁸⁵ differentiates between the social reach of participation and the functional reach. He defines the depth of the social reach as "the extent to which the specific target groups of the project participate, without intermediaries". The functional reach dimension, according to Drijver, focuses on the content of participation.

NGOs that formed and supported by governments are manipulated to serve the interest of the regimes, mainly in areas of security and control. Other similar groups are involved in profit-making and business. A number of such organizations benefit from tax exemption facilities and import items for business purpose. The result of these practices is creation of business minded groups and individuals within these organizations. The investments include profit-making companies, transportation and donations from financial institutions such as banks, public and private companies¹⁸⁶.

¹⁸⁴ Human Rights Watch. Behind The Red Line, Political Repression in Sudan. New York: Human Rights Watch/Africa. 1996, p.8

¹⁸⁵ Drijver, C. People's Participation in Environmental projects in Developing Countries. Issues Paper No.17 March 1990. International Institute for Environment and Development. 1990, pp. 3-4

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النفر، سامية الهدى، 2006. الجماعات الأهلية والإسلام السياسي في السودان. القاهرة، مطبعة مدبولي.



To grasp the contemporary Sudanese NGOs; their identity, autonomy and direction, it is important to recognize how they have been initiated and what motivated them? Our interest here includes as well the present new forms of consultancy groups which registered as companies and are involved in development activities. The influence and encouragement of international organizations and donor agencies in the formation and initiation of these groups can not be ignored. This is particularly true when there is an urgent need for independent organizations. Other factor contributed to the creation of these organizations is the inappropriate government policies such as dismissal of staff. In reality the activities of these professional groups are similar to NGOs. We are unaware, however, about their accountability, decision-making process and their unclear role of being registered as companies and their performance as NGOs.

Among the many difficulties Sudanese NGOs and CBOs encounter, several are problems of organizational and institutional capacity building which can be summarized in the following areas:

- Internal governance including democratic practices, rotation of leadership, representation of board members, executive committee and staff members;
- Negotiation with intermediary NGOs, government departments, banks, private sector and donor agencies.
- Mobilization and management of local and external resources.
- Management and development skills in needs assessment, problem diagnosis, planning, finance and budgeting, monitoring and evaluation.
- Conflict resolution skills, listening, learning, understanding and addressing the needs of different interest groups within the community.
- Initiation and collaboration with other communities to learn from each other and to share and solve common problems.

2.5 Conclusion

There is a strong argument in the last two decades that some of the traditional informal practices we have traced, beginning with *Nafirs*, *Nadi al Kherigin* (Graduates' Club), *Sandugs*, migrant initiatives, have nearly spent themselves. This evidence has been backed by the government neglect, marginalization and lack of interest in supporting local efforts. NGOs and CSOs represent one source of social capital for poor and marginalized people. The neglect of voluntary sector by the governments and the ineffectiveness and inappropriateness of development policies impede the capacity of voluntary sector and therefore the forms of local initiatives such as self-help and self-reliant efforts will also be affected. The political climate surrounding civil society rights is characterized by a religious fundamentalism in the country on the one hand and free market and cultural globalization on the other, which has exacerbated preexisting political and social divisions.

On the other hand there are still social forces and community based organizations which have asserted themselves, notably the silent and peaceful revolt of Sudanese societies against official apparatus of injustice and instability. It is evident that communities, which were historically poor by measuring of income and economic capital, revealed strong resources of social capital in the planning and visioning process. It is also true that groups that have strong social network and trust will do better at working together in the future. However, it has been more difficult to accomplish participation in conflict or vertical communities. Few people have the opportunity to engage actively in the economic and political lives of their communities. The dangerous potential for human strife that often emerges from the irresistible urge for people's participation clashing with the inflexible systems must be recognized.

Mutual co-operation in the Sudanese history takes the form of a continuing struggle over the distribution of incomes and access to benefits and services, in which solidarity gives strength to those who have neither income nor assets.

The increasing attention of the potential of local initiative comes as a result of the forced abandonment of the state responsibilities for social services and subsidies. This tendency in the absence of public sector and with some support from the non-governmental organizations becomes rather a substitute but not a solution to the problems encountering local institutional development. As Alan Fowler¹⁸⁷ describes it: "Reform will require the creation of new political institutions that recognize and incorporate traditional social structures rather than oppressing them. In other words a political reordering that is better informed by indigenous values and is able – through inclusive coalitions – to democratically reconcile divergent demands resulting from ethnic diversity, class differentiation and modernization from a peripheral position within the global economy". It can be imagined that both social forces, private and public sectors are being involved in the creation of alternative developmental strategies in which development projects are seen as policy experiment and subject to constant change.

These informal institutions have difficulties handling management and leadership and the power that comes with it, like any other local groups. This, however, should not detract from the many positive features of social cohesion, solidarity and local integrity. The factors which make these local initiatives more successful and sustainable lie in their emphasis on addressing community needs and on the process and outcome.

This chapter is about traditional structures and NGOs in the Sudan. It provides information on their growth and development, their features and their contribution to social development and discusses some of their problems. This background is necessary for understanding the social and political contexts of the contemporary Sudan which affect the dynamics and functioning of CSOs. The rise of Islamic movement and the position of CSOs and NGOs will be discussed in the following chapter.

¹⁸⁷ Fowler, A. Non-Governmental Organizations as Agents of Democratization: An African Perspective, International Development Journal, Vol. 5, No.3. 1993, pp. 325-339.

CHAPTER THREE

CIVIL SOCIETY: TOTALITARIANISM, PLURALISM AND CHALLENGES FOR THE FUTURE

3.1 Introduction

This chapter focuses on the present political situation including the regime's institutions and its social organizations on the one hand and the position of social and political oppositions on the other. The chapter shows how the Islamic movement uses religion and power to sustain and protect a system which has lost its credibility and legitimacy among many Sudanese citizens.

The Sudanese political parties and voluntary organizations were the core groups of civil society that contributed to the independence and to the democratization processes in the country. The Sudanese civil society organizations achieved remarkable results reflected in their coping mechanisms with the current totalitarian regime. Without these social forces, the plural political systems are always at risk. The emergence and triumph of the civil society between 1955 and 1969 were influenced by the spirit of the struggle for independence and by the fight for democracy and social justice. The period between 1970 and 1989 showed both the crises of the military dictatorship and the one party system and the sluggish democratic regime which failed to meet the upfront challenges for the social and political changes. The people of the Sudan succeeded between 1955 and 1989 to achieve independence (1956) and overthrow two military regimes in 1964 and 1985. These radical political changes in 1964 and 1985 were initiated, designed, mobilized and managed by historical political parties and the civil society forces. The description of main political parties, their initiation and main objectives will provide background information of these parties and will show some of the dynamics between them and the prevailing democratic processes.

This chapter will focus on the use of Islam by the state in the Sudan. The authoritarian incumbents have clung on to power since June 1989 and mobilized the state resources and its institutions to serve political Islam interest. The multicultural and multiethnic Sudanese context has yet to confront the legacy of its current situation, an outcome of the dominance of NIF over all other regions. However, this accusation is not directed to the NIF alone. Historically, other regimes in the Sudan had been criticized for the abuse of power. It is also known that the political leaders often call Islam into play during crises. The good example was the declaration of Sharia laws by Nimeiri in 1983. The other example of abuse of Islam and power was when an alliance of Islamists from the Umma Party, National Unionist Party and Muslim Brothers led to the dissolution of the Sudanese Communist Party in 1965 and the expulsion of its democratically elected members from the constituent assembly. This trend was intensified after the coup of 1989. The Islamic movements used the institutions of the state to structure and legitimate its hegemony. The state apparatus propagates the ruling party's policies, strategies and ideology and provides it with the means for exercise of coercion, and gives it the material resources to divide the society.

This approach contributes to other studies of Sudanese politics by highlighting, in historical context, that the rise of Islamic movement can be viewed as part of the decline of local community as the center of social capital. Clearly, the Islamic movement has not brought into being the future envisioned by Sudanese. Moreover, in Sudan as elsewhere, once Islamic regime discourse is appropriated as the language of an authoritarian regime, its ability to serve as an agent for social change is surely compromised.

This chapter consists of five main sections. The first section focuses on the rise of the National Islamic Front (NIF), its growth and development from a small political party to the third political power, based on the election of 1985/1986 and to a party of full ruling power as a result of the NIF military coup of 1989. It also discusses and analyzes the nature of the government organizations and the causes leading to the failure of the Islamic project in the country. The second part discusses the NIF - NGOs/CSOs relations. It discusses the impact of the peace process and the signing of the CPA in January 2005

and to what extent the peace agreement affects the work of the civil society. The third section presents the positions and the role of the main political parties and civil society, the impact of the colonial period and the impact of the democratization processes. The forth section is an attempt to raise issues of concern and to discuss the way out as an alternative approach contributing to the improvement of the present situation. The last section summarizes the main issues of the chapter and offers an overall assessment of these issues.

3.2 The Rise of Islamic Movement

3.2.1 Islamic Movement Post Independence

The Sudanese Islamic movement historically started as an offshoot of the Egyptian Muslim Brotherhood movement in mid-1940s. The Unified Sudanese Muslim Brotherhood Organization was established in 1954. Ten years later, in 1964, the movement established a political organization called the Islamic Charter Front. It was originally shaped by its student origins and came to be seen as an urban-centered modern movement, compared to the tradition-bound Sufi orders (Khatmiyyah) and the Umma Party (Ansar). It was Hassan Al-Turabi, their thinker, who changed the movement's nature and course of action. In the period between 1964 and 1969, the Islamic movement grew like a pressure group, advocating for an Islamic constitution, a project that was supported by both the Ansar and the Khatmiyyah sects. This and other reasons lead to Nimeiri's coup of May 1969. A major contributing factor in the dissolution of the Sudanese Communist Party in 1965 was the aggressive drive of the Islamists, together with the Umma Party and the National Unionist Party¹⁸⁸.

Turabi took a pragmatic approach towards the Nimeiri regime (1969-1985) and became after 1971 the only politically active party. Turabi was appointed to the post of the

¹⁸⁸ Mahmoud, M. Islam and Islamization in Sudan: The Islamic National Front. Conference paper; Religion, Nationalism, and Peace in Sudan, U.S. Institute of Peace Conference September 16-17, 1997. Available at: C:/Documents and Settings/admin/my documents/Sudan/Islam and Islamization in Sudan by Mohamed Mahmoud.htm

Attorney General in 1979 and the Muslim Brothers were found to have become members in the cabinet and in other important positions in key government institutions. This reflects the anti-democratic nature of the Islamic movement and its opportunistic approach by aligning itself with Nimeiri's regime and its institutions in the late 1970s. The most important factor, however, was to infiltrate the regime's organizations and create official venues for campaigning for Islamization. The other crucial factor was to gain grounds for the movement's economic foundation, based on the formula of Islamic banking and investment. This period witnessed an increase in the number of branches opened by the Faisal Islamic Bank and an increase in the Islamic women dress. The climax of the movement's infiltration and empowerment strategies reached in 1983 when Nimeiri declared the September Sharia Laws. Mohamed Mahmoud describes this period as: "Public and private spaces were declared be under Divine jurisdiction and the nation was whipped into a frenzied state of Sharia hysteria. The only thing is that the whipping was not metaphorical in this case but agonizing corpo-real. Scores of urban destitute lost their limbs and were reduced to lifelong disability and stigmatization. Hundreds were subjected to the cruel humiliation of public flogging. And one citizen, Mahmoud Muhammad Taha, was publicly executed, convicted of apostasy"¹⁸⁹. Nimeiri observed that the empowerment of Islamic movement and its impact on public life put his regime at high risk. Nimeiri's regime realized that the Sharia Laws didn't bring stability; on the contrary, people were extremely upset about the bad image resulting from the implementation of Sharia, its extreme brutality and humiliation. Nimeiri accused the Islamic movement for conspiracy to topple his regime. This conflict situation added to the escalation of civil war in the south and to the political and economic crises that lead to the people's uprising of April 1985. The trade unions and the opposition political parties jointed hand in hand and organized a political strike which weakened the government and state institutions. The subsequent democratic context of 1985-1989, posed a potentially serious threat to the economic base and imposition of the Sharia gained by Islamic movement. A major turning point for the movement came in May 1985 when the Islamic Charter Front changed its name to the National Islamic Front (NIF). According to Turabi, it was a new coalition between the Islamic movement and a number

¹⁸⁹ Ibid, 2.

of tribal and popular figures, which undertook to protect and preserve the achievements of the movements against a campaign by secular political parties and power groups to eradicate totally the Islamic legacy of the Nimeiri regime.

3.2.2 Islamic Movement in Power: Period Post 1989

The military coup of the Islamic National Front (NIF) of 1989 took a very hostile and aggressive attitude towards all civil institutions such as trade unions, women groups, students, political parties and civil society organizations. All democratic practices including free expression, meetings and organizations were banned. Instead the NIF established hundreds of organizations which have been offered tax and custom exemptions and became shareholders of privatized public bodies. It was thus not surprising that the ex-minister of Finance: Abdelwahab Osman critically condemned this corruption in his budget speech as one of the factors leading to the weakness of revenues the government should have collected to strengthen the budget.¹⁹⁰

Given this challenging political environment, there are several issues to consider. First is the general space, which allowed civil society to intervene and to present their opinions, their refusal, acceptance and choices. The second element is the cultural, educational and media institutions that perform beyond their mandates and policies due to the solid grounds they stand on, norms and organizations. Third is the political dominance of the organization [*Altanzeem*], and this uses power as a self-serving tool for the sole interest of the ruling junta or group. These three elements are the determining factors that affect the position of civil society. Some members of civil society forces see the regime as criminal (SVTG, 2000 – 2001) and immoral and others take compromising stances by

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النقر، سامية الهادي، 2006. الجمعيات الأهلية والإسلام السياسي في السودان. القاهرة، مطبعة مدبولي.

- El Nagar, S. E., 2006 National Associations and Political Islam in Sudan. Madbouli press, Cairo, Egypt, 2006: 79.

rationalizing the irrational. El Nagar (2006: 79) explains that funds for Islamic organizations in Sudan are from Zakat¹⁹¹ and charity donations which are not accountable for. Some of those in charge of the organizations are wealthy and they manage those organizations for self-interest or for political gain.

The direct question is if civil society is restricted by the cultural, educational, information and security associations which allow for the voices to be heard or hinder them simultaneously, what is the space left for the civil society? In other words, if the general space is a precondition for the function of civil society, what is civil society' limitation in the case this space is hindered to develop or its establishment has been cancelled? Would civil society play a role in the absence of the constitutional, academic and cultural institutions which are the determining factor to realize its role? Regardless to who will respond to these questions, it is clear that civil society have to encounter the conditions which restrict its presence and civil society is expected to look at its role in the building of the space and institutions and in the search of the state of law.

What will we suggest to guide the civil society in the right direction? What are the necessary measures for the civil society to rely on? First is the identification of the features of the present phase. It has been a long process of injustice, neglect, violence, torture and violations of all types of human rights. Civil war, displacement, economic crises, unemployment and racial discrimination were the obvious results of inappropriate policies of education, agriculture, economics and service delivery. Tayeb Zein El-Abdin summarizes the Economist Intelligence Unit Report on Sudan which includes information on deteriorating situations in Darfur and Abyie, the intention of the government to apply the tax reforms recommended by MIF and the stories of corruption, particularly of the ruling party which pays financial illegal incentives for political interest.¹⁹² The legitimate question is the one which begins with why and not how. The features of the present situation have continued for the last two decades. If civil society is happy with

¹⁹¹ Zakat is the third of the Five Pillars of the Religion which are known by all branches of Sunni Islam and it is a financial commitment to give up a fixed proportion of one's wealth for specified good reasons.

¹⁹² Zein Al-Abdin, A., 2007. Summary of the Economist Intelligence Unit Report on Sudan. Available at: www.sudanile.com

this present phase, it means that civil society is worthy of exploitation, damage and exclusion. If civil society is not happy with all these conditions, it means that it is weak and helpless to the extent that other forces determine its direction and fate.

This unpleasant phase of identification of features lead to the question of redefinition of big issues with respect to identity, exclusion and marginalization, human rights, culture, state, religion and self-determination and other minorities issues. The Sudanese civil society baffled by the appeal of the present political regime, notes that its achievements were truly remarkable. It revealed that it was possible at times to do the truly unthinkable. It taught us that: The violation of human rights and social injustice raised to levels previously thought politically unattainable. The un-political public bodies were politicized, militarized and forced the holy principles of the market into areas of society of integrity. The regime sharply demolished union power and increased security power. It made the rich richer and the poor poorer. It did all this and in the process traumatized the opposition. This has meant the dominance of Islamist ideology, the belief that a community comprises merely a sum of self-interest individuals. Indeed the word public itself is to be dismissed, cast off into the shelves of history. What we are instead to celebrate is a community of vulnerable consumers and self-interest protected individuals.

An individualist reading is therefore only partially true and entirely misleading; it offers a partial description and no explanation. In other words, the mortality rate, for example, in a population is not merely natural, but reflects the social, economic and political arrangements of society, prior factors affecting the health of the population.

Jok Madut¹⁹³ writes: "The rise of militant and political Islam in Sudan dates back to 1965, but has increased dramatically since the National Islamic Front's (NIF) ascent to power in June 1989". Jok correctly referred here to the alliance of the traditional sectarian parties and Muslim Brothers after October revolution in 1964 and their violence to banning of the Sudanese Communist Party and the application of Islamic Law. We may

¹⁹³ Jok, Madut. Sudan: Race, Religion, and Violence. Oxford: Oneworld. 2007, p.13

also refer to the failure of the Khartoum Round Table Conference of 1965 which was organized by the Unions and Professional Front (UPF) government to resolve the conflict in the south. Lack of confidence between the south and the north and the absence of political will and coherent leadership within the political elite on both sides, north and south, were the main reasons for the failure¹⁹⁴. On the other hand, Jok¹⁹⁵ in his analysis of condemnation of the Arab-Muslim of the north, writes that “... as more and more non-Arab and non-Muslims who feel excluded from the centers of power move further away from Sudanese citizenship and instead offer loyalty to racial, regional or ethnic citizenship”. The emphasis on race and religion undermine the genuine root causes of the civil strife in the country which being more about cultural, political, economic and social exclusion and marginalization. What have been achieved after the CPA in Naivasha in January 2005 are the efforts of both military struggle, mainly led by SPLM/SPLA and social and political efforts of many Sudanese, regardless of their race and religion, for social justice, equality and democracy.

The search for the society cultural dimensions in Sudan reflects the willingness to look for solutions to tackle difficult social problems. It would also mean a rational search for the effectiveness of alternative development policies and strategies. The local indigenous culture has been neglected and eroded due to the fast rhythm of the western culture which invades all walks of life through the satellite, movies, videos and internet. The local culture encountered serious developmental difficulties due to the impact of the external media and to a lack of interest and the limited resources allocated for the development of the traditional culture.

3.2.3 Development Stages & Central Authorities of NIF

Since National Islamic Front (NIF) came to power in 1989, Sudanese society has gone through a process of radical reforms on the basis of the ideology of NIF. Sudan has passed the following stages: 1. Centralization of power in the hands of one party; 2.

¹⁹⁴ Ali, T. M., and Matthews, R.O., (ed). 1999. Civil Wars in Africa: Roots and Resolution. Montreal & Kingston, London, Ithaca: McGill-Queen's University Press, p.206.

¹⁹⁵ Jok, Madut. Sudan: Race, Religion, and Violence. Oxford: Oneworld. 2007, p.12

Domination of the ideology of NIF; 3. Militarization of the Sudanese society; 4. Advocacy of culture of violence and war; and 5. Political and social exclusion for other political parties and civil society organizations.

The state, for better or worse, has become the constant and formidable presence even the most remote villages. It attempts to reshape the Sudanese society by promoting some groups and classes while repressing others and simultaneously maintaining autonomy from any single group or class. The state as described by James M. Malloy, "...is characterized by strong and relatively autonomous governmental structures that seek to impose on the society a system of interest representation based on enforced limited pluralism."¹⁹⁶ In other words state social control involves the power of the state to penetrate and centrally co-ordinate the activities of civil society through its own infrastructure.

Another perspective, which might not be in contrast with the strong controlling role of the state in Sudan, and a typical characteristic of a single-party and dictatorial system, is that despite the regime's attempts of imposing policies and strategies, the state failed to damage the social fabric of the Sudanese society. Indeed, the NIF strategy of torture, terror and exclusion have reduced the power of the civil society and curtailed its autonomy.

The regime promised to break the monopoly of power by the coalition of traditional, sectarian and secular forces and hand power back to the people, with the intention of leading a process of regeneration and renewal of Sudanese society. In reality, however, the outcome is far from what the political leadership had intended. Political and economic crisis continued unabated, civil war extended and internal strife is widespread, and recently the ruling NIF forces seem to have run into intra-factional conflicts over power that has weakened their political and ideological resolve. Feeling the pressure of internal

¹⁹⁶ Quoted in Migdal, S, 1988. Strong Societies and Weak States: State-Society relations and State Capabilities in The Third World. Princeton: Princeton University press, p.6.

opposition and faced with mounting challenges from external opposition and international community, the regime seems to have consented to regime-led opening up and reform.

It is worth taking a few moments here to see the stages in government treatment of civil society in Sudan. The table below, particularly the first three stages has shown the government attitudes towards civil society and signs of hospitality, at the beginning, to signs of acceptance and tolerance, a gradual attitude best reflected by the table. Such variations are important to show the power structure between the state and civil society and the characteristics such as civil society capacity building processes.

Table (1): Stages in State treatment of civil society

Stage 1: The state does not tolerate independent civil society. Hostile state.
Stage 2: The state accepts autonomous organization, but does not provide space for it.
Stage 3: A space for independent activity exists, but the practice of governance does not promote autonomous organization.
Stage 4: The state provides favorable structures but no active support.
Stage 5: The state actively promotes autonomous organization. Benevolent State.

Source: Alex Hadenius and Fredric Uggla¹⁹⁷

In 1991, Sudan adopted a new federal structure of government. According to the Federal Government Bureau (1995 and 1997) that the country was divided into 26 states, 114 provinces and about 621 councils. The following federation system was introduced in 1992. ¹⁹⁸

The *wilaya* (state) is the main power base at the sub-national level. Each state has its own governor, legislature and executive administration. It is governed by a *wali*, (Governor) who is elected by the *wilayat* (states) legislative council from a list of four nominees

¹⁹⁷ Hadenius, A., and Uggla, F. Making Civil Society Work, promoting democratic development. What can state and donors do? World Development, Vol. 24, No.10. 1996, p. 1629.

¹⁹⁸ Sarrouh, E. Decentralized Governance for Development in the Arab States. Local Governance forum, Sana'a, Yemen, December 6-9, 2003, pp. 38-41.

proposed by the president of the republic in consultation with elites and community leaders in the *wilaya*. The *wali* appoints a cabinet typically composed of five ministers for finance, public works and engineering affairs, social and cultural affairs, education and health. Each *wilaya* also has an elected legislative assembly, which approves its legislations and budgets and oversees the performance of the various ministries and departments. Ten of these states are in the South. State governors and legislators in the South, before the peace agreement, were appointed by the central government and could be removed at its discretion.

The *muhafaza* (province), which is an intermediate level headed by a *muhafiz*, who, unlike the leaders at the other levels, is appointed directly by the president, but reports to the *wali*. The functions of the *muhafiz* are limited to political, supervisory, coordinating and security-oriented roles. He/she has no executive or legislative functions or intrinsic powers other than coordination between localities or those delegated from the *wali*. The *muhafiz* plays a significant role in the Sudanese federal system. This may be attributed to two factors: (a) The *muhafiz* has been the primary local administrator throughout the previous decentralization schemes adopted in Sudan during most of the 20th century, except for the current system where the *muhafiz* has been stripped off most of his/her powers. (b) A *muhafiz* is usually selected based on his/her strong allegiance to the regime regardless of any prior experience in local administration.

The *mahaliya* (locality) is the other side of the coin to the *wilaya* and the other pillars of the adopted federal system. Each *wilaya* is composed of a number of urban and rural localities. Each locality has an elected deliberative and legislative council, which elects an executive body. This council is assisted by technocrats and civil servants who may not necessarily be residents of the locality, but are seconded from their agencies at the *wilaya* or the national level to the locality in order to oversee the local health, education, or public works systems.

The *lajna al-shabiya* (popular committee) is an elected body of volunteers who administer the affairs of a neighbourhood or village. At this nuclear unit, or lowest level

of the administrative-political structure, each geographical unit forms a base conference (*motamar ghaidi*), as a public forum. Thus all neighbourhood residents could participate in deciding on the neighbourhood's affairs, in electing a popular committee composed of 20-30 members for a two-year term; and in approving its programs and achievements. The conference has two regular meetings per annum. However, in special cases the neighbourhood may call for a special meeting to address an emergency or to vote for changing an ineffective popular committee.

The influence of the Islamic movement in Sudan expanded to contain all walks of social life. The local federal system and its organizations initiated and supported by the Islamic regime were most effective instruments and tools served to protect the political system and to recruit and mobilize human resources for security and control. The regime started with a social mapping covering all ages, gender and locations in both rural and urban areas. The leaders of the federal system at all levels were NIF members. Other community members were totally excluded from the federal processes. Women representation was poor. The traditional leaders, originally known as a base for local administration were neglected or recruited to defend the regime. The local federal system hindered the local development and the integrity of the local community was at risk.

3.2.4 NIF Failure: Is it a Failure of the Project or the Regime?

3.2.4.1 Islamic Civil Society Movement

Some Islamic reformists were critically reviewing the status of the Islamic movement and suggesting an Islamist alternative. Abdelwahab El-Affendi one of the former members of the National Islamic Front, described the ambivalence in the organization's set up: "On the one hand, Turabi had an inner circle of followers whom he addressed with complete frankness. And on the other hand, Turabi had a different message for the general public. That led to mixed results. First, it led to the emergence of a clique within his inner circle that claims to have better understanding for the Islamic doctrine than their peers have. Second, Turabi's inner circle began to develop and display low opinion about the rest of Muslims, as well as undermining the understanding of the religion and religious

teachings”¹⁹⁹. This argument gives rise to some questions related to personal ambition of political leaders and to what extent this leadership style influences Islamic movement and how does this relate to people’s needs and to their survival circumstances?

El-Affendi, who was defending the Islamic regime as an active INF member and as Press Attaché at the Sudanese Embassy in London, responded on human rights violations in Islam: “A more controversial issue here is the role of states that are asked to back the action against thinkers and artists. There is a question about the legitimacy of these largely undemocratic states, which have no religious or popular legitimacy and no inclination to promote freedom of Islamic values”²⁰⁰. Ironically, the Sudan, the country that experienced the most blood-shed in the recent history under the NIF regime, didn’t appeal to be a case of criticism and learned lessons for those members of NIF who still believe in Islamic solution. El-Affendi noticed the discrepancy between words and deeds; between the tongue and the hands caught up with the NIF. The deep crack in the ethics and moral structure of NIF in Sudan is hard to be fixed by the same hands. Without self-criticism and recognition of the extent of the damage created in the social, cultural, political and religious structures of Sudanese society, no credibility whatsoever will be in favour of Islamic solution. El-Affendi continued to argue that the most recent views expressed by Turabi that women have equal rights to men, had the right to marry a Christian or a Jew and could even lead prayers “should be seen as a predicament of a nation handicapped by religious inheritance that offers no tools or means for modernization”²⁰¹. However, this analysis indicates a mismatch between the outcomes of NIF involvement and its justifications for ruling the country for the last two decades.

¹⁹⁹ El-Affendi, A., 2006. Sudan’s Turabi and the Crises in Contemporary Islamic Movement, this paper is published in the Arab language Al-Quds al-Arabi on April 25, 2006, p.3, translated by John A. Akec, May 28, 2006, available at: www.sudantribune.com/article

²⁰⁰ El-Affendi, A., 1999. Using Islam to undermine democracy: A dangerous endeavour, a paper submitted to Islam 21 Seminar on Freedom of Expression, Human Rights, October 1999. Available at: www.islam21net/pages/keyissues.

²⁰¹ See footnote 9, 2006:4.

Hassan Makki, the historian of the Islamic movement, gives the following list of organizations that are financed by the Arab Gulf countries after reconciliation with Nimeiri ²⁰²:

- *Raidat al Nahda* [female organization] formed in 1979. In 1983 it had 7 branches, grew to 27 in 1984, and then to 67, including those in South, in 1994.
- *Shabab Al Binaa* [male youth organization] focused on the building of 60 mosques, donation of blood to the Armed forces and group marriages.
- *Al-Islah Wal Musat*, a charity helping destitute families.
- *Marakeez Al-Nisa Al-Muminant* (Centres for Women Believers).
- *Munzamat Al-Dawa Al-Islamiyyah* (Islamic Mission): By 1992 its activities expanded to combine missionary-charitable work with business. The following institutions were formed: Institute of Research and Missionary Training, African Society for Special Education, African Society for the Welfare of Mothers and Children, Dan Fodiu Charitable Corporation for Trade and Enterprise, The General Apparatus for Investment, the International Corporation for Media Production and Development, African Islamic Center changed to the African Islamic University, the African Islamic Relief Agency, and the Islamic Medical Association. Investment in charitable organizations was one means towards establishment of political trust aims at grasping external financial resources and creating a public relation network for public audience and donors. On the other hand, the regional and international nature of the activities of these organizations shows that Islamist movements continue in multi-farious ways to challenge not only the domestic status quo but the international status quo as well.²⁰³

The list of Mekki, however didn't include the position of these local groups under the regime, what support they provided to the regime and what assistance they were offered, particularly by the Islamic banking systems and government institutions, what facilities they received as non-governmental organizations from Tax and Custom departments?

²⁰² Hassan Mekki. Interview by Al Ingaz Al Watani daily newspaper, Khartoum, Sudan. 1992.

²⁰³ Mohamed, A. Political Islam: Image and Reality. 2004. Available at: www.worldpolicy.org. Accessed 20 Feb. 2008.

Alex de Waal described the Islamic movement's organizations: "they can act as trading companies, may assist in training and feeding the soldiers, and are active in proselytization. Peace Camps run by Islamic agencies are integral part of the government's counter-insurgency strategy. In some of the war zones, Islamic agencies have become virtually indistinguishable from the government"²⁰⁴. Such underlying and implicit assumptions concerning the role of Islamic organizations working in war zone areas, for instance, prelude further inquiry into quality of their services, which benefits and at what expenses.

Tayeb Zein Al-Abdin, a Sudanese Islamist scholar divided the Islamic groups to two categories: voluntary agencies and national sects and government institutions²⁰⁵. The former consisted of Ansar sect, Khatmiyyah sect, the modern Islamic movement known as National Islamic Front, Muslim Brothers, Ansar Al Suna Al-Mahamedyyah, other Sufi groups, and sub-organizations and associations under the structures of the main groups. The government Islamic institutions are under the Ministry of Guidance, Al-Zakat Chamber, higher education institutions such as Omdurman Islamic University, Al Koran Al-Kareem University, International African University, the Islamic studies sections in these universities, Islamic Education Department at the National Curriculum Center in Bakht el-Rida, and the Religious Program sections at Televisions and Broadcast. In Sudan there are 30 universities for a population of 38 million. Many of these new universities would not pass the accepted international standard that qualifies academic institutions for the status of university. The Sudan Islamic regime has its own copycat Cultural Revolution with similar devastating effects on the education system, and has led

²⁰⁴ De Waal Alex. Famine Crimes. Oxford-Bloomington and Indianapolis: African Rights/International African Institute. 1997, p. 98

²⁰⁵ زين الدين الطيب، 2003. مهام المجموعات الإسلامية الدينية في دعمها للسلام. ورشة عمل حول تحديات السلام في السودان 22-23/12/2003، المنتدى الوطن المدنى، الخرطوم.

Zein Al-Abdin El tayeb, 2003. The Role of Islamic Religious Groups in Support to Peace", presented to workshop on The Challenges of Peace in Sudan, organized by National Civic Forum, Khartoum, 22-23/12/2003).

to almost an entire generation of inadequately educated individuals. Mohamed Saeed Al-Gadal²⁰⁶ observes that: “Khartoum University has become the possession of a political party, because appointments and promotions occur according to the political loyalty”.

The accumulations of wealth started in 1971 when NIF allied with the Nimeiri military regime. NIF was illegal body but managed to work at that time. The intervention of NIF extended to the business sector and benefited from the financial institutions such as Faisal Bank and other Gulf countries. According to Alex de Waal²⁰⁷, the June 30, 1989 coup “was the culmination of ten years of NIF financial dominance in Sudan and in government. The NIF was able to take that process to its logical conclusion”. Of particular importance have been the types of social movements and organizations that established before the coup of 1989, and new ones created to serve the regime after 1989²⁰⁸.

²⁰⁶ Al-Gadal, M. S. Interview with Al Sahafa newspaper, issue number 3927, 5 May 2004.

²⁰⁷ De Waal, A.. Famine Crimes. Oxford-Bloomington and Indianapolis: African Rights/International African Institute. 1997, P.98

²⁰⁸ 1. Relief and Islamic Mission (Dawa) Organizations: the Islamic movement established a number of relief and advocacy organizations in the late 1970s and early 1980s. The most known ones are Islamic Mission (Dawa Islamiyyah) organization and the Islamic relief Agency. One purpose of these establishments was to attract funding from Saudi Arabia and Gulf countries. These and other relief, voluntary and Dawa organizations are under the management of the NIF. The other clear reason for the existence of these organizations was to have several fronts for Islamic advocacy and social activities not necessarily defined as NIF organizations. The first chairperson for the Trustee Council for Dawa Islamiyyah organization was a military person who worked for a long time in Saudi Arabia. This appointment assisted to have strong support from Saudi Arabia, Kuwait, Qatar and Emirates. Ten of the members of the Trustee Council were known Islamists and members of the NIF. Other three members were not NIF members; one was previous vice chancellor of University of Khartoum, the other two were from Muslim Brothers party and Ansar Al Suna Al Mahamediyah.

The Dawa Islamiyyah organization provided services for internally displaced persons and in other areas. The provision of service delivery includes health, education and relief activities such as food items, cloths and medical supplies in all over Sudan during natural disasters or man-made crises. All of these have to be done in the name of the National Islamic Front.

2. Islamic Student and Youth Movement: The student movement represents the biggest social force belonging to NIF. These are students of higher education institutions, colleges and secondary education. They are the most dynamic group for NIF’s social, cultural, political and religious activities. As mentioned earlier the origin of the Islamic movement was the students. The Student Unions were controlled only by the NIF in all the universities between the period 1974 and 1990. The NIF succeeded in finding ways to involve this largest social group, after graduation from colleges and higher education, by employing them in NIF’s economic and financial institutions, voluntary charities and in political and security system.

3. Islamic Women and Youth Movement: National Women Front, Nahda Pioneers Association [for females], Youth Building Organization [for males], represented the women front of NIF amongst women, and female and male youth. National Women Front was very active in 1986 during the election campaign for NIF. It organized political rallies, workshops and individual contacts in residential areas and employment locations. Two female MPs represented NIF in the Parliament. Women of National Women Front participated actively in all political campaigns during the third democracy between 1985 and 1989. In the social front, Islamic women organizations prepared and implemented projects and activities for families, widows, orphans, destitute female headed households, productive families, female prisoners, displaced and street children, female sellers, consumers. This big effort was closely coordinated with and supported by other Islamic organizations such as Islamic Relief Agency and *Dawa Islamiyyah* Organization. One of the largest schemes is group marriages called Al-Zahra Marriage, aims at creating social units of NIF in all regions of Sudan. The other well known project was *Guntar Dahab*, gold collected from well off Sudanese women inside and abroad, allocated to support the Sudanese Military Forces in the civil war against the South. The Sudanese Television was campaigning for this project as well. The same period witnesses the Islamic women dress for the NIF's perspective.

4. Islamic Trade and Professional Unions and Modern Forces: The laborers' front was considered as a weakest area of NIF, compared to the Communist party's successes. The laborers were not well representative in the NIF (Woodward, 1990: 210 and 300). The weakness of NIF infiltration in trade and professional unions continued up to 1989 (El Nagar, 2006: 59). The NIF coup of June 1989 had radically changed the whole democratic set up and replaced it by oppressive authoritarian regime which banned all unions and democratic institutions. Appointed Islamic cadres replaced the elected members and the mandate of the unions was directed to advocate for the political regime, its policies and for its own security and interests. Most of the labor leaders of other political parties were either dismissed or in prisons. New labor law was introduced to serve the single political party system and the labor organizations were restructured to serve regime's self-interest.

5. Modern Forces: This group represents medical doctors, engineers, agriculturalists, pharmacists, accountants, financial controllers and auditors, bankers, administrators, clerks and secretaries, teachers, entrepreneurs, retired, job seekers graduated from colleges, universities and secondary schools. Within their own unions and associations they have been known as the modern forces. This group was influential in the Sudanese political processes particularly in the October revolution of 1964 and during the popular uprising of April 1985 and up to 1989. After the military coup of 1989, the modern forces' unions and associations were banned, and the leaders were sent to jail or dismissed. New organizations were formed for modern forces with the Islamic labels.

6. NIF's Community-based Organizations: The NIF's organizations and approaches didn't encounter challenges at grass roots and community levels. Rural people are instinctively Muslims and were lacking organizations and some directions. The non-Muslim population in the displaced camps and in the South were poor and desperate for educational and health services, food and relief aid. The political and social NIF's network contains all aspects of life in rural and semi-urban areas. The coup of 1989 imposed new political structures throughout Sudan. The Popular Committees mandate covers the control, security, economic life, physical movement in displaced camps, elections, trade permissions, all type of licenses and funeral permits. The NIF's program for Comprehensive *Daawa* was a well known all over the country. It has cultural, social, religious components. The latter, for example, contains *Al Koran Al Kareem* sessions for children at kindergarten levels and for female households. These activities are undertaken in mosques and schools. It is implemented by *Al Koran Al Kareem* Organizations in almost every village. Other social activities for example focused on sport particularly soccer, the most favorite male sport in Sudan. Sport teams were initiated and supported by the Islamic organizations. Attention was also given to the mosques and their important role in Islamic advocacy for children, women and non-Muslims. Training of Sheikhs in advocacy and speeches was provided to prepare them to defend the political, social and economic program of NIF. Building mosque in every ministry and government institution was the main priority for NIF's members. NIF advised its members to visit mosques and to pray regularly. Attendance to pray in the mosque was considered by some government institutions as a main criterion for staff and employees' promotion.

The most controversial terminology introduced by Turabi was the word *Al Tawali* which means political succession. The Arabic version *Al Tawali* is the striking one. It was first mentioned vaguely in Article number 3/26 in the 1998 Constitution that the citizens have the rights to organize in political associations. The only conditions were participation and democracy at the leadership level and to advocate peacefully in competition and commitment of the constitution. The Political Associations' law was promulgated in 1999. Forty one political organizations, mainly parties, applied for registration. All of these political parties were small marginal groups and had no public support. The known traditional parties, those represented in the democratic Parliament between 1986 and 1989, boycotted the registration which could give legitimacy to military regime. The split of the government party to National Congress Party, under the leadership of President Al-Bashir, the Peoples Congress of Al-Turabi, accelerated the announcement of new political parties' law. In 2001 the law was changed to recognize the legitimacy of the traditional political parties and their rights for political activities.

All this suggests that the NIF prepared for a long term political, social, religious, cultural strategies to be implemented and imposed on the whole local structure including children, women, youth, religious leaders, students, employees and organizations. Under the brutal suppression by NIF for the last two decades, the NIF tried to infiltrate into the Sudanese society and to mainstream its political agenda. On the other hand the Islamic movement tried to cope with modernity by developing approaches and following processes similar to secular system but in an Islamic way, e.g. Islamic schools, Islamic insurance, Islamic sports. The exclusion of other political components led by NIF produced an immature Islamic experiment. The disbelief in democracy by NIF enhanced the brutal oppression. It is believed, by many progressive forces, that the tolerance of Sudanese Islam as a religion

7. Publication and Media: In the area of publications, the NIF established a number of publication companies, centers and bookshops in Khartoum State. The purpose of these institutions was to effectively produce, publish and disseminate Islamic literature and books written by Islamic writers. On the media, the NIF allocated both human and financial resources to train and equip Islamic institutions with well qualified Islamic staff and high tech equipment, tools and technologies.

and pluralistic democracy can effectively counter political Islam that is referred to political objectives (Sondra Hale²⁰⁹ and Hayder Ibrahim Ali²¹⁰). According to Ahmed Alzobier²¹¹ that: “Abdelsalam Al Mahaboub, one of the leading Islamist in Sudan, confessed ...that the Islamic movement had created a conflict due to its isolationism and alienation from the Sudanese society and the dilemma of viewing the whole society as the other or the enemy”. In this context El-Affendi suggested a new Islamic movement; its main concept is self-criticism, listening to and communicating with others. The effects of social changes, the spread of education and secularization and globalization are likely to contribute to the shrink of the Islamist space. This certainly leads to the various stages and variations the state in the Sudan has gone through. The Islamic state, in the beginning was hostile and aggressive, imposing its ideology by power of military and security. While building its Islamic apparatus, it involved Islamist movements initiated by the state and supported to defend it. The state, as a result of its own internal conflict and due to civil strife in the south, west and east and due to international pressure, seems to be opening up and trying to ally with other parties to sustain the power and authority. The current Islamic regime in Sudan is far shallower and more easily undermined. This conclusion might agree with Sondra Hale who wrote that: “In Sudan Islamization was a movement from above, not an autonomous movement; it was a method of consolidating state control by exerting cultural (religious) hegemony. Most of the lower to middle class women I interviewed, for example, claimed to be religious, but distanced themselves from what they viewed as fanatic Islam. Muslim southerners too exhibited religious sentiment but resented state control over religion. Through the years, I have known Sudanese, both northern and southern, to view religion as a private matter”²¹². The

²⁰⁹ Hale, S. *Gender Politics and Islamization in Sudan: Women Living Under Muslim laws (WLUML)*, Dossier 18, October 1997, p.p.11-12, London: Macmillian Press. 1997.

²¹⁰ Ali, H. I. *Civil Society and Democratic Change in Sudan*. Cairo: Ibn Khaldoun Press. 1996,pp.310-312

²¹¹ Alzobier, A. *The Intellectual Degeneration in Sudan*. 2007. Available at: www.sudanforum.net . Accessed 18 Feb. 2008.

²¹² Hale, S. *Gender Politics and Islamization in Sudan: Women Living Under Muslim laws (WLUML)*, Dossier 18, October 1997, p.p.11-12, London: Macmillian Press. 1997, p.11-12

Sudanese view of Islam aimed at reconciling all views and ensured that all views are actually included in the deliberation process, thus realizing a substantial representation of citizens, power sharing and equal wealth distribution, matters of fundamental human rights. However, in the absence of organized social movements, Sudanese tend to be unable to express the demands of the large masses of people.

The experience of the Islamic regime and the NIF project is a complete failure. It is an absolute authoritarian regime, no rule of law and its authority is illegal, and without the recognition and acceptance of the Sudanese people. The authority is born accidentally either by the power of security and military or a mixture of ideology and military. Based on this the regime has no legitimacy. Since 1989, the Islamic movement's main concern is to control the political life in the country and to allocate all efforts and resources to maintain power. The state simply has been unable to achieve what it has promised to achieve and has been so widely assumed inevitable. These promises have been replaced by discouraging performance and priorities²¹³. The state's policy performance can be characterized overall as a failure to pursue the regime's own declared goals. Despite all resources and assets, the Sudanese state failed to concentrate the social control it sought. It failed to achieve predominance by eliminating other social forces applying conflicting rules of the game. The state has built huge armies, security and police forces²¹⁴. However, it has been so ineffective in accomplishing what the society has so eagerly expected. The regime promoted a culture of violence and religious delusions, extended for instance to the educational systems of all levels and even to songs for children in the primary schools. The regime's handling of the post war and the CPA processes cast serious doubts on its overall willingness and commitment to democratic transformation and to sustainable peace.

²¹³ Speech of Minister of Finance on the regime's priorities. Al-Ingaz Al-watani newspaper, 27 May 1991.

²¹⁴ Kabaj, M. I. 2006. Al-Sudan: Igtisad Al-Ingaz wa Al-Ifgar Al-Shamil (Sudan: Salvation's Economics and Absolute Poverty). Khartoum: Azza Publication, p 48.

Hayder Ibrahim Ali²¹⁵ supported the notion of the regime's failure by adding the following reasons: 1. The nature of the regime in Sudan, since the military coup of June 1989, has neither a constitutional ground nor ethical, philosophical, logical rationale. 2. The Islamic movement, historically known as the body responsible for the introduction [presentation] of the Shari law as part of its political mandate, was no longer considering the Islamic law the core issue. 3. The Islamic state declared the war in the South as a religious war in order to mobilize all resources and to involve young Northerners, for the first time, in the longest civil war. This resulted in the escalation of the war and the increase of poverty. 4. The Islamic movement considered Al Ansar, the Umma party members, its natural allies and the Al Khatmiyyah, the potential partners, since both sects advocated for the Islamic system. Despite this potential network of allies, the Islamic movement failed to attract them to establish an Islamic front ensuring the northern cultural and religious dominance.

Another factor contributing to the crisis is the level of competency of the bureaucracy and the quality of public service delivery in the country. Some of the factors that can account for this poor competency are the image and attitude of the government towards other social actors, including NGOs, CSOs and CBOs. In other words how the government views its own social capital represented in humanitarian voluntary work. Sudan is a huge country (million square miles) divided into 26 states, which is then divided into administrative districts. The limited autonomy of local government in fiscal and non-fiscal matters, and the absence of capital at the local level undermine the ability of these governments to initiate development projects.

The Sudan also lags behind in its accomplishments in scientific and technical education. The majority of high school students prefer to go for general education rather than technical education. Ironically, the government favors to support higher education and overlooks basic education. In other words, it supports rich and undermines poor. The state must set the right development priorities. Military and security expenditures are

²¹⁵ Ali, H. I. Civil Society and Democratic Change in Sudan. Cairo: Ibn Khaldoun Press. 1996, p. 312

often among the highest. The World Bank reports that: “By 2000, defense and security expenditure was estimated to account for about 3 percent of GDP, while development expenditures stood at about 1.5 percent of GDP (and were biased toward capital-intensive investments in energy and subsidies for large-scale irrigation) ²¹⁶. The state must also create a balance between territorial national security and human security. The Sudan has taken remarkable strides in domestic production of weapons for the purpose of internal control. This impressive array of armaments and sophisticated war technologies can’t be set at the expenses of education, agriculture and health. Without training and scientific education, those systems often become irrelevant and useless.

3.2.4.2 Regime’s Violations and Corruption

The Islamic regime’s severe violation of human rights was reported from the onset. It restricted and banned the work of the civil society organizations, such as trade unions, opposition political parties, student unions and women groups (SVTG Report, 2001), and (Human Rights Watch, 1996) and (Amnesty International, 2007) ²¹⁷. It succeeded in damaging the capability of the society to express itself through its organizations and unions. All elections have been falsified. Both The military nature of the regime and the authoritarian and religious ideology introduced the most hostile and aggressive political regime since the independence of 1956. It is a unique authority compared to others, allows some relative relief at the upper level. This reflects the silence of grass roots and rural poor.

The transformation to a new political system created a class of capitalists who benefit from the inappropriate economic policies such as privatization of successful public institutions as well as from wide spread corruption, and mismanagement. Corrupt

²¹⁶ The World Bank. Report No. 24620 – SU, Sudan Stabilization and Reconstruction, Country Economic Memorandum, Vol.1, June 30, 2003. Available at: www-wds.worldbank.org.

²¹⁷ Amnesty International Report. Described rapes of women in Darfur by Janjawid, a government supported militias, violence against demonstrators, journalists were frequently arrested and newspapers censored and seized, detentions of people without charge or trial, cruel inhuman or degrading punishments and torture and forced displacement in many areas including Darfur and Meroe dam. 2007. Available at: www.amnesty.org

privatization robs the government treasury of needed funds²¹⁸. Lack of independence of the legislature and the judiciary undermines the goals of democratic choices and impartial legal decision making. On the other hand the security nature of the regime established a wide range of young opportunists in the free market and in the civil society to illegally benefit from tax and custom exemptions utilizing their security and political positions in the regime.

Corruption is a symptom of bad governance and undermines any serious progress of state building. At the present time, following the CPA, the National Congress represents the Islamic movement in the National Unity government with the other partner the Sudanese People liberation Movement (SPLM). Al Watan newspaper (2006)²¹⁹ reported that the representatives of SPLM left a meeting of the National Council in Southern Darfur, discussing financial allocation of 518 million Sudanese Dinars to institutions and organizations belonging to the National Congress Party. The State government of Southern Darfur decided to donate 50 million Dinars for People's Defense, 150 million to the Women Union, 50 million to the Youth Union, 100 million to the Security Department and hundreds of millions were donated to other Islamic organizations. The representative of SPLM announced that all these organizations are defined as National Congress's organizations and not independent bodies. SPLM decided to raise the conflict to the Constitutional Court to resolve the issue.

Sudan scored 2.2 out of 10 according to Transparency International (2004 and 2005) and Sudan ranks number 122 out of countries highly corrupt²²⁰. Corruption Perceptions Index of 2005 ranks Sudan as number 144 out of 158 countries and scored 2.1. The report indicates that: "Of those, 70 countries scored less than three, indicating rampant corruption that poses a grave threat to institutions as well as to social and political

²¹⁸ Suliman Osman. Current Privatization Policy in Sudan. Policy Brief #52. The William Davidson Institute at the University of Michigan. 2007, p. 3.

²¹⁹ Report on National Council of Southern Darfur. March 27, 2006.

²²⁰ Transparency International. Corruption Perceptions Index. 2004, pp.8-9
Available at: www.Transparency.org. Accessed 7 Dec. 2005 and 30 July 2006.

stability”²²¹. To sum up Sudan for the last three years of 2003, 2004 and 2005 scored 2.3, 2.2 and 2.1. This shows how progressively, under the Islamic regime, the country was leading to be on the top of highly corrupt countries.

The criticism of Islamist use of and control over humanitarian aid was voiced by international organizations, Christian Sudanese organizations and other Sudanese independent groups²²². It is evident that the Islamic government showed preference not to local organizations, as Ghazi Salah Eddine Atabani, an influential NIF official defending the government policy, but preference was to Islamic organizations such as *Daawa Islamiyyah* and Islamic African Relief Agency (IARA), Committee for International Charity, *Muwaffaq Al-Kheiriya* and others. This was the intention of the Islamic government throughout its ruling. The Islamic organizations were the only ones allowed to work for IDPs and refugees. Institutions like churches, NGOs and unions, have been identified as sites of opposition to the Islamic authoritarian regime. During disaster and civil war amongst the Northern organizations, the religious organizations only had access to affected areas and to international resources. This happened to the extent that some Islamic organizations treated the international organizations as resource providers for a twin-ship in order to get resources and implement projects.

In an interview with the Secretary General of Sudan Council of Churches in Khartoum in May 1996, Jerome Bellion-Jourdan wrote that: “According to Rev. Enoch Tombe, the NGOs were in the service of the NIF which sought to prolong the war in order to be able to Islamize the South. Christian communities are bound to lose members in the Islamic hands which are protected by the government”²²³. According to Rev. Tombe: ”The policy was part of a broader aim, the Islamization of Africa, deriving from a duty to fill the

²²¹ Ibid, 2005, pp.16-17

²²² Bentall J. and Bellion-Jourdan J. The Charitable Crescent, Politics of Aid in the Muslim World. London: I.B. Tauris & Co Ltd. 2003, p.123

²²³ Bellion-Jourdan, J. Western Versus Islamic Aid? International Muslim charities and humanitarian aid in Sudan, in: Bentall Jonathan and Bellion Jourdan Jerome, The Charitable Crescent, Politics of Aid in the Muslim World. London: I.B. Tauris & Co Ltd. 2003.

vacuum motivated by the strong assumption that Africans have no religion and are pagans”²²⁴.

Sudanese of different cultures, religions and regions are constantly willing through their various social organizations, popular movements, membership and community based organizations, trade unions, farmers, women, youth and professional associations to hold dialogues on the present and future direction. The present political imperatives dictate not only new forms of dialogue but also a reconceptualisation of the analytical framework that has dominated our understanding of state-civil society relations.

3.3 NIF – Civil Society/NGOs Relations

The role of Sudanese civil society organizations under different regimes is controversial. The legitimate question is whether they imply “a strong sentiment of anti-statism”²²⁵ and whether their role has been shaped by socio-political conditions? Under the early single-party and dictator systems (1958-1964 and 1969-1985) civil society, namely trade unions, was a politically loaded concept that referred to the opposition political parties. This begs the questions, how this has been changed under the current authoritarian regime and to what extent this affects their dynamics and functions? Most importantly, on the other hand, is also how civil society organizations develop the capacity to learn?

A lot of progress has been made in recent years in strengthening the role of civil society organizations in the Sudan. The challenges however facing them have also grown over the past years. It is an uncertain time for those who champion their rights, legitimacy and recognition. Some voices are heard suggesting that after the terrible attacks in the United States on 11 September 2001, the roles of civil society are less important, that global

²²⁴ Ibid

²²⁵ Steyler, N. State – Civil Society Relations in South Africa: Towards a model of good governance, in: Hollands, G. and Ansell, G. eds., 1998. Winds of Small Change: Civil Society Interaction with the African State. Proceedings of multilateral workshops on good governance, sustainable development and democracy. Graz, Austria– Kampala. Athesis-Corplan. 1995, p.101

dynamics and internal security have other considerations. Omar G. Encarnacion²²⁶, for instance, notes that: "Having reached unprecedented popularity, the concept of civil society currently finds itself the object of considerable cynicism and disdain, if not a full-fledged backlash. Attacking civil society has become a sport among scholars and political commentators, as evident in the many articles, conferences, and books devoted both to deriding both the term and its proponents". The tension created as a result of 11 September shouldered mounting responsibilities on civil society organizations worldwide and therefore their roles, in combating fundamentalism, enormously increase.

What was perhaps equally important was the linkage between the fundamental systems and an increase of poverty and flourishing of corruption²²⁷. The increased social differences were related to absence of freedom. It was also important to differentiate between the bonding social capital and bridging capital. The latter was reflected in close emotional relationship between friends and families who were relied on to achieve basic living standard in time of crises. The former was known as the dynamic power needed for relationship. This was what inspired Edward Said²²⁸, the Palestinian thinker to differentiate in his analysis of culture and identity between filiation and affiliation. The former was a compulsory relationship between the individual and his/her family or

²²⁶ Encarnacion, O. G. Beyond Civil Society: Promoting Democracy after September 11. The article is reprinted from the Fall 2003, issue of Orbis, FPRI's quarterly journal of world affairs. 2003. Available at: www.fpri.org/orbis. Accessed 14 July 2008.

²²⁷ Framework for Sustained Peace, Development and Poverty Eradication, March 18, 2005. Joint Assessment Mission (JAM Sudan), was carried out by the World Bank and the United Nations, with the full endorsement of GOS and SPLM, VOL. 1, Synthesis: "There is no single reliable estimate of poverty in Sudan, but there is consensus among Sudanese analysts that poverty exceeds 50 percent – for the North, see for example "Sudan Country Economic Memorandum", World Bank, 2003. For the South, see "Towards a Baseline..." New Sudan Centre for Statistics and Evaluation, April 2004, page 18. Available at: www.unsudanig.org

سعید ادوارد (2006) المتفق والسلطة، ترجمة محمد عانی رویہ للنشر.

his/her tribe, while affiliation is a free type of relationship based on creativity, and deep human desire to help and serve a problem without prejudice or prior opinions.

Does social and cultural consciousness in communities deeply rooted in tradition, obedience, centralism and anti-civil rights accept human rights as a culture and allow their integration in our life? The state in the Sudan does not respect human rights, it is neither a state of institutions nor a state caring about diversity, acceptance of others, advocating for reconciliation. Edward Said, for instance explains the way he understands reconciliation: "I sincerely believe in reconciliation between peoples and cultures in collision, and have made it my life's work to try to further that end. But true reconciliation cannot be imposed neither can it occur between cultures and societies that are enormously uneven in power. The kind of reconciliation that can bring real peace can only occur between equals, between partners whose independence, strength of purpose, and inner cohesion allows them fully to understand and share with each other" ²²⁹. In other words and in the contemporary context of Sudan that the peace building and reconciliation efforts are challenged by the lack of political will and the absence of democratic reforms.

Does this paradox permit new culture of respect of others, democracy and pluralism in communities of culture of discrimination, authoritarian and security forces? Some people might argue that whether or not this situation of splitting between traditionally isolated systems and new imported modern structures and concepts maintain? Could we create new national agenda which is inspired by modern institutional development and related, at the same time, to reinvented tradition and integrity of communities? Could we establish this foundation without excluding others? All these social, political and cultural

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سعید ابوارد. (2005). الإسلام. ترجمة محمد عناني القاهرة، رؤية للنشر.

Saeed, Edward, Islam Translated by Mohamed anani – Ro'ya for publication and distribution – Cairo – Egypt . 2005, pp.58-59

crises gained momentum in the last two decades that brought to the fore a completely different, and alarming, understanding of these issues. This analysis however does mean to colour the picture to be more cloudy and complicated. It is an attempt to understand the civil society context in Sudan, not to exaggerate its strengths and capabilities.

According to Ali Taisier M. and Matthews R.²³⁰ that: "Imbued with the attitudes and dictates of the colonial regime but not its reasoning or mode of thought, the pretty bureaucrats-cum-national leaders were not up to the challenges of building a democratic and just society". This meant that independence did not come as a result of liberation struggle but as a result of diplomatic negotiation and agreement between the colonial powers and the main largest religious sects in the country. The new leaders did not call for social change and simply the colonial policies and practices continued.

Abdella Ali Ibrahim²³¹ analyzed the relationship between national movement, its cultural dimensions and the present Islamic movement: "The Islamic movement inherited all this and still defended its so called constants that can't be compromised which are the same basics of national movement: Arabization and Islam and their expansion at the level of state apparatus and nation". Belal responded to this by writing: "The inheritance of the colonial development approach by the Islamic movement was more dangerous and sinful due to the complete exclusion of rural development and small farmers and due to the advantages and unlimited support to investors"²³².

²³⁰ Ali, T. M., and Matthews, R.O., (ed). Civil Wars in Africa: Roots and Resolution. Montreal & Kingston, London, Ithaca: McGill-Queen's University Press. 1999, p.202

²³¹ Ibrahim, A. A.. Discussion with Abdella Ali Ibrahim: National Movement and present Islamic Movement. Al Sahafa newspaper, 5 July 2003.

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بلال عبد الرحيم أحمد، 2005. القضايا الاجتماعية والمجتمع المدني في السودان، الخرطوم، دار عزة للنشر.

Belal Abdelrahim Ahmed,. Algadia al egtimaya wa al mugtama al medani fi al sudan, dar azza, Khartoum. 2005

While Sondra Hale was preparing her research questions on issues related to gender politics and Islamization in Sudan, was she aware of how this is connected with the world capitalist system? She realized the connection after she changed the questions to ask: “What elements we see in most religions-at least the Judaic-Christian-Islamic tradition-which make them useful as political strategies during socio-economic, therefore, political crises. Are there social processes which religions reinforce or reassert which allow a society to realign it after social or economic upheavals? I asked if Islam, in particular, lends itself more easily than other religions to a realignment strategy. What, in particular, lends itself more easily than other religions to a realignment strategy? What, in particular, was happening in Sudan during the post-colonial era? These questions cannot be answered satisfactorily in a brief paper, as they are too integrally connected to the world capitalist system”²³³. This is exactly what makes the Sudanese bourgeoisie completely tied with semi-sectarian divisions and dependent on foreign investment and that the Sudanese capitalism cannot express itself independently unless through allying with the sectarian forces. This suggests that weaknesses of the Sudanese national capitalism inhibit the emergence of a progressive nationalist fraction of the forces as a potential ally in the struggle for democracy.

It is clear that the international isolation and poor socio-political and economic conditions are making Sudan vulnerable to globalization and structure adjustment policies. Governments are highly dependent on external financial resources and cannot afford to disagree too vocally with international institutions and donors’ policy prescriptions²³⁴. During the seventies and eighties, the resistance to U.S. Agency for International Development (USAID), International Monetary Fund (IMF) and the World Bank policies by the Sudanese civil society, namely trade unions and political parties, has been a

²³³ Hale, S. Gender Politics and Islamization in Sudan: Women Living Under Muslim laws (WLUML), Dossier 18, October 1997, p.p.11-12, London: Macmillian Press.

²³⁴ Gyimah-Boadi (eds). Democratic Reform in Africa: The Quality of Progress. London: Rienner. 2004, p.49

widespread and consistent feature of the Sudanese political terrain. The mass based nature of Sudanese civil society organizations in the civic field was a fundamental component involved in political decision-making. These examples of civil society struggle highlight the importance of recognizing that civil society includes a diverse range of organizations seeking to relate to the state in different ways.

In the Sudan, despite the political instability, economic crisis and civil war, the people only hope for peace, justice and human rights lies with the civil society movement²³⁵. They look at them as their last hope. It is evident that the Sudanese civil society is now firmly on the agenda of both the government and international community, particularly in their roles in maintaining sustainable peace. The government has at least acknowledged that civil society organizations have a role to play. Unfortunately this does not necessarily mean that it will accept this role. The government often argues that the civil society organizations are the front of the opposition. The difference is that those sorts of claims go against the tide of opinion. There is much greater recognition now of the centrality of civil society movement and its immense benefits in the field of conflict prevention, peace building, gender equality, human rights and environment. Another advance is the consolidation of networking efforts in the area of peace, human rights, and poverty alleviation. The momentum in these key areas was clearly shown at the Seminar of Peace Initiatives in Khartoum, the Roundtable on Poverty and Sudan National Women Convention in Kampala in 2002²³⁶. The striking contributions were also made by Sudanese women groups through Sudanese Women Empowerment for Peace (SuWEP)²³⁷. It is worth recalling how difficult the process was in each of these cases. Successes however have been achieved in the forms of common understanding of challenges facing CSOs and also in the mechanisms of cooperation, and dialogue created among CSOs. This is further proof that determination and perseverance of civil society organizations can achieve results, which make enduring impact. The attempts to hinder

²³⁵ Interview notes with the representatives of NGO case studies.

²³⁶ National Women Convention supported by CIDA, NOVIB and Alternatives and other donors and facilitated by Justice Africa and Sudanese women groups inside Sudan and Abroad, March 11-15, 2002, Kampala, Uganda.

²³⁷ SuWEP was established in 1997 with the support of the Netherlands government and is composed of 62 NGOs/CBOs and consultant members.

the process of engagement of civil society in decision-making are short term and civil society will prove it worth many times over.

In contemporary Sudan and under the current political environment of civil strife, economic crisis and violations of human rights, civil society attracts independent community organizations which are at the forefront of the struggle for peace, justice and respect for human rights. The organizations of civil society have increasingly become distinguishable from the state. It is understandable that, subsequent to the military coup of 1989, local activists and trade unionists were dismissed from the government and being active in civil society, leaving behind a vacuum in government. The culture of resistance and confrontation of civil society has been always dominating the relations with the state, due to lack of recognition, lack of trust and hostile attitudes by the state.

It is obvious that the state is no longer the sole legitimate agent for development decision-making and the management of development resources. It is widely accepted that civil society has essential role in both. An impressive list of those important advances includes:

- New awareness of the importance of the informal sector in providing livelihood opportunities for the disadvantaged. Stimulated in by the success of the Small Scale Enterprise program in Eastern Sudan, initiated by Agency for Cooperation and Research in Development (ACORD), where thousands of the urban poor have supported to establish their own employment and their financial constraints to self-help and self-management are removed. Women in particular, have shown that they are excellent credit risks ²³⁸.
- Access to rural credit by small farmers and producers eliminates barriers that prevent poor rural men and women from gaining access to resources. A good example is the experience of Sudanese Development Association (SDA) in River Nile State and in Khartoum State by offering legal protection to the women in the informal sector and recognition by the state.

²³⁸Hall, E. The Port Sudan Small Scale Enterprise Program. Seeds No. 11. 1988

Such commitment by civil society organizations to strengthen their capacities to provide leadership on important policy issues will lead to new development dynamics in which people will self-manage and control their own resources and possibly lead towards breaking the government monopoly.

The rapid changing situation in the Sudan since 1989 is gathering by new momentum with the government policies of control and restriction, on the one hand, and with the increasing numbers of civil society organizations seeking to legitimize their identity and recognition, on the other hand. The dialogue among Sudanese NGOs and civil society organizations continues in national and local forums, continuously deepening understanding in poverty, human rights, gender equality, peace, and environment issues and expanding the consensus on necessary action. More and more civil society organizations are taking on leadership roles in studying and taking positions on significant development policy issues, setting new directions for their own organizations, and joining in the formation of networks and forums in support of joint action, advocacy and educational strategies on critical local and national issues.

A number of considerations and risks need to be taken into account when determining the participation of various social forces in the development process. For example: (i) government will only pay lip service to their peace and human rights; (ii) commitments will not live up to them; and (iii) civil society and international organizations may start loosing strength in their mainstreaming of human rights and gender.

*Al-Midan*²³⁹, the electronic newspaper of the Sudanese Communist Party argued that the new forms of non-governmental organizations and civil society organizations which increased during the 1990s as an expansion to their partners and centers in developed countries were still new and initiated by elites. It is expected to be close to the poor people whom they originally established for to reduce their sufferings. These organizations are neither a substitute nor equal to the popular committees initiated by the

²³⁹ الجمعيات التطوعية ومنظمات المجتمع المدني: تحديات الخدمات المجتمعية، على الانترنت الميدان عدد 186 بتاريخ أكتوبر 2003 (Non-profit organizations, civil society organizations and challenges of community services), Issue No. 186 October, 2003.

poor in villages and residential areas to solve their problems as a result of government's lack of service responsibilities.

As Atta Al-Batahani observed, "Compounding the problems was burgeoning militant resistance and seemingly chronic political and social instability. An exit from this crisis had to be found. It does seem that to overcome these barriers, business, both domestic and foreign, need a government that seems to express the aspirations of the majority, but only in the limited and modified form without giving rise to socially radical CSOs and radical political movements as in the 1950 and 1960s"²⁴⁰. This of course begs the question as to what is the majority and under what circumstances this majority will come and who will represent and how will be representative. Indeed it might perhaps not be exaggeration to state that more resources have been spent on creating this majority over more than fifty years than any other such idea in the world. Al-Batahani continued to talk about the tasks and challenges of CSOs and its roles in unity and reconciliation: "CSOs should adopt a hard line on leveling of grounds and a fair system of dispensations for all Sudanese. In certain cases affirmative action may seem necessary not only in state institutions but also in private workplace i.e. civil service and business leaders must take concrete steps in this regard"²⁴¹. Al- Batahani concluded that in order for the CSOs to play a role in peace, unity and reconciliation, they have to build both financial and institutional capacity. He noted two major constraints facing CSOs: "The increasing dependence on foreign aid and the political leadership has not yet made its mind to endorse a genuine constitutional reform of the authoritarian regime"²⁴². Al-Batahani however didn't tell us the way out from the financial dependence syndrome. He talked more about the impact of foreign donors shift large portions of their funding from civil society organizations to the new government and how that resulted in discontinuity of many organizations and in staff turnovers and restructuring exercises. Institutional capacity is in fact a major challenge encountering CSOs. But again Al-Batahani mentioned the external factors leading to inefficiency of CSOs and didn't address the internal constraints, such as governance,

²⁴⁰ Al-Batahani, A. The Role of Civil Society Organizations in Reconciliation, Social Development and National Integration in Post-Conflict Sudan. A paper presented to workshop on the Challenges of Peace in Sudan, organized by National Civic Forum, Sharqa Hall, Khartoum, 22-23 December, 2003.

²⁴¹ Ibid, 2003.

²⁴² Ibid, 2003

transparency, strategic planning, human resources; service delivery problems inhibit the development of CSOs in Sudan. The latter package of constraints can be managed locally using CSOs' own resources and increase the financial independence of CSOs by mobilizing and managing own resources and hence creating financial sustainability strategy.

Development programs designed to strengthen civil society contain inherent risks associated with perceived changes to power relationships. In the Sudanese context, where the environment is fragile, managing the programs will require constant awareness of sensitivities. On the other hand, the increasing number of NGOs requires a critical self-assessment in regard to the definition and re-examination of their development roles and strategies. The following major risks have already been identified by NGOs based on their experiences in the country²⁴³:

1. Inadequate and insufficient space for civil society organizations to function effectively;
2. Restrictive legislation governing NGOs;
3. Weak NGOs' capacities, including issues of leadership, gender equality, participation, accountability, transparency and sustainability. El Nagar²⁴⁴ adds specific challenges encountering women's NGOs: "absence of policies that aim at empowering women and addressing gender issues; weaknesses of official mechanisms to support women and voluntary work; and the government's trend to establish legal institutions to restrict women's appearance and mobility".

What is also extremely curious and indeed frightening is the negative image created by the regime and its wider institutions on the role and functions of independent CSOs.

²⁴³ Summary of interview notes from the representatives of NGOs participating in the case studies.

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النفر، سامية الهادي، 2006. الجمعيات الأهلية والإسلام السياسي في السودان. القاهرة، مطبعة مدبولي.

- El Nagar, S.h., algamiat alahlia wa al islam alsiasi fi el sudan, madbuli press,Cairo ,Egypt, 2006, p.137

Current distrust of the state unfortunately feed its poison into this. Can we consider this as a Sudanese case? Experiences from many developing countries show that distrust situation might not fundamentally change with CSOs. Surprisingly, Migdal²⁴⁵ argues that: “A central argument I elaborate in this book is that the capacity of states (or incapacity, as the case may be), especially the ability to implement social policies and to mobilize the public, relates to the structure of society”. While Migdal sees the failure of the state as a result of the resistance of social organizations, we relate, however, the ineffectiveness of the state to bad governance, weak public institutions and inadequate policies and approaches, including violations of human rights, injustice and gender inequality.

3.3.1 Sudanese Women and the State

Sudanese women have won significant gains since independence in 1956. They won the right to vote, they hold prominent political positions and they are members of the Parliament. The constitution of 1964 states that “All persons in the Sudan are free and equal before the law...No disability shall be attached to any Sudanese by reason of birth, religion, race, or sex” (Ministry of Justice, 1964). The constitution of 1973 states that: “The Sudanese have equal rights and duties irrespective of origin, race locality, sex, language, or religion” (Ministry of Justice, 1973). The constitution of 1998 states that: “All people are equal before the courts of law. Sudanese are equal in rights and duties with regards to functions of public life; and there shall be no discrimination only by reason of race, sex or religious creed. They are equal in eligibility for public posts and offices not being discriminated on the basis of wealth” (Ministry of Justice, 1998).

Moreover during the period between 1965 and 1989 a number of specific acts were issued in favor of women’s equal rights. They include:

Article 16, Part 6 equality in Civil Service, Civil Service Act, 1973.

Article 9, Equal Pay for Equal Work, Public Service Act, 1973.

Article 80, Equal Pension and Gratuities, Social Insurance Act, 1974.

²⁴⁵ Migdal, J. S., *Strong Societies and Weak States: State-Society relations and State Capabilities in The Third World*. Princeton: Princeton University press. 1988, p.33

Article 6, National Training Act, 1976.

Maternity leave and other leaves.

The experience, however, suggests that simply mandating or legislating civil rights and democratization from the top is not enough to sustain those processes. After the June coup of 1989, the above acts in support of women's rights were reversed. The government is running the state according to the Emergency Law. According to Kamal Al-Jizouli²⁴⁶ that: "the Public Order Law of 1996 is imposed by the Islamic regime on the majority as an external power to control the life of the people and to reshape their behaviors. Al Jizouli responds on the speech of the Police Director on the law who says that those who don't want to be ruled by the Public Order Law must not come to Khartoum State. The population of Greater Khartoum, however are more than five million persons²⁴⁷ including two million IDPs representing about 600 tribes and ethnic groups of Sudan.

The state represents the setting within which the other institutions operate. The government of Sudan often plays pro-active roles in reinforcing gender inequalities through different policies and legislation, by combining secular and customary or religious laws. The status of women is poor. In indicators such as maternal mortality, literacy and primary enrolment, women in Sudan are far behind their counterparts in the rest of the developing countries.

Under the current paradigm of Structural Adjustment Policies (SAPs) gender inequalities are perpetuated. For instance in the states whose role towards citizens, is to meet homogeneous demands, it is easier to deal with the household as a unit through which demands can be met. Thus any changes in this structure of the state's delivery will be resisted by the state for reasons of cost effectiveness and economic growth.

²⁴⁶ Al Jizouli, K., Women Initiatives Group report on the Public Order Law of 1996.2000, pp. 25-26
Khartoum.

²⁴⁷Population Distribution by States in Sudan 2002-2003, Available at www.mfa.gov.sd توزيع
السكان حسب الولايات السودانية لعام 2002-2003م

The state has an interest in perpetuating the dominant gender ideology so as to fulfill its role as facilitator for the market to work effectively. In other words the unpaid labor undertaken by women within the household elevates the living standard of the working class above that granted by wage alone, and provides the services of care and socialization of children, who are the future labor force. These are services, which can only otherwise be delivered, less proficiently and less cost effectively to capital, by the state.

The state is interested in the domestication and re-domestication of women. This interest can be summarized in the following two points:

- a) Maintaining family integration secures the supply of manpower for production,
- b) Women bearing the responsibility of domestic work and reproductive activities beyond their biological reproductive role, has created an opportunity for the state to rely on them to shoulder extra activities which used to be the state's responsibility, but were terminated as a result of implementing the SAPs in most Third World countries, i.e. social services such as health care for the elderly and the sick.

State is not only male biased for the sake of patriarchy aiming at controlling women's sexuality, but also among other reasons to control women's freedom through the management of property. The state adopts oppressive measures against women to keep them domesticated or to re-domesticate those in public life. It is not only the religious minded who have such fear of women's non-domestication but also most of the educated middle classes, who may be living a western lifestyle, often hold ideas that encourage control over women's freedom and their sexuality and match such control with social morality and affinity.

Most of the practice of the state in Sudan, placed man at the center of the political life, and considered women as economic, political and social dependents. In recent years some changes of attitude have occurred, as a result of the increasing role played by women at different levels, that women's opinions are being valued but as a separate identity distinct from the civil society. The exclusion of women from development processes, including

peace negotiations, conflict prevention and basic services policies also raised the question of overall legitimacy²⁴⁸. In South Africa, for instance, the multi-racial National Coalition of Women mobilized women throughout the country to state and defend their own interests, their immediate infrastructure needs as much as their views on geo-politics, with the chiefs and community leaders. Large numbers of women later stood as candidates for the new federal and state parliaments, and large numbers were successful, making the proportion of women in state and federal parliaments the highest in the continent. The outcome has been a constitution that declares South Africa to be a non-racist and non-sexist state, and institutionalized mechanisms to protect the gains made. Statistics show that women in South Africa are making their way to politics. This is confirmed by the increase of women in Cabinet for 2004 general election. Women stand at 42% in the Cabinet.²⁴⁹

3.3.2 Restrictions of Voluntary Work

The Emergency Law has been in effect continuously since the coup of 1989. The Law gives the government sweeping authority and control over societal activities, restrictions on free expression, on meetings and gatherings, censorship of printed materials, and arrest on the basis of suspicion. Due to rapid political changes in the country, the NGO legislation requires regular reform and it will be necessary for the NGOs to develop effective relationships with their own government.

In the Sudan the question of how to regulate the growth of the non-state-sector has already become virulent. The concern with internal security has already led to NGO legislation providing the government with better instruments for vetting and controlling the NGO community. Experience to date suggests that the state does not consult the NGO community while preparing the legislation. The permission for work and NGOs

²⁴⁸ Sudan Gender Profile, 2004. Women's representation at parliament stands at 10% in northern states, 15% in southern states (1999), women in government at ministerial level stands only at 5%, compiled by Wafaa Elfadil, WFP April 2004. Available at: www.unsudanig.org

²⁴⁹ South Africa Review of 50/50 Campaign. 2006. Available at: www.wedo.org. Accessed 13 July 2008.

registration are determined by political considerations rather than by any calculation of the contribution of NGOs to social and economic development efforts. The freedom of associations and organization, however, has clearly spelt out in state's latest constitution²⁵⁰, which states: "Citizens shall have the right of association and organization for cultural, social, economic; professional or trade union purposes without restriction save in accordance with the law".

The state accommodates conflicting views on the role of civil society organizations and their relations to it via a two-faced system, which maintains the status quo in repressive or negligent public policies and behaviors while expanding support for NGOs and CSOs affiliated to the government behind the scenes. Specific examples of how independent groups suffer to get registered as non-profit organizations by government authority and the financial and logistical support provided by the same authority to pro-governmental organizations highlight how public policies operate in practice, and whom they harm. In many cases, disadvantaged groups have suffered disproportionately from the current policies, and individuals and organizations advocating for social and political reforms have encountered multiple roadblocks.

The present mechanism for registration appears more restrictive than favorable for NGOs. The tensions between the state and NGOs are likely to emerge if the legal environment is not created for NGOs. Government laws and structures are often rigid, hierarchical and autocratic. Questions of NGOs legitimacy, recognition and acceptance are essential for their accountability and performance. As described by Michael Edwards and Alan Fowler²⁵¹ that: "First, when the decision is taken to work within government, the constraints and difficulties of the government system have to be accepted as a starting point. Second, personalities and relationships between individuals are a vital element in successful government – NGO partnerships". On the other hand and since 1989 the government has maintained a great degree of control over the secular independent voluntary sector, even as increasing number of NGOs, academics, development

²⁵⁰ The Interim National Constitution of the Republic of the Sudan, 2005.

²⁵¹ Edwards, M. and Fowler A. NGO Management. London: Earthscan. . 2002. p.57

specialists, political and human rights activists have sought a reform of laws of non-profit organizations. The government does not appear to be moving towards any type of accommodation with those groups, and, indeed, it may not have to. Hundreds of suspected governments' opponents had been arrested throughout the country and detained without charge or trial. Most detainees were members of political parties or civil society organizations, including human rights activists. There had been many cases of prisoners being detained without charge or trial for lengthy periods that appear to have been prisoners of conscience that is prisoners detained or imprisoned on the basis of their beliefs, color, ethnic origin, language or religion that have not used or advocated violence. Human Rights organizations have documented hundreds of cases of torture by government security officers. It is evident that the security forces systematically practice torture. There are many reports of severe beatings and of cruel and inhumane form of tying prisoners, which has on occasion led to death²⁵². Officers of the Interior Ministry's Internal and External State Security Directorate perpetrate most torture. The international community was more direct in noting that widespread human rights violations continued throughout 1990s. The government were relentless in pursuing and eliminating any challengers. The human rights abuses included confiscation of equipment and materials, closure of offices of NGOs, cultural centers and training and research institutions. Sudanese and international human rights reports document not only the violation of human rights but also the failure of the government to admit its responsibility and put to trial those responsible for torture and abuse.

3.3.3 The Impact of Peace

Africa's longest civil war between the north and south of Sudan had started in 1955 and persisted through democratic and military regimes. The Addis Ababa agreement of 1972 had stopped the fighting but failed to bring peace. The first serious discussions between the two warring parties; the government of Sudan (GOS) and the Sudan People's

²⁵² Prosecuting A Murderous Regime. The Sudanese Human Rights Quarterly, No.15, June 2003 and Behind the Red Line: Political Repression in Sudan. Jemera Rone, HRW, 1996, quotes: "Dr. Ali Fadl arrested on March 13, 1990, he was severely tortured in a ghost house and he died of internal hemorrhaging..."

Liberation Movement (SPLM) reflected in Machakos in Kenya, in July 20, 2003, where a partial agreement on issues of self-determination of the South, had been reached by GOS and SPLM. The Naivasha Peace agreement signed between GOS and SPLM in January 2005 in Kenya was the major turning point and breakthrough of democracy. The nature of the state as stated in the 1998 Constitution: Article 1, Machakos Protocol: 1.1 and Preamble is that: "The Republic of the Sudan is a sovereign, democratic, decentralized, multi-cultural, multi-racial, multi-ethnic, multi-religious, and multi-lingual State; committed to the respect and promotion of human dignity and founded on justice, equality and the advancement of human rights and freedoms. It is an all embracing homeland wherein races and cultures coalesce and religions co-exist in harmony".²⁵³ All these values of diversity, justice and social inclusion can be translated into strategies which can be seen within the development perspective as institution-building efforts aimed at reducing uncertainty associated with the implementation of the CPA.

The potential partnership between SPLM and National Congress Party from the one hand and between the state and the civil society from the other hand is thus to clarify the legal framework of the activities of NGOs which will be changed by constitution and each state may have its own law to govern the NGOs work. Samia El Nagar²⁵⁴ raises several questions: Will the state continue discriminating organizations, under the present partnership, in the coming period? Will the SPLM establish and identify its own organizations? What will be the positions of civil society organizations? Will they be divided with the possible political parties' system? Will this division weaken the civil society or will the efforts of building democracy support them and eliminate the split?

²⁵³The Interim National Constitution of the Republic of the Sudan, 2005, p.3.

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النفر، سامية الهادي، 2006. الجمعيات الأهلية والإسلام السياسي في السودان. القاهرة، مطبعة مدبولي.

- El Nagar, S.h., algamiat alahlia wa al islam alsiasi fi el sudan, madboli press,Cairo ,Egypt, 2006, p.88

3.4 The Positions of Political Parties, Civil Society Organizations and NGOs

This section addresses the situation of the main political parties, their brief history, goals, strategies and efforts in the Sudanese life. It focuses on the impact of social exclusion and democracy on the development and progress of these social actors.

3.4.1 The Impact of the Colonial State

The impact of the colonial state in Sudan was significant in forming the economic, social and political foundation for the country. This all occurred for its self-interest. The colonial state encouraged and supported the traditional religious and ethnic identity which became deeply rooted in the Sudanese society. On the other hand, the colonial state contributed to the social changes in the country by providing modern education and creating new social forces in the economic, agricultural and transportation fields. Although the colonial authority had institutionalized the local agents, this was a strategy to seek support from traditional leaders and their communities by giving them limited rights to practice their traditions, religion and culture, while at the same time introducing market economy. Despite its limitation, the education initiated by the colonial state had its effects on the graduates who organized themselves in dynamic organizations and political parties. These dynamics assisted in mobilizing the Sudanese people to form their social organizations. The labour movements, graduate clubs, labour clubs, women and professional groups, farmers and student unions were the very first signs of the birth of civil society independent from the traditional religious and ethnic parties. Belal²⁵⁵

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بلال عبدالرحيم أحمد، 2006. المجتمع المدني في السودان. مقال (2) جريدة الصحافة عدد رقم 4653 على الانترنت بتاريخ 2006\5\22

suggested that the principal features of the economic and social development during the colonial time is in fact the elements of Sudanese civil society development, started with students' movement in 1903 in Gordon College and ended with the University of Khartoum in 1956. He listed the political events of these movements such as the first strike in Gordon College in 1937, the establishment of the Culture and Reform Society in high secondary schools in 1938 and the students' union in 1941 and the regional student unions in 1952. He considered women's education as effective steps towards the development of civil society in 1907 at Khartoum Primary School and developed by local initiatives to expand to *Rufaa* Girls School in 1911, then the Female Teachers College in 1921 and the formation of the Women Union in 1952. Belal documented the beginning of the labour movement which started in 1899 as a result of the completion of the railway between *Wadi Halfa* and Khartoum North. This particular event was a striking starting point for organized labour movement, shifting from its tribal agenda to wider economic purpose. The first labour club was established in 1934 in Khartoum and the labour law was announced in 1948. In 1949 five unions were registered and the number rose to 86 in 1951 and to 123 in 1954 with 87,355 members.

It was surprising that these unions and organizations confronted the new national state which inherited the colonial rule. The distrust expanded from the colonial state to independence state. On the other hand, the new independence state distrusted the new social forces which threatened its position and interests. The lack of trust between the state and civil society organizations led to accusations and conflict. The state accused the civil society of being politically committed and non-loyal to unions. The CSOs refused the division between their unions' activities and the national political agenda. The confrontation and tension repeatedly continued between the state and CSOs on issues related to union laws, demands for improving living standards, labour conditions and other major national issues, over the period after the independence and all the way throughout the successive governments, both democratic and dictatorships. M. O.

Belal, Abdelrahim. Civil Society in Sudan. Articles number two in Alsahafa newspaper issue No. 4653 [online]. 2006. Available at: <http://www.alsahafa.info/news/index>. Accessed 22 May 2006.[translated by Bashir Abdelgayoum].

Beshir²⁵⁶ refers to the North and South problem: “Since national divisions between different communities in certain countries have not prevented them from co-operating together in forming one state, and since man-made differences can be counteracted by man-made devices to bring together different communities, the case for separation is neither convincing nor in the interests of either region”. Beshir shows the importance of people working together in contributing to nation-building and conflict resolution. Unfortunately, the consequent governments had not encouraged these local initiatives and instead policies of economic, cultural and social isolation dominated the political climate in the country.

3.4.2 The Impact of Social Exclusion

Due to social injustice, inequality and political exclusion, Sudan saw the emergence of the strongest regionalist movements in post-independence Sudan²⁵⁷. Such movements developed in both Southern and Northern Sudan. Examples were the Southern of the South, the Fur of Darfur, the Nuba of Southern Kordofan, and the Beja of Eastern Sudan. According to Niblock²⁵⁸ that: “Even though the social and economic basis for all of these movements was laid down under Condominium rule, however, it was only among the Beja that a concerted movement emerged prior to independence. Regionalist movements among the Fur and Nuba came into existence after 1964”. In Western Sudan, Darfur Development Front and the Union of the People of Nuba Mountains, as described by Harir²⁵⁹: “led by well qualified and nationally respectable categories. Moreover, most of the leaders were university graduates, who held top positions in the bureaucracy and, above all, good leading positions in the then functioning multi-party political system”.

²⁵⁶ Beshir, M. O. *The Southern Sudan Background to Conflict*. Khartoum: Khartoum University Press. 1968, p.101

²⁵⁷ Sudan: A Study of the Evolution and Prospects of its Contemporary Politics. Abdel Salam Sidahmed and Alsir Sidahmed, 2005, Routledge, p. 143.

²⁵⁸ Niblock, T., *Class and Power in Sudan: The dynamics of Sudanese Politics*, 1898-1985, (s.l): (s.n.). 1987, p. 147

Harir, S. *Old-Timers and New-Comers, Politics and Ethnicity in a Community* Bergen Occasional Papers in Social Anthropology No. 29. 1983, p.101

One area of interest is the debate on social exclusion and how it relates to poverty and poverty alleviation. Others lay greater emphasis on multiple deprivations as a defining feature of social exclusion: low income, an insecure job, poor housing, family stress, and social and political alienation. Poverty can be spatially and socially disaggregated. Many authentic researches revealed that over 80% of the Sudanese society has been trapped in absolute poverty²⁶⁰. Ninety percent of the absolutely poor are in rural areas. By absolute poverty, according to researchers, is meant the situation in which a person lacks basic human needs (food, shelter, and clothing) that help to sustain human life. This explanation is in line of the description of Arjan de Haan²⁶¹ who defines social exclusion as "the process through which individuals or groups are wholly or partially excluded from full participation in the society within which they live. The concept refers to exclusion (deprivation) in the economic, social and political sphere. It implies a focus on the relations and processes that cause deprivation".

The other aspect, does the debate and new thinking on social exclusion in the north offer opportunities for dialogue and lessons? What are the insights from the south that will enrich the debate in the north and between the north and the south? The added-value of the engagement of international organizations is the ongoing struggle against the international injustice and the re-discovery of poverty in the north opens new opportunities for dialogue about the analysis and impact of international political, economic and social agenda and for international solidarity as well.

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عبدو محمد إبراهيم (كبار)، 2006. اقتصاد الإنقاذ والفقير الشامل. الخرطوم دار عزة للنشر.

Abdo, Mohamed Ibrahim Kabaj, 2006: SUDAN: Economy of Ingaz and the Absolute Poverty. Khartoum, Sudan: Dar Azza, p.63.

²⁶¹ De Haan, A.. Social Exclusion: Towards a Holistic Understanding of Deprivation. Paper presented at Vila Borsig Workshop. 1999, p. 8

The search for identity and justice in the time of civil wars (1955-1972, 1983-2005 in Southern Sudan and 2003-2008 in Darfur), militarization and insecurity has encouraged the growth of ethnic fundamentalism and social and human rights movements, with their related sense of self-righteousness and intolerance of social and political exclusion. There has been tendency to view the political and economic crises of 1990s as somehow unrelated. The patterns of growth between those who have and who have not accentuated injustice and undermined the legitimacy of the social institutions that have supported that injustice. The resulting sense of exclusion and loss of hope fuels the problems of violence. Only by acknowledging the failures and the interlinked nature of their root causes can we hope to deal with them. The Political Declaration of the Sudan Liberation Movement and Sudan Liberation Army (SLM/SLA), for instance accuses the government of economic and social exclusion, systematic marginalization and racial discrimination²⁶². Related to this, is Harir's valid analysis when he described the crisis in Darfur as an "erupting volcano" and that the resource –driven conflict of 1987 and 1989 developed into "regional ethnic war" of international nature²⁶³. It is worth saying that the contemporary socio-political and cultural contexts of Darfur conflict are diverse and region specific. As concluded by Ruth Iyob and Gilbert M. Khadiagala that the dimension of "the polarization of Sudanic communities-inextricably linked through ties of history, kinship, and culture" can't be overlooked and is overlapping with other dimensions such as scarce resources and demands for social inclusion and economic integration of marginalized regions.²⁶⁴

National debates have to be encouraged to address issues of injustice and unfair distribution of wealth. This should evolve to reflect local realities and that the main dimensions of social exclusion would be different in each society. The other added-value and a challenge at the same time is how the Sudanese civil society organizations will prioritize sustainable development strategies to enable them contribute to strengthening social inclusion, rights and balanced regional development. In this respect the Sudanese

²⁶² The Political Declaration of SLM/SLA, March 14, 2003. Available at: www.sudan.net

²⁶³ Sharif Harir, 1994. The 'Arab Belt' and the 'African Belt'. In: Sharif Harir and Terje Tvet (eds.) Shortcut to Decay: The Case of the Sudan. Uppsala: Scandinavian Institute of African Studies, p.145.

²⁶⁴ Sudan: The Elusive Quest for Peace. 2006. Colorado and London: Lynne Rienner Publications, p. 160.

civil society organizations realize that one's own potential is achieved only through effective collaboration with others. This has been demonstrated in the establishment of networking efforts in peace, human rights and poverty alleviation. The Poverty Forum²⁶⁵ describes, for instance the role of civil society in the following:

1. Strengthen peace and human rights initiatives to have close links with grass root organizations and engage with both rural and urban communities.
2. Assist the network efforts to operate as umbrella group of committed organizations and to be more responsive and accountable to grassroots initiatives.
3. Strengthen the interaction of the networks and grass-roots organizations and part of this process must entail either articulating interests on behalf of grass-roots groups or, more appropriately, empowering them to articulate their own interests. Capacity building could facilitate networks' diversification of their funding base by providing training in fundraising and public relations. Staff exchanges between international organizations and the Sudanese civil society organizations may prove especially beneficial in this area, since they could learn technical and media skills, while international organizations could learn from them about development issues, and thus present them more accurately to donor agencies.
4. Build and strengthen networks of NGOs to empower civil society and develop capacities for stronger advocacy and participation.

The major emphasis for civil society in contemporary Sudan should be increased education and training to maximize their human resource and knowledge potential and to promote for democratization processes, including values and practices, amongst their constituencies and stakeholders.

3.4.3 The Impact of Democracy

²⁶⁵ Poverty Forum. Proceedings of workshop on poverty alleviation.
Facilitated by Alternatives and SECS and supported by NOVIB, Khartoum, 11-12 November 2001.

Within the Sudanese social, economic and political context there is a debate and questioning whether the civil society organizations are the appropriate tools for the delivery of democracy. Are democracy and civil society processes that continually evolve or goals to be achieved? Adlan El Hardallu²⁶⁶ noted that experiences confirmed that pluralism and election were not sufficient to guarantee democracy and he emphasized that democracy required additional efforts aiming at strengthening and developing CSOs to effectively contribute to social and economic changes. El Hardallu²⁶⁷ summarized five main problems facing the CSOs, in Sudan. Firstly, due to historical weakness of community development, Sudan failed to form an economic system that produced professional group's independence from the state. The Sudanese middle class consists of bureaucrats, military officers, and educated journalists and professionals and some private sector persons both commercial and agricultural. There were no stable organizations that united these groups apart from being equally suffering from economic crises. The experiences of October revolution in 1964 and the popular uprising in April 1985 showed how these groups represented in their unions and associations split to pieces after the successes in defeating two military dictatorships. The reason was that most of these groups were dependent on the state as the primary employer and not relying on the private sector. In other words, the narrow financial interests of the middle class and its relationship with the state divided between their concepts of supporting political pluralism and democracy and their capabilities of leading a movement to take over and maintain power and therefore securing its material interests under the new situations. El-Hardallu's analyses run a corollary risk of being 'too theoretical'. These sorts of challenge necessarily require us to analyze trade unions in the context of their inter-relationships with influential political parties and intra-relationships among themselves. The analysis should discuss other overlapping factors such as the distribution of power and resources in societies. The alliance of trade unions to political parties challenged their identity and autonomy on the one hand, and the violence created by the traditional political parties during the three democratic periods, on the other hand, are strong causes

²⁶⁶ El-Hardallu, A., Poverty and sound Governance: The Role Of the Public and Private Sectors and Civil Society. Occasional Paper. Khartoum: Khartoum University. 1998.

²⁶⁷ Ibid, 1998

for the failure of democracy in the Sudan. Secondly, the historical background of the civil society and the state didn't develop during the peaceful transformation of power from the colonial state to independent state. Contrary to relationship between the state and civil society in Western Europe which Antonio Gramsci, the Italian Marxist, described as a balanced opposition, the state under the colonial period was imposed to confront the society. The concerns of national unity after independence forced the new state to form and control the civil society by imposing the ideology of national unity which used to rationalize this control. Thirdly, the civil society often failed to identify the right goals and objectives which can be achieved due to lack of vision and resources. El Hardallu alluded in his analysis to the influence of the Sudanese Communist Party and its intervention in the work of trade unions but almost in passing. This led to confusion between trade unions' purpose and the political agenda and to what extent they can advance their political influence while protecting their autonomy. Other political parties, including Umma, Democratic Unionist, Muslim Brothers and National Islamic Front, also participated in influencing the civil society. Fourthly, the civil society lagged the internal organizational systems such as transparency, democracy and accountability. This explained the resistance of unions' and organizations' members due to lack of participation in decision making processes. Fifthly, the diversity of Sudanese society and its traditional and rural background contributed to their ties to traditions and to political and religious affiliations and therefore these organizations couldn't fit in the modern forces represented in CSOs²⁶⁸. Contrary to this analysis of modernity, the civil society has to be more than elite affair and therefore it has to be rooted in the traditional society and in the culture of people.

Despite what is so frequently asserted as self-evident, common sense, and therefore somehow true, there is no clearly understood link between democracy and civil society's development. Mohamed Abu Algasim Hag Hamad²⁶⁹ responded to the question what is the secret behind the deep frustration by saying that Sudan has never been ruled since independence and up to now by democratic systems. This is in spite of opportunities

²⁶⁸ Ibid, 1998

²⁶⁹ Hag Hamad, M. A. Article in Al Sahafa newspaper, 5 May 2003.

made available to both dictatorships and parliamentary regimes to take over power. Sudan has not been governed by elites who could have established a state of institutions that lead to national unity, development and modernization. The military and ethnic oriented authorities dominated the state and the society.

Prior to the Peace agreement in Naivasha in January 2005, Sudanese, both northerners and southerners, and the international community, believed that peace was the missing conceivable point of national consensus²⁷⁰. Because the people are desperate to end the forty year war, the two warring parties didn't insist on how this peace will be achieved and of course nobody dared to ask whether peace can be reached within an undemocratic authoritarian regime. The vast majority of Sudanese are confident that the solution lies in democracy.²⁷¹

According to Elie Kedourie²⁷² that democracy is quite new to Islam. She argued that democracy had failed in the Middle East and unlikely to succeed in the near future because of the culture of Muslim communities that have been accustomed to centralism, obedience and authoritarianism. In response to the question is there any conflict between Islam and democracy in the Sudanese context, Gabriel Warburg raises two questions: "...first, if a majority imposes its religious convictions, whatever they may be, on a minority by force of numbers, can it be defined as democratic? Secondly, is the status of ahl al-dhimma [ahl al-thimma] offered to non-Muslims in an Islamic state by Islamists a democratically acceptable one? Finally, can ethnic nationalism based on Islamic-Arabic ideal, which has been dominant in Sudan's political life since independence, lead to coexistence within democratic institutions?²⁷³ Some leftists accused Islamic and Arabic

²⁷⁰ أقارب يوهانس و دوفال الكن (2001). عندما يهـل السلام .. القاهرة مطبعة مركز Ajawin, Y. & De Waal, A. (ed), 2001. القاهرة للدراسات حقوق الإنسان و مطبعة RSP, p.7

²⁷¹ كتابات سودانية (2004): محور مستقبل الدولة في السودان، كتاب غير El-Hardello, Adlan. . The Sudanese State. 2004 دوري، العدد 27 مارس 2004 مركز الدراسات السودانية.

²⁷² Kedourie, E. Democracy and Arab Political Culture. Washington DC: Washington Institute for Near East Political Studies. 1992, p.1

²⁷³ Warburg, Gabriel, Islam, Sectarianism and Politics in Sudan since the Mahdiyya. London: Hurst & Company. 2003, p. 222.

environment of ethnic discrimination and violations of human rights²⁷⁴. It is not the Islam, however that hinders the process of democratization, but the Islamist ideology and the authoritarian regime that create an environment which is not conducive to social inclusion, unity, reconciliation and nation-building.

It is also noted the critical linkage between democracy and social movements and their efforts in nation-building processes. As democratic organizations, social movements usually develop during democracy and relapse when a comprehensive dictatorial system is imposed on them. In Sudan social movements, including national and regional ethno-cultural groups suffer under both dictatorial and democratic regimes²⁷⁵. Some Sudanese politicians accused them of being separatist representing external forces and they detracted from national unity²⁷⁶. The complicated question was to what extent the social movements related to democracy and if anyone of them rely completely on the other? Charles Tilly²⁷⁷ presented three questions related to continuous or temporary linkage between social movements and democracy:

What causes the broad and incomplete harmony between social movements and democratic practices?

To what extent and how democratization caused the establishment and flourishing of social movements?

Under what circumstances the social movements being actually advanced as a result of democracy?

²⁷⁴ Abdella A. Ibrahim, Two Strikes in the town of Atbara. 2008. Available at: www.sudanile.com

²⁷⁵ See El-Hardello (2004: 22)

²⁷⁶ Mamdani's discussion with Samir Amin . Discourse on Democracy in Africa.. 1994.. Available at: <http://dissertations.ub.rug.nl>

²⁷⁷

تشارلز تيلي "الحركات الاجتماعية 1768 – 2004" ترجمة وتقديم : ربيع وهبة ، المجلس الأعلى للثقافة (2005)

Tilly, Charles, Social Movements 1768 – 2004. Cairo: Higher Council for Culture Press. 2005.
[Translated by Rabi Wahba].

Tilly continued to say: “The third issue enforced us to think about the unavoidable question: “Under what situation and how damaging are social movements to democracy?”²⁷⁸. In response to this question, social movements in Sudan, including regional and national organizations take the lead in shaping and reshaping the political and social context. Their role is also in initiating the discussion around the conditions required for the accomplishment of democracy and democratization²⁷⁹.

The period between 1985 and 1989, under a democratic state, witnessed endless debate and division over the penal expression of *hudud* of the Sharia law, whether it should be continued or cancelled. *Hudud* is a word in Islamic law that applies to punishments inflicted upon committers of some of the most serious offences. The traditional punishment for heresy or apostasy in Sharia law is the death penalty. Islamic movements defended the law as an irreversible gain. Sadiq Al-Mahdi, the prime minister at that time, had the chance to repeal the law but he decided not to do so. Umma party raised the slogan:” Sudan is our country and Islam is our religion” since its establishment in the 1940s. Islamic element is incorporated into Sudanese life, even if there is no Islamic movement. Sadiq-Al Mahdi, in his election campaign, promised his electorate to implement alternative Islamic laws.

The collapse of democratic governments three times in Sudan does not imply a necessary failure of democratization as a process, its concept or distinctive values. The experience of democracy indicates that it creates uncertainties partially because of weak democratic institutions and insufficient practices by both the government and the opposition. Other factors contributed to the defeat of democracy are mismanagement, governmental inefficiency and political uncertainty. The role of Sudanese political parties in the social, economic and political life was controversial. In the following section some of their features and contributions were presented and discussed.

3.4.4 The Main Political Parties

²⁷⁸ Ibid, 2005, pp.246-247

²⁷⁹ Mamdani’s discussion with Samir Amin . Discourse on Democracy in Africa.. 1994.. Available at: <http://dissertations.ub.rug.nl> See 26. 1994, p. 170

This section provides a quick glimpse of the main political parties in Sudan. It reviews their position towards the application of Sharia Law and their contribution to peace processes. The common challenges are their internal governance; lack of rotation of leadership and weak democratic practices.

3.4.4.1 The Umma Party

It was created in 1945 during the growth and the dynamics of Graduates Congress, trade and farmers' unions. It was organized by Abdel Rahaman Al Mahdi and was supported by the Ansar, the Mahdi's followers. It was an Islamic party by orientation and roots. In its campaign for independence, Umma party was raising the slogan of Sudan for Sudanese. It was a religious sect which was developed latter by Al Sadiq Al Mahdi, the great-grandson of Mohammed Ahmed al Mahdi. The latter led the revolution which ended the Egyptian administration in Sudan in 1885. Its supporters followed the strict teachings of the Mahdi, who ruled Sudan in the 1880s. Although the Ansar were found throughout Sudan, most lived in rural areas of western Darfur and Kurdufan. It was supported by the Baqqara, the nomad cattle herders and the sedentary tribes on the White Nile. Al Sadiq Al Mahdi succeeded to develop the party to be of a national character. The party's 1986 general elections' program was called *Nahj al-Sahwa*, the party's manifesto of Islamic reawakening: "Beside the inalterable and binding texts of the *Koran* and *Sunna*, new rules and principles must be adopted through enlightened and qualified *Ijtihad*".²⁸⁰ During the last period of parliamentary democracy, the Umma Party was the largest in the country, and its leader, Al Sadiq al Mahdi served as prime minister in all coalition governments between 1986 and 1989. Al Sadiq al-Mahdi missed the golden opportunity during this period to replace the 1983 Sharia laws, known as Nimeiri's September laws. In his first address to parliament, he declared that his government would abolish the September laws and replace them with true Islam. By the time Sadiq al Mahdi

²⁸⁰ Abdelmoula, A. An Ideology of Domination and the Domination of an Ideology, Islamism, Politics, and the Constitution in the Sudan. Conference Paper: Religion, Nationalism, and Peace in Sudan. U.S. Institute of Peace Conference, September 16-17, 1997. Available at: www.usip.org

realized that ending the civil war and retaining the Sharia were incompatible political goals, public confidence in his government had dissipated, setting the stage for military coup. According to Abdella Gasm Al Seed²⁸¹ that there were strong political and social circumstances contributed to the failure of the third democracy [1986-1989]; such as the isolation of the government, the increasing opposition of the political parties and trade unions and the rejection of the NIF and DUP to Kokadam Declaration of 1986. The latter agreement was described by Ali Taisier M. and Mathews R.²⁸² that: "The Kokadam document was a political landmark in the country's modern history. It proved that there is a national potential and a force for peace in the Sudan. For the first time in the history of the civil war, popular organizations in the north established direct links with the southern armed movement and agreed on a joint peace program". Following the June 1989 coup, Sadiq al Mahdi was arrested and kept in solitary confinement for several months. He was not released from prison until early 1991. Sadiq al Mahdi indicated approval of political positions adopted by the Umma Party during his detention, including joining with the SPLM and northern political parties in the National Democratic Alliance opposition grouping.

The main weakness of the Umma party is thus the slowness of decision making in essential national issues such as Islamic laws and peace processes. Other critique made by the party's opponents is the absence of internal democracy, despite the fact that the party insists that democracy is a vital element for successful political practices.

3.4.4.2 Democratic Unionist Party (DUP)

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قسمة السيد عبدالله محمد (1996) السودان - المجتمع الدولة وقضايا السلام، درا اكرمال، عمان

Gasm Alseed Abdellah Mohamed, The Sudan, The Society, State and Peace Issues, Alkarmal Press, Aman. 1996, pp.107-108

²⁸² Ali, T. M., and Mathews, R.O., (ed). Civil Wars in Africa: Roots and Resolution. Montreal & Kingston, London, Ithaca: McGill-Queen's University Press. 1999, p. 211.

It was similarly based on a religious order, the Khatmiyyah sect. Ever since the Khatmiyyah opposed the Mahdist movement in the 1880s, it has been a rival of the Ansar. It had its centre in the southern part of Eastern Sudan and in portions of the riverine areas and middle class in these areas and in the middle of Sudan. The Mirghani family was able to turn the Khatmiyyah sect into a political power base. Moreover, gifts from followers over the years have given the family the wealth to organize politically. In 1952 several groups allied to form the National Unionist Party which supported union with Egypt. The party was committed to Islamic constitution and Sharia laws must remain the basic source of law, while customs and principles not contradicting Sharia may also be consulted. Khatmiyyah have had sizeable followings and its leader has traditionally constituted the bearer of religious authority in Sudan. Although the Khatmiyyah was more broadly based than the Ansar, it was generally less effective politically. Historically, the DUP and its predecessors were plagued by factionalism, stemming largely from the differing perspectives of secular-minded professionals in the party and the more traditional religious values of their Khatmiyyah supporters. Ismail Al-Azhari was elected to be the president of National Unionist Party in December 1953. He was the first prime minister for national government in January 1954²⁸³. The DUP leader and hereditary Khatmiyyah spiritual guide since 1968, Muhammad Uthman al Mirghani, tried to keep these tensions in check by avoiding firm stances on controversial political issues. In particular, he refrained from public criticism of Numeiri's September Laws so as not to alienate Khatmiyyah followers who approved implementing the sharia. In the 1986 parliamentary elections, the DUP won the second largest number of seats²⁸⁴ and agreed to participate in Sadiq al Mahdi's coalition government. Like Sadiq al Mahdi²⁸⁵, Mirghani felt uneasy about abrogating the sharia, as demanded by the SPLM, and supported the idea that the September Laws could be revised to expunge the "un-Islamic" content added by Numeiri.

²⁸³ Sidahmed, Abdel Salam and Sidahmed Alsi. *Sudan: A Study of the Evolution and Prospects of its Contemporary Politics.*, Routledge. 2005, p. xv.

²⁸⁴ Transitional Military Council: Results of 1986 election: Umma Party won 99 seats; the DUP obtained 64 seats and NIF 51 seats. Available at: <http://en.wikipedia.org>

²⁸⁵ Ali, T. M., and Matthews, R.O., (ed).. *Civil Wars in Africa: Roots and Resolution.* Montreal & Kingston, London, Ithaca: McGill-Queen's University Press. 1999, p. 212

By late 1988, however, other DUP leaders had persuaded Mirghani that the Islamic law issue was the main obstacle to a peaceful resolution of the civil war. Mirghani himself became convinced that the war posed a more serious danger to Sudan than did any compromise over the Sharia. It was this attitude that prompted him to meet with Garang in Ethiopia where he negotiated a cease-fire agreement based on a commitment to suspend the September Laws²⁸⁶. During the next six months leading up to the June 1989 coup, Mirghani worked to build support for the agreement, and in the process emerged as the most important Muslim religious figure to advocate concessions on the implementation of the Sharia²⁸⁷. Following the coup, Mirghani went into exile and remained in Egypt. Since 1989, the NIF has attempted to exploit DUP fractionalism by co-opting party officials who contested Al-Mirghani's leadership, and these efforts weakened the DUP to great extent, particularly that Al-Mirghani is in exile for almost two decades.

DUP is accused of being undemocratic and non-transparent with respect to issues related to decision making, leadership and management. DUP was an active member of Democratic Alliance, a group of the opposition abroad (NDA, 1992).

3.4.4.3 Sudanese Communist Party (SCP)

The Sudanese Movement for National Liberation was established in 1946 as the first communist group initiated by intellectuals, students and labourers. It called for the struggle against colonialism and for self-determination. In 1953 an anti-imperialist front was created by the communists and attracted many people. The communist party dominated farmers' and trade unions and was active in the students' movement and influenced significantly the growth and dynamics of Sudanese civil society. Although relatively small, the SCP had become one of the country's best organized political parties by 1956 when Sudan obtained its independence. The SCP also was one of the few

²⁸⁶ Ibid, 212

²⁸⁷ Ibid, 213.

northern-based parties that recruited members in the South²⁸⁸. The remarkable achievements of the growing and fruitful alliances, between the communist party and other democratic forces in civil society were demonstrated before and during the October revolution in 1964²⁸⁹. The various religiously affiliated parties opposed the SCP, and, consequently, the progression of civilian and military governments alternately banned and courted the party until 1971, when Nimeiri accused the SCP of complicity in an abortive military coup. Nimeiri ordered the arrest of hundreds of SCP members, and several leaders, including the secretary general, were convicted of treason in hastily arranged trials and summarily executed²⁹⁰. These harsh measures effectively crippled the SCP for many years. Atta Al-Batahni described the post-1964 period: “In a way, the post-1964 progress, made by what seemed to be a baffling alliance of CSOs and radical left, was short lived. Sensing the potential threat posed by this radicalism of civil society/social movement, the predominantly Northern hegemonic groups turned against the Communist Party and civil society organizations (press, judiciary, trade unionism) in a bid to put an end to social radicalism in Sudanese politics. Counter social movements (sectarianism, Islamic fundamentalism, ethnic regionalism) in the North and armed rebellion in the South moved to fill in the vacuum”²⁹¹.

Following Nimeiri's overthrow, the SCP began reorganizing, and it won three seats in the 1986 parliamentary elections. Since the June 1989 coup, the SCP has emerged as one of the Al-Bashir government's most effective internal opponents, largely through fairly regular publication and circulation of its underground newspaper, Al Midan.

The SCP had been criticized by traditional and ideological opponents that the party's acceptance to democracy is not genuine and is only for tactical reasons. Kamal El-

²⁸⁸ Joseph Garang was a southern Sudanese communist leader killed by Nimeiri regime on July 28, 1971 as a result of the failure of military coup of July 19, 1971.

²⁸⁹ Woodward, P., Sudan:1898-1989 The Unstable State. Khartoum: Mohamed Omer Beshir Centre for Sudanese Studies Publication. 2002, p. 122.

²⁹⁰ Gadaia Sudaniya (Sudanese Issues), 2000. Evaluation of 19 July 19971. Sudanese Communist Party. Irregular Periodical, No. 24, October 2000, pp.24-36.

²⁹¹ The Role of Civil Society Organizations in Reconciliation, Social Development and National Integration in Post-Conflict Sudan. A paper presented to workshop on the Challenges of Peace in Sudan, organized by National Civic Forum, Sharqa Hall, Khartoum, 22-23 December, 2003, p.2.

Jizouli, a communist lawyer, wrote a book about the Sudanese communists and democracy and stated that the acceptance of the party to work based on the general principles of liberal democracy, which means to respect pluralism as part of democratic movement in the country and to use democratic tools to participate in the peaceful political processes and to refer to democratic mechanisms for mobilization, strike, peaceful demonstrations and election. This statement was politically correct according to Al-Jizouli and it was clearly described in the party's constitution and literature.²⁹²

The wide range of features of Sudanese political parties' work should not be taken to imply that they are about to have a major impact on the livelihood of Sudanese society – their efforts remain too small, fragmented, and poorly coordinated. Perhaps the most significant implications of their experiences lie in the early discussions on issues related to rights and justice. Hassan Al Tahir Zaroug of the SCP, for example, in the fifty second session of the Sudanese Parliament on December 31, 1955 discussed the proposed temporary Sudan constitution and criticized that the salaries of workers in South Sudan were less than the workers in Northern Sudan performing the same work. He also noted that the female teachers got less wages and poor employment terms compared to male teachers doing the same job. According to Abdella Ali Ibrahim²⁹³ that was just the early

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الجزولي، كمال، 2003. الشيوعيون السودانيون والديمقراطية ، القاهرة، دار عزة.

El Gizoili, Kamal, The Sudanese Communists and Democracy, Azza Publication. 2003, p.25 Arabic Version. [Pages translated by B. Abdelgayoum].

political emptiness of Sudanese national graduate pioneers when the chairman of the Parliament Babiker Awadalla refused these basic citizenship rights and considered them as irrelevant. Unfortunately these were initial human rights violations in Sudan which continued to lay shadow and upset the process of the state even prior to independence.

The democratic regimes led by sectarian political parties attempt to limit democratization to political system, such as election, free expression, free organizations etc, leaving the social questions, social inclusion, social justice and equality untouched. The role of political parties in Sudanese life has been always complemented by the status and dynamics of Sudanese civil society organizations. The overthrow of two military dictatorships in 1964 and 1985 was extraordinary and unique joint efforts between the political parties and civil society organizations. The following section describes some features of the future direction, based on the understanding that civil society and other social actors committed to sustainable development, must find out ways to appreciate the social and political processes involved through democratic environment and sound institutions.

3.5 The Way Out

The dynamics of social movements are based on the social and cultural dimensions rather than the socio-economic factors and that emphasis is on the role of middle class and technocrats and on the collective identity.

ابراهيم عبدالله علي 2007، ومنصور خالد (10): التاريخ الذي أهله منصور. موجود في Sudanile ، بتاريخ 20\9\2007 .

Ibrahim Abdella Ali. And Masour Khalid (15), A History Mansour neglected. 2007. Available at: www.sudanile.com. Accessed 20 September 2007.

Belal²⁹⁴ noted that the expansion of voluntary work concept increased the role of voluntary organizations in all aspects of the social change; economic, political, social and cultural. It was clear for the NGOs that service delivery activities for specific target groups, in specific sector or region was insufficient. It was necessary to change the total framework of communities. This included the work of influence on strategies and development policies. It was, therefore, important to influence the total framework to effectively change the small pieces. He listed the methods of civil society organizations in the following:

- Provision of services of charity form, at the beginning;
- Provision and ownership of resources and capital to integrate the target groups into the economic cycle;
- Organizational and institutional building and networking to empower organizations. This makes the state suspicious about their civil society intention;
- Scientific research is needed to serve the interest of target groups;
- Lobby with these target groups and debate on good governance, justice, equality, credibility, and transparency, is necessary.

Belal valued the role of trade, labour and professional unions in the social changes in the following points: a) Role of unions in the change from traditional system to modern structures. This involved changing the characteristics of traditional society based on clear vision and strategy; b) Role of unions in achieving sustainable development.

Based on the contribution of Belal²⁹⁵ on the social changes, we can add other characteristics describing both the traditional society and the expected social results in the following table (2):

Table (2): Sudanese Societies: Between Tradition and Modernity

Traditional Society	Modern Society
Filiation relationship: compulsory to immediate family, friends and tribe	Affiliation relationship: free, creative to wider community members, exchange with

²⁹⁴

²⁹⁵ Ibid, 199.

	other organizations
Bridging social Capital for the benefits of family and tribe	Bonding capital for broader human purpose, including production relations
Objective is to meet basic needs	Objective is to meet both basic and strategic needs for private sector
Use of traditional technology with low production	Use of modern technology with high production
Collective ownership for natural resources	Individual ownership
Dependency on limited resources	Independence
Authoritarian non-participatory	Democratic participatory approach

The Sudanese traditional society gained ground from its tribal institutions and extended families. The member of this society has no choice but to commit her/his self to the family and tribe values and principles. This restricts the freedom of the member particularly in marriage and ownership of assets (land etc). The tribal institutions inhibit freedom, justice and human rights, particularly when dealing with others. The transformation from tribal relationship to other institutional relationships imposes new production and exchange ties by the free market which lead to new linkages with trade unions and other forms of civil society organizations. Civil society organizations are democratic institutions, whose membership is voluntary, regardless of race, religion, culture or gender. The values of peace, transparency, accountability, justice, equality, democracy, freedom and volunteerism are the principles governing the work of civil society organizations and reflect the extent of commitment of membership. One important value which characterizes the work of civil society is its independence. The independence of Sudanese NGOs/CSOs however has been controversial. Some of them were independent from any government influence. The question was to what extent they were influenced by political parties or even by donor agencies. The latter has strong influence and most of civil society organizations were without identity or clear vision. It was noted that the influence of the political parties was less compared to the influence of donors.

The objective of production in communities of subsistence economy is to meet the basic needs, according to Belal while the objective in free market is to achieve profit for the private economic companies²⁹⁶. The role of civil society during this transformation is to advocate and maintain labor rights including improvement of income, living standard, and social and medical insurance coverage. The appropriate modern technology used in modern sector will increase the productivity which is one of main social changes. The role of unions, both occupational and professional is to encourage the use of modern appropriate technology for the benefits of both the economic institution and the laborer. This trend is also related to the consequence of the technological intervention and the problems resulted from this change. The role of unions is also concerned with the assessment of training needs of employees, technical assistance and analysis of direction of technical development. This latter requires close cooperation with scientific and research institutions and with other civil society organizations for networking, exchange of information and knowledge. With regard to ownership of natural resources, the social shift includes the change from collective to individual. Civil society organizations are aware of the implications of this new form of ownership and should adopt the principles of collective responsibility and create the mechanism for monitoring, accountability and transparency for private companies involved in investments and economic, social, and environmental activities.

Nevertheless, the political challenges in Sudan since June 1989 resembled many of the other recent post-conflict building efforts²⁹⁷.

²⁹⁶ Ibid, p.200

²⁹⁷ The following features characterize the present situation of a country which has not yet learned the lessons: 1. The state as an institution has to be restructured and revived. The single party political system which dominates the politics of Sudan for the last two decades has to accept and respect other political parties; 2. Civil strife in Darfur and northern Sudan and other potential conflict areas has to be stopped, prevented and pre-empted; 3. The political culture of torture, fear, distrust, brutal dominance has to be transformed; 4. Culture of peace, trust and respect of others, participation in decision making by those neglected, and justice and human rights and equality have to prevail and dominate; 5. Role of civil society organizations, including opposition political parties, trade and professional unions have to be recognized, respected, trained and equipped to effectively engage in social, economic, cultural and political reforms; 6. A plan needs to be developed to produce a broadly representative and legitimate conference to amend the

Conceptually, it is helpful to break down the transformation into three broad categories: an administrative revolution, a process of social and economic convergence, and a shift in the substance and processes of democratic governance²⁹⁸.

The British politician, Paddy Ashdown, the High Representative to Bosnia and Herzegovina, in 2002 launched a highly publicized program to improve the Bosnian business environment: “the Bulldozer Committee, as it was proudly named, distributed a one page form that citizens, companies, NGOs and even government institutions could use to identify unnecessary laws or bureaucratic red tape that needed to be eliminated. It instructed them to indicate the precise law or regulation that needs to be amended as well as the article number. Insert on a separate page the original text as well as your suggested

constitution, set priorities and prepare for democratic elections. What is needed is to reach a tipping point at which practically the entire political actors become focused on the common vision of a better country.

²⁹⁸ Three broad categories: a. The administrative revolution involves reassessment of the role of government, review of civil services, its power, efficiency and effectiveness, reforming old policies and extending the state into new field of activities. It entails reviewing the functions of government institutions, rationalizing existing structures, re-profiling and creating new ones. It involves drafting of new legislation. There should be a rigorous semi-annual and annual review and monitoring and support mechanism as well. b. The economic and social convergence: One of the core values of wealth sharing of national economy in the 1998 Constitution: Article 8. says: “The State shall develop and manage the national economy in order to promote prosperity, create an efficient and self-reliant economy; it shall also enhance regional economic integration. The overarching aim in economic development shall be the eradication of poverty within the Millennium Development Goal, the minimization of inequalities of income, and promotion of a decent quality of all life for all citizens”. Each region is required to assess thoroughly its level of competitiveness in agriculture and industry and to analyze the constraints that it faces in these and other priority sectors. It is necessary to describe in detail the programs and instruments needed to achieve that goal. This requires the regions to prepare multiyear strategies in a whole range of areas-agriculture, rural development, education, transportation, and environment, and the like-and compile these into a national development plan. c. The third element of this model is a change in the nature of the political processes including decision making, inclusion of other social partners and creation of a mechanism for dialogue between the state and civil society, including private sector, unions and others. The inclusion of different social actors requires links both vertical and horizontal in the government reinvented structures and a more coherent and comprehensive administration.

replacement text”²⁹⁹. Can we replicate the experience and the success story of Bosnia which had gone through serious civil war, in a country like Sudan that had experienced the longest civil strife and has not yet learned from the lessons? Jok Madut explains that: “The wider the gap between the remote regions [the South, the Nubian north, the northeast, the southern Blue Nile and the Nuba mountains] and the state apparatus, the less loyalty the peripheral regions give to the state: citizens of the peripheries become more committed to ethnic or regional citizenship than to pride in the nation”³⁰⁰.

According to Zein Al-Abdin, the high risks that threaten the national unity in the country have political nature of the government and SPLM and others political forces. The Islamic voluntary organizations are politically committed working for their political parties’ interest. He emphasizes the role of small religious organizations, which are not politicized. He suggested that the Islamic groups can be effective at grass root level for Muslims and non-Muslims. He overlooked the religious nature of the war which the Islamic movement was campaigning for and the emphasis of Jihad in the wholly war. Zein Al-Abdin didn’t differentiate between the Islamic voluntary organizations and the government institutions³⁰¹.

²⁹⁹Knaus, G. and Cox, M. Building Democracy after Conflict, The Helsinki Moment in South-eastern Europe. *Journal of Democracy*, January 2005, volume 16, number 1, pp. 47, USA: The Johns Hopkins University press. 2005,p.47

³⁰⁰ Jok Madut Jok, 2007. Sudan: Race, Religion, and Violence. Oxford: Oneworld, pp.113-114.

³⁰¹ Zein Al-Abdin, A., 2003 summarizes the role of Islamic organizations:

1. Cultural awareness: Emphasis on noble values of Islam such as recognition and respect of other religions, culture of peace, transformation from image of war and jihad to peace and love based on justice, freedom and rule of law, anti-discrimination and anti-racism and advocacy for cooperation and inter-marriage.
2. Social aspect: The Islamic groups can work individually or collectively to address issues of poverty, displacement, employment and educations. Names of organizations such as *Dawa Islamiyah*, Relief Islamic Agency and International Corporation for South Sahara Development were mentioned as examples. *Zakat* Chamber can play a role among internally displaced persons particularly the non-Muslims;
3. Education Reform aspect: The Islamic groups can contribute resolving conflicts in tribal-zone areas in Darfur, Southern Kurdufan and Blue Nile. The Muslims and Christian religious leaders can replace the language of hatred, separation by language of peace and unity;
4. Political Education aspect: The risks of national unity resulted from the weaknesses of good governance, transparency, justice, human rights, cooperation in nation-building. Islam consists of all these values but religious leaders didn’t give them

With respect to the relation between state and religion, as one of the potential endangering issue in the Sudanese political, social and cultural life, it is the high time for the Islamists to recognize that the virtual realities which repeatedly being imposed by them can not succeed in a country that popular Islam is deeply rooted.

Zein Al-Abdin presented the case of the Sudanese Religious Reconciliation Council, which was established in December 2002 as a voluntary apolitical organization, consisting of Muslims and Christians. It aims at building the values of cooperation and reconciliation among the sects, protecting freedom of religions, resolving conflicts and recommending policies and legislations to protect rights of religious groups and information and education policies that reflect religious and cultural diversity. The council advocates the compensation to Catholic Church for the Catholic Club confiscated by the government. The Council recommended allocating time in the broadcasting and TV programs for the Christians. A committee for protection of religious freedom was formed to review and study any complaints. This effort involves the national and international organizations³⁰².

attention and no one makes politicians accountable for these values; 5. Joint Cooperation Model: The Islamic groups can give a good example for cooperation with other non-Muslim groups in all these aspects and in repatriation of displaced persons and refugees and in service delivery and provision of assistance to widows, orphans and homeless persons.

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Khalil, Azza [2006] : The Social Movements in the Arabs World : Case Study on the Social Movements in Egypt, Sudan. Algeria, Tunis, Syria, Lebanon and Jordan – published by Afro-Arab Research Centre, Cairo

زين الدين الطيب، 2003. مهام المجموعات الإسلامية الدينية في دعمها للسلام. ورشة عمل حول تحديات السلام في السودان 22-23/12/2003، المنتدى الوطنى المدنى، الخرطوم. (ترجمة: بشير عبد الغايم).

- Zein Al-Abdeen El tayeb, 2003. "The Role of Islamic Religious Groups in Support to Peace", presented to workshop on The Challenges of Peace in Sudan, organized by National Civic Forum, Khartoum, 22-23/12/2003). Translated by Bashir Abdelgayoum

On the other hand Al Bandar³⁰³ highlighted the threat of the post conflict period with the increasing empowerment of the military establishment and whether or not the state survives the military intervention. He believed that the peace agreement will bring with it an alternative concept of national security, a review of military doctrine and a new foreign policy.

The civil society organizations managed to overcome the most critical time, and succeeded to lay out the survival strategy in order to explore different coping mechanisms with the rapid changing political situations. While this set up is in place, the confrontation of the state by civil society is in the form of declaration of facts using rights based approach and in encountering the professional technocrats and intellectuals who manipulate for their own interest and benefits. The following are the main challenges encountering civil society organizations:

1. Issuance of democratic laws governing the work of civil society organizations and the work of trade unions. Consultative and steering committees representing civil society and trade unions should be formed from independent civil society and trade unions to participate in all stages of the implementation. The steering committees should review old laws based on the rapidly changing political environment.
2. Review of laws governing the work of private and informal sectors and small businesses to protect the rights of all parties involved.
3. Compensation and relocation of those dismissed from work by the Islamic regime in 1989.
4. The responsibilities of rebuilding trade unions and associations rely on the willingness of the workers and trade unionists to join their unions and organizations.

What then explains the need for or the belief in social movements? This question, though extremely moot, is difficult to answer with any certainty, since it involves feelings, opinions and prejudices. The social movement is not a substitute for civil society. There are many complex reasons, some interlinked. There is a belief that social changes has

³⁰³ Al Bandar, S. Can Nivasha Peace Deal call off the next coup? A paper presented to the Horn of Africa Conference III: Transforming Horn of Africa: Culture of Peace vs. War Culture, 27-29 August 2004, Lund, Sweden.2004

resulted from huge social paradoxes in the modern society in Sudan. There is an urgent necessity for development of collective identity in a country of diversity and heterogeneity. There is a strong hope, the same hope expressed in civil society, that the middle class exists and has the capacity to contribute to the debate on the collective identity. The middle class is represented in all walks of life both in rural and urban areas; in agriculture, civil service, military, business, and education. Belal argued that the middle class was the civil servants who inherited the political and managerial authority from the colonial state after independence. Those representatives of middle class were the officers with other allies dominated the public sector and implemented development programmes in non-participatory manner. Belal concluded that this middle class was almost completely vanished or eroded. There is nevertheless real and deep division with respect to the question who is the middle class? Is it the salaried modern forces and the officials? Or those who were dismissed from government, retired pre-maturely, or being forced to immigrate?³⁰⁴. In response to this question, the middle class consists of all those forces, both the paid and unpaid at the urban and rural levels. Most important is that CSOs and NGOs represent some of social forces, including those with the voices heard and the political standing, on the one hand and silent majority on the other.

3.6 Conclusion

What happened in Sudan was the emergence of a sectarian legacy, on the one hand and creation of urban elite, on the other hand. The post-independence era reveals that the ruling leaders dishonored the promises to consider a decentralized solution for Sudan (Alier: 1990). Therefore, the seeds of economic marginalization and political exclusion had been rooted in the political life of the country. The uninterrupted domination of the ruling urban elite, comprised of the leadership of the sectarian political parties, the

³⁰⁴بلال عبد الرحيم أحمد، 2005. *القضايا الاجتماعية والمجتمع المدني في السودان* (Social Issues and Civil Society in Sudan). Khartoum: Azza Publications.

military dictators and the NIF tyranny after independence was responsible for the civil wars, social injustice and lack of confidence of marginalized regions.

This chapter contributed to other studies of Sudanese politics by highlighting, in historical context, that the rise of Islamic movement can be viewed as part of the decline of local community as the center of social capital. Clearly, the Islamic movement has not brought into being the future envisioned by Sudanese. Moreover, in Sudan as elsewhere, once Islamic regime discourse is appropriated as the language of an authoritarian regime, its ability to serve as an agent for social change is surely compromised. With respect to the relation between state and religion, as one of the potential endangering issues in the Sudanese political, social and cultural life, it is the high time for the Islamists to recognize that the virtual realities which repeatedly being imposed by them can not succeed in a country that popular Islam is deeply rooted.

It is in this context that the key role of civil society organizations is in the articulation of national aspirations for equity, democracy, and lasting peace. The Sudanese civil society organizations must be vigilant to identify the priorities and opportunities for contributing to strengthening social inclusion, rights and balanced regional development. In this respect the Sudanese civil society organizations realize that one's own potential is achieved only through effective collaboration and alliances with other social forces, including political parties, private sector and government to institute an equitable framework of governance for Sudan's multiple communities.

This chapter critically engages with authors such as Al-Hardellu in his analysis of traditional organizations vs. modern civil society and argues that we are all addicted to the 'modernity fetish', even when it weakens the Sudanese social capital. What has been neglected is the process by which traditional initiatives have contributed to the making of peace and development. The chapter argues also with Jok Madut in his generalization and emphasis on race and religion as root causes of the conflict in Sudan. The binary perspective of North against South, Christians against Muslims and Africans against Arabs prevents the analysis of social, economic and political exclusion of marginalized

communities by the ruling hegemonic elite. This also undermines the role of social customs and traditions, which have led to local peace agreements in conflict tribal zone areas.

Such limitations of the role of Sudanese communities and lack of recognition of the contribution and joint efforts of Sudanese civil society in the past and the present constrain their potential strengths and successes in achieving rights, democracy and a lasting peace. Democracy and peace will continue to be elusive if the historical, cultural and social ties, coalitions and alliances of the Sudanese communities have been ignored. But reaching such a strategic goal depends on the strengthening of local initiatives and social capital, and the establishment of democratic institutions. The coming chapters will discuss the capacity strengthening of some of these actors and the engagement of NGOs in more coordinated relationships with public sector.

CHAPTER FOUR

ORGANISATIONAL CULTURES OF SUDANESE NGOs

4.1 Introduction

The Sudan has been caught in the dilemmas of simultaneous economic, social and political transformations. Rethinking the interrelations between state, private sector and civil society has been rare. Solutions have rather been sought in peace agreements such as the Comprehensive Peace Agreement (CPA)³⁰⁵, signed between the government of Sudan and the Sudan People Liberation Movement (SPLM) in January 9, 2005. Many NGOs thought that the little margin of openness following the CPA would provide at least the minimum environment conducive to civil society activity. There was still some harassment, bureaucratic complications and obstacles, as well as the controversial new act regulating humanitarian and civil society organizations. However, all this was simply incomparable to the situation during the 1990s.

Good governance is a key value incorporated in the CPA and as a cross cutting in every single aspect of the agreement. From the government perspective, good governance denotes a regime characterized by rule of law, efficient and effective public sector management, accountability of public office, decentralization, public availability of information, and transparency. The World Bank, for example, and some donor agencies expect better service delivery, poverty reduction and prevention of corruption as outcomes. Some international agencies apply more direct political and rights-based approaches and embark on measures to increase democratic participation. On the other hand, participation of Sudanese civil society in national decision-making process, e.g. on peace process or development policy, has never been fully representative. The state building has been biased towards the interests of military dictator regimes, urban Northern elite and Islamists who took over the colonial institutions but neither adapted

³⁰⁵ The Comprehensive Peace Agreement between the Government of the Sudan and the Sudan People's Liberation Movement/Army. 2005. Available at: www.ummis.org/English/document/cpa-en.pdf

them to the interests of the majority nor appreciated the existing diverse cultural identities. As a consequence, civil society organizations, e.g. NGOs and trade unions, political parties, women groups, student and professional movements for non-violent nature and peaceful transformation approaches of multiple social groups have been initiated in a way that would give them the chance to work properly.

This research intends to look into the organisational cultures of Sudanese NGOs, their democratic practices and their internal systems of the participating NGOs. This includes the roles and responsibilities of the organizations' various levels, selection of new leaders, general assembly meetings, and rotation of leadership, representation issues, accountability, financial management, networking and relation with the various levels of government.

At this point the internal dynamics and development processes within these local groups contributed to the democratization process and to the complex political and social problems encountering the post-conflict societies. The organizational cultures case study focused on the main areas of the organization's and network's concerns, including internal governance, strategic planning, human resources and management, implementation and service delivery, financial management and external relations.

In other words the capacity building framework will help the organization, as Fowler describes it: "... to identify correctly what combination of system, structure, style or environmental factor is limiting performance, and to select the right mix of tools, methods and strategies to bring about the required changes"³⁰⁶. The first section of this chapter shows a table which illustrates the criteria for assessing the efficacy of Sudanese NGOs and the priorities for capacity building initiatives.

The internal governance addressed the roles and responsibilities of executive board/committee, the staff members and the volunteers; the rotation and diversity of the

³⁰⁶ Fowler, A., Campbell, P. & Pratt, B. 1992. Institutional Development & NGOs in Africa. Oxford: Intrac & Novib. 1992, p.19

members in the executive committee; the general assembly meetings; the gender balance in the organization's structure, representation of youth; the transparency and accountability.

The strategic planning section covered areas such the organization's vision and mission; the key principles and values; the short-term and long term plans; the priority areas, the review of these plans; and lessons learned.

The human resources and management discussed the mobilization and management of human resources in the organization; the job descriptions, terms and responsibilities of the staff members and volunteers; administrative procedures and policies; the personnel system; the annual work plan; staff development; the support to voluntary work and satisfaction of volunteers; the participation of the staff members in the decision-making processes; and the management of the information system.

The implementation and service delivery part showed the identification of the organization's needs; projects' design; the technical assistance; the situation analysis and assessment; the implementation of activities; evaluation of projects; and the sustainability strategy.

The financial resources section interested in the budgeting and financial resources planning; financial management, skills and provision of financial reports; financial systems; financial sustainability; and management of organization's assets.

The last section focused on the external relations, including the relation with stakeholders; relation with other NGOs and civil society organizations; relation with the government and donors.

4.2 Criteria for Assessing the Efficacy of Sudanese NGOs and the Priorities for Capacity-building Initiatives

This section contains the organization standard with all systems, policies and procedures in place. The vision is well articulated and the goal is clear. Confidence is built up and there is a sense of ownership. The engagement of all stakeholders at all level of the organizational development processes. The organization is capable of mobilizing and managing resources effectively.

Table (3) shows the variables and the expected capacity standard:

Table (3): Capacity Building Variables and Expected Results

Variable	Expected Results
Internal Governance	Structure and trusting relationship among all involved, willing to change, democratic practices and good leadership style, clear roles, inclusiveness, diversity, and accountability.
Strategic Planning	Values and vision are agreed upon and integrated in all aspect, periodical review of performance and strategy, the plans are working documents with flexibility.
Human Resource & Management	Systems and policies are in line with vision and values, roles of all are clear, transparency, and honesty are every day values, all concerned are part of decision making, staff board, volunteers' development, and sound gender balance.
Implementation and Service Delivery	Services within a strategy to meet people needs based on competence and resources, rights and results based approach, consultation and assessment by beneficiaries on services, learning by doing.

Financial Management	Clear plans, policies and procedures, strategy for financial autonomy, consultation with all members, financial transparency and audit, effective use of resources.
External Relations	Effective networks and networking to facilitate change, inclusiveness with partners, effective policy influence, and cooperation on shared values and common goals.

4.3 Friends of Children Society (AMAL)

4.3.1 Introduction

Friends of Children Society (AMAL), is a Sudanese non-profit NGO founded on February 22, 1984 and registered on March 21, 1984. Its membership is opened to all Sudanese of 18 years of age and over irrespective of sex, religion or ethnic origin. AMAL has been able to establish linkages and membership in a number of organisations including Arab Non-governmental Organisation Network for development (Beirut, Lebanon), African Human Rights Network (Gambia), Sudanese ASIDS National Networking and other member association and groups working with children. Over the last 22 years, AMAL has worked on the social front working in areas related to human rights, child welfare, health, education, etc. Its projects and activities are aimed at promoting child welfare, disseminating and implementing the Child Rights Act, providing capacity building to organisations working with women and children, empowering communities working with minority and disadvantaged as well as applying preventive measures through the establishment of community and poor families support.

4.3.2 Internal Governance

AMAL was an NGO that experienced great internal challenges from its own members. The general assembly meetings were described as venues for membership conflict. An interviewee believed that what was happening in the organization was similar of what was going on in Sudan.³⁰⁷ Some people interviewed noted that the organization had a constitution, rules and systems.³⁰⁸ The problem, according to them, was the application and the daily practices of these rules and regulations. The intervention of the executive committee in the day to day work created unpleasant working environment. The organizational structure consisted of trustee board, executive committee and staff members. The executive committee was elected every two years by the general assembly. A decision was taken that the executive committee members were not permitted to be staff members.

One of the interviewees identified 5 types of organization: 1) Grass-root and community based; 2) Traditional (charity, unions and linkages); 3) Intermediary; 4) Membership organizations such as disabled groups; and 5) Government.³⁰⁹ He classified AMAL as intermediary organization. He added that 95% of the organizations' resources were external. The dictatorial regimes in Sudan created unhealthy and non-transparent environment affected the work of NGOs. The NGOs were not keen to be transparent with the authority because they feared the risk of control or even confiscation of resources. There was no progress and genuine development of NGOs. Researches were absent and there was no single NGO supporting research activities. The networking was external and NGOs had not learnt from linkages and networking with others. Very little was known about development policies and NGOs focused on implementation of activities.

³⁰⁷ Idris Al Nayel, Member, 6/4/2007, SCSNAP office.

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جمعية أصدقاء الأطفال (أمل)، دون تاريخ الدستور والاستراتيجية – الخرطوم (دار النشر غير معروفة)

Friends of Children Society. No date. Constitution and Strategy. Khartoum: Unknown Press.

³⁰⁹ Hassan Abdel Ati, Member, 26/4/2007, Edge Consultancy office.

According to the same sources the rise of ethnic movements excluded the concept of networking. The voluntary work had been shifted to profitable business. The internal conflicts in organizations created self-interest and personal groups. Other factors contributing to the weakness of NGOs were that 90% of organizations were registered in Khartoum and there was no communication with the rural areas. Rural communities were excluded from any consultation or decision making processes on issues affected them directly. This raised the whole issue of participation and transparency which were key conditions for good governance. He added other reasons contributed to the weakness of voluntary sector:

- Political exploitation: Both government and political parties were establishing NGOs. The reason for this engagement was that funds will be channelled through NGOs;
- Competition over resources: International NGOs are competing with national NGOs over the financial resources. International agencies such as European Union (EU), UN and the World Bank are forming their own networks.³¹⁰

An activist with AMAL up to 1998 described the work at AMAL as a rehearsal for democratic reform and social change in the country.³¹¹ It was a confrontation between the leftists and right-wing groups, including government forces. He believed that the representation of the local communities in the organization's executive committee assisted AMAL in the establishment of the democratic practices and that, for example, the agenda for poverty reduction included in the organization's strategy and program. This was due to the fact AMAL was working with the poorest of the poor and marginalized communities. The good example, described by the interviewee, was the Social Development Center in Umbada, which was one of the organization's activities that contributed to the awareness raising of the local community in the area of health and education. According to him the Center benefited the marginalized groups and trained young girls and boys in the field of music, secretariat, to gain skills. Some of these young girls were sex workers who had been trained in hair dressing and other related areas and obtained jobs. Some of the young males were trained in Youth Center to work as

³¹⁰ Hassan Abdel Ati, Member, 26/4/2007, Consultancy office.

³¹¹ Idris Al Nayel, Member, 6/4/2007, SCSNAP office.

musicians with the local groups.³¹² The Social Development Centre was considered as a pro-poor intervention. AMAL established itself in the same locality in which it works. This identification with and grounding in the community is often a critical attribute for effective community social development activities and a great strength of AMAL.

A focus group discussion of four persons was arranged to give the opportunity for some members who felt neglected and alienated.³¹³ They consider themselves as founders who contributed to the initial establishment of the organization. AMAL, historically was known as an organization that always had two levels of membership; those who were elected as executive members and others as opposition. It was interesting to find out all these two groups were defined and labelled as leftists. The focus group discussed the problems facing the organization and the solutions. The key point of concern, expressed by the group was the absence of membership in the planning, implementation and management of the organization. According to the group, a few members who have no legitimacy were now dominating and controlling the organization and its resources. The general assembly that elected the present executive committee was illegal because members were not invited for it. The meeting was supported by the government, although it was not legitimate. According to them the organization was completely isolated from members and community. They suggested the following way out:

- General Assembly meeting to discuss the core issues. All members should be invited. The meeting must have clear agenda, including assessment of the present crisis and solution measures ;
- The establishment of board of trustees: The board of trustees was not functional and therefore one of the main management tools was absent;

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جمعية أصدقاء الأطفال، 2004. تقرير لشهر سبتمبر 2004 حول أنشطة وحدة المراكز الاجتماعية – الخرطوم.

Friends of Children Society, 2004. September 2004 Report on Social Centres Unit. Khartoum: Unpublished Report.

³¹³ Iman Al Hedai, Azhari A, Najal H. and Faiza B., Members, 16/4/2007, SCSNAP office.

- Review of the strategy and preparation of annual work plan: AMAL had no strategic plan or at least not operational;
- Building up of confidence and trust of old members: AMAL was a dynamic organization with many volunteers and supporters who were neglected and their disengagement affected the quality of the services provided by the organization;
- Learning from other experiences and sharing with other NGOs: AMAL was one of the leading organizations within the Sudanese civil society movement and contributed significantly to realization of child rights in the country. This leading role in advocacy and policy influence was ineffective and inefficient.

The above discussions highlight a number of tensions that face AMAL as a membership organization within a social and political context. These tensions, although not unique to Sudanese NGOs, are particularly relevant for those organizations, given the initiations and motivations of many of the membership organizations.

The Deputy of Secretary General referred to the constitution of 1997 and noted that there was clear division between the staff members, the executive committee and the members/volunteers.³¹⁴ During the executive committee of 2006-2007, attention was given to the branches to expand and increase their membership. The organization had branches in Nyala (Western region) Gedaref (Eastern region) and there were preliminary committees in Sennar (Blue Nile) and Kosti (White Nile). There were committees in residential areas at Khartoum level focussing on challenges in urban communities. The organization was building capacity of the committees in the areas of social mobilization, communication and community development. He added that the selection of new leaders was a democratic process. Members had the rights for nomination and vote. Each

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جمعية أصدقاء الأطفال، 2003. مقتراح حول اللوائح المنظمة للقطاع والإدارة – الخرطوم.

nominating person has to address the General Assembly to present him/her-self and what was expected from him/her. These were no selection criteria. However, there was a general understanding that the members of the executive committee must be qualified to deal with others, inspiring and capable to mobilize communities. The number of the executive committee members was nine and there was 30% women representatives in the executive committee.

The roles and responsibilities of the executive body and voluntary committees were clear and there was no overlapping that caused constraints according to the Coordinator for Social Center.³¹⁵ The structure of the organization consisted of executive manager, accountant, coordinators for alternative families, youth & social center, social workers and teachers, co-operators, messenger and guard. The original structure of AMAL, compared to the current one, composed of other sections such as executive secretariat, child rights unit, research unit, library coordinator, information coordinator and financial manager.

There were administrative procedures for recruitment and announcement for new jobs. The executive committee was elected every two years by the General Assembly. The interviewee suggested that the members of executive committee must be committed and believed in the aim of the organization, they must have no criminal record and they must be fluent in languages (Arabic and English) and considered these as criteria for selection of executive committee.

The Coordinator for Psychological Support noted the absence of the executive committee for the last four years and the responsibilities were not defined and the staff members were doing the work of the executive committee.³¹⁶

He added that the new leaders were selected by the General Assembly. The General Assembly always witnesses severe conflict. Some members of the executive committee

³¹⁵ Nefisa Sulieman, Coordinator for Social Centre, 7/4/2007, AMAL office.

³¹⁶ Ibrahim A. Rahim, Psychologist, 6/4/2007, AMAL office.

constrained the work. The interviewee emphasized the challenging role of the executive committee as a linkage between the organization, the society and the government. Based on this role he suggested that the members of the executive committee should be well respected in the civil society and with long experience in voluntary work.

According to one of the social workers, that she and other colleagues were lobbying, during the election time, to make the executive committee continue to avoid penetration of new comers and volunteers.³¹⁷ There was intervention by the executive committee in the work of staff. Most of the time the executive committee members were absent and their number was less than ten. It was a necessity to have administrative and financial systems, terms for work and best utilization of the financial resources. The same interviewee added that the new leaders were selected by the General Assembly every two years. Their contribution was low and did not attend regularly. The working environment was not encouraging. There were no toilet facilities in the office. According to the interviewee that working conditions has to be improved and the executive committee has to be more efficient. She added that the organization must identify members for the executive committee with good reputation, honest and committed to work. She suggested at least 50% representation of women in the organization and staff members must be also members of the organization.

According to the one of the branches' representatives, that through the support and monitoring of the Secretary General there were committees working closely with the staff members and there was a harmony between the different bodies.³¹⁸ When she was in the executive committee, she intervened whenever necessary. She noticed that the work was stable and the organization did not encounter crises that can stop the work. She also believed that the organization could not satisfy everyone and the phenomena of the gossip is everywhere and she believed that gossip was healthy and it showed the level of democracy in the organization.

³¹⁷ Sahar Abu Shok, Psychologist, 6/4/2007, AMAL office.

³¹⁸ Asma Abu Naib, Nyla Branch Coordinator, 7/4/2007, AMAL office.

According to the interviewee the branch, where she was working, was independent in terms of proposal writing and the funding was central through the main office in Khartoum. She commented on the representation of women in the executive committee by saying that the election of the executive committee was free and democratic and it was possible to have an executive committee without women. She believed that the main determinant factors in the selection of the members of the executive committee were commitment to and interest in humanitarian work.

Another staff member interviewed was working for 6 years for AMAL (2 years as a volunteer and 4 years as a full time staff member) defined the key capacity required was the funding resources. He preferred the self-sustainable finance. He suggested the return of old specialised offices and committees. According to him, AMAL had the human resources; the question was how to utilize them.

An activist and member of AMAL of Nyala Branch summarized the required capacities as follows:

- Presentation skills: The presentation of the organization, its program and its activities was poor. Members and staff had no experiences to address meetings, workshops and external events. Poor materials were disseminated to community and donor agencies;
- Communication: There was no communication strategy or plan and there was no proper documentation. This was clearly reflected in the organization's annual reports and other promotional materials. The organization was mainly working with children but unfortunately the materials produced were not addressing the children issues in innovative ways;
- Proposal writing: This was considered as a chronic problem facing the organization despite the long working experience and linkage with donor agencies. Proposal writing was considered as ongoing required type of training and on job service technical assistance. There was a need of people acquainted to the donor's proposal writing requirements;

- Research: This was considered as the weakest area in the organization. There were many gaps in the skills and knowledge. Some of these gaps were initiated by our partners and organization's stakeholders and others by the organization. There were insufficient resources for research both human and financial. Research was not considered by the organization as one of the priorities. Most of donors were not interested in research.
- Networking with other NGOs and working relations with GOS: The concept of coordination and collaboration was weak amongst Sudanese NGOs and civil society organizations. The relation with the government was tense and characterized by lack of trust;
- Media: Media was far reaching objective. The necessity for the media for the organization was increasing due to lack of child right education and violation of human rights in general. The government owned and controlled the media. Therefore the media was supervised and guided by the government interest. Some of independent newspapers gave limited space for NGOs to present their views and activities.

Overall internal governance represents the heart of the organization. As we can see from the discussions and interviews that AMAL is still confused about its identity. As Michael Edwards correctly describes the effect of the internal pressures on the organizational development process: “they have passed through a phase of fresh-faced youth (small, dynamic, and open to change and challenge) and have entered a period of mid-life crisis when anxiety about future is commonplace and bureaucratization sets in”³¹⁹.

4.3.3 Strategic Planning

Other challenges encountered during this establishment period were the strengthening of the organization to become people's movement and to attract more members. The question was whether the organization will be financially self-sustained and to what extent the organization will manage to address the huge problem of the marginalized children. It was clear the organization was lacking a clear strategy and the work of the

³¹⁹ Edwards, M. and Fowler A. NGO Management. London: Earthscan. . 2002. p.29

organization of relief nature responded to the actual day to day needs. This did not exclude that some creative initiatives were implemented and succeeded. The drought, desertification and the civil war in the South, for instance created a momentum for voluntary spirit among organization's students, academics and activists who decided to participate in humanitarian aid activities and development programs.

A female staff member listed the following priority areas necessary for the organization's direction: 1) the importance of clear strategic planning to work scientifically; 2) availability of funds; 3) competent human resources; 4) monitoring; 5) training in management and finance; 6) networking with other organizations and 7) cooperation with the government for registration and permission to conduct activities.³²⁰

As we can easily trace the priority areas, according to some people interviewed, advocacy is not considered as one of the main focused activities. Edwards Michael suggests that: "This is not helped by the tendency in some NGOs to separate advocacy from programme management and develop semi-independent advocacy units. Rather than seeing advocacy as an integral part of everyone's job at all levels, advocacy can become divorced from the concerns and priorities of people directly involved in development or relief work" (2002: 91).

4.3.4 Human Resources and Management

A senior staff member interviewed, participated in internal capacity building committee and presented a paper on the role of membership. He classified the participation and membership activities into three periods:³²¹

First period (1983-1987): Establishment and joint work with Public Committee for Relief.

³²⁰ Nefisa Sulieman, Coordinator for Social Centre, 6/4/2007, AMAL office.

³²¹ Abdelazim M. Ahmed, Deputy Secretary General, 7/4/2007, SECS office.

The role of members and volunteers during the period 1983-1987 was defined by A. Anderson, an expert on management funded by SCF/Sweden to conduct an evaluation of the organization's performance. He described the members and volunteers as people who have lost their sense of commitment, initiatives and rights. Those members who contributed to the most activities of the organization were replaced by small group of executive committee members and staff.

One important observation was the experiences brought by members and volunteers to the organization from their diverse political, civil services and trade union background. This was clearly shown during the preparation for the election of the executive committee as one of the conflict areas around the competing leaders and which group will win the election.

The position of the organization's member who was also a staff member didn't create any contradiction for him/her as a volunteer who sometime paid from his/her own pocket to run the work. However, the discrimination between the staff members and other members started to increase and the tension as well.

A number of issues had been raised during this period in respect to the participation of members:

- Role of participants;
- Differentiation of the various stages of the project cycle;
- The participation of the members in the projects' activities;

Second period (1988-1997): Work based on basic system before the structural and constitutional modifications.

Many members had been employed and training programs assisted upgrading skills of staff, NGOs and government employees. The members participated in projects' activities, training and workshops internally and externally. A resource development unit was established.

Despite the expansion of the activities during this second phase, the question of the relationship between the staff members and the volunteers (the organization's members) had not been resolved. A proposal was presented by the staff members who were members of the organization as well to completely divide the responsibilities of the staff members and the volunteers and change the constitution to exclude the staff members from being organization's members. A new executive committee, representing these views, were elected in 1997.

Professional successes had been achieved as a result of the various linkages with donor agencies and the outside world. The setback was the absence of plans to engage the membership or to attract new ones. The organization succeeded during the period to establish an office. However, the increasing interest of the students in the organization revealed new behaviour resulting in the election dominated by the students. Most of the students were ex-government employees, dismissed by the government and active in non-profit local NGOs.

Third period (1998-2002): Work based on constitution and present system.

The staff members who used to be members (volunteers) found a new situation where their membership will be at risk if the constitution was modified to stop the membership of the staff members. According to the discussions and debate among the members the proposal of the division between the voluntary and staff work came as result of threats that the staff members become a pressure group influencing the executive committee. Some voices from the members were against the idea of freezing the membership of those who were staff members. On the contrary they commented that being a member/volunteer was an asset and staff members should be encouraged to be members. Other opponents disagreed with this view and they believed that the person can not be an employee and employer at the same time.

The modified constitution stated clearly under article 6.5.1 that the "membership will be frozen for any member who is appointed by the organization in a fixed-term paid

position" (Constitution and Strategy: 6). The current constitution created voluntary offices to absorb the membership activities. The question raised was to what extent the voluntary offices added to the experience of the organization work and to what extent the participation of the members was effective and in accordance to the strategy and aim of the organization.

To sum up, human resources management is always linked to NGO work and human resource needs are defined in terms of the skills, knowledge, and values. As Fowler³²² correctly put it: "It is the gap between what is available and what is required". AMAL has to link its human resource management to needs, performance and potential of its members, staff and volunteers.

4.3.5 Implementation and Service Delivery

AMAL has well established programs which deliver services to remote poor communities. These activities range from social centres and youth program, education project for children, vocational training for youth, psychological rehabilitation project for children, cultural activities such as drama, music and drawings, alternative families for street children, child rights including juvenile, and child abuses. These are traditional activities initiated by AMAL and their continuation relies mainly on the donor agencies. The design of these projects was based on the needs required by children. The donor agencies play a role in identifying the community needs. AMAL has well experienced qualified technical staff. The organization depends on the knowledge of the board members and employees. The projects, however, start without pre-assessment or baseline data. In some cases donor agencies usually are not interested in surveys or pre-assessment information. These situations led to a gap in information on how was the situation of the community before the intervention and made the measurement of the progress intangible.

³²² Fowler, A. Human Resource Management In: Michael Edwards & Alan Fowler ed. The Earthscan Reader on NGO Management. UK and USA: Earthscan Publications Ltd, 2002, p.441

A central feature of successful service delivery of AMAL is compatibility with the existing community system and also AMAL's responsiveness to the community needs. The quality of the projects supported by AMAL over the past three decades reminded us of what Lehmann wrote about the experience of popular education in Chile: "Such activities open up space in which individuals can become persons, in which a climate of affect and respect reigns, in which participants acquire a vocabulary of competent and skilled social interaction enabling them to regard themselves and each other as citizens, as equals, rather than, by implication, as dependent and interstitial operators".³²³

The following tasks had been achieved during this third period:

1. The first phase of AMAL building has been completed and four shops were rented out, effective as from 1/9/2000. The revenue was used in constructing Phase Two of the building (first floor) to accommodate offices.
2. The Resource Development unit in Omdurman has been rented out and the revenue generated is allocated to meet the costs of the ongoing education program in Um Badda Social centre.
3. Utilizing the Solar Unit provided by the UNDP Urban Poor Program, a video club was started in Um Badda Social centre and the revenue is shared by AMAL and the Social Centre administration and used for maintenance, improvement of the local environment and the topping of salaries of the staff of the centre.
4. An agreement has been reached with the Urban Poor Programme to provide to Brick Making Machines and train builders (from Haj Yousif and Dar El Salam) on construction of low cost housing. The group trained will start by building AMAL Youth Programme Premises in Dar El Salam on the piece of land allotted to AMAL for the new Youth programme. The group will later, in partnership with AMAL, develop into a business group and an income generation programme for AMAL.

The interviewee added that the concept and management of voluntary sector remained a priority training area and preparation and training methods should be changed to meet the

³²³ Carroll, T. F., 1992. Intermediary NGOs: The Supporting Link in the Grassroots Development. USA: Kumarian Press, p.60.

needs of trainees and the cultural and social context.³²⁴ AMAL had strong human resources that require administrative systems. Networking with other organizations and civil society is valuable and necessary for the influence of policies.

In response to the question to what extent was the effectiveness of training, she responded that there was no other alternative. She admitted that training didn't produce effective results. She pointed that in most cases the training performance relied on how well the training institution or individual was capable of providing training, preparation of training materials, training tools, concept and curriculum and training evaluation by trainees. Unfortunately, the personal social network was a determinant factor in selection of training providers.

It was clear the training was an area of concern for people interviewed. A staff member noted the importance of people selected for training. To institutionalise the training she suggested meticulous selection of trainees and strict follow up for the purpose of the result of the training. She was trained at Asian Studies Institute in Cairo in capacity building and she learnt that training was useful to select the right person for the right place. She also discussed the seasonality of training and its implication was that people, for example trained in advocacy and lobbying, left the organization. She asked for more advocacy training.

A social worker interviewed referred to the training and capacity building concept initiated by War Child organization.³²⁵ This innovative model of training was using drama, music, and sport, and relied on available local resources attractive for children. She admitted that she didn't apply what she learned for no good reason. She didn't believe that all problems were related to funds. In response to the question what institutional capacities required to influence policies, she responded by saying she didn't understand the institutional building but the organization had the human resources and the experiences and staff participated now by attending activities when invited.

³²⁴ Nefisa Sulieman, Coordinator for Social Centre Unit, 6/4/2007, AMAL office.

³²⁵ Sahar Abu Shok, Psychologist, 6/4/2007, AMAL office.

What has been unique in the grass-roots work of AMAL is that the organization turned into activist and advocacy and as potential agent for rights and child protection.

4.3.6 Financial Management

Most people interviewed from the staff and the executive committee agreed that the organization had a financial record, annually audited and financial information was available to members during the general assembly meetings. It was noted by senior staff members that there were financial procedures and funds released by authorized persons upon the approval of the organization's executive manager based on the budgets approval. There was a financial secretary.³²⁶

The opposition focus group interviewed expressed different views.³²⁷ Some of the participants were concerned about the corruption and the danger of losing the basic assets of the organization. Their worries were that the organization was not accountable to anybody. The decisions were taken by a few people in the executive committee without consulting other members. The organization's financial and administrative systems were suspended.

According to resource people interviewed the organization encountered major management problems reflected also in the financial management. The parallel bodies i.e. the executive committee and staff members was the key constraint and the intervention of the executive committee in the day to day work created tension and conflict. At present the conflict was between the executive committee and the members who felt neglected.

Social and financial audits fulfil a similar purpose in the social domain. Major findings and root causes of discomfort and dispute among members of AMAL is the lack of communication, particularly in financial matters. As Zadek and Raynard writes:" The

³²⁶ Mohamed Jadalla, Chairman, and Abdel Khaliq Al Nuari, Secretary General, 17/4/2007, AMAL office.

³²⁷

revelation, for example, that a company has not traded according to its declared ethical principles or has acted against the values and interests of other stakeholders offers the opportunity for stakeholders to bring pressure on the organization to change its practices, or at least to amend its declared principles in line with its practice.”³²⁸

4.3.7 External Relations

The period between 1988 and 1997 witnessed important development in the history of the organization. Many projects were funded by donor agencies such as World Food Programme (WFP), Band Aid, Norwegian Save the Children Fund (SCF), SCF/ Sweden and Fredrick Ebert. According to some interviewees, the organization was facing major issues with its funding agencies due to lack of financial reports and transparency. It was clear that the organization’s communication activities and report writing were poor. The internal dispute within the organization, lack of strategy and accountability problem affected also the organization’s external relation. AMAL was known as an active member in networks and had a good reputation in participating in regional and international events. The recent organization’s reports showed low profile at the external relation level.

AMAL and HRLAN

AMAL was one of the founders of the Human Rights and Legal Aid Network (HRLAN). It contributed to HRLAN establishment and the first years of HRLAN progress. AMAL was funded by HRLAN to implement some activities related to its human rights component. According to HRLAN, AMAL didn’t use the funds as agreed. HRLAN refused to fund the second proposal submitted by AMAL. Since then, AMAL suspended its activities in the HRLAN network.

A meeting was arranged between AMAL and HRLAN to discuss the causes led to the suspension of AMAL membership in HRLAN. The participants pointed that the misunderstanding between AMAL and the network was a result of bad communication.

³²⁸ Zadek, S., and Raynard, P., 2002. Accounting for Change: The Practice of Social Auditing, in: Edwards, M. and Fowler A. 2002. NGO Management. London: Earthscan.

³²⁹ The participants agreed that AMAL will review the suspension decision taken by the AMAL's executive committee and will communicate with the network to activate its membership. All participants agreed on the importance of the networking and the necessity of the presence of strong promising organizations as members of the network.

AMAL was going through most critical time in terms of its relation with membership, donor agencies and with other national and international NGOs. It was not expected, under these circumstances, that AMAL will review soon its membership with HRLAN.

4.4 Human Rights and Legal Aid Network (HRLAN)

4.4.1 Introduction

Human Rights and Legal Aid Network (HRLAN) established in April 2002 by Sudanese civil society organizations with the purpose on increasing the efficiency of human rights organizations in Sudan. A survey on the profile of human rights in Northern Sudan was conducted by Alternatives, a Canadian NGO in late 2001. As a result of the survey, six human rights organizations (Friends of Children Society (AMAL), Al Manar, Mutawinat, SUDO, PLACE, Gender Centre for Research and Training and Sudanese Victims Torture Group (SVTG) decided to initiate a network for information and knowledge sharing and for joint advocacy actions. More specifically, the network advocated the protection and promotion of civil human rights for groups and individuals in the Sudan. HRLAN was successful in establishing itself in terms of working space (equipment, furniture, and required staff). It was registered with HAC. Today, HRLAN regrouped more than 60 organizations from different parts of the country. It had created relations with other national and international NGOs, and UN organizations. A first strategic plan was developed with the participation of 28 organizations. At that time the number of member organizations was 32. HRLAN had also been successful with the media (articles, interviews, etc).

³²⁹ From AMAL attended: Abdel Khaliq Al Nwari, Secretary General, Abdelazim M.A., Deputy Secretary General, Asma AlNiab, Coordinator for Nyala Branch. From HRLAN attended: Yasir Salim, Chairman, Mutasim Al Amir, Coordinator and Asia Al Amas, Member, 29/4/2007, HRLAN office.

In terms of challenges, the organizational capacities of the network had improved significantly but there were some areas needing to be strengthened such as record keeping, reporting, monitoring, and financial systems. The relation with member organizations and their participation in decision making processes were still weak. Fulfilling assignments and meeting deadlines were below average in certain cases. The network had built confidence amongst international organizations, UN bodies and donor agencies. The funding situation was far better compared to three years ago when HRLAN relied on only one donor.³³⁰ The network strategy had to be reviewed annually to prioritize activities and to link plans directly to expected results to facilitate monitoring of activities. The roles and responsibilities of coordinators, and committee members needed to be well defined. As a result of national and regional meetings on networking, the understanding of the networking concept was improved amongst the network member organizations. Finally, the network continued to encounter difficulties with HAC because of sensitivity surrounding the issue of human rights.

4.4.2 Internal Governance

A steering committee was established in 2002 from two persons; a secretary general, a coordinator, representing two NGOs: AMAL and Mutawinat. Other member organizations such as Gender Centre and Khartoum Centre for Human Rights and Development played a key role in the preparation and writing up of the network constitution and regulations.³³¹ The meetings of the network took place on rotation bases in the premises of the members. The team work of all member organizations was the inspiring factor for the network initiation.

The first executive committee was elected on January 2003 by the general assembly. Seven members were selected representing their organizations. The roles and responsibilities of the network expanded to consist of a chairman, deputy, secretary

³³⁰ HRLAN Progress Report, 2002: 3, Khartoum, Sudan.

³³¹ Ibid, 2002: 4

general, financial officer, two training coordinators and a legal aid coordinator. The roles of the executive committee were specified in the implementation of the general assembly resolutions and recommendation, execution of the activities to achieve the objectives of the network; preparation of action plan, recruitment of executive manager; coordination for the general assembly meetings and preparation for the final annual report. In terms of the network membership, three ideas presented and discussed in the executive committee meetings: 1) Network members to be selected from NGOs and voluntary centres; 2) Members to be from NGOs, voluntary centres and individuals active in human rights area; 3) Members from NGOs, centres and individuals with the condition that individuals had no right for vote. The lengthy discussions and meetings in the executive committee agreed with the second proposal that members to be identified from NGOs, centres and individuals. The reason for selecting this proposal was that the organizations/founders felt the necessity to broaden the participation and offer the opportunity to human rights activists to effectively engage in human rights areas.

The second phase of the network establishment was when HRLAN registered in April 2004 with Humanitarian Aid Commission (HAC). A new executive committee was elected by the general assembly. One of the first decisions taken by the new executive committee was to have a three year strategic plan.

According to members of the executive committee interviewed that 97 member organizations were registered in the network. 46 organizations had registration certificates with HAC and 32 did not submit their certificates.³³² HAC introduced an article in the Networking Act that only those organizations registered in HAC were permitted to be members in a network.³³³ This definition excluded most known and active members of the network. Many of the other members were weak, unknown, and without address. The attendance of member organizations in the general assembly meetings was

³³² Husam Mohamed Osma, Member, 10/4 and Mohamed Al hassan Abdelatif, Training Coordinator, 11/4/2007, HRLAN office.

³³³ The Voluntary and Humanitarian Work (organization) Act, 2006: 8. Chapter III: Organizations Branches and Networks. Available at: www.hacsudan.com. Accessed December 28, 2008.

always a challenging issue facing the network. The first two meetings of the general assembly were usually cancelled due to lack of the quorum, i.e. two third of the members.

In the network strategic plan sessions conducted in April 2004, an internal assessment group identified the main internal weaknesses: lack of commitment; weak reporting system; poor communication between the network and members; weak attendance in network meetings; funding through intermediary body; lack of understanding of networking and civil society concepts; weak institutional management; weak training opportunities; lack of spacious premise; weak mentoring and evaluation; weak documentation and lack of information system; most of network members had short experience in network activities.

Since the establishment of the network in 2002, regular general assembly meetings took place and new executive committees were elected. Some members were replaced by new members and there were some limited changes at the chairman position level. The chairman was replaced once since 2002 and no rotation made in this position since 2004. The reason given for electing the same person was that the network was going through a major transitional period and the chairman had the sufficient experience, knowledge and skills to efficiently lead the network to the new phase. Some people interviewed suggested agreed limited period for some senior positions such the chairman and president to avoid domination of certain persons and to learn the lessons of the previous chairman of SCSNAP, who wanted to shift the network to a corporate company.³³⁴

According to members interviewed that the network extended its activities to various regions in Sudan and created focal points in some main locations. The network, however, did not succeed in attracting members of these locations and regions to effectively engage in its work. There was weak representation of organizations from Southern, Eastern, Western and Blue Nile areas in the executive committee and in the staff member structure.

³³⁴ Husam Mohamed Osman, Member, 10/4/2007 and Mutasim Al Amir, Coordinator, 10/4/2007, HRLAN office.

The network had the plans to improve the leadership skills and to maintain at the same time the spirit of the team work. The executive committee members played a crucial role in the effectiveness and efficiency of the network work and they developed democratic practices, values and principles that created a strong foundation for the network and for future direction.

The network, according to members interviewed offered opportunities for the women within the network structure and its different committees.³³⁵ The network appointed recently a female coordinator to be responsible for one of the main projects. However, more women needed to be represented in the executive committee and in the senior management positions such as the chairman and the president. Gender equality was a necessity not only for staffing and representation but also for the incorporation of gender equality into the policies, strategies, procedures and systems of the network.

In addition to the existing network structure, HRLAN had to improve the member organizations' participation in decision making process by creating better mechanisms to reach the members and engage them in the different committees and consult them regularly to get feedback on issues related to their satisfaction about the network activities and how they could be improved, particularly in the areas of internal governance and financial management, priorities and network direction.

In connection to board and member organizations linkage, Rajesh Tandon offers some forms of governances such as family boards, invisible boards, staff boards and professional boards.³³⁶ HRLAN governance structure lies between the staff board and professional board. From this perspective, HRLAN is more accountable to its staff and board compared to its constituency, the member organizations. However, the

³³⁵ Asia Al Amas, Member, 12/4/2007 and Yasir Salim, Chairman, 12/4/2007, HRLAN office.

³³⁶ Tandon, Rajesh. 1995b. Board Games: Governance and Accountability in NGOs, in: Edwards, M. & Hulme, D. (ed.) 1996. Non-Governmental Organizations: Performance and Accountability, Beyond the Magic Bullet. London: Earthscan, p. 41.

performance of the network, in terms of governance is satisfactory but it can be enhanced by further consultation and dialogue with the members.

4.4.3 Strategic Planning

The strategic plan of HRLAN conducted on April 2004 and the plan covers the period between 2004 and 2007. The plan, which was facilitated by a local consultant, discussed the following areas: 1) internal assessment; 2) external environment; 3) market assessment; 4) developing mission statement; 5) developing vision statement; 6) strategic objectives; and 7) steps to achieve objectives.³³⁷

During a focus group meeting with four young male and female representatives of member organizations and in response to the questions what were their expectations when they joined the network, their replies were varied as follows: 1) funding, information and training; 2) new experiences, and knowledge sharing; 3) training of trainers in human rights; and 4) joint work with other NGOs for social changes.³³⁸

The strategic direction sessions identified the following areas for the network: 1) legal aid; 2) advocacy and pressure; 3) monitoring; and 4) raising awareness.

Based on the sessions and the general set up of the strategic plan, the planning was designed to achieve objectives rather than results. The plan actually re-presented the early four strategic objectives of the network when was initiated, as informal group, in 2001. They could be summarized as follows: 1) disseminate human rights culture within the

³³⁷

شبكة حقوق الإنسان والعمل الإنساني، 2004. الخطة الإستراتيجية (2007-2004) الخرطوم.

. 2004. Stratégique Plan 2004-2007. Khartoum: HRLAN Publication.

³³⁸ Anwar Bashir, Member from Child Rights Institute, Abdelalla Hamid, Member from Cultural Action Centre, Muwaia Hassan, Member from Nubian Heritage, and Aisha Rufai, Member from Peace Bridge organization, 20/4/2007, HRLAN office.

different societies in Sudan, and enhance the role of the community in maintaining these rights; 2) advocate the target groups and pressurize the government to activate, sign and ratify international conventions; 3) provide legal aid and legal counselling to target groups and sectors; and 4) monitor violations of human rights and evaluate implementation of conventions that are signed by the government.

The participants' future expectations were not based on what had been achieved and how had been achieved. For example, the fours areas identified as strategic directions were far from been realistic and objective. The good example that after three years of the strategic plan sessions, only one of the four areas had been considered as the core network activity. The key focus of the network since its establishment was the awareness raising and human rights education activities amongst the network member organizations and for the general public. In the area of advocacy and policy influence, very little had been achieved. In terms of monitoring and watching of human rights violations, the network gained poor results and the establishment of the vocal points, as one of the tools of monitoring, had not been effective so far.

According to the table of the strategic objectives 2, 3, and 4, very few had been achieved in the last three years.³³⁹ The plan also did not mention how the network will measure the progress towards achieving these objectives and whether or not objectives' indicators were identified.

The intention of this criticism was not to undermine the efforts made by the consultant and the participants during the three days of strategic plan session on April 2004. On the contrary, it was to remind members of the network to review the three year strategic planning and assess what had been achieved, and what went wrong in order to set priorities and action plan.

4.4.4 Human Resources and Management

³³⁹ Ibid, 2004.

During the interview of a senior staff member, it was noted that the job descriptions needed to be reviewed particularly that the network management structure was changed dramatically as a result of new interventions. Therefore new staff members, possibly with the same title but without reviewing the previous ones, were recruited.³⁴⁰ There were two coordinators. They differentiated between them by attaching them to the donor agency funded the project. The network had not utilized from the young males and females who used to come asking for voluntary work. The network did not develop a policy towards volunteers. The network had administrative and financial policies and procedures. These needed to be known by members and needed to be reviewed based on the observations and consultations with members. The network policies and procedures should reflect the values and principles adopted by the network. Most of people interviewed reported that the recruitment policy was unclear. The policy of salary scale and salary increase was also unknown. All people interviewed agreed that the network had no plan for staff development. It was unclear how people were selected for staff training opportunities, whether there were any criteria for selection and to what extent new knowledge and skills utilized from training. It was suggested by some young members interviewed that staff training and personnel development were part of the strategic planning and the network annual plan based on the staff performance and assessment. Resources had to be allocated for these purposes.

The other missing component, according to some executive members that the information system and documentation were weaknesses that the network was aware of and tried to establish management information system (MIS) and resource centre.³⁴¹ The information on the projects and on the network in general were collected on ad hoc efforts and based on the personal files and interest. An effective MIS would be used for planning, measurement of progress, reporting and for decision making purposes.

4.4.5 Implementation and Service Delivery

³⁴⁰ Mutasim Al Amir, Coordinator, 10/4, 2007, HRLAN office.

³⁴¹ Yasir Salim, Chairman, 12/4 and Mutasim Al Amir, Coordinator, 10/4, HRLAN office.

The network identified the needs of both member organizations and marginalized communities based on limited consultation with member organizations and with some donor agencies. The network, according to people interviewed, had not developed concept and methodology that will assist to identify the needs of marginalized groups based on their own assessment. In most of the cases the projects were designed by the network and the network took the leading role in planning and implementation. The network offered the opportunity for other member organizations to implement some activities such as human rights awareness project or legal education on child rights for staff members, member organizations and community based organizations. Most of the people interviewed critically noted the lack of transparency with regard to the criteria for selection of implementing member organizations. The majority of the human rights awareness, and human rights education and capacity building trainings benefited the staff and member organizations.

Recently the network got a two year fund from European Union to establish a media centre for human rights. The network had completed three projects supported by Alternatives and NOVIB. The last phase of the project focused on capacity building to improve the internal systems, including internal governance, strategic planning, financial management, service delivery, management and human resources and external relations.

The network conducted several training activities such as conflict resolution, gender and human rights, monitoring and evaluation, report writing, networking, and peace culture. The network succeeded also in the following areas: establishment (office, equipment, furniture and staff); legal status and registration with HAC; reasonable number of active membership; first strategic planning; success with media; good partnership with Christian Aid and with the High Office of Human Rights; good contacts with international and national NGOs; and good linkages with government. Between March 2004 and March 2007 the network organized 35 training sessions, workshops, seminars and conferences.³⁴² Only four of these training and awareness events took place outside

³⁴² HRLAN Annual Report, 2007:7, Khartoum, Sudan.

Khartoum in Port-Sudan (Eastern Sudan), Al Fashir (Western Sudan) and Sennar (Central Sudan). The network contracted local consultants for the training sessions.

The network was part of Darfur Assessment Mission (DAM), a special consortium of Sudanese NGOs such as SECS, SCSNAP, Al Massar, ACORD and Kabkabia Development and Reconstruction Society.³⁴³ In June 2004 the mission assessed the status of the population in two provinces (Kutum and Kabkabia) affected by internal conflict. The group assessed the human rights aspect of the conflict. DAM was considered the first effort initiated by Sudanese NGOs in Darfur. The initiative was supported by NOVIB to assess the situation and to understand the root causes of the problem in the two provinces. The assessment mission proposed a number of projects in the areas affected by the conflict.

Most of the people interviewed criticised the urban based activities organized by the Network.³⁴⁴ They reported that many human rights violations were taking place outside Khartoum. They suggested that the network had to expand activities to other states in Sudan.

The ambiguity over the selection of training centres and consultancy groups which conducted training for the network created unease and discomfort amongst member organizations and staff members. It was suggested and agreed by most of people interviewed that the network had to develop policies and procedures with regard to selection of consultants, consultancy companies and also member organizations. The procedures and policies had to be written and known by all members for transparency purpose. The procedures and policies should include the methods used to advertise for training and consultancy contracts, the period for contract, terms of reference, payment, and written agreement. The latter should clearly specify the roles and responsibilities of each party and precautions measures to be taken in case of delay in submitting the requirements for training or consultancy.

³⁴³ Update of Darfur Situation. Available at: www.novib.nl. Accessed November 24, 2008.

³⁴⁴ Yasir Salim, Chairman, 12/4, Husam M. Osman, Member, 10/4, Asia Amas, Member, 12/4, HRLAN office.

The network participated in a workshop on networking and networks' Act in Sudan. The workshop was conducted in cooperation with the Gender Centre for Research and Training and supported by DED. Four papers presented as follows: challenges facing networks in Sudan; networking and networks; the Network Act; and experiences of Sudanese networks. The workshop recommended formation of a committee to study the networks' Act; coordination of the efforts of all related bodies to jointly advocate for networks work free of any restrictions and for opened networks' membership without exclusion. The committee responsible for the Act review was chaired by HRLAN. The committee was asked to review the Act and make the necessary changes and modifications in order to exclude the restrictions that do not allow NGOs to participate in the network.

The network organized two workshops in Khartoum on networking and networks' experiences in Sudan and on networking and social movements. The first workshop on networking and networks' experiences was organized between 19 and 20 November, 2005. The key papers presented were: the networking and networks in Egypt; the role of NGOs in the peace process; the basic principles of gender equality; and documentation and information. The workshop was attended by 60 persons from the public arena (activists, academics, NGOs, researchers). Three case studies were presented by Sudanese networks (HRLAN, SCSNAP and Women Network on Peace and Development). The workshop was facilitated by HRLAN, SCSNAP, and Alternatives and supported by NOVIB. Human rights activists from Egypt participated in the workshop.

The other workshop organized by HRLAN was a workshop on networking and social movements, on April 11 and 12, 2006. It was also facilitated by Alternatives in collaboration with HRLAN and supported by NOVIB. The first day discussed three contributions: the importance and advantages of networking and networks; social movements; and the networking and social movements from Egyptian perspective. The second day two papers were presented: the strategic role of civil society in networking;

and the networking as a strategy for civil society organizations. An activist from Egypt participated in the workshop.

One of the long term challenging issues which faced by many networks and NGOs was to what extent the member organizations and staff benefited from the training sessions. Some people interviewed agreed that the measure of progress or impact of activities, both training and services, was a crucial and important aspect.³⁴⁵ Some interviewees suggested that to assess progress, it was necessary to create a data base system prior to any intervention. It was also advisable to conduct self-assessment for training and situation analysis for service delivery intervention. The other important area was the identification of the progress and result indicators, how they were been selected and who was involved in these processes? Most of training workshops were provided by individual consultants or consultancy groups without monitoring the quality of their services. One measure which could be taken, according to some interviewees that the necessity of the training checklist (training plan, training materials, training tools, and evaluation) to be presented by trainers and to be accessible to and known by trainees. The evaluation and meetings with the trainees were one of the best feedback and response on the quality of training and services provided by consultants.

I attended many discussions with HRLAN over the last two years with regard to whether or not the network consider providing legal aid to members and individuals in need. HRLAN believes that this is an urgent need in a country violates systematically the rights of its citizens. It has been agreed that the services of legal aid can be understood and properly evaluated only in the context of the particular development strategy, including availability of resources, both human and financial.

4.4.6 Financial Management

³⁴⁵ Yasir Salim, Chairman, 12/4, Mutasim Al Amir, Coordinator, 10/4, Mohamed A. Abdelatif, Training Coordinator, 11/4, HRLAN office.

Most of the financial resources of the network were originally decided by the projects funded by donor agencies. The planning for budgeting was minimal after the allocation of funds and after signing projects' agreement. The network usually had a budget margin of 10-15% for some modifications and changes. The preparation for projects' budgets involved only very senior experienced staff and executive committee members.

In terms of financial management, the network had a full time accountant. According to people interviewed that the network had a financial system and there was financial policy and procedures.³⁴⁶ The budget, before presented to the general assembly, was audited by external audit. A financial report was prepared and presented to the general assembly. It was a routine exercise happening annually without hassles according to people interviewed. However, some members interviewed criticized lack of financial transparency and the financial ambiguity over the network budget, the salary scale, the training costs and the consultants' expenses. In the absence of involvement of member organizations in planning and budgeting, such critical remarks on the financial management were expected. The network, according to some people interviewed, had to announce its financial policies and procedures for member organizations. A written internal financial guide would be a valuable and useful document. The network had to review these policies and procedures regularly to accommodate the comments and observations from the different stakeholders (members, donors, and government) and financial experts and auditors.

The network had the opportunity to diversify its financial resources. Its good reputation could easily attract other donors. The network should plan ahead a long term sustainable financial strategy. The available resources both human and financial, if utilized effectively and efficiently, could generate potential financial options. This included marketing of human resources of the network member organizations. Other important aspect which had not been fully engaged was the Sudanese private sector. By consulting

³⁴⁶ Lubna Khawaja, Financial Officer, 4/4/2007, HRLAN office, Laila M. Salih, Member, 4/4/2007, HRLAN office.

and involving the private sector in development interventions, some of its financial resources could be allocated to benefit those in needs.

4.4.7 External Relations

The network increased its visibility among various stakeholders (government, national and international NGOs, donor agencies, UN bodies, and direct and indirect beneficiaries). These stakeholders, however, were not aware of the network's activities and the network documentation, communication and publication were not sufficient and not accessible to them. The network channels of communication through publication, newsletter, website, needed to be strengthened and diversified.

The network participated in other NGOs' and networks' events, whenever invited. In some cases the network took initiatives to coordinate efforts or lead to achieve some benefits. Good examples were the role of the network in the review of networks' act, and the leading role played by the network in the campaign against the NGOs law regulating the voluntary work presented by the government.³⁴⁷ The other efforts made by the network were coordinating the consultations and meetings with other NGOs and civil society organizations on the Human Rights Commission Law. More than 31 organizations discussed and prepared a draft law and consulted with the UN mission in Khartoum and with the Consultative Council of Human rights.³⁴⁸

4.5 Sudanese Environment Conservation Society (SECS)

4.5.1 Introduction

The Sudanese Environment Conservation Society (SECS) is a local, voluntary independent, non-profit organization, established in September 1975 in Arkweet Conference. SECS was initiated as an extension for Natural History Society, established

³⁴⁷ HRLAN Annual Report 2005, p.5

³⁴⁸ HRLAN Progress Report covering the period between January and March 2006.

in 1966 and the Sudanese Nature Conservation Society established in 1970. SECS aimed to raise environmental awareness among the community. It has more than 8000 Sudanese members from different background (academic, students, activists, women, public figures).³⁴⁹ It works through a network of 113 branches/sites in all states of Sudan. The executive committee was running its work voluntarily and the volunteers were conducting the activities on minimal allowances.³⁵⁰ There were more than 20 projects implemented by the organization.³⁵¹

4.5.2 Internal Governance

Some interviewees described the relation between the executive committee and staff as being vague and confusing.³⁵² Three of SECS old members agreed that the organization has an institutional framework but on paper and not effective.³⁵³ Only few members were getting assignments and opportunity of travel outside the country.³⁵⁴ There was no regular meetings and therefore no feedback. Some founders interviewed believed the gap and lack of communication, between the executive committee and the staff team resulted from the decision that the executive committee members were not allowed to hold administrative positions within the organization. Some of both young and old generation critically noted the continuation of the founders in the executive committee.³⁵⁵ They all believed it was the high time for young generation to take over management responsibilities. It was suggested by them that several mechanisms can be found to maintain the relationship between the generations and to ensure the contribution of founders.

³⁴⁹ SECS Annual Report 2006: 4

³⁵⁰ Ibid, 2006: 5

³⁵¹ Ibid: 2006: 2

³⁵² Asim Maghrabi, Member, 13/4, Consultancy office. Sadiq Kara, Coordinator for Advocacy and Lobbying, 14/4, SECS office.

³⁵³ Ali Khalifa, Coordinator for Environmental Rehabilitation, 14/4, Muasim Nimer, Member, 15/4, and Adil M. Ali, Member, 13/4, SECS office.

³⁵⁴ Asim Maghrabi, Member, 13/4, Consultancy office.

³⁵⁵ Asim Maghrabi, Member, 13/4, Consultancy office, Amal Abdelfadil, Member, 18/4, University of Khartoum.

The weaknesses of the specialized committees were known as a disappointing factor for the management and for the committees' members. The idea behind the formation of these committees was to widen the space of members' participation in the organization's activities. The committees work was usually initiated by the committees' coordinators. The committees had no allocated funds.³⁵⁶ The members of these committees were young volunteers, who were asked to prepare plans. The members, however, found out there were no resources for these plans.

The number of the organization's branches increased from three in Shendi, Al Suki and Medani to become 113 branches scattered all over the country.³⁵⁷ Most of the branches were initiated by the communities and supported by SECS main office in Khartoum. The relationship between the center and the branches is considered as one major obstacle encountering the progress of the organization and limiting the opportunity of the branches' representation in the organization's decision making processes. The branches conferences were held on regular basis. A new constitution was recommended by the branches conference. The high financial cost of the branches' conference inhibits its continuation. According to some interviewees, the branches conference, as a consultation exercise, was no longer functional.³⁵⁸ They commented that the organization is going through a process of constitutional reforms which will define the relationship between the center and the branches and will specify roles and responsibilities and will address the issue of representation. Others responded that the absence of branches conferences was a deliberate policy to stop the critical views being expressed by some branches' members about the performance of the center. Despite all these views, the branches conference is considered by all as a democratic practice necessary for good governance and for the organization's internal dynamics.

³⁵⁶ Sumaiya Al Sayed, Secretary General, 17/4, SECS office.

³⁵⁷ SECS Annual Report 2006: 5-6

³⁵⁸ Ali Khalifa, Coordinator for Environmental Rehabilitation, 14/4, SECS office and Adil M.Ali, Member, 13/4, SECS office, Tariq Haroun, Member from Rahad Branch, 21/4, SECS office.

Some of the people interviewed criticised the preparation for the general assembly.³⁵⁹ The general assembly was known as one of the important democratic mechanism for participation, transparency and accountability. It was a venue and opportunity, for example, for branches representatives whose voices were usually not heard, within the organization's structure, to speak out their views. The preparation, as viewed by interviewees, was weak and poor. The focus of the general assembly meeting was to agree on the annual report and the selection of the new executive committee. These meetings were accompanied by tensions over the question of who will take over. The groupings of members over the elected list and the risk of invasion of new members created unhealthy atmosphere. The whole idea behind the general assembly meeting as democratic venue was dismissed due to mobilization for election of new executive committee and the behaviour and attitudes attached to this exercise.

Based on these views, particularly, on branches, it was clear that the organization had no capacity to relate to them. Communication with and support to these branches was poor. However, these branches were community based and therefore self-sustained. Historically, branches have emerged within specific historical, social, and cultural contexts. The outcomes of their activities, as advocacy groups, are distinct and unique. With the rise of a new discourse of the state in Sudan, branches began to initiate projects and strengthen SECS, on the one hand and local civil society movement, on the other. With support of German Development Service (known as DED) a component strengthening the capacities of the branches was established. Unfortunately the support was stopped by the end of the project. This raised the ongoing discussion on the organization's strategic thinking and whether or not SECS is still a project oriented organization and a donor driven initiative.

Focus Group Meeting

A focus group meeting attended by several SECS members representing young generation and founders, volunteers, technical committees, board members, executive

³⁵⁹ Mutasim Nimer, Member, 15/4, SECS office, Sadiq Kara, Coordinator for Advocacy, 14/4, SECS office.

committee members, discussed the present challenges and future direction. The following areas of capacity building needs were reported as priorities by the participants:³⁶⁰

1. Strategic Planning: review of the strategic planning as a result of the changing political environment of the country's peace processes in general, and those variables of SECS in particular;
2. Administrative Structure: recruitment of executive manager; establishment of fund-raising unit and a part-time officer for proposal writing; definition of roles and responsibilities of executive office and executive committee; formation of a coordinating committee; expansion of the structure to contain an advocacy and lobbying project; recruitment of a media coordinator; establishment of monitoring and evaluation office; general meeting on quarter basis; emphasis on external evaluation; personnel rules and regulations; accountability for all; capacity building; networking and the effective role of SECS in the networks; emphasis on long-term funding commitment to ensure quality of activities and donors' credibility.
3. Branches: new structure for the branches section at the main office and recruitment of qualified staff; information system and communication with the branches; support to branches program; capacity building; branches conference; and establishment of fund mechanism for branches.
4. Members and volunteers: support the voluntary spirit; establishment of office for members and volunteers; generation dialogue; training programs; data-base for members and skills.
5. Documentation and information system: data-base and information system; website.
6. Committees: roles of committees; capacity building; workshops and newsletter for the committees' work.
7. Priority areas: peace; human rights; oil industry and mining; land conflict; poverty reduction; environment local and international.

³⁶⁰ See Appendix (C)

8. Work methods: lobbying; mass media; coordination, coalition and collaboration with private sector, government and political parties; environmental awareness raising for legal, legislature and executive members.

The organization's way out proposal was realistic and can be achieved under certain requirements. First, the organization should create result indicators to assess the progress of what has been discussed and agreed upon. Second, SECS needs to establish a monitoring unit mainly to measure the achievements and to shed light on the constraints encountering the progress. Third, the monitoring unit should develop a warning system that concentrates on the risks and the strategy to mitigate them. The participants suggested a regular three month focus group meeting to be held to engage the administration and other members in the process, including representatives of the branches. The same regular meetings will review the organization's strategy and highlight the priority areas of intervention. It was also agreed and strongly recommended by the participants the necessity for documentation system and unit to ensure the flow of information to all those involved and to use them for the strategy, research, monitoring and reporting.

4.5.3 Strategic Planning

SECS Strategic Plan (2004-2013) was drafted towards the end of 2003. In mid 2004 important political development took place in Sudan. Sudan Government and the Sudan People's Liberation Movement/Army (SPLM/A) signed a Comprehensive Peace Agreement in 9 January, 2005 in Naivasha, Kenya, ending the longest civil war in Africa. This posed a new challenge to SECS among other civil society organizations.³⁶¹ Special focus was on environmental rehabilitation and sustainable development in the past conflict period particularly in conflict affected areas, including contribution to building and maintaining peace. Emphasis was on lobby and advocacy as well as awareness rising. The peace component in Lobbying and Advocacy Project (LAP III), one of the organization's projects succeeded in sending six campaigns to Southern Sudan (Juba,

³⁶¹ Adil M. Ali, Member, 13/4, SECS office.

Wau and Malakal) and Darfur, Damazine, Kosti, addressing issues of peace building, culture of peace, dissemination and awareness on CPA protocols especially power sharing and wealth sharing protocol. Different approaches and techniques were adopted to get the message across to people concerned in these areas through lectures, drama, children programmes and discussions groups. SECS and other NGOs need to be recognized and facilitated if peace-building efforts are to be successful. Effective and sustainable peace building require joint efforts, and partnerships between state and civil society organizations. Pamela Mbabazi and Timothy M. Shaw describe what happened in Uganda in 1990s: "...constitute something of a model in terms of constructive postconflict division of labor among state, companies, and NGOs, encouraged by the Museveni regime's realism following the traumas of the Amin and Obote II years. That is, peace-building governance has advanced human security, which makes human development a possibility once again".³⁶²

In 2007, the third year of the strategic plan, weaknesses were revealed by the organization, particularly as a result of the rapid changing in the political environment after the signing of Comprehensive Peace Agreement (CPA). The organization suffered from lack of focus and its work scattered on different fronts whenever the need arises to highlight environmental issue. According to some interviewees SECS has to restructure and re-profile to cope with the new challenges resulted of the CPA. New intervention areas such as peace, human rights and conflict prevention should be priorities. Al-Batahani asks: "Who else other than CSOs to offer and project an inclusive ethos across society to form a mantle of reconciliation, consensus-making and nation-building?".³⁶³ SECS should explore new innovative ways of implementation, selection of projects, and relation with stakeholders, including donors, government and private sector. Future planning should take in consideration improvements in the relation of members and

³⁶² NGOs and Peace Building in the Great Lakes Region of Africa: States, Civil Societies, and Companies in the New Millennium. In: David Lewis and Tina Wallace, eds. 2000. New Roles and Relevance. United States of America: Kumarian Press, p.188.

³⁶³ The Role of Civil Society Organizations in reconciliation, social development and nation integration in Post-Conflict Sudan. Workshop on the challenges of peace in Sudan, organized by National Civic Forum. Sharqa Hall 22-23 December 2003, p.8

branches to be further engaged in decision making processes particularly in areas that matter them.

An assessment was made by SECS committees regarding the way out for the organization. The committees outlined the following opportunities for SECS. First, the interest and willingness of young males and females to work as volunteers in the NGOs sector remarkably increased. Second, the margin of freedom was expanded in a country which was still ruled by military regime. Third, the new constitution and the Comprehensive Peace Agreement (CPA) opened space for participation and engagement of civil society organizations. Fourth, the international attention and interest in environmental issues increased. On the other hand, there were a number of threats facing the NGOs sector which can be summarized as follows: 1) the crisis of governance and the vicious circle of democracy and dictatorship; 2) the economic pressures, inflation and devaluation of local currency; 3) the NGOs new law and the implications on the registration, re-registration and performance of NGOs; and 4) the attitude of the government towards independent NGOs and lack of recognition and support to civil society movement (SECS, 2007).

There were ideas highlighted by most of interviewees. Most of the interviewees, for example, agreed that the key weakness of SECS was that, despite that the organization's vision and mission were clear; the organization was a resource provider and not long-term process oriented.³⁶⁴ This was clearly demonstrated in the mobilization and management of human resources, particularly, in an organization that attracted many volunteers and members of diverse background.

The most striking in terms of SECS long-term strategy is the absence of financial autonomy and sustainability, as one of the urgent capacity areas of the organization. This is a growing worry which has been reflected in the recommendations made by the

³⁶⁴ Mutasim Nimer, Member, 15/4, SECS office, Asim Maghrabi, Member, 13/4, Consultancy office.

organization in its financial reports.³⁶⁵ These reports suggest more involvement in income-generating activities as well as investment in consultancy and local funding.

4.5.4 Human Resources and Management

The organization was managed with the support of part-time staff. The organization, however and at some stage had a full time executive manager who contributed positively to manage day-to day work. The organization had limited capacity to manage and mobilize financial and human resources. A full time training coordinator was employed to meet some of the training requirements of staff members and branches. The position of the training coordinator was terminated at the end of funded project.

At the organizational level, it was pointed by some people interviewed that there is an urgent need for financial rules and regulations and an administrative system.³⁶⁶

SECS recognized the necessity and significance of capacity development as a result of the organization's increasing scale of activities and increasing number of stakeholders. The organization made remarkable efforts to meet the high expectations of members, branches, civil society organizations and government bodies. The interviewees noted that the present institutional structure was inefficient to be responsive to the increasing advocacy work as a result of the invasion of market, external investment and government business interest. The organization was initiated by elites in mid 1970s. The diverse types of activities attract many other politicians, civil society activists and civil servants. Most of these practitioners and young graduates work as volunteers. The organization, however, lack the clear strategy to utilize from these human resources. The absence of human resources direction and the lack of human resources data hinder the organization's development.³⁶⁷

SECS could benefit from the large number of volunteers in the implementation of the project activities. Volunteers were trained as coordinators and vocal points for technical

³⁶⁵ SECS Financial Reports of 2002 and 2005.

³⁶⁶ Adil M. Ali, Member, 13/4, SECS office.

³⁶⁷ Mutasim Nimer, Member, 15/4, SECS office.

committees that set-up by SECS. Training, under specific program, was designed to address issues such as peace culture and environmental conservation. For example 53 fresh graduate volunteers were involved in LAP III implementation (11 components coordinators, 10 advocacy trainers, and 16 activity coordinators).³⁶⁸

As a result, SECS executive members decided to set out a clear advance volunteers' policy. The draft document was produced and submitted for discussion by volunteers in their technical committees. Finally all the comments and points of views were further discussed in a one-day workshop attended by some of executive committee members and volunteers. The document, titled SECS Volunteer Policy, contains: SECS volunteers number, stages and types; volunteerism definition; aim of the volunteer policy; SECS volunteer-types; volunteers registration; volunteers duties and rights; code of conduct and work, transparency and incentives.

The organization's human resources and management systems were questioned by interviewees. The dissatisfaction covered volunteers and some founders interviewed as well.³⁶⁹ There were some arguments over the financial management aspect. Some interviewed were pleased with the financial system. Others believed that the system was bureaucratic, complicated and unknown by most members.

4.5.5 Implementation and Service Delivery

The organization was playing a key role in advocacy and lobbying to prevent the implementation of inappropriate policies and the invasion of private sector in development activities. The impact of oil companies, cement factories, and high tension electricity lines are examples of areas where the organization created environmental awareness raising campaigns through the media, workshops and in the National Assembly.

³⁶⁸ SECS Progress Report, 2003: 3

³⁶⁹ Mutasim Nimer, Member, 15/4, SECS office.

Lost Court Case and Lessons Learned:

The review of the current environmental related policies for the above issues started by the electromagnetic pollution, specifically the high-tension electricity lines (HTELs). The urgency of this matter was a result of the ongoing process of erecting an HTEL inside the residential areas of the city of Khartoum.

The Lobby and Advocacy project, one of the organization's initiatives, had opened a fact finding file (FFF) to assess the effects of HTELs. The first step in this regard was the formation of an experts committee that held five meetings to review the available scientific data regarding this issue. The experts committee produced a scientific report that emphasized the potential hazards connected to the HTELs citing examples from other countries and international standards.³⁷⁰

Following this, three forums were carried out to facilitate dialogue between different stakeholders, including the Higher Council for Environment and Natural Resources, the Ministry of Electricity and the National Electricity Corporation, the Ministry of Health, Occupation Health Administration, the media, medical experts, electricity experts from national universities and representatives of the affected communities from the residential areas through which the HTELs run.

The most important point concluded from those forums was that there isn't an updated environmental assessment for this project which is an obligation under the Environmental Protection Act of 2000. The outcome of these forums and the concurrent media campaign, led the Minister of Environment and Physical Planning (E & PP) to stop the ongoing work in the HTEL and to form a technical committee to investigate this issue. The Society was represented in this committee. The report produced by the technical committee confirmed that the HTEL in question does not adhere to the international standards. The Minister of Environment & PP submitted this report to the Council of Ministers (CM). However, the CM established another technical committee headed this time by the Minister of Irrigation which gave the National Electricity Corporation the green light to proceed in its work and complete the erection of the HTEL.

³⁷⁰ SECS Annual Report 2004: 7

The court case of the High Tension Power Lines presented by the organization was lost due to intervention of high political authority. The power administration however incorporated environmental standards in the new projects. Recent policy influence joint efforts were directed towards the change of the new NGOs law and the new proposed tourist project in *Sunut* Forestry, an environmental protected area in Khartoum. Another successful advocacy work led by SECS was the case of the use of the pesticide (*timek*). Some interviewees reported that SECS is scattered and not focusing on main environmental issues such the sewage system, Nile water pollution and trees coverage in Khartoum state, as examples.

One of the challenges faced by SECS as agreed by some people interviewed was the weak documentation and media.³⁷¹ What has been done and achieved was not well presented. The work of Joint Assessment Mission (JAM) in Darfur, for instance, where SECS was a member of a coalition was not shown by the media. The public hearing was considered by some interviewed as a strong and influential advocacy and policy influence mechanism. The case of Buri Power Station and the film produced by the organization showing the oil pollution in the Blue Nile river created by the Station, succeeded to convince the Minister of Energy to intervene and stop the leak of the oil.

The organization had significant record in advocacy, lobbying and environmental education. The organization succeeded through the media, particularly, newspapers and radio, to present as a strong advocate for environmental rights. The organization, however, had poor follow up mechanisms and the increasing number of volunteers, both newly graduated and well experienced activists, was not effectively and efficiently utilized in the organization set-up. These shortcomings were also reflected in the organization's external relation with other NGOs, networks, private sector, donors and government.

³⁷¹ Muawia Shaddad, Chairman, 21/4, SECS office. Muasim Nimer, Member, 15/4, SECS office.

The organization's training component consisted of three main training courses designed to equip the members with training skills, peace and development concepts and advocacy training. The purpose of this component was to perform efficiently their duties at the community's level. Moreover, the training component was expanded to provide training to different branches.

4.5.6 Financial Management

Many interviewees noted that the organization has a financial system.³⁷² According to the rules and regulations members have the right to ask about financial matters. Members get financial information on request and/or at general assembly meetings. Both donor agencies and HAC were satisfied with the financial reports of SECS. A founder suggested a website newsletter, including the organization's financial status. Others commented that there was a need for clear financial rules and regulations. It was observed that there is a financial system known only by the organization's financial manager and there was no delegation of authority in case of his sudden sickness or absence. The organization had an accountant but had no power in decision making. The financial resources were well utilized and financial transparency was in place within the organization border. There was an annual financial report and the organization's budget was audited externally. Some donor agencies allocated funds within their projects' budget for external auditing.

SECS provided financial reports of 1995-1997, 2000-2002, 2002- 2004 and 2004-2005, for this research. The reports are summarized in the following table:

Table (4): Summary of SECS Financial Statements (1995-2005)

	1995-1997	2000-2002	2002-2004	2004-2005

³⁷² Mohamed Al Fahal, Finance and Administrative Manager, 14/4, Abdel Rahim Belal, Member, 22/4, Consultancy office, Asim Maghrabi, Member, 13/4, Consultancy office, Magda Hassan, Coordinator for Service Delivery, 22/4, SECS office, and Ali Khalifa, Coordinator for Environmental Rehabilitation, 14/4, SECS office.

Resources:				
Internal	845,157	14,000,000	17,102,510	11,595,580
external	67,896,349	125,000,000	100,874,273	57,038,698
Total	68,741,507	139,000,000	117,886,783	68,634,278
Expenditure:				
Salaries	5,580,038	12,000,000	16,025,998	7,956,262
Others	4,723,952	171,000,000	119,140,130	68,944,530
Total	10,303,990	183,000,000	135,166,128	76,900,792
Recommendations	More Income generation Members fees More external funds	More income generation Members fees More external funds	Increase members fees Government funds Internal funds Restructure income generation	Members fees Restructuring Income generation Fund raising campaigns Identify other investments External funds

Funds are in Sudanese Dinar (1USD = 200 Dinar)

Internal resources are membership fees, donations and activities' income. External resources are funds from international organizations. The table shows the organization financial pattern both income and expenditure. From these figures and recommendations the trend is towards control of expenditure mainly recruitment of staff and other overhead expenses and increase of internal resources including locally fund raising, membership fees and other banking, and income generation investments. The striking observation is the decline of external funds between 2000 and 2005 by almost 68%.

The following table shows SECS expenditure on capacity building between 1996 and 2005 as follows:

Table (5): Summary of SECS Expenditure on Capacity Building (1996-2005)

	1996	1997	2002-2002	2002-2004	2004-2005
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Capacity building expenses	3,600,000	3,600,000	14,000,000	42,000,000	24,000,000
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Amounts are in Sudanese Dinar (1USD = 200 Dinar)

The allocation of funds for capacity building shows the increasing awareness of this component and its significance in the development of the organization. The capacity building activities are integrated in each project funded by donor agencies. The challenge as expressed by the organization is how to make these activities sustainable since they rely on external funding. The other concern is that there is no staff member selected for capacity building. This is mainly due to that the funds allocated were insufficient.

4.5.7 External Relations

The organization developed a good working relationship with some private sector, such as Hagar Tobacco and Kenana Sugar companies. Both contributed to organization's participation in various environmental conferences and initiatives. It had not been reported that the organization challenged the Tobacco industry and its health hazard impact.

The organization admitted that the effectiveness of the advocacy work rely mainly on joint work and networking with other NGOs, networks, political parties, trade unions and private sector.

The organization was a member and/or a founder of various networks and coalitions. The organization supported the establishment of many networks and hosted some of them. The important aspect of SECS external relations was its cooperation and collaboration with government, particularly with technical departments and ministries such as Ministry of Environment. The organization, however, had no clear strategy with regard to networking efforts. Despite its increasing advocacy and lobbying activities, SECS was not fully incorporating the concept of networking in the day to day advocacy

work. SECS was anticipated, by other civil society organizations, to be the leading organization in advocacy and policy influence. Given the advocacy experiences, the human resources and the good reputation amongst donors, private sector and government, the organization's achievements in coalitions, networking and collaboration were not satisfactory.

One of the organization's strengths was the ongoing discussions on how things can be improved, given the available human and financial resources. The open door meetings and dialogue created a healthy environment that encouraged the administration to prepare for a way out session. The idea was to invite diverse members to attend a one day meeting to highlight on the challenges, the risks and solutions.

The organization's alliances and networks and its image as a major actor in civil society movement leads to legitimate concern, which is to what extent the organization is capable of managing effectively these multiple relationships. A similar caution is expressed by Lisa Jordan and Peter Van Tuiji, who argue that: "Even at the basic level of information exchange, the maintenance of every relationship requires resources".³⁷³

SECS and SCSNAP

SECS was one of the founders of SCSNAP. Most of the early meetings and discussions about the initiation of the network took place at SECS. SECS senior staff and management contributed in planning, action plan and budgeting of the network. SECS hosted the network in the first year. An agreement was signed by SECS and SCSNAP to offer an office for SCSNAP and also to channel the transfer of funds through SECS bank account and partially to manage the flow of the funds to SCSNAP under certain conditions. These arrangements continued until the registration of SCSNAP, upon which SCSNAP opened a bank account. SCSNAP moved to its own office. The relationship between SECS and SCSNAP shifted from an institutional one to a personal. The

³⁷³ Jordan, L. and P. van Tuijl, 2002. Political Responsibility in Transnational NGO Advocacy, in: Edwards, M. and Fowler A., 2002. NGO Management. London: Earthscan, p.117.

chairman of SECS allied with the chairman of SCSNAP to compose a team running the network more than four years. Both insisted to continue as elected members for the executive committee of SCSNAP. The committee period was only two years according to the constitution of the network and the resolution of the network general assembly meeting. According to people interviewed from SECS that there was no feedback about SCSNAP to SECS executive committee. The leadership style of SCSNAP caused severe damage in the network performance resulted in tension and bad understanding with member organizations and donor agencies. The result was that the fund was suspended by the donor agency. SECS chairman was still a member of the network executive committee but his presence and contribution in the development of the network was minimal after the disengagement of the donor agency.

4.6 Sudanese Civil Society Network for Alleviation of Poverty (SCSNAP)

4.6.1 Introduction

SCSNAP was established in July 2002 as a result of a two day Roundtable Discussion on Poverty organized in Khartoum in February 2002 by Sudanese organizations and Alternatives, a Canadian international development organization based in Montreal. The Roundtable was supported by NOVIB. The activities of SCSNAP were innovative in dealing with poverty, were guided by the UN Millennium goals, and were related to the objectives of poverty alleviation, reduction and eradication. Today, SCSNAP had 58 member-organizations comprising strong local NGOs and CBOs.³⁷⁴ It had established good contacts with other national and international NGOs working on the issues of poverty and exclusion. SCSNAP organized and established a strategic plan. It had also established a legal status and registered with HAC. It had become known with local media as a source of expertise and information about the problem of poverty, affecting the fast majority of the Sudanese population. Nevertheless, the challenges faced by the SCSNAP were still huge. The organizational capacity of the network was still weak. Administrative processes like record keeping, reporting, monitoring, and financial

³⁷⁴ SCSNAP Progress Report, 2003:2

systems were not well developed. Working plans were not linked directly to goals, and objectives of the network. There was a need to define more clearly the roles and responsibilities of member-organizations, and to identify relations, roles, and responsibilities of coordinators, committee members, and secretaries, particularly in the fields of finance, training, and public relations. Another necessity was to strengthen the capacity to plan according to schedules, deadlines, reporting-dates, and to organize internal processes so as to deal adequately with assignments, tasks and constraints. All in all, member-organizations needed to apprehend more fully the concept of the network (coordination, funding, capacity building, etc).

4.6.2 Internal Governance

Most of the people interviewed were members of the network. The following assessment made by the interviewees focused on the network period between 2002 and 2006. Some of them agreed that the democratic practices and decision making processes were inappropriate.³⁷⁵ The leadership style was inefficient and the management was a top-down approach. The network became a corporate organization under the full hegemony of the network chairman who behaved like an executive corporate director with absolute power and full control. The general assembly convened only once during the first four years. It was due once every two years. The rationale behind the delay of the general assembly meeting made by some people interviewed that the network senior management was worried that the network will be taken over by the government organizations.³⁷⁶ A second reason given by the chairman that the network should wait until the situation was clear about the new act regulating NGOs work. Some of the members of the executive committee found these reasons inadequate to freeze the general assembly and therefore hinder the whole democratic practices and rights of the organizations' members. The second influential person in the network was the chairman of the Sudanese Environment Conservation Society (SECS), who supported the idea of the delay of the general

³⁷⁵ Al Nagiya Al Wasila, Member, 17/4, SCSNAP office. Zeinab Baderldin, Member, 17/4, office.

³⁷⁶ Khalid Idris, Member and chairman between 2002-2006, 2/4, office. Muawia Shaddad, Member of Board, 26/4, SCSNAP office.

assembly meeting. SECS had been hosting SCSNAP since its establishment and up to the network registration.

The members of the executive committee were very experienced and qualified activists and well known persons in the civil society community. The network executive committee, however, was ineffective and overpowered by the chairman. The committee members were either very busy, frustrated or they were simply neglected and pushed aside by the chairman who was in charge of whole operation. The opinion of some members interviewed was that the network was not a success at all.³⁷⁷ The simple reason was that the network leadership had reduced the network aim from an advocacy and policy influence to easy exercise of awareness raising and some knowledge generation through workshops while neglecting the internal democratic practices, transparency and accountability goal.

The chairman's intention and dream was to see the network evolving from membership organizations' initiative into a corporate body with an executive director. This chairman lost the election in the last general assembly meeting and a new leadership took over the management responsibilities. Some of the new leaders were also interviewed but their time in the network was insufficient to assess the situation.

The network consisted of 58 member organizations with variation in their vision, mandate, strategies and direction. They were all working on poverty related issues such education, health, environment, gender equality, community development, and human rights. The majority of the member organizations were only nominally members of the network and they had limited contribution in the absence of the executive committee meetings, and the general assembly. SECS had a powerful and dominating position in the network and it was patronizing it. The alliance between the chairman of the network and SECS director on the one hand and the rest of the members on the other hand explained the tension and frustration and distrust expressed by members interviewed.

³⁷⁷ Tahra Hamad, Ex-Secretary, 23/4, Gender Centre for Research and Training (GCRT), Nemat Kuko, Member, 2/4, GCRT office, Awadia Al Hag, Member, 3/4/2007, Taiba office,

4.6.3 Strategic Planning

The network had a strategic plan which had not been utilized to achieve the expected results. Member organizations agreed on principles and values at the early stage of the network establishment. The plan was not reviewed and the network management used to work on day to day basis. The leadership style developed by the chairman imposed different sets of principles characterized by lack of democracy and absence of members' participation in the decision making processes. The key element was what had been achieved as result of the network strategic thinking and planning. In response on when last time they reviewed their strategic plan, the reply concerned of having a new one rather than going through the old ones. The strategic planning document is rather a decorative or forgotten report and not been treated as a working reference. In some cases the organizations are attracted by new fashion in development and instead of stick to their identity, and vision, they find themselves trapped by what they have been offered by donor agencies.

This will lead us to how we organized strategic planning exercises and who attended them. Michael Edwards noted: "Strategic planning is commonly assumed to be a linear process which starts at the apex of the organization and then moves logically out to the periphery. This is not the case. Why? Because the nature of sustainable development processes means that they cannot impose and have to be negotiated. So, for NGDOs any plan has to be arrived at through a process of consultation. If done properly, strategic planning is down-up-down-up, inside-outside-inside process between the organization and its key stakeholders".³⁷⁸

4.6.4 Human Resources and Management

³⁷⁸ Edwards. M., 2002. International Development NGOs: Agents of Foreign Aid or Vehicles for International Cooperation. In: Michael Edwards & Alan Fowler, ed.: NGO Management. London, Sterling,VA: Earthscan Publications Ltd, 2002, pp.27-37.

The roles and responsibilities of staff members were unclear. The original structure of the network composed of the network coordinator and office secretary. The network created profile and roles for the coordinator to coordinate the efforts of the members and to assure the implementation of the agreed upon action plan outlined by the members. The chairman was not anticipated to shoulder the day to day management tasks. The first decisions taken by the chairman was to marginalize the roles of the coordinator and he became the person in charge of all tasks. This style of leadership created unease amongst members and staff who found themselves excluded and laid off from the network without consultation with other executive committee members.

4.6.5 Implementation and Service Delivery

The network executed a few regional workshops and thematic meetings such as human security, education and employment policies, sustainable development, conflict over resources, poverty root causes in eastern Sudan, advocacy and lobbying, concept of exclusion, poverty and marginalization in South Blue Nile State, critical view on local development projects, and privatization of Gezira scheme. These seminars and workshops were quite useful as suggested by most interviewees. However, they comprised only a portion of the approved action plan and they satisfied only a small portion of the project objectives. According to members of the executive committee interviewed that most of these themes were selected by the chairman and no consultation was made with other members.³⁷⁹ According to the chairman, who was also interviewed, that some workshops took place under difficult political circumstances where the government tried to stop them due to that SCSNAP had not been registered. The chairman said he managed to overcome the obstacles through his own social and political contacts. The quality of papers, level of participants and discussions in the regional workshops and in the thematic discussions were quite satisfactory. They contributed to awareness raising and knowledge sharing about poverty reduction, not only to the network's members but also to the Sudanese society in general. The activities increased

³⁷⁹ Nagiya Al Wasila, Member, 17/4, SCSNAP office, Zeinab Badreldin, Member, 17/4, SCSNAP office.

the visibility of the network. Based on this reputation, the chairman represented the network in various national and international events. However, the results on the ground in terms of change of policies, improvement of conditions and quality of services were poor and ineffective. Most of the people interviewed also agreed that these activities were of academic nature and lacked focus and priorities.

4.6.6 Financial Management

Most of the people interviewed pointed that the financial situation of the network was completely unclear. The host organization, the Sudanese Environment Conservation Society (SECS) was responsible for bank account since the network had no bank account in the beginning of the establishment. An agreement was signed between the host organization and SCSNAP with respect to the financial procedures and the financial authority in terms of funds release and signing of financial approval. The main problems faced by the network members were that they did have access to financial information and records. Because of the absence of reports and lack of transparency it was unclear to what extent that the network respected the agreed upon budgets and the level of variation from the original budget.

4.6.7 External Relations

The visibility of the network increased as a result of the broad membership and the implementation of workshops and seminars in Khartoum and in the regions. The network was also known amongst international organizations, UN and donor agencies. The chairman who was also a good public relation officer represented the network nationally and internationally. According to some members interviewed the network was known by outsiders more than by its members.³⁸⁰ The network influences on policies and public opinion was poor. The network focused on conducting of thematic workshops without seeing how these events could help achieving its objectives.³⁸¹ The network succeeded to

³⁸⁰ Muawia Shaddad, Member, 26/4, SCSNAP office

³⁸¹ Abdeljalil El-Mekki, 2006, Evaluation Report.

register with HAC and was committed to submit reports and follow the rules and regulations imposed by the law.

From the analysis of the organizational cultures of the participating organizations/networks, we can make the following overview on the six variables based on research data.

Table (6): Sudanese NGOs and Capacity Enhancement: Case-study Overview

	Friends of Children Society (AMAL)	Human Rights and Legal Aid Network (HRLAN)	Sudanese Environmental Conservation Society (SECS)	Sudanese Civil Society Network for Alleviation of Poverty (SCSNAP)
Internal Governance	Top-down approach Absence of rotation Lobbying in election	Participatory elected board weak relation with members	Limited participatory Elected board with lobbying	Weak, no regular meeting. No consultation with members
Strategic Planning	Not functional	Review needed to set priorities	Need to be reviewed regularly	Not functional
Human Resource Management	Lack of utilization of members Inadequate system	Systems available Ambiguity over consultants payment and no volunteers policy	Admin. System to be updated and known, Restructure and re-profile of staff	Poor system and lack of policy and absence of job profile. No use of human/member resources
Service Delivery	Poor	Benefit only staff and members Feedback needed to improve training	Lack of follow up Better focus on advocacy than delivery of service	Training not always effective.
Financial Management	Lack of transparency	More transparency	Good report but bureaucratic system	Unclear. System and transparency needed
Networking, External	Poor almost isolated	Focus activity rather than scatter	Weak and ad hoc and not focused	Poor and ad hoc

Relations		efforts		
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4.7 Conclusion

The main objective of this chapter was to critically review and analyze some features of the organisational cultures of the four participating organizations/networks. The purpose was to show their inherent limitations and strengths. The chapter acknowledges the necessity of addressing these shortcomings in a way that could help to compare between their present capacity situations and the standard that is expected to achieve. It was not intended to portray them in any way as the ideal or the only form of an NGO. As we can see from the chapter's findings that the participating NGOs take many different shapes and forms depending on their vision, values and direction. It is necessary to understand the political environment and context they are working in.

The strengths of some of the four participating organizations/network lie in their recognition of the participation of their constituents. The full engagement of all members in all stages will safeguard and guarantee the effectiveness and efficiency of development processes. Despite the fact that all four organizations are making efforts to promote positive values in society at large, they are weak internally in advancing democratic practices and promoting transparency within their structures. This is somewhat unpredictable phenomenon, given the political restrictions. It is expected that there will be more democratic practices inside the organizations and less promotion of democratic values externally.

Overall, the most distinguishable weaknesses within the four participating organizations' structure include strategic planning, thinking and advocacy. The lack of identity, and the confused purpose of the organization hinders all others elements of service delivery and organizational management and influence both the internal and external dynamics.

In terms of influencing social policies, the research revealed that the four NGOs did not play a strong role in systematic monitoring violations of human rights, child rights and environmental rights. The responsive manner, for example, of SECS and HRLAN advocacy and policy influence, is based on ad hoc mechanism and advocacy has not been part of the job profile of each staff. This justified the shortcomings in follow up of many advocacy issues raised by these organizations and in seeking to influence public policy at a national level. On the other hand, the government never acknowledges that policy changes are a response to civil society work.

In terms of networking, particularly cooperation and working with the government, it seems that there is plenty of room for expanding and multiplying the channels for dialogue between the government technical departments and NGOs which have not been fully utilized.

Activities designed to build capacities among organizations and networks can only be effective when these partners have strong commitment to the processes. Organizational development is a challenging process, as it forces partners to acknowledge and confront weaknesses and shortcomings, as well as strengths. The research will address this risk through participatory approaches that foster ownership and emphasize shared learning. The coming chapter will discuss in details some of these interactions between the organizations and the government, as one of the main partners in the development processes.

CHAPTER FIVE

NGOs RELATIONS WITH GOVERNMENTS

5.1 Introduction

One of the objectives of this research was to study and analyze data and information from development practitioners, academics, volunteers working with Sudanese NGOs and from the third sector. The intention was that the analysis, findings and different views will contribute to developing a better understanding of the evolving relationship between governments and the non-profit and voluntary sector in Sudan. The research will facilitate the discussion of ideas across the voluntary sector so as to help create a dialogue within the sector and between sectors.

Most of the initiatives are undertaken by the civil society organizations to improve the working environment through the various discussions and workshops. Civil society organizations are working together to determine how the relationship with other sectors, including the government and business sectors, should evolve so that can best serve the public interest. It is high time to develop a joint table approach, as a starting point to discuss issues of interest and concern with the other sectors and to explore key areas:

- (i) improving the relationship between the civil society sector, private sector and government;
- (ii) enhancing the capacity of the sectors to serve the public; and
- (iii) improving the legislative and regulatory environment in which the civil society operates.

Historically, in the past and present, the Sudanese have the innate sense of the value of the voluntary sector and its contribution to the establishment of most of self-help efforts and its importance as a catalyst for what is most important in communities. It is something that can no longer be left behind unstudied in the context of what it means for public policy and what public policy means for it. If we do not put the same level of concern and intellectual capacity behind the issues in this sector as we do behind private

sector issues and behind public policy questions in the purest sense, we will all, as a society, suffer as a result.

There are, however, some really fascinating questions that have to be dealt with in some measure:

- Do state institutions embrace in reality and spirit the dynamics of the voluntary sector?
- If technical departments, ministers, some politicians, the central and provincial level, say one thing, but HAC and security offices says another in their regulations and attitude, what does that mean?
- Do the elements of Sudanese political culture, both during democratic and dictatorial regimes, truly encourage a dynamic and competitive sector or are there built into our political culture some normative constraints that say we only want the voluntary sector to go so far? We do not want them in some areas, we want them in a neat categorized position, and if this is so, why?
- How do we ensure that the voluntary sector with its strengths and weaknesses is not asked to take upon itself burdens and responsibilities that are normally the discourse of government?
- How do we work with the many federal and provincial policy and regulatory anomalies where different messages are sent, again unwittingly by virtue of how this country is governed?

5.2 Governments' Strategy towards NGOs

The Constitution, Article 12, sub-article (1) specifies the role of the state in social justice: “The State shall develop strategies and policies to ensure social justice among all people of the Sudan, especially through safeguarding means of livelihood and opportunities of employment. To that end the State may also encourage mutual assistance, self-help and charity”³⁸²

³⁸² The Interim National Constitution of the Republic of the Sudan, 2005. Available at: www.sudan-embassy.de. Accessed December 29, 2008.

The government strategy, however, is a complex of various approaches played by different government actors at several levels both central and local. Here is a summary of government approaches towards NGOs according to the data collected from the interviewees:

- Government develops an aggressive policy towards NGOs to restrict their activities or activities of some organizations. It tries to control the work of NGOs by imposing the NGOs' law and regulations;
- Government tries to contain some NGOs by providing support, both financial or material or self-interest exchange;
- Government uses some political agenda to pretend that there is a cooperation and partnership;
- Technical government departments create good working environment and partnership with NGOs.

The government has to announce reaffirmation of its commitment to work with the voluntary sector as clearly articulated in the constitutions and policies, for the benefits of all Sudanese. An initiative has to be taken to meet the following objectives. First, is to help the civil society sector increase its capacity to meet the needs of Sudanese society and second, is to work with civil society sector to improve the government's policies, programs and services. This objective recognizes the sector's role in policy influence and advice beyond service delivery. It also reflects the voluntary sector's finely attuned understanding of the needs of the people it serves. The second objective is that the government has to make a commitment to involving the sector in policy-making to ensure more informed policy-making by the government. But involvement in policy formulation requires the capacity to participate and a learning culture on both sides. Government departments need to incorporate the civil sector more systematically and to a greater extent in the development of policy initiatives.

5.3 NGOs Strategies towards Governments

As Clark wrote about the attitude towards government that NGOs can “oppose the State, complement it, or reform it, but they cannot ignore it”³⁸³

In Sudan the NGOs rights and benefits are related to their political positions. In most of the cases, the Minister is the person to decide or not to give support or assistance to an organization. The authority of the Minister, according to NGOs law was unlimited. It always depends on how supportive the organization to the government political mandate. Therefore most independent organizations are not getting benefits from the government. The benefit NGOs wish to get is not to be investigated or interrupted by the security authority. As Farrington describes it that: ‘NGOs may well decide there is little left in the state on which they can draw, or which can be improved through the exercise of pressure’³⁸⁴

The independent civil society and NGOs initiated under difficult political conditions develop a culture of mistrust and lack of confidence in working with the state. Unfortunately, the Sudanese civil society experiences the political repression under both the democratic and dictatorial regimes. Democratic governments are quite likely to perceive civil society as a threat. Civil society organizations such as trade unions, professional associations, women’s and students’ unions have played an increasing role in national politics. As explained by Taisier, M.A. and R. Matthews that: “This development, coupled with the rise of the SPLM, has precipitated several realignments within political and popular forces, which in turn have gradually transformed national perceptions of the civil war”.³⁸⁵ Moves to democracy in Sudan during the vicious cycle of military and elected government have not been genuine and democratic changes are neither straightforward nor automatic. Security authority has never been supportive or in favour for the work of civil society. The government created a suspicious image for those

³⁸³ Clark, J., 1991. *Democratizing Development: The Role of Voluntary Organizations*. West Hartford: The Kumarian Press, p.75

³⁸⁴ Farrington, J., ed., 1993. *Reluctant Partner?* London and New York: Routledge, p.195.

³⁸⁵ Ali, T. M., and Matthews, R.O., (ed) 1999. *Civil Wars in Africa: Roots and Resolution*. Montreal & Kingston, London, Ithaca: McGill-Queen’s University Press, p.216.

not supporting its political agenda. The bureaucratic complex of the regimes, in addition, is a sufficient obstacle for any progress to be achieved.

What are we expecting from a government that favour some Islamist and semi-governmental organizations by contracting them to implement programs? This is not to say that independent NGOs will accept financial assistance from the government. They know that their autonomy will be challenged. For all these reasons, “whether and under what circumstances a particular local organization should relate to government or avoid government is a major strategic decision”.³⁸⁶

NGOs interviewed are developing different strategies when dealing with the authorities. A strategy with HAC when dealing with the formal registration, and re-registration and another strategy when working with the government technical departments in projects’ related activities. Some of NGOs, for example keep low profile and maintain a distance from government bodies. Others are developing contacts with HAC and inviting HAC personnel to attend workshops.

Most of people interviewed believed that the role of HAC is to control the work of NGOs and to report to the security authorities on the performance of both international and national NGOs. This role is on line of the government’s strategy towards the civil society in general and NGOs in particular.

It was reported by most of people interviewed, that the relation with the government is weak and it was characterized by the following features:

- Lack of recognition of CSOs’ role;
- Lack of trust in voluntary sector;
- Accusation of CSOs being partners with donor agencies and international organizations;
- Poor communication and absence of any means of dialogue between CSOs and government.

³⁸⁶ Esman, M.J. & Uphoff, N.T., 1984. Local Organization: Intermediaries in Rural Development. Cornel: Cornel University Press, p.267.

5.4 The Joint Alternative Strategies

The role of NGOs and other forms of voluntary work is also raised within the context of local institutional development framework. In order to produce effective development efforts, NGOs need to link with other channels concerned about development process within the community. These social forces include public sector at local and central levels and private agencies. NGOs find it increasingly difficult to justify to members and donors as well their interaction with governments. In the case of Sudan, NGOs acknowledge the need to work through government; they are registered with the government and tend to work in close collaboration with it. Some people however believed that the involvement of voluntary organizations, for example, in public work was in order to survive. Others support the co-operation among the different social channels as part of local institutional development. The alarming issue emerging here was how to maintain NGOs' identity and integrity in this process of multi-alternative development model. Another point of concern was how directly NGOs have to be involved in political activities and to what extent they remain attached with or detached from governments. Charlie Pye-Smith and Grazia Borrini Feyerabend with R. Sandbrook argue that: "It would be naive to disregard the fact that a process by which communities acquire control over local resources, organize themselves in management institutions, strengthen their capabilities, enter into a variety of partnerships and gain full access to regulated markets, has fundamental political implications".³⁸⁷

In response to the question of how the governments perceive the operation of NGOs, we agree with the analysis of Bratton, M., that "The amount of space allowed to NGOs in any given country is determined first and foremost by political consideration, rather than by any calculation of the contribution of NGOs to economic and social development".³⁸⁸

³⁸⁷ Pye-Smith, C., and Feyerabend, G., Borrini with Sandbrook, R. 1994. *The Wealth of Communities*. London: Earthscan Publications, pp.156-91

³⁸⁸ 1990. NGOs in Africa: Can they Influence Public Policy? *Development and Change*, Vol. 21, pp. 87-118

This political view of NGOs applies not only to INGOs but also to independent Sudanese NGOs at national level as well as to CBOs at very local level.

A number of Sudanese NGOs were restricted by the governments, both under democratic and military regimes, on the ground that they are politically active. This is not necessarily to be in conflict zones but in areas affected by political instability. Other similar situation where governments regard voluntary sector with suspicion is that after June 1989 the government dismissed for political reasons a good number of qualified professional and technical officials, who found places in NGOs and private sector. This situation creates political tension between voluntary sector which have a relative autonomy, and state agencies.

Independent NGOs and CBOs are hardly able to function in the political system which dominated by single party or dictatorial regimes. The political role of the intermediary NGOs under such conditions is to contribute to the development process by strengthening the capacity of grassroots initiatives and linking them into development networks.

The voluntary sector however expands because of the failure of the governments to provide basic needs for the people. The growing economic and political decline and lack of resources and inaccessibility is undermining the government's legitimacy and authority and adding to the existing discomfort between state and NGOs.

5.5 Examples of Government Institutions

5.5.1 Humanitarian Aid Commission (HAC)

The Voluntary and Humanitarian Work (Organization) Act (2006) specifies the role and responsibilities of Humanitarian Aid Commission (HAC).³⁸⁹ HAC is a specialized unit established at Ministry of Humanitarian Affairs to be responsible for the following: 1)

³⁸⁹ Chapter IV "The humanitarian aid commission: Establishment of the commission 2006: 9. Available at: www.hacsudan.com. Accessed December 27, 2008.

awareness raising and establishment of better understanding of humanitarian voluntary work in coordination with other bodies; 2) mobilization and development of resources in case of emergency and whenever needed; 3) training on disaster management at all levels and in coordination with other bodies; 4) initiation of projects and identification of humanitarian aid needs; 5) establishment of strategic reserve for emergency to meet urgent needs; 6) coordination with external bodies and facilitation of emergency assistance; 7) mobilization of internal and external resources in collaboration with concerned authorities for rehabilitation of affected areas and for repatriation of IDPs; and 8) monitoring and evaluation for all humanitarian voluntary work in Sudan.

Most of NGOs are registered with Humanitarian Aid Commission (HAC), the central body responsible for the work of international and national NGOs. With the increasing difficulties facing organizations to register, some non-profit organizations register in other central government bodies such Ministry of Justice, and Ministry of Culture and Information. Those NGOs working in Khartoum State are registered with Humanitarian Aid Department (HAD) in Khartoum.

Hassabu Mohamed Abdurrahman, the commissioner of the Humanitarian Aid Commission, reports that the number of national NGOs registered was 2060.³⁹⁰ The number of those legally finalized their position is 1006. The number of foreign NGOs is 268. The Commission, according to the commissioner, decided to carefully observe the work of NGOs, in collaboration with the States' commissions. NGOs were instructed to submit regular activity reports. Committees will be established for certain roles, in addition to higher committee chaired by the commissioner. He added that in 2005, 158 million dollars were entered the country allocated for NGOs and the commissioner did not know for what projects the money used. The commissioner noted that there were 17 official central bodies concerned about the humanitarian work and the coordination was necessary between these bodies.

³⁹⁰شمال أنور، 2007. السودان أكبر دولة نزوح، جريدة السودان رقم (518) بتاريخ 22\4\2007

Sudan is the largest displacement country. Anwar Shambal Al-Sudani newspaper, Issue No. 518, Sunday April 22, 2007.

The commissioner deliberately gave a bad image about NGOs and he did not explain to whom the amount of 158 million dollars was allocated. The government was aware of all financial transactions through the embassies and bank facilities. This was a typical official statement that created confusion between the work of UN, international organizations and national NGOs.

The Secretary General of HAC in Southern Darfur State states that an evaluation report produced by HAC on the work of NGOs in IDPs camps in Southern Darfur.³⁹¹ The report revealed, according to HAC, that some NGOs and studies centers were not operational and they were only on papers. HAC recommended the cancellation of 58 organizations out of 100. Those organizations have the right to appeal. HAC reported accusations from UN Population Council that some NGOs received funds but not implemented the agreed activities and other NGOs received donations from UN bodies without notifying HAC. HAC introduced some procedures to monitor the NGOs work and these procedures, according to HAC, did not intend to underestimate the work of national NGOs. HAC reported that 27 international organizations working in Southern Darfur, 13 UN bodies, 5 international institutions and 5 Islamic and Arabic organizations.

"The Forgotten Activists in Darfur" is a title of report, issued by Correspondents without Borders, a French based organization and published in a Sudanese newspaper.³⁹² The report focused on the work of Sudanese civil society organizations active in the region since 2003 but their work was unknown compared to international organizations. The Secretary of Civil Society Organizations Initiative, Shams El Din Dau El Bait, believed that the neglect of NGOs work in the region is an old issue. The reason of the escalation of the crises in the region was a result of the control and restriction over the national NGOs and the national media work. The national NGOs are working under difficult conditions and without support. He gave an example of Call of Darfur initiative which

³⁹¹ Ibid, 2007.

حسب الله البالغ، 2007. النشطاء المنسيون في ازمة دارفور : نتائج زيارة مراسلون بلا حدود جريدة الصحافة رقم 4977 بتاريخ 2007/4/22

Hassaballa Albalig. The Forgotten Activists, 2007. Al Sahafa newspaper., Issue No. 4977, p.3: A result of Correspondence without Borders investigation report in Darfur. The report covered the period between 17 and 22 March, 2007.

had been stopped by the authority that did not allow the organizations involved to meet. This government attitude towards national NGOs encouraged the hostile reaction of IDPs towards national organizations, and distrust and at the same time increased the confidence in the work of foreign NGOs.³⁹³

5.5.2 Sudan Council of Voluntary Agencies (SCOVA)

Sudan Council of Voluntary Agencies (SCOVA) was established in 1971 as a forum for the national NGOs. Its objectives include: “a) to develop voluntary activity in Sudan; b) to exchange information between NGOs; c) to build the capacities of NGOs staff by training in different fields; d) to link between NGOs and relevant GOS and other regional and international entities; and e) to establish a data bank that provides NGOs with the necessary information”.³⁹⁴

According to Sudan Council of Voluntary Agencies (SCOVA), a government coordinating body, number of NGOs in Sudan is “250 organizations working in humanitarian assistance; emergency relief, rehabilitation, education, orphan sponsorship, homes for street children, mother and child care, health services, sanitation, environment, supply of water and many development activities”.³⁹⁵ Based on these data, NGOs can be classified in the following table:

Table (7): SCOVA Summary of Registered Local NGOs and INGOs

Type of NGOs	Number
National NGOs	140
CBOs	30
Networks	08
Foreign NGOs	58
UN Agencies & INGOs	03

³⁹³ Ibid, 2007:3

³⁹⁴ SCOVA, 2003. Directory for NGOs working in Sudan, Khartoum, Sudan.

³⁹⁵ Ibid, 2003

In this Table SCOVA didn't make any analysis and definition. It was not clear on what basis was the classification between national NGOs and CBOs. The number of UN agencies and international organizations was far less than the actual number. In Southern Darfur there were 37 international organizations and 13 UN agencies according to HAC. From the 140 national NGOs surveyed, 138 organizations are Khartoum-based. There is no information regarding the registration date of organizations and the registration authority. Although the directory of SCOVA is for non-governmental organizations, there are some governmental organizations listed. There is one organization located at one of the federal ministries. SCOVA didn't explain how these data collected, its sources or methodology of data collection. SCOVA gathered information on NGOs according to the type of organizations. For example, national NGOs and foreign organizations were described according to the following categories: organization/director; location/address; branches; objectives; target; plans; and capacity building.

NGOs Networks were categorized based on: name of network/chairman; location/address; major objectives; number of NGOs forming the network; field of activities; activities implemented by the network; affiliation/partnership/network outside Sudan; future plans; and training needs. The profile of community-based organizations (CBOs) includes: organization's name/director's name; location/address; major objectives; target groups; current activities; affiliation/partnership, network; source of funding; future plans; and training needs.

SCOVA did not clarify who did the survey and when. It was also not clear the basis of selection of the categories for each group of organizations (national NGOs, CBOs and networks). It was unclear what SCOVA meant by capacity building. From the list of the areas of capacity building, it was clear that intention was the training needs. It will also be interested to find out why SCOVA wanted to know the source of funding for the networks and for national NGOs and CBOs.

Summary of capacity building sectors and areas identified by SCOVA for the national NGOs:

- Sectors: informational technology, health, education, relief and rehabilitation, disaster preparedness, conflict resolution, peace building, water supply, gender equality, child rights, poverty reduction, small industries, voluntary work, environment, credit and saving, handicraft, human rights, tourism, languages, rescue technology, home economics, media, care of elderly, street children, rehabilitation of prisoners, camps services, HIV/AIDS, voluntary work & volunteers, land mine services, distance education.
- Areas: advocacy, lobbying, proposal writing, report writing, management, networks & networking, fund raising, financial management, data collection & analysis, conflict prevention, mediation and negotiation, evaluation, participatory research, communication, outside visit & international experience, human rights, strategic planning, leadership, self-management, needs assessment & basic-line survey, publication & documentation, workshop equipment and tools, trucks and spare parts for agricultural production, office equipment.

Objectives of the networks and capacity building areas identified for NGOs networks by SCOVA:

Objectives: coordination between NGOs and government and UN organizations, participation in development programs, exchange of experiences, capacity building, promotion of local capacity in food security, coordination and co-operation between members, fund raising, information collection, studies, awareness raising, capacity building of members, coordination with regional and international groups.

Areas: management, project proposal writing, data collection, monitoring & evaluation, report writing, financial management, networking, gender issues, needs assessment and early warning.

It is interesting to find out from the survey conducted by SCOVA with respect to the objectives of the networks and activities implemented by the participating networks and from the needs of capacity building that no single network identified policy influence, advocacy and lobbying as areas of interest, activities or needs. Such type of ambiguity

with regard to the role of participating networks raised the questions of understanding the concept of networking and to what extent the differences between networks and organizations are clear. It is possible that the methodology used to collect data about the networks or sources of information are not accurate.

5.6 Case Studies of NGOs Working with Governments

5.6.1 Friends of Children Society (AMAL)

AMAL, according to some people interviewed, was historically accused of being anti-government and being politically oriented.³⁹⁶ The relationship with HAC had never been improved. Security authority searched the organization's office and some members were arrested and other members were asked regularly to report the security office.

Registered organizations are taking permission to conduct activities (workshops and seminars, survey and research activities) and for documentary films, for example, permissions are from security and intelligence offices. Another example was a program called "Peace for Darfur" broadcasted by British Broadcasting Corporation (BBC) had been stopped by the government. The relationship with HAC is only when there is a general assembly. The government is keen only on security issues when dealing with NGOs. It has been observed by one interviewee that some states managed to create space for NGO-state interaction.³⁹⁷ For example, Kassala State recognized the role of NGOs to the extent that 20% of the state budget for 2007 was allocated to NGOs. The statement however did not specify which NGOs benefiting from the government donations. In two other states, Western Darfur and Khartoum, only government and semi-government organizations received financial assistance from government.

The following are some technical departments and Ministries which AMAL developed some working relations with:

³⁹⁶ S. Abu Shok, and A. El-Newari interviewed on April 13, 2007, AMAL Office

³⁹⁷ H. A. Ati, 26/05/2007, Edge Consultancy office.

The National Council for Child Welfare (NCCW)

NCCW was established in 1991 as government body responsible for monitoring and promotion of children's rights in Sudan. NCCW operates under the Ministry of Social Planning and Development. Later on, NCCW was attached to the President's Advisory on Women and Children's Affairs for one year. Currently, NCCW has rejoined as a department under the Ministry as it was before.

AMAL is working with the Council of Motherhood and Childhood Care. AMAL participated in the Council's activities and the Council attended AMAL's forums and workshops. AMAL is hoping of having partnership with the Council. AMAL observed that the Council supported financially specific organizations such as Ana Al Sudan. According to AMAL's staff member interviewed that the relation was more personal and political.

In response to what extent an NGO can make the government accountable, AMAL partner organizations: Khartoum Centre for Human Rights, The Sudanese Child's Rights Group, Abd Al Kareem Mirgani Centre, and Sudan Organization for Social Development (SUDO), prepared a critical remark and questions for the government in relation to an agreement signed by the government with Qatar and United Arab Emirates whereby the government and the gulf countries were accused of exploitation of Sudanese children in child trafficking and camel racing. The Committee on the Rights of the Child (CRC) during its forty-fifth session “was concerned that there continue to be cases where children – especially children belonging to particular tribes – are trafficked to the Middle East to be used as camel jockeys” (Unedited Version: 8).

In order to realize the altitude of advancement which is accomplished in implementing the Optional Protocol on the Sale of Children (OPSC), Child Prostitution and Child Pornography, attached to Child's Rights Agreement, it just needs a rapid assessment for the situation on the ground, that reveals a huge mismatch between ratification of the Agreement and actual and legal abiding to it. There are, however, difficulties in

identifying the achievements and the vacuums as monitoring the implementation of Child's Rights Agreement constitutes a major challenge facing both NGOs and state parties (Session 45 of CRC, 2007).

A survey conducted by Friends of Children (AMAL), in collaboration with the Sudanese Child Rights Group (SCRG) came to a result that the Government efforts are neither consistent nor systematic; hence their effect on children is meager in comparison with the range of violations and the opportunities and facilities to combat and eradicate them. The main reported shortfalls are that the Protocol is not considered of significance to the government. Therefore the government doesn't incorporate its principles into government's policies and action plans. This explains the absence of the role of government institutions in the implementation of the Protocol. The role of the National Council of Child Welfare (NCCW), for instance, as the governmental body responsible of child rights is nonexistent. NCCW lacks the authority and facilities to protect child's rights and to ensure the implementation of the plans. It was noticed that there are absence and lack of coordination within the governmental bodies and a delay in legislative and administrative amendments to employ the Agreement. NCCW did not start to emphasize on works aiming at applying the Agreement in a holistic manner that requires a high level of formal coordination in order to instigate the Agreement through the Government and the community.

AMAL Forum raised the following questions in 2006: Is NCCW responsible for Child's Rights including availing authorities and mechanisms for protection? Is there a national plan of action? If not, why? Are there available human and material resources from the government? What are they? What are the actual governmental efforts in the field? The NGOs Forum has observed a strict centralism in planning, implementation and poor participation in projects and programs besides lack of coordination between the government bodies and the regions. NCCW failed in creating the interaction between the concerned institutions in steps of planning, implementation and evaluation of the current programs and envisaging the opportunities that can reflect the role of the government to identify the factors and hindrances that impinge on compliance to commitments.

Street Children

The government collects street kids on regular basis and puts them in semi-urban camps such as Al Hegeir and Abu Zeid. Contacts were made by the government with AMAL and other specialized organizations to assist in project activities like social and psychological rehabilitation, education and family reunification of those children. The street children problem has been considered as sensitive by the government. The government wants to have a good image on the one hand, and does not like the intervention of international organizations in this particular issue. However, the resources of the ministry of social affairs, including the human and financial are not sufficient to address the issue. On the other hand very few local specialized organizations have the expertise and the resources to address this complex problem. The government has been accused by some of international NGOs and international media of launching an Islamization process including approaches to convert those most non-Muslim children through the campaigns and educational system introduced by the government through the Islamic organizations in IDPs camps. Sudan Country Report describes the situation as follow: "The Government operates camps for vagrant children where they are subject to abuse. Police typically send homeless children who have committed crimes to these camps, where they detained for indefinite periods. Health care and schooling at the camps are generally poor and basic living conditions are often primitive. All the children in the camps, including non-Muslims, must study the Koran and there is pressure on non-Muslims to convert to Islam".³⁹⁸ AMAL established a project which provided protection and education for street children. AMAL identifies families to take care about them, while seeking their original families for reunification. For those children who stay longer with alternative families, they attend school and vocational training.

Juvenile Court, a Joint Project

Sudanese Organization against Torture (SOAT) published a report on Reformatories in Sudan in April 2004. The report includes the following observations made by the UN

³⁹⁸. Country Information and Policy Unit. Immigration and Nationality Directorate. Home Office, United Kingdom. October 2007. Available at: www.ecoi.net. Accessed December 27, 2008.

Committee on the Rights of the Child. Sudan was one of the first countries to ratify the UN Convention on the Rights of the Child in 1990:

- The UN committee stated that 'the committee is of the opinion that the system of the administration of juvenile justice in Sudan is not fully compatible with articles 37, 39 and 40 of the convention and other relevant United Nations Standards'³⁹⁹.
- The age of criminal responsibility is too low as a child may be punished by detention at the age of seven.⁴⁰⁰
- Police investigation was done in the same manner as of investigation with adults.
- Investigation was done in total absence of social work.
- Police did not have special places for keeping juveniles while they were under policy custody.

In 1999 AMAL with national and international organizations namely, Mutawinat, Sabah, Saint Vincet, Save the Children Sweden and UNICEF, entered into an agreement with the judiciary in Khartoum North and East Nile Provinces. The agreement aims to set up a joint project of juvenile court. SOAT⁴⁰¹ reported that this joint project was in fact an outcome of joint advocacy efforts of the NGOs and judiciary. The project was supported by Save the Children Sweden. The participating mentioned NGOs contributed to the technical, logistical and administrative aspects of the juvenile court system. The concerns of NGOs were focused on issues related to the low age of criminal responsibility, the lack of integration of the system of juvenile justice into legislation and practice provisions of CRC, and lack of protection for children under 18 years of age.

³⁹⁹ SOAT (former SVTG). Reports on the Situation of Human Rights in Sudan. 2004, p.2. Available at: www.soatsudan.org/public/ahrr.asp. Accessed on 8/2/2008.

⁴⁰⁰ Paragraph 69 for Document CRC/C/15/ADD.190. "Noting the reference to a juvenile court project in the State party's response to the list of issues, the Committee is concerned that the holistic approach to addressing the problem of juvenile crime advocated in the Convention, including with respect to prevention, procedures and sanctions, has not been sufficiently taken into consideration by the State party. The Committee is concerned that the age of criminal responsibility is too low as a child may be punishable by detention in a reformatory from the age of 7". Human Rights Index of United Nations Documents. Available at: www.universalhumanrightsindex.org. Accessed December 27, 2008.

⁴⁰¹ SOAT (former SVTG). Reports on the Situation of Human Rights in Sudan. 2004, p.2. Available at: www.soatsudan.org/public/ahrr.asp. Accessed on 8/2/2008

Type of delinquency reported by AMAL in its mid year report January – June 2004 shown below in Table (8).

Table (8): Type of Delinquency

Type of Delinquent	Number of Cases
Theft	69
Murder	51
Injury	39
Other	05
Total	164

Male children between the ages of 14-18 years were kept in a special home (Dar Al Fitian) to spend their prison time. The home is under the supervision of the Ministry of Interior and managed by staff members who were trained to care about these children and guide them for better behaviour. The poor facilities of the home and the potential danger of the future of these children attract national NGOs such as AMAL and Sabah to work with the Ministry of Interior to implement joint activities including rights awareness raising, health and education. The NGOs used an educational entertaining approaches advocating for child rights and preparing them for a better future.

5.6.2 Sudanese Civil Society Network for Alleviation of Poverty (SCSNAP)

Poverty Reduction Strategic Paper (PRSP)

SCSNAP had achieved a structural place in PRSP process and in one of the Joint Assessment Mission (JAM) committees. JAM was the mechanism established by the UNDP and World Bank to assess the needs for the post-conflict period. The position of SCSNAP in the PRSP created an opportunity for the network to play an effective lobbying for poverty alleviation and long term poverty reduction strategy. It was strategic and crucial to support the process of wealth sharing as a result of oil profits and its impact on the PRSP and peace. The network attended regularly the meetings of the Poverty

Reduction Unit at the Ministry of Finance and National Planning.⁴⁰² One of the main objectives of the unit was to plan a poverty alleviation strategy and prepare with Sudanese civil society organizations the PRSP. The network was chosen as a member of the economic group in the need assessment committee. The committee presented a report relating the economic problem with the poverty in the country. According to SCSNAP, the report of the committee was presented to the donors' conference in Oslo in 2006 and adopted by the conference as one of the main reports for development. The network participated also in Nairobi meeting between the government and SPLM as a representative of civil society prior to peace agreement. The network established good working relationship with HAC and the Ministry of International Cooperation.

Nevertheless, the outcome of SCSNAP efforts in reducing poverty and in contributing to PRSP was poor compared to what was anticipated from a network that had access to be member of Poverty Reduction Unit at the Ministry of Finance and National Planning. The weak lobbying in PRSP and the ineffective advocacy of SCSNAP questioned the whole position of the SCSNAP. The member organizations were not aware of the participation of the network in the PRSP or in peace processes. The chairman was the only representative who attended these events, without consultation with other members and without feedback.

5.6.3 Sudanese Environment Conservation Society (SECS)

SECS in collaboration with the Higher Council for Environment and Natural Resources (HCENR) and Ministry of Environment and Tourism produced a strategy called: "Towards a National Plan for Environmental Work in Sudan" on November 1996.⁴⁰³ This

⁴⁰² K. Idris, 27/3/2007, SCSNAP office.

⁴⁰³ المسعيد رفعت، (2006) التأسلم السياسي جماعة الأخوان نموذج، سلسلة العلوم الاجتماعية، الهيئة المنوية العامة للكتاب القاهرة.

work was a result of an agreement signed by the government and UNDP in 1991 which encouraged the adoption of comprehensive vision and planning of environmental conservation and sustainable development. SECS within its strategies to address main environmental issues and in collaboration with the HCENR and Friedrich Ebert Stiftung established the environmental forum at the main office of SECS in Khartoum. The forum consisted of professionals, members of the National Council (Parliament), executive members of the government, scientists, and universities' academic staff, media and culture figures. The forum discussed the environmental problems that facing the country and the proposed solutions. The forum recommended that the government should adopt a comprehensive national plan for environment in Sudan. The forum asked a number of national experts to prepare a document called "Towards a National Plan for Environmental Work in Sudan". The document was first presented to the environmental forum on October 16, 1995, during the celebration of the International Environmental Day. The forum was addressed by the Minister of Environment and Tourism who supported the initiative of SECS and promised that the government will support the efforts aim at the preparation of the national plan. The document was mainly addressing the government of Sudan as the executive and coordinating body responsible for implementation, coordination and monitoring of other government departments and units. Among those are the cabinet, the National Council, the HCENR, the Ministry of Environment and Tourism, the Ministry of Agriculture and Forest, the Ministry of Animal Resources, the Ministry of Irrigation and Water Resources, the Ministry of Energy and Mining, the Ministry of Culture and Information, the Ministry of Education, the Ministry of Health, the Ministry of Social Planning, the Ministry of Finance, the Ministry of Interior, the Federal Charter, and the Ministries and councils of the States. Since the introduction of the national environmental plan, SECS succeeded to establish a

Women Initiatives Group. Women in the Law. Workshop in collaboration with
Friedrich Ebert Stiftung, Al Sharga Khartoum 11-18/04/2000

المجلس الأعلى للبيئة والموارد الطبيعية، الجمعية السودانية لحماية البيئة ومؤسسة فريدريش البرت، 1996. من أجل خطة قومية للعمل
التنموي في السودان، الخرطوم ، مطبعة المنظمة العربية للتنمية الزراعية.

Higher Council for Environment and Natural Resources, Sudanese Environment Conservation Society,
and Friedrich Ebert Stiftung, 1996. Towards a National Plan for Environmental Work in Sudan.
Khartoum: Press of Arab Organization for Agricultural Development.

working relationship with these government bodies. Some of these technical departments and ministries invited SECS to participate in environmental assessments, seminars and workshops. SECS aims at incorporating the national environmental plan into the works and programs of all government units, departments, ministries, and private and voluntary sectors. The 121 page document contained the main following sections: introduction, the Sudanese environmental context, the present environmental situation and the national environmental plan. The most urgent environmental areas in the document include the desertification, civil strife and instability, environmental deterioration, energy crises, pollution, poverty, lack of ecological diversity and population problems such as displacement. The institutional and legal framework of these urgent issues were summarized as follows: the government commitment towards environmental conservation and sustainable development, the administrative and organizational structure, the potential of application of environmental law, experience, qualification and training in the executive system, the community participation and role of women, the voluntary sector's capacities and activities, and the environmental awareness amongst private, foreign investors and general public. The document was treated as a government environment policy, plan and long term strategy.

5.6.4 Human Rights and Legal Aid Network (HRLAN)

HRLAN continued to have difficulties with the central government because the issue of human rights is still sensitive in Sudan. HRLAN developed effective approaches to achieve its objectives and targets. The network focused during the first years of its establishment on raising the awareness of member organizations on human rights education including international human rights conventions and laws. The network also succeeded in implementing regular training and technical assistance in human rights related issues, particularly those either not fully implemented or have not been ratified, to the network staff members, and executive committee members. Within the same education campaign, the network organized training sessions and workshops for government staff on the basics of human rights, signed treaties, conventions and national legislations. This included the Ministry of Justice and the Ministry of Interior.

In terms of advocacy and lobbying, HRLAN continued to coordinate with other NGOs and civil society organizations to propose modifications and changes of laws and policies or in some cases suggest alternative ones. For example, the government signed the Convention against Torture but it has not been ratified. HRLAN would hold lobbying and advocacy with other concerned parties so as to influence the decision makers to move ahead with the ratification of the convention. HRLAN invited the civil society organizations to pressurize the government to amend the new act called “Temporary Decree for Regulating Voluntary Humanitarian Work of 2005”. HRLAN was a member of the coordinating committee to review the Act regulating the voluntary humanitarian work. The network with other NGOs and CSOs addressed their critical views about the Act and met government members of Humanitarian Aid Commission, Ministry of Justice, the National Assembly, and the Legislative Assembly. The legal complaint made by the NGOs coordinating committee was submitted to the Constitutional Court.⁴⁰⁴

Over the last few years, HRLAN has been campaigning to reform the Networking Act in Sudan. This has helped bring together state and non-state actors. A workshop has been conducted for HAC to better understanding of the concept of networking. HRLAN was active in the Legal Reformation Forum. The purpose of this forum was to incorporate the international treaties and conventions into the interim constitution of the Republic of Sudan of 2005. The forum was held on September 2006 and recommendations were submitted to the Council of Ministries and to the Legislative Assembly. The key issues were the law of national security and the law of journalism.

5.7 Conclusion

In the preceding chapters I have sought to show the hostility of both the authoritarian and the democratic governments over the years in terms of their image and attitude towards CSOs and NGOs in Sudan. There were also many undocumented stories of how NGOs

⁴⁰⁴ Lawyers and Associate Lawyers. Request for stopping implementation of Voluntary humanitarian work (organizations) Act, by SECS and NGOs against the National Assembly and the Legislative Authority, submitted to the Constitutional Court.2006.

undermine and ignore the governments. The joint alternative model of cooperation or even partnership between the governments and CSOs is potential and promising, particularly in areas that matter communities and people. The success of some joint efforts, for example, the national environmental plan between SECS and National Council for Environment and Natural Resources; street children and joint juvenile court between AMAL and Higher Council for Child Welfare; human rights education between HRLAN and various Ministries; and PRSP between SCSNAP and Ministry of Finance, is worth documenting for learning and possible replication.

It is important to understand the system of the most committed opponents of civil society rights and roles, the network, media and dialogue are still an effective strategy with policymakers who may be more open to rights and roles perspectives. This discussion will focus on two less visible audience present in many legislatures and government agencies: (1) those, that do not give the issues much attention, and (2) those, that are already in favor of civil society rights but voice these opinions only behind the scenes.

This first audience may not have seriously examined the issues or may have little information; being politicians, they have taken the safe road, which is usually to espouse the official system. This group may be more open to persuasion by dialogue and information on the complementary roles of civil society and the success stories. The second audience consists of those legislators and public officials who take rights-affirming stances on issues related to civil society rights in silence. There are fierce behind-the-scenes disagreements within governmental agencies, political parties, and committees, too often resulting in bland and meaningless consensus statements, or simply in inaction.

It is clear that various advocacy strategies must focus on issues affecting public life such as child rights, health and women's status, education, employment, basic services such water, health services, sanitation and environment.

One similar strategy could be to present supporting voices in the mass media, bringing hitherto private and public opinions into the open. This will legitimize the debate and make it publicly. It is important and truly inspiring to find Sudanese NGOs and government institutions whose concern is with volunteer-led advocacy and education. It is not impossible to engage Sudanese in development issues. There are thousands of young people and retired persons who are highly committed to contribute and making a difference in Sudan through their educational and lobbying efforts.

On the other hand, the implication of accountability and transparency on the state-CSOs relation is also relevant. Neither each side can insist on leadership accountability if they are unable to set a good example themselves in this regard. Civil society organizations are accountable certainly to their members, to their donors, to public officials, and to their employees.

State-CSOs relations must go beyond zero-sum processes where they take the view that their benefits or advantages should or must come at someone else's expense. This thinking and practice is a closed system where no gains of value or productivity. With negative-sum relations, the system runs down to disorder and dissolution over time because more is being extracted from it than is being put in. State-CSOs dynamics should promote and support positive-sum system, where relations between individuals, groups, organizations, communities, sectors and state, achieve multiple benefits and that there is a continuous accretion of value and productivity, making the relation sustainability is possible.

State-CSOs relations are to be considered as open systems, not for the sake of analysis, and not for the comparison and identification of costs and befit, but rather for the production of multiple net benefits broadly dispersed and inclusively adding the most to our quality of life. The open system is an adaptive, creative and flexible process where our limited resources can best be used to achieve the greatest and most lasting benefits. We have to avoid mental barriers set up by bureaucracy which prevent us from looking

for and at immeasurable but admittedly important consequences, co-generated benefits that cannot be readily attributed to any one source.

The degree of space created by a stable and accountable state is thus vital in encouraging the strengthening of civil society. This will allow people to mobilize and apply social energy to the improvement of their futures. The people, by right and by necessity, must be the architects and the dynamics of sustainable development. What happened to Sudanese people under both democratic and authoritarian forms is worth documenting, particularly under the present regime which has made all efforts to ride people of some of their original values.

One must go, however, beyond looks of success to show in the coming chapter the frustration of NGOs when they are jointly criticize the new Act Regulating the Voluntary Work which they believe will add to further restriction and control of humanitarian efforts.

CHAPTER SIX

NGOs LAWS: A COMPARATIVE STUDY BETWEEN LAWS IN THE SUDAN AND EGYPT

6. 1 Introduction

The requirements for NGOs registration and the registration process reflect the intentions and motives of the state and its relationship with the NGOs, its strategy and attitude towards voluntary sector. As noted by Farrington "The justification given by governments for their efforts to regulate NGOs fall into broad categories: issues related to the need for financial control and the need for co-ordination of development activities".⁴⁰⁵ In Sudan, for example, the arbitrary action, arrest and confiscation of NGOs' equipment and materials, by governments, indicated that the political motives and the fear of the NGOs' influence on the societies are the ones underlying governments' law efforts.

The data on these particular issues, e.g. NGOs law is very important in the wake of the workshops, seminars and joint statements initiated by Sudanese civil society organizations between 2005 and 2006. This particular part of the research complements the work of civil society efforts by offering a space for exchange of experiences and ideas independent of the government.

Most of these data has been gathered during my several field visits to the Sudan and Egypt. The NGOs laws in the two countries represent major barriers for the development of civil society organizations and their role in effective engagement in the social and political reform. The selection of Egypt was based on the similarities of the oppressive laws governing the work of voluntary sector and for the struggle by the civil society in improving them and creating an enabling working environment for constructive dialogue and partnership between civil society and government. Because of the rapid changes in

⁴⁰⁵ Farrington, J., ed., 1993. *Reluctant Partner?* London and New York: Routledge, p.51.

the political environment affecting the relation between the state and civil society organizations, some items may be out of date almost as they are written. This case study does, however, provide a) a review of the NGOs laws in the two countries; and b) an analysis of some main items of the laws and the implications on the NGOs and civil society.

Why the role of the government institutions is believed to be particularly important for the type of relations between them and NGOs? To answer this question, we begin with the description and analysis of most items in the laws that have contributed to the debate and tension of civil society organizations. This includes definitions, registration requirements and process, donations and funds, secondment of civil servants to NGOs, penalties, NGOs rights and benefits, violations and dissolution. This is followed by description and the terms of some governments organizations that have direct relations with civil society organizations.

6.2 NGO Laws in the Sudan and Egypt

The literature on the characteristics of the Sudanese state and its relation to civil society is part of a broader debate and discussion on the role of civil society, its legislative and regulatory framework and the political, social, cultural and economic context in Middle East. Civil society movement, for example, was one of the groups most manipulated by the regimes in Egypt, according to PDP NGO/84 Law Workshop⁴⁰⁶ and in the Sudan⁴⁰⁷

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برنامـج التـنـمية بالـمـشارـكة (2005)، تـقرـير وـرـشـة العملـ الـأـولـى عـن قـاـنـون 84/2002 وـالـعـلـمـ الـأـهـلـي فـي مـصـر - القـاـفـرـة - برنامـج التـنـمية بالـمـشارـكة المـمـوـل مـن الوـكـالـة الـكـنـدـيـة لـلـتـنـمية الـدـولـيـة.

Participatory Development Program [2005]: A Report of the First Workshop on Law No. 84-2002 and the NGO's Work in Cairo-Egypt by the Participatory Development Program which Financed by Canadian International Development Agency.

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(El-Nagar, 2006) to forge its hegemony. In the last two decades, changes in the regimes' policies towards civil society in the two countries clearly reflected the regimes' search for organizations that protect them and advocate their policies and political agendas. The two regimes, since independence, throughout post colonial periods and up to presence, were realized that civil society organizations had the potential to attract individuals, groups and members that represent the wide range of the societies.

The potential of the civil society to mobilize masses became clear in the Sudan during the October revolution in 1964 and the April uprising in 1985. Two military regimes in Sudan were overthrown, as a result of the political engagement of Sudanese civil society. The role of civil society organizations, particularly trade unions and professional associations played major roles in reshaping political life in the two countries. This potential threat of civil society organizations raised the security measures of the regimes by strategically establishing mechanism of laws and regulations regulating the voluntary work.

In a comparative study between the law governing the work of the civil society organizations in Sudan and Egypt, the research highlighted some similarities and differences, the position of civil society organizations towards the law and the implications of the law on the voluntary work in the two countries. The Sudanese NGOs law called the Voluntary Humanitarian Work (Organizations) Act.⁴⁰⁸ The Egyptian law titled the NGOs and Foundations Law, number 84 of 2002.

6.2.1 Background of NGO Laws in the Sudan

النقر، سامية الهداي، 2006. الجمعيات الأهلية والإسلام السياسي في السودان. القاهرة، مطبعة مدبولي.

- El Nagar, S.h. Algamiat alahlia wa al islam alsiasi fi el sudan, madbuli press, cairo , egypt, 2006 (

⁴⁰⁸ The Voluntary Humanitarian Work (Organizations) Act, 2006. Available at: www.hacsudan.net. Accessed December 28, 2008.

The law of Companies of 1925 allowed charities and organizations to be registered and to be legally recognized. Charities, research centers and organizations registered by this law with Ministry of Justice. The purpose of the signed charity could include: 1) provision of charitable services to vulnerable groups; 2) linkage between particular group of people with others in the region or world wide; 3) provision of legal aid to particular group of people; 4) acceptance of donations from all sources to fund the company; 5) establishment of charitable funding facilities to care about particular group of people; 6) publication and dissemination of studies and books on child and women rights; 7) establishment of profit-making activities to enable the charity/company to achieve its purpose and goal. The number of founders of the charity was a range between 2 and 50 people. Many NGOs preferred to register under the company law of 1925 to avoid the complicated and lengthy registration procedure of the Humanitarian Aid Commission.

The first legal framework was produced in 1957 in the name of Law Regulating the Registration of Associations. Most of the articles in this law described the terms and terminology used in the law. Association, for example, was defined as a group of 7 people or more engaged voluntarily to achieve a goal. The law established rules to ensure democratic practices and transparency particularly on funding issues. The law introduced a deposit system to recognize the civil society organizations and did not restrict the freedom of organizations.

In 1986, the Relief and Rehabilitation Commission Law were issued to implement and monitor the relief assistance for those affected by drought and desertification. The law suggested plans and programs to rehabilitate those most vulnerable. The law recommended ways and means of how to utilize funds from the external assistance in accordance to state policy. The law governed the work of foreign relief agencies, whose number increased suddenly as a result of the emergency situation in the mid 1980s.

The Ministry of Social Planning decided to cancel the NGOs Registration Law of 1957, the Relief and Rehabilitation Commission Law of 1986 and the Law Regulating Foreign

Work of 1988. The Ministry admitted that the law of 1957 did not contain the rapid political, social, cultural and economic changes and did not address the development and service role of NGOs, their support and funding of activities. The Ministry concluded that the law of foreign voluntary work together with the NGOs Registration Law had limited vision and purpose. The Ministry decided to establish a new legal administration in 1995, named Humanitarian Aid Commission.⁴⁰⁹ In 1996, a law regulating the activities of cultural groups was issued to recognize the work of any group, not less than 25 people that aim at implementing creative activities in the field of culture and art, particularly cultural carnivals, cultural missions, cultural researches. The law regulated the work of foreign cultural communities living in the country. The funds of cultural groups were defined as public funds according to the criminal law of 1991.

The Ministry of Social Planning issued in 1999 the Regulations for the Registration of Foreign and National Agencies, based on the Law of Humanitarian Aid Commission of 1995. The regulation contains registration procedures, organization's basic systems, including management of funds, meetings and dissolution. The regulation includes annexes identifying guidelines and rules of foreign voluntary work (Ministry of Social Planning, 1999).

HAC of Ministry of Humanitarian Affairs prepared recently a new law regulating the voluntary humanitarian work for NGOs (both national and foreign NGOs) in Sudan. The law was issued as a temporary Presidential decree on August 2005. The law was rejected by NGOs. A Coordinating Secretariat of civil society organizations and national NGOs was formed in October 2005 to study the government law and to prepare a reply representing the NGOs view. SCOVA invited NGOs and around 500 representatives

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مفوضية العمل الإنساني، 1995. المرسوم المؤقت، الخرطوم، (دار النشر غير معلومة).

Humanitarian Aid Commission. Temporary Decree, Humanitarian Aid Commission Law. 1995. Khartoum: Unpublished report.

participated in the discussion of the new law. SCOVA, based on this consultation wrote a critical memorandum to Ministry of Humanitarian Affairs. Ministry of Justice presented a proposal of law regulating voluntary work for 2006. The proposal tried to address some of the concerns expressed by the civil society organizations. However, there are some 17 unresolved issues critically noted by 128 national NGOs in a statement presented by the Coordinating Secretariat of civil society organizations on February 12, 2006. The law was challenged by the National Assembly and a list of recommendations presented by its Humanitarian Affairs Committee. Six national organizations (Sudanese Environment and conservation Society, Women Legal Awareness Group, Al Mubadarat Women Organization, Sudan Social Development Organization, Network for Strengthening Women Role in Peace and Development, Southern Women Group for Peace) submitted a second legal request on May 27, 2006, to the Constitutional Court against the National Assembly with respect to constitutional matters related to the government NGOs law.⁴¹⁰

The Constitution, Article 40 item (1) with regard to freedom of assembly and association clearly states: “The right of peaceful assembly shall be guaranteed; every one shall have the right to freedom of association with others, including the right to form and join political parties, associations and trade or professional unions for the protection of his/her interests”. The Constitution continues in item (2) “the law shall regulate the exercise of this right as is necessary in a democratic society”.⁴¹¹

The Constitution in Sudan follows the spirit and values of the International Declaration of Human Rights which in Article 20 No. 1 states the right of any person to select the organization or peaceful group he/she wants to join. The article No. 23, No.4 also confirms that any person has the right to establish or be a member of the union that protect him/her.⁴¹²

⁴¹⁰ The Voluntary Humanitarian Work (Organizations) Act, 2006. Available at: www.hacsudan.net. Accessed December 28, 2008.

⁴¹¹ The Interim National Constitution of the Republic of the Sudan. 2005, p.16. Available at: www.sudan-embassy.de. Accessed 10 January 2009.

المادة (20) - 1- لكل شخص الحق في حرية الاشتراك في الجمعيات والجماعات السلمية⁴¹²
المادة (23) - 4 - لكل شخص الحق في أن ينشئ وينضم إلى نقابات لحماية مصلحته. (شبكة حقوق الإنسان والعمل القانوني، مطبوعات الشبكة، بدون تاريخ).

6.2.2 Definitions

The definition of civil society organizations is always a necessary and interesting aspect which implies to some extent the image and attitude of the government towards CSOs. Civil society is a new term and is more political because includes trade unions. The Egyptian law differentiates between NGOs and trade unions. The trade unions have their own law.

Law in Sudan defined civil society organizations as organizations, associations, unions, non-governmental or semi-governmental local organizations established by not less than thirty Sudanese citizens, working in the field of non-profit voluntary work and registered according to the provisions of this Act and this does not include: a) any company registered according to the company act; b) any political party; c) any group working towards achieving political aims or objectives; d) any institution or agency registered according to the provision of other laws. The law (2006) defined international institution as foreign agency, government organization and specialized UN agencies working in Sudan.⁴¹³

According to the law, voluntary sector means any voluntary, charity, humanitarian non-governmental, non-profit making activity undertaken by any civil society organization, charity organization or institution, foreign voluntary donating or implementing organization or agency. Provided that this activity is having development objectives, cultural objectives, national objectives, services objectives or scientific or research objectives⁴¹⁴ (2006).

Based on these definitions, the following concerns were raised by representatives of Sudanese civil society organizations during their campaigns against the law:

⁴¹³ The Voluntary Humanitarian Work (Organizations) Act, 2006. Available at: www.hacsudan.net. Accessed December 28, 2008.

⁴¹⁴ Ibid, 2006

- The law combines two groups of organizations, the relief NGOs and civil society organizations. The latter does not work on relief, for instance the human right organizations. In the past each group was governed by its own law.
- The law restricted the field of activities for NGOs by defining voluntary humanitarian work as voluntary and humanitarian work aims at providing humanitarian, relief, general services or human rights, environment and improvement of economic and social services for beneficiaries. Civil society organizations responded that setting of the objectives of voluntary work hinders their right for free organization and for selection areas of interest.⁴¹⁵

The Egyptian law introduced the association as a group of people, not less than ten, who has a continuing organization, for non-profit purpose. The law has two conditions for establishment: (I) to have a basic system written and signed by founders and (ii) to have an office. Members who have been punished as a result of criminal, dishonesty are not allowed to participate in the establishment of an organization. The Egyptian law allows foreigners who have permanent or temporary residence to become members of the organization.

6.2.3 Registration of NGOs

The registration procedures of NGOs are the most painful part of the process for NGOs. This is the time when the authority mobilizes its resources to gather information about the people applying to register an NGO. Most of the decision is taken at this stage by the security officers and not by the technical Ministry.

(i) Procedures

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سكرتارية تنسيق منظمات المجتمع المدني (2006) مذكرة حول مشروع قانون العمل التطوعي الجديد – الخرطوم بتاريخ 12\2\2006

Coordination Secretariat of the Civil Society Organizations [12/2/2006]: Memos on the Proposed New Law for organizing the voluntary work, Khartoum

Article 6 of the law specifies the criteria for registration of civil society organization: “a) it should not be less than 30 people; b) it should have basic statute including the names of members, their place of residence, organization’s objectives and financial system, areas of work and geographical jurisdiction and minutes of meetings; c) the organization should have residence; and d) the Minister or General Registrar may accept registration of an organization that having less than 30 members”.

Registration requires: a) submission of application including names and addresses of not less than 30 founders; b) organization’s constitution and structure are to be attached to the application; c) a letter from the interim manager, or the board of directors/trustees requesting establishment of the organization, is to be attached to the application; d) registration fees to be paid.

The new law in Sudan⁴¹⁶ instructs applicant organizations to provide names and addresses of not less than thirty member founders. The legitimate question raised by many new applicant organizations is why the new organization needs thirty persons to be founder members? The Interim National Constitution of Republic of the Sudan⁴¹⁷ states that: “...every person shall have the right to freedom of association with others, including the right to form or join political parties, associations and trade professional unions for the protection of his/her interest”. This explains how the NGOs law (2006) contradicts with the Constitution. Article 9 (2), however, from the same law gives the authority to the Minister to approve registration for any organization that has less than thirty member founders. The right for equality was also hindered by authority given to the Minister to accept or reject applications based on the number of founders. Mohamed Agati describes the Egypt’s NGO law: “The Egyptian NGO law establishes a system of government interference that undermines the freedom of association guaranteed in the Egyptian Constitution and in international human rights instruments to which Egypt is a

⁴¹⁶ The Voluntary Humanitarian Work (Organizations) Act, 2006. Available at: www.hacsudan.net. Accessed December 28, 2008.

⁴¹⁷ The Interim National Constitution of the Republic of the Sudan. 2005, Article 40:1. Available at: www.sudan-embassy.de. Accessed 10 January 2009.

signatory".⁴¹⁸ The registration fees for newly registered organizations are 100 thousands Sudanese pounds (NGOs Registration Regulation, 1999).⁴¹⁹ According to Article No. 5 (1) in the law that: "no voluntary organization is allowed to practise any work or activity in its own name if it is not registered according to the provision of this act" (HAC, 1999). The law does not recognize those many community-based organizations initiated in almost every Sudanese village and contributing significantly to the economic and social development of Sudanese communities.

Article 11 in the law stated that the registration is renewed annually according to the conditions in the regulations. The registration is valid for one year. The Sudanese civil society organizations complain about the short period of the registration validity and about the lengthy procedures for renewal. This is unconstitutional restriction because again it undermines and challenges the voluntary spirit of Sudanese society. Compared to the advantages provided to commercial sector, the voluntary work is neglected and the commercial companies, for example, were not asked to renew registration.

The Egyptian law⁴²⁰ asks for the following information to be included in the applicant organization's basic system: 1) name of organization should be derived from its purpose; 2) area and type of activities and its geographical location; 3) address of the office; 4) name of each founder member, age, nationality, occupation and residence; 5) organization's resources; 6) organization's structure and bodies and its responsibilities, criteria for selection of its members; 7) membership regulation, criteria, membership

⁴¹⁸ Undermining standards of good governance: Egypt's NGO Law and its impact on the transparency and accountability of CSOs. The International Journal of not-for-profit law, Vol. 9, Issue 2, April 2007.

Available at: www.icnl.org. Accessed December 29, 2008.

⁴¹⁹ 1 USD=2000 Sudanese pounds

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الجندى محمد عبد العزيز 2005، التطور التشريعى فى العمل التطوعى، الإسكندرية: جمعية أصدقاء البيئة بالإسكندرية.

Algundi Mohamed Abdel Aziz. The Legislative Development in the Voluntary Work – Alexandria : The Association of Friend's of Environmental in Alexandria. 2005.

rights and duties, attendance of general assembly, voting in the general assembly; 8) financial control system; 9) identification of a representative from the founders during the establishment process. The law requires the applicant organization to deposit 100 Egyptian pounds (less than 20 USD) to the account of organizations and foundations donation fund. The concerned administrative body of Ministry of Social Affairs and Insurance notifies the date of submission on the organization's application copy. The Ministry should respond to the organization in 60 days. The registration is offered after the 60 days, even if the registration is not completed.

(ii) Rejection of Registration

A civil society organization in the Sudan may be rejected by the Commissioner in cases of: a) the basic statute of the organization is contradicting any of the adopted policies of the state in the field of humanitarian work; b) the name of the organization coincides or is similar to the name of another registered organization; c) the organization fails to meet the registration requirements (completed application, copy of constitution, request for establishment, payment of registration fees); d) the authorized official or technical authorities or agencies did not accept the registration (1999).

Representatives of civil society organizations expressed their concern that the law did not specify criteria for rejection of registration. The law should prepare regulations for rejection and CSOs should be informed about the reasons for rejection.

The application can be rejected in Egypt⁴²¹ (Al-Jundi, 2005) by the administrative body during the 60 days if the organization's purposes include one of the following activities: 1) establishment of military units or of military nature; 2) threat to national unity, violation of general order or call of discrimination between the citizens because of religion, gender, color, or language; 3) any political or trade union activities governed by political parties and trade unions laws; 4) profit-targeting activities with the exception of following commercial rules to gain income contributing to achieve the purpose of the organization.

⁴²¹ Ibid, 2005

The regulations of the Egyptian law (Al-Jundi, 2005) define the political activities which are only allowed by the political parties:

- political campaign and promotion of political party's program;
- support candidate during election campaign;
- spending organization's money to support activities of a political party or a candidate;
- Submit candidates on behalf of the organization for parliament election.

The regulations of the law name the following activities to be only undertaken by trade unions:

- Demand for rights of particular workers or professionals; provision of certificate or work permission.

(iii) Cancellation of registration

The law in Sudan gives the authority for cancellation of organizations' work to the Registrar if it violates this law, its regulations or any other valid law. The decision of cancellation of organization's work must be made by a court and not by the Registrar. This article violates the right for organization in the constitution which contains that organization's members have the right to work, suspend or freeze it without any restriction. In case that request of cancellation was made by the organization's general assembly, the funds will be allocated as follows: a) resolve financial commitment; b) transfer funds to the existing project or to another organization of similar purpose. If the decision of cancellation was made by the registrar or a court, organization's funds was allocated to the existing activities or to any other humanitarian and voluntary work. The law, however, did not explain under what circumstances the cancellation is made by the registrar or by the court. The cancellation of registration was given to the registrar, Commissioner or to the court without defining the violations upon which the decision of cancellation was made.

(iv) Constraints facing NGOs in the registration process

- Long process including information required to complete the application. The complicated process for establishment, the restrictions, control and punishment inhibit the spirit of voluntary and non-profit work of associations, individuals and groups. In both Sudan and Egypt, the final decision over the registration of the applicant organization is taken by the security authority. Security intervention in registration process is known in Sudan and Egypt. Sometime the application for registration is rejected because of some names of the organization's board members. In the two countries sometime the lengthy delay is due to unnecessary reservation and objection about some members.
- Restrictions on the field of activities and the intervention of the authority in the management and financial affairs of the associations. Field of activities, such as human rights and gender are not always encouraged. In Sudan some human rights organizations are registered as business companies. Most of human right organizations in Egypt are not registered.
- The contradiction between the different laws at the central and state or provincial level. This is also due to the unlimited authority of some governors and security offices. In Sudan there were cases of some organizations that registered as companies or as cultural associations. The laws for business organizations and cultural centres, however are also governmental laws.

6.2.4 Purposes of Organizations

According to the Sudanese law (2006) the following are the basic principles governing the humanitarian work: 1) no religious, ethnic, gender and political discrimination; 2) honesty in selecting the most need areas for project activities; 3) accountability to stakeholders, including beneficiaries, and donors, bodies related to the services in the area; 4) sustainability of activities to create and enable an environment for the local communities to become self-reliant in the longer term; 5) understanding and respect of local community's desires and needs through participatory process at all level and throughout the activities; 6) foreign voluntary organizations are not allowed to intervene in Sudan's internal affairs.

The objectives of the humanitarian assistance and work consist of the following services:

- relief assistance to those most affected by natural and non-natural disasters;
- eliminate, reduce and manage disasters' risks;
- link relief assistance with repatriation, rehabilitation and development;
- care for IDPs and refugees through planning and implantation of relief and rehabilitation activities;
- rehabilitate socio-economic infrastructures affected by war or natural disasters in collaboration and coordination with the national organizations established for this purpose;
- set priorities for repatriation, relief and rehabilitation in consultation with beneficiaries and relevant government authority;
- building capacity to empower national NGOs;
- Implement relief projects and humanitarian assistance through non-government voluntary, charity and/or civil society organizations whose objectives are in harmony with general policies and target group interest.

It is clear that the principles and objectives of the humanitarian assistance are designed for international organizations working in relief and humanitarian work. Few national NGOs in Sudan are working in emergency and relief. The law governing the voluntary work for NGOs does not differentiate between international and national NGOs. This has been raised and criticized by Coordination Secretariat of the Civil Society Organizations (2006) while discussing the law in 2005 and 2006.

This explanation justifies the absence of the emphasis on voluntary work as one of the pillars of Sudanese social capital. The government law, policies and practices with respect to independent voluntary work miserable failed to improve non-profit sector, they lack any sense of strategy and direction and the government recent NGOs law was deeply mistrusted by most of civil society organizations because of lack of consultation and recognition of the role of civil society.

The restriction on the changing of the objectives is exaggerating the role of the Minister in Article 37 in the law that civil society organizations or foreign voluntary organizations are not allowed to change their objectives stated at the time of registration or expanding it or to merge with other organization before obtaining the approval of the Minister (2006).

With the exception of the four fields of activities (secret organizations, military nature, political, threat to national unity, and profit-making activities) prohibited by the Egyptian law, an organization with legal personality could perform any activities aim at achieving its purpose in community development such as those activities focusing on human sustainable development areas of education, health, culture, social, economic and environmental services, consumer protection, legal, constitutional and human rights and others. Other new areas are also allowed subject to getting approval from the concerned social affairs department.

6.2.5 Secondment of Civil Servants to NGOs

Both laws in Sudan (2006) and Egypt (2005) allow secondment of government personnel to work in voluntary organizations upon the request of the organization. The Egyptian experience on secondment showed some challenges:

- the board of the organization has the absolute freedom to request for secondment;
- to ensure that those seconded aware of the NGOs non-bureaucratic work;
- to renew secondment annually and a maximum period of secondment should be known to avoid domination over the organization's work. The incentives for the seconded person was be clearly stated in the secondment letter;
- Ministries ensure the capability of seconded staff.

The secondment of government employees to work in NGOs is an Egyptian practice and it has not been implemented by the authorities in Sudan. The experience of secondment of government officials in the NGO sector in Egypt is not encouraging. The seconded person brings bureaucracy and top-down approach to the NGO. The governments in the two countries, however, must fulfill their limited but vital tasks of legitimacy and legislation of NGOs, recognition for their role and support to their development efforts.

6.2.6 Conflict Resolution Committees

The Egyptian law is more advanced and democratic in conflict resolution situation. It is an important mechanism that has not been learned by the authorities in Sudan.

In case of conflict between the NGO and the administrative body, the Egyptian law (2005) established committees, headed by counsellors from the appeal court and two representatives, one from the administrative body of Ministry of Social Affairs and other from the regional federation nominated by the board council of Associations' general union. In addition to a member representing the organization concerned. There are certain procedures for the establishment of these committees arranged by the Ministry of Social Affairs, Ministry of Justice, the General Union for Associations and Foundations and the organization concerned.

6.2.7 Associations/Organizations Rights

Article 36 of the Sudanese law read: 'No civil society organization registered according to this law is allowed to receive funds or donations from abroad or from a foreign person inside the country or any other institution before obtaining the approval of the Minister'.⁴²².

By this restriction, the government wants to control and restrict the field of NGOs activities and funding processes. According to the constitution item 139 that resources of national income include grants and external assistance. The Minister was given a free hand, with no questions asked about how he/she reached the decision on approval or disapproval of NGOs' funding. The law again violates the right for free organization, the international treaty for civil and political rights, and the decision number 106/57 of the

⁴²² The Voluntary Humanitarian Work (Organizations) Act, 2006, p.11. Available at: www.hacsudan.net. Accessed December 28, 2008.

General Assembly of the United Nations of 13/2/2003 which recognize the valuable contributions of voluntary work. The government of Sudan was committed to this decision, participated in and voted for it.

The law gives the authority to the Minister to offer exemptions from taxes and custom. The law however does not specify criteria for those offered exemptions. The law violates the right for equality and encourages discrimination between organizations. It is anticipated that the authority supports voluntary work by exempting organizations from paying registration fees and all other taxes including custom. It is understood to impose fees and taxes on commercial sectors. In fact, the facilities received by investment and business companies are better than those offered to non-profit organizations.

Compared to the Sudanese NGOs law, the Egyptian NGOs law, particularly the executive regulation, Article 56, 57 and 58 specify the rights of NGOs in the following areas, some of which are much in favour for voluntary work:

- Right for ownership of assets including buildings assisting in serving the purpose of the organizations.
- Right for getting internal donation and funds from Egyptians or foreigners or international organizations that work legally in the country on the condition that the NGO informs the concerned department about the amount of funds and the donor agency. With respect to external funds and donations, permission has to be taken from Ministry of Social Affairs. There are certain procedures to follow by NGOs to get the external funds, including information about the foreign agency, local representatives, if any and country, area of activities of the donor, amount of funds. A response has to be made to the NGO's request in 60 days from the date of request submission. In case that the NGO received the funds prior to the permission from the Ministry, the money will be kept in special account in an official bank. The NGO can request a temporary release of the funds on the condition that the released funds are refunded if the permission is not accepted. It was not clear whether the NGO has the right to use the funds after the 60 day period of the request submission.

On the other hand, Article 76 from the Egyptian law (2005) states clearly that if the donation is from a donor agency which has a legal identity in the country, the organization has to inform the concerned ministry of the funding. It explains that receiving donations or funds from inside the country, without the approval of the concerned ministry, is considered to be a criminal act which leads to imprisonment and payment of fine. The organization usually waits for long time to get the approval of the ministry. The confusion is actually created by the ministry which approves the funding from a legal donor agency, based in Egypt, instead of responding to the information received from the organization about the donation. This unconstitutional restriction violates international human rights law and creates barriers between the community participation and voluntary and social work. The culture of donation and encouragement of volunteerism are hindered by restrictive and undemocratic regulations. The other laws such as the penal code are sufficient in punishing those who are accused by court. The civil society organizations, particularly organizations working on advocacy and human rights issues are accusing the security in intervening in decisions related to donations and funds. Human rights organizations are facing difficulties in getting donations internally and from abroad. Although the Egyptian law requires information about the inside funding, the practice and application of law shows that authority is rather asking for permission from the organizations.

6.2.8 Formation of Networks and Regional Federation

The NGOs law in Sudan (2006) offers the formation for networks among CSOs and between them and regional or international organizations, to civil society organizations that have common purpose and registered according to this law, for the purpose of exchange of experience, professional performance development and for mobilization of joint efforts. The law restricts the network formation for those registered and have common purpose. This excludes those unregistered to network with the registered ones and isolates the work of organizations having common concerns but registered under different laws.

The Egyptian law (2005) addresses the formation of regional federations and unions which are entities established by organizations and foundations to cooperate between themselves and to provide services. Union forms of organizations implement or fund joint activities in particular areas of common interest. Examples are unions for gender equality, and street children. A union consists of not less than 10 organizations and foundations working in the same geographical location.

6.2.9 Violations, Penalties and Dissolution of NGOs

Violations are defined by Sudanese law (2006) as a) any person who contravenes the provision of this act or any order or regulation made; and b) any civil society organization or foreign organization registered according to the provision of this act and violated its basic statute and regulations or the general policies. The Arabic version of the law (2006), Article 21 is read that any person or a group of people practice activities for non-registered voluntary organization will violate the law and will be penalized either by less than six month imprisonment or payment of fines determined by the court or both. The court, in addition, is allowed to confiscate available funds. The following penalties could be applied as the result of the violations and after the approval of the Commissioner: a) notice; b) warning; c) suspension for any suitable period; d) dismissal and dissolution of the executive committee and formation of a committee; e) cancellation of registration; f) evacuation, in case of foreign agency; g) confiscation of property and funds after accusation is proved by an authorized court. The process and who is taking decision of penalty and dissolution was unclear. According to the law Article 22 (2) that penalties such as notice, warning, suspension up to six months and cancellation of registration were given to the authority of the registrar upon the approval of the Commissioner. The circumstances, under which dissolution takes place, are not given.

The dissolution of organizations in the Egyptian law (2005) is a decision approved by the minister of social affairs after consultation with General Union of Associations and after

discussion in the organization's general assembly. The decision of dissolution is taken under following circumstances:

- 1) Misuse of organization's funds and allocation of funds for purposes not in accordance to its establishment;
- 2) Receipt of funds from abroad or sending funds to external body without the permission of the Ministry of Social Affairs. Such practices violate article 17 (2) of the law and article 58 of the regulations;
- 3) Severe violation of the law or public order;
- 4) Membership, participation or affiliation to external organization, club, and agency without informing and approval of Ministry of Social Affairs according to article 16 of the law and 55 of the regulations;
- 5) Purposes and activities of the organization are not permitted;
- 6) Fund raising that contradict article 17 (1) of the law and article 57 of the executive regulations.

The Egyptian law permits the Minister to take the decision of dismissing the board or cancelling the conflicting activity, instead of dissolution of the organization. The same action could apply in case the organization failed to organize its general assembly meeting over two years period.

The law allowed the organization to appeal the Minister's decision to administrative court, without cost.

The differences between the Egyptian law number 153 of 1999 and the present law of 2002 is that the former law allowed the dissolution of organization to be decided by the court and not by the Minister. Article 42 of 153/1999 NGO law states: "An association may be dissolved, upon the request of the administrative authority, by a decree of the competent court...".⁴²³ Political parties in Egypt, such as Tagammu party criticized the law: "...NGOs and political parties were joining efforts in an extended democratic battle

⁴²³ Towards Empowering the Civil Society in Egypt: The New Law 153/1999 for NGOs. Egypt Ministry of Insurance and Social Affairs, June 1999. Available at: www.ngolaw.org.eg. Accessed December 29, 2008.

to defend the constitution rights of citizens and the right of social organisations to play a role in re-establishing a lost equilibrium between the individual and the state".⁴²⁴ The law in the two countries prohibited activities of a political nature. The law restricted NGOs from directly funding candidates or political parties. If that is all that is meant, this clause should be made more specific. On the other hand all aspects of social development programs including poverty reduction, human rights and social justice are people-centred and can't be separated from day to day political efforts of CSOs.

6.3 Conclusion

This case study chapter has focused on the NGOs laws in the Sudan and Egypt. It began by giving background information on the establishment of the law. There are many well-known criticisms of the governments' processes for regulating NGOs and civil society organizations. The criticisms suggest that the government bodies responsible for regulations are unduly restrictive, undemocratic and/or even arbitrary in their determination of whether to register an entity as an NGO. It is said that the process is too secretive and lacks transparency. Acceptance or denial of application for NGOs registration is political. The appeal process for a decision on registration, involves an appeal to the Commissioner of Humanitarian Aid or to the Minister, in the case of Sudan, and to Administrative Court, in the case of Egypt, which is a long process and inaccessible to most organizations.

In conclusion, there is a need for significant reform in this sector. There is a need for regular dialogue and consultation with those NGOs and civil society organizations that are affected by the regulations and laws. There is a need to incorporate all values related to freedom of associations and to voluntary sector which are clearly stated in the Constitution, into the law regulating NGOs. There is a need also to refer to the nature of the bill of rights in the Constitution and the commitment to respect and promote the human rights and fundamental freedoms enshrined in the Constitution: "it is the

⁴²⁴ Fighting for civil society. Mariz Tadros. Al-Ahram Weekly On-line, 6-12 June 2002, Issue 589. Available at: weekly.ahram.org.eg. Accessed December 29, 2008.

cornerstone of social justice, equality and democracy in the Sudan; the State shall guarantee, protect, and fulfil this Bill; all rights and freedoms enshrined in international human rights treaties, covenants and instruments ratified by the Republic of the Sudan shall be an integral part of this Bill".⁴²⁵

Sudanese civil society organizations need legal means to protect and secure their empowered status against possible constraints by the state. A team of development practitioners representing the social actors from the NGO community, the private sector and the government, is required to undertake an independent study focusing on creating an enabling environment for NGOs. The purpose of the study is to coordinate and facilitate a broadly based consultative process amongst NGOs concerning their social and development role in promoting the establishment of an open, democratic, equitable and non-discriminatory society. Based on the findings of this study on the characteristics and constraints of the existing environment and the legislative, administrative and fiscal changes which might be necessary to promote an environment conducive for the NGO community, an NGO position paper should be drafted and submitted to government to motivate the enactment of appropriate legislation.

To sum up the chapter findings, one of the major lessons, which have not been learned, is the deliberate government policies of the neglect and lack of recognition to the contribution of the voluntary sector as one of sources of the Sudanese social capital. This lack of communication and consultation on issues, such as NGOs law, will certainly delay the whole process of strengthening capacity for both government and NGOs. Further findings and debate on issues of great value and contribution to the voluntary sector will be discussed in the coming final chapter.

⁴²⁵ The Interim National Constitution of the Republic of the Sudan. 2005, p.13. Available at: www.sudan-embassy.de. Accessed 10 January 2009.

CHAPTER SEVEN

CONCLUSION

7.1 Introduction

In Sudan people used to trust governments. They were active, during the democratic regimes, in time of election even in remote areas of the country. Media portrayed government that represented and spoke for societies. The state leaders have valiantly attempted to reinforce this image of the state as the natural spokesman for the people of the society. Note the ironic results of Mo Ibrahim Index of African Governance. Mo Ibrahim is a Sudanese mobile phone magnate who wanted to promote good governance in Africa through the Index.⁴²⁶

“We are shining a light on governance in Africa, and in so doing we are making a unique contribution to improving the quality of governance. The Ibrahim Index is a tool to hold governments to account and frame the debate about how we are governed. Africans are setting benchmarks not only for their own continent, but for the world”⁴²⁷

The results of the 2008 index have just been published and Sudan is listed as 45th of 49 African countries for the quality of its governance, including its commitment to participation and human rights.⁴²⁸ For this latter indicator Sudan scored 12, compared to Chad 29, Ethiopia 40.4, Kenya 63.3, Uganda 61, Central African Republic 60.2 and Democratic Republic of Congo (DRC) 14.7.⁴²⁹ The lowest scores of both Sudan and DRC show the correlation between the political instability, the civil wars and the social

⁴²⁶Ibrahim Index of African Governance. Available at: www.moibrahimfoundation.org/index-2008. The index is a comprehensive ranking of Sub-Saharan African nations according to governance quality. It assesses national governance against 57 criteria. It was created in recognition of the need for a responsive and quantifiable method of measuring governance quality. The first Ibrahim Index was published in September 2007. The 2008 Index is based on data from 2006, the last year with reasonably complete available data for nearly all Sub-Saharan African countries.

⁴²⁷Ibid, 2008

⁴²⁸The 2008 index was published in October 2008.

⁴²⁹Ibid, 2008.

injustice and the weak civil and human rights records and poor participation in political life of the citizens of the two countries. Similar results were indicated by the World Bank's Governance Indicators, which show Sudan's low scores for voice and accountability.⁴³⁰ The latter relates directly to the quality of government-civil society engagement.

In much of the issues related to the principles and values such as transparency and accountability, it has been typically assumed that the state and its agencies were the appropriate vehicle for guidance and direction. This assumption is no longer relevant and the government is no longer a model for the present and future generation. The vision of the state as principal protagonists in the process of nation building, unity and self-determined development in the post colonial period is eroded and for some people is completely vanished.

At first glance, the institutional landscape of Sudanese societies today confirms the impression rulers have sought to impart. The state institutions have penetrated local life. They have had a continuing, strong impact on people's daily habits. The state has grown in sheer size and resources almost everywhere since independence. Its agencies and resources have become a major presence in the communities, collecting taxes, setting prices, organizing people to protect the state, and more.

The research experience is that the institutional building challenge is formidable. The social and political life in the country created bureaucrats all over the development community including civil society, government and donor agencies. These bureaucrats are confronted by participatory approaches in many ways: by setting up constituencies' priorities, by engaging stakeholders in decision-making process, by making member organizations representative at all organization's level, by sharing organization's financial information and by negotiating matters affecting people life with government.

⁴³⁰ Governance Matters. Worldwide Governance Indicators, 1996-2007. The six dimensions of governance are: voice and accountability, political stability and absence of violence, government effectiveness, regulatory effectiveness, rule of law, and control of corruption. 2008. Available at: http://info.worldbank.org/governance/wgi/sc_country.asp. Accessed January 1, 2009.

7.2 Strengths of Social Capital and Weakness of Literature

In the preceding chapters I have sought to show the growth and development of both traditional structures, NGOs, civil society organizations and the main political parties, on the one hand and the state on the other hand. In these chapters I have sketched an approach of state-society relations as well as an alternative strategy or a way out of the interactive relations between state and civil society. Building better governance requires joint efforts and interaction between state, citizens and civil society. As described by Blair: “helping to articulate needs, especially those of the poor, participating in policy formulation and particularly holding governments to account”.⁴³¹ Both democratic and dictatorial regimes created and built into our political culture some normative constraints that say we only want the voluntary sector to go so far. This is clearly shown in the attitudes towards civil society, lack of recognition of its role and importance and the law regulated the work of voluntary sector. On the other hand NGOs in the country shift away from welfare and service delivery by building people’s capacities and strengthening social movements. My interest throughout these chapters was in the local institutional framework where the different social forces of state, NGOs, CSOs, private sector and all walk of societies perform jointly the development model if resources of these forces have been well utilized. Contrary to this joint commitment was the policy of exclusion and neglect, in most cases, shown by the governments and their irrational hostility towards the voluntary work, NGOs and civil society movement.

The study has touched on the importance of local capacity, indigenous knowledge and practices and on social cooperation such as communal labor known as *Nafir* and on possible reasons why these initiatives are eroding and expected to diminish in the near future. This evidence has been backed by the government neglect, marginalization and lack of interest in supporting local efforts. In the line of this tendency and lack of official

⁴³¹ Alan Thomas, Whatever Happened to Reciprocity? Implications of Donor Emphasis on Voice and Impact as Rationales for Working with NGOs in Development. In: A. J. Bebbington, S. Hickey, and D.C. Mitlin: Can NGOs Make a Difference? The Challenge of Development Alternatives. London and New York: Zed Books, 2008, p.100

recognition and appreciation, the authority hinders the development of these social institutions by the influence and effect of its legislative, economic and monetary policies.

One of the purposes of this study is to examine the common or recurring organizational features and the internal dynamics of these traditional structures and community based organizations to ascertain which values and approaches appear to be associated with good performance and to suggest how Sudanese civil society organizations, government and donors can enhance these desirable development principles.

The study illustrates the roles of each development agent in the community and whether or not the community informal practices have been strengthened or undermined by these forces such as the NGO or the government authority. As Uphoff explains that: "Another way in which indigenous organizations are characterized is as informal. This means that they function according to shared understandings of common objectives, roles, expectations, responsibilities, sanctions, etc. rather than being determined by explicit, codified rules and regulations".⁴³² It is also not clear however the extent of the effect of external intervention on these local practices and whether they have been undermined or supported by NGOs. McAllisiter Patrick A. concludes that: "Many well-meant efforts at rural development have in the past brought more poverty than plenty, and more control rather than liberation. In the words of the American Anthropological Association's Task Force on Involuntary Resettlement, there is a tendency for outside assistance to undermine indigenous and dynamic coping practices and thereby diminish, rather than enhance, the ability of the displaced to establish a more independent and self-sufficient life".⁴³³

⁴³² 1996. Preface in: Blunt, P., and Warren D. M., Indigenous Organizations and Development. London: Intermediate Technology.

⁴³³ McAllisiter, P. A., 1996. Traditional settlement, cultural identity and rural development in the Transkei, in: Blunt P., and Warren D. Michael 1996. Indigenous Organizations and Development. London: Intermediate Technology, p.19.

The striking observation is the minimal learning and sharing between NGOs in the North and civil society organizations in the South in common issues such as poverty reduction and social justice. According to John Gaventa that: “Historically there is little sharing and learning between these groups [civil society in the North and NGOs and community-based organizations in the South] across the hemispheres”.⁴³⁴ This is also supported by Rajesh Tandon: “The creation of mutual learning and horizontal links also allows the possibility of building the trust and social capital necessary for collaboration across borders”.⁴³⁵ Related to this is the neglect of the Western literature with respect to the role, participation and contribution of CBOs, NGOs and CSOs in Sudan. The overemphasis of this literature on the work of INGOs challenges the intention and purpose of INGOs and hinders the capacity building process of these local entities.

Nevertheless, the informal institutions have difficulties handling management and leadership and the power that comes with it, like any other local groups. This, however, should not detract from the many positive features of social cohesion, solidarity and local integrity. The factors which make these local initiatives more successful and sustainable lie in their emphasis on addressing community needs and on the process and outcome.

Now, more than ever, the concern with community empowerment and democratic development has to take on concrete form as an alternative to the repressive regime’s approach. However, for community empowerment to become more than just a glib phrase, the need for social change must be analyzed against the continued violence and conflict in the country and the continued policy of political and social exclusion which provides the impetus for, and the biggest obstacle to, transformation.

7.3 Reluctant State vs. Peaceful Transformation

⁴³⁴ Crossing the Great Divide: Building Links and Learning Between NGOs and Community-based Organizations in the North and South. In: Michael Edwards & Alan Fowler (ed): The Earthscan Reader on NGO Management. 2002. UK and USA:Earthscan Publication, p. 256.

⁴³⁵ Ibid, 2002: 269.

The 1980s were not a happy decade for civil society movement in Sudan. With his last five years of military dictatorship, the Nimeiri regime announced the Sharia Law assuming that will protect his collapsing system. The turn was for democracy, within the Sudanese vicious cycle, on March/April 1985 when the political parties and civil society groups overthrew Nimeiri regime. The frustration soon shadowed the political life after the democratic election of 1986 and the three years of political indecisiveness over key issues of peace in the South. That was the time when the elected government and its fragile democratic institutions could not tolerate the freedom of media and the critical voices of the civil society organizations. The latter have drawn attention to the inefficiencies in management and allocation of resources, the discrimination against remote areas, and the wealth share injustice between central and marginalized areas. The state's inefficiencies stem not merely from poor decisions, but from structures which prevent many groups in society from exercising influence over government's decisions and from holding it accountable for its actions.

The increasing attention of the potential of NGOs and CSOs comes as a result of the abandonment of the state responsibilities for social services and subsidies. This tendency in the absence of public sector and with some support from non-governmental organizations becomes rather a substitute but not a solution to the problems encountering local institutional development.

On the other hand there are still social forces and community-based organizations which have asserted themselves, notably the silent and peaceful revolt of Sudanese societies against official apparatus of injustice and instability. In other words the social capital in Sudan, its traditional forms and modern practices has been strengthened despite the frustration and hostile impact of different macro-political environments. Mutual co-operation in the Sudanese history takes the form of a continuing struggle over the distribution of incomes and access to benefits and services, in which solidarity gives strength to those who have neither income nor assets.

The research contributed to other studies of Sudanese politics by highlighting, in historical context, that the rise of Islamic movement can be viewed as part of the decline of local community as the center of social capital. Clearly, the Islamic movement has not brought into being the future envisioned by Sudanese. Moreover, in Sudan as elsewhere, once Islamic regime discourse is appropriated as the language of an authoritarian regime, its ability to serve as an agent for social change is surely compromised. With respect to the relation between state and religion, as one of the potential endangering issues in the Sudanese political, social and cultural life, it is the high time for the Islamists to recognize that the virtual realities which repeatedly being imposed by them can not succeed in a country that popular Islam is deeply rooted.

Concern over the intractable nature of many of these constraints has led to growing interest in the contribution that civil society organizations and NGOs can make to development, particularly areas of community participation, social justice, human rights and social inclusiveness. In particular, interest is clearly growing in the extent to which there are practical complementarities between NGOs and government, and which NGOs approaches might be incorporated into governmental programs. Much of the interest in and respect of NGOs has been driven from the communities where they find them practical, participatory and honest. On the other hand the lack of interest in NGOs, shown by the government, has been fuelled by a number of suspicions about their loyalty, political affiliation, and accountability. Despite these challenges, CSOs, NGOs and CBOs succeeded in creating strategies to work with the governments, at all level and in different settings both in urban and rural areas. The establishment of partnership and mechanisms of dialogue and communication, particularly with government technical departments, assure that even in absence of democracy and under brutal authoritarian regimes, NGOs can engage effectively and contribute to social and economic changes, particularly those affecting the marginalized poor communities.

The study reviews contemporary dialogue between the non-governmental organizations (NGOs) and civil society organizations (CSOs) and the state. The study combines both extensive and intensive analysis of the interface between NGOs/CSOs and the state in

Sudan and focuses specifically on three case studies in Chapter Four (Organizational Cultures of Sudanese NGOs), Chapter Five (NGOs Relations with Governments) and Chapter Six (NGOs Laws: A Comparative Study between Laws in Sudan and Egypt) which provide the basis for the development practitioners' conviction that the NGO-State interface is part of local institutional development framework and therefore must be part as well of a genuine learning process approach.

7.4 Case Study Chapter Four: Organizational Cultures of Sudanese NGOs

The key research question focused on the process of organizational cultures and capacity building of the Sudanese civil society organizations. The six areas of organizational cultures which have been identified by the research to give an indication of the effectiveness and the efficiency are as follows: 1) internal governance; 2) strategic planning; 3) financial management and resources; 4) service delivery; 5) human resources and management; and 6) external relations.

The changing social, political and economic context places a responsibility on civil society and NGOs to continue to engage effectively and efficiently within their own institutions and with other various stakeholders. Freire, for example, focused on the radical shift in building the capacities of people for transformation through the development of a collective consciousness of the links between local struggle and structural inequalities. The writings of Gandhi and Schumacher stress the need to empower the poor through direct action at the grassroots. This implies that capacity building processes need to empower not only at the level of individual civil society organizations but of a constituency that is affected by marginalization and social injustice.

One key area of concerns, which has been spelt out by Robert Michels, in his book, Political Parties (1915), is the question of accountability and lack of democracy with the organizations. The behavior of leaders led Michels to despair about the prospects for

genuine democracy. Norman Uphoff⁴³⁶ notes that, “Leaders became autocratic. They controlled the party or trade union press. They dominate meetings. They engrossed their organizations’ treasuries. Most alarmingly, they maneuvered to be succeeded by their sons or favorite supporters”.

The four organizations are quite visible to their constituencies and stakeholders, including government, donor agencies and NGOs. In the case of the two networks (HRLAN and SCSNAP) there is less visibility among their own members’ organizations. This is because the networks’ communication protocol with their own members is poor. The increasing number of HRLAN’S member organizations from 7 to 97 and SCSNAP from 20 to 60 has not been treated as credit for the networks.⁴³⁷ On the contrary, the visibility and communication with these numbers created burden in terms of sharing information with them, inviting them for meetings and events or even updating them on the progress.

This analysis of internal democracy is relevant to our current situation in Sudan, which is how to increase democratic practices and accountability as well as to improve the performance of development civil society, particularly trade unions, political parties and NGOs. One implication of this digression on social history is that the more vulnerable, low status and less educated members, the more domination and predation of their leaders. This is not always true with grassroots organizations where leaders can be illiterate and at the same accountable to their community. According to Uphoff⁴³⁸, that, “There is evidence for and against Michels’ propositions from the literature on NGOs and GROs [grassroots organizations], but unless we can refute or invalidate his ‘iron law’, the grassroots organizations which advocate greater accountability and want NGOs to be responsible are themselves least likely to be internally accountable to their own members.

⁴³⁶ Uphoff N. Grassroots Organizations and NGOs in Rural Development, in: Edwards, M. & Hulme, D., ed. Non-Governmental Organizations: Performance and Accountability, Beyond the Magic Bullet. London: Earthscan.1996, p.21

⁴³⁷ HRLAN Annual Report, 2005: 3 and El-Mekki Evaluation Report on SCSNAP Annual Report, 2006: 6.

⁴³⁸ Uphoff N. Grassroots Organizations and NGOs in Rural Development, in: Edwards, M. & Hulme, D., ed. Non-Governmental Organizations: Performance and Accountability, Beyond the Magic Bullet. London: Earthscan.1996, p.22

The more power that outside agencies give to such organizations, the more benefits may be skimmed off for persons in leadership positions or for those whom they favor". Despite some consultations, centralization has been a constant feature of the four organizations/networks' bureaucracy building. Resources and decision-making power have been concentrated heavily at the director or/and executive committee level. Capacity at the members and branches level is generally weak and the latter are rarely able to undertake initiatives on their own. The result is usually further alienation of the organizations/networks from their constituencies. The struggle for improving internal governance and for democratic practices, however, is not only one of vertical conflict between a controlling state and civil society, but one also of horizontal struggles within civil society itself for its own further democratization and sustainability.

All four organizations suffer from the chronic syndrome of Sudanese civil society organizations of lobbying and gatherings for the preparation of new elected board/executive committee. The negative social networking and lobbying during the election time endangers the whole democratic processes by dividing two minority influential groups within the organization/network and the majority of inexperienced members found themselves part of this division by supporting one of the two election lists. In some cases the division was of political nature (reactive vs. progressive), (progressive vs. progressive) and most dangerously the ethnic division which was not totally excluded from these exercises. The general assembly meetings, given this background, were not expected to produce meaningful results in terms of rotation of leaders and the selection of new leaders. There was no policy established in terms of period limitation for board members. The diversity amongst the board members was not defined as a crucial problem in a country which has been characterized of its religious, ethnic and cultural diversity. The board members of the four organizations/networks consisted mostly from people of Northern Sudanese origin. This could be intentionally or un-intentionally way of selection but certainly it hinders the genuine direction of development and advocate for injustice and social exclusion.

In terms of transparency and accountability, the level of information sharing with regard to the organizations' internal governance, financial matters and other operations, is varied. In most cases the four organizations shared information related to internal capacity, policies and procedures with board members and senior staff members. The culture of transparency, however, is still missing and its extent of reach is limited.

Overall, the four organizations are not taking sufficient initiatives and did not create mechanisms with member organizations and other stakeholders to share information and to consult on matters related to them. Information on internal governance was provided in response and with limitations. Michael Edwards and David Hulme describe the phenomena of multiple accountabilities: "downwards to their partners, beneficiaries, staff and supporters; and upwards to their trustees, donors and host government. Multiple accountability presents any organization with problems, particularly the possibilities of having to over-account (because of multiple demands), or being able to under-account, as each overseeing authority assumes that another authority is taking a close look at actions and results".⁴³⁹ The experiences show that most of the donor agencies represent themselves as the only accountable bodies to whom the civil society organizations report to. In most of the cases that the four participating organizations are reporting twice to the general assembly meeting once in a year and reporting to various donor agencies based on the contracts and agreements with them.

The other important aspect is the roles of women in these four organizations, the gender present balance in the board and in the general assembly and to what extent women roles are effective and if the balance is reasonable. The policies of the four organizations have not developed towards achieving gender equality and gender equality has not been discussed as a priority for them. The gender mainstreaming and gender equality approaches are challenges facing NGOs and CSOs in Sudan. The concept of gender equality is not yet considered as a crosscutting theme as well as a focus. Specifically, it is anticipated that gender equality approach will result in that the Sudanese civil society

⁴³⁹ Edwards, M. & Hulme, D., ed., 1996. Non-Governmental Organizations: Performance and Accountability, Beyond the Magic Bullet. London: Earthscan, p. 9.

organizations are more capable of addressing and promoting gender equality within the context of their activities of working with communities, grassroots organizations and government, and that they promote and address the strategic gender interests of Sudanese women and support the improvement in their position in Sudanese society.

This discussion on gender issues and diversity was inclining with Alan Fowler with Piers Campbell and Brian Pratt: “Often the formation of groups just because of gender hides the diversity of interest and needs of members, leading to very uneven motivation and limited cohesion. Organizational development needs to accommodate diversity of priorities of group members. It cannot be assumed that because a group is homogenous in terms of gender that it is coherent or unified in its members’ goals”.⁴⁴⁰

The participating organizations/networks’ main service delivery projects were training sessions and workshops on issues related to poverty reduction, human rights, and environment. Most of these activities benefited the member organizations and staff members and NGOs. Given the fact the participating organizations/networks’ focus areas are advocacy, lobbying and policy influence, very little inputs has been directed towards these activities. El-Mekki writes: “The documents show that the thematic meetings and regional workshops were quite a success in terms of the quality of papers and discussions and level of attendance. However, the common thread linking these activities is a clear academic tendency. There is also a clear lack of focus and strategic linkages between the themes”.⁴⁴¹ For the most part, they have not been engaged in policy debates on a national level regarding poverty alleviation and policy influence issues. They have not been visible in analyzing, deliberating or lobbying the government on community level implications of macro policies, such as the adoption of economic reform and structural adjustment policies on the poor. John Clark writes about new skills and styles required for advocacy work: “For example, staff involved in advocacy should not be closely

⁴⁴⁰ Fowler, A., Campbell, P. & Pratt, B., 1992. *Institutional Development & NGOs in Africa*, UK: Intrac, p.24.

⁴⁴¹ El-Mekki, A., 2006. *Evaluation Report Project Strengthening Civil Society in Sudan*, Khartoum: Alternatiives [Unpublished report], p.5.

identified with any anti-government factions and should appear politically mature".⁴⁴² In a recent confrontation, for instance, between the government and SECS on the intention of the government to sell *Sunut* Reserve Forest to a private company for tourist purpose, SECS raised its campaign to the court. The question is to what extent a politically mature person will help stop the collusion between the private sector and the government?

The four organizations depend mainly on external funding. They often perform poorly in the areas of financial systems, policies and procedures. The financial aspect is important sensitive and ethical issue and financial transparency is considered as one of main values in the organizations. One crucial issue in respect to transparency and accountability is the necessity for financial external evaluation. The classical financial audit used by the four organizations is no longer valid and it is unnecessary exercise. It is a routine work of private companies asked to prepare an audit report for general assembly meetings or donor agencies. Some donor agencies are keen to bring their own auditors which in most case a good learning exercise for the organizations. Organizations have to consider auditing as important aspect for the organizations' own development, and accountability. As Kaplan describes: "We need to choose what is important, and prioritize and sequence accordingly. This needs a cool head, but it also needs understanding of the underlying principle and commitment to it".⁴⁴³

The main features characterize the organization's financial systems, management, and reporting could be summarized in the following constraints: i) Absence of participation of member organizations in any stage of financial management; ii) Lack of consultation and missing mechanism of communication on financial matters within the organizations; iii) ambiguity of policies and procedures in terms of budgeting, availability of funds, update of cash flow from donors; iv) Training on financial matters often overlooked; v) Poor

⁴⁴² Policy influence, lobbying and advocacy, in: Michael Edwards and David Hulme, ed 1996: Making a difference: NGOs and development in a changing world. London: Earthscan Publications, p.192.

⁴⁴³ Leadership and Management. In: The Earthscan Reader on NGO Management. 2002. Michael Edwards and Alan Fowler. London: Earthscan Publications, p 439.

financial documentation and in most cases lack of accessibility to financial information; and vi) Lack of financial sustainable strategies and local fund raising is not a priority.

Overall the financial management and financial resources require a complex consultation process. The ambiguity of financial procedures and policies raised questions to be answered. Member organizations and staff members would be consulted for feedback and concerns. As Zadek, S. and Raynard P., note: "From this perspective, they would be able to highlight their own values and interest and to construct indicators to measure the organization's performance on that basis" ⁴⁴⁴. The participatory consultative approach will allow the networks particularly, where there are many member organizations, to move towards new forms of transparency and accountability. The consultative approach is of great benefits for members and partners. Their interests wertaken more directly and the report on activities responds to their concerns. As Tandon Rajesh writes: "The concept of multiple stakeholders helps to further our understanding of NGO accountability". ⁴⁴⁵

The issue of the organizations' financial resources will lead to the real threat facing the civil society organizations in the Sudan that rely on unpredictable external resources. The four participating organizations/networks, except of SECS, are depending on one or two donor agencies. Given the unpredictability of external donations, is there any way of breaking dependence on external funds? Why donors are not interested in strengthening the organizations' financial sustainability? To what extent the organizations' non-profit mandates contradict with investment and profit-making efforts? Experience in Sudan indicates that civil society organizations do not try to generate funds locally, except of limited private sector funding. According to Murray Gerald ⁴⁴⁶ that: "There is a widespread sense in the development community that a good project is one that will

⁴⁴⁴ Zadek, S., and Raynard, P., 2002. Accounting for Change: The Practice of Social Auditing, in: Edwards, M. and Fowler A. 2002. NGO Management. London: Earthscan, p.324.

⁴⁴⁵ Ibid, 2002: 13.

⁴⁴⁶ Murray, G.. A Haitian Peasant Tree Chronicle: Adaptive Evolution and Institutional Intrusion. In: Krishna, A., Uphoff, N., and Esman, M., eds., 1997, Reasons for Hope. West Hartford: Kumarian Press.1997,p.252.

continue without any outside support after a specified period of assistance, and, to achieve this, subsidies must be kept to a minimum during the life of the project".⁴⁴⁷ But what can apply on project does not apply on the organization which needs to be internally sustained to engage effectively in change, intermediation and social relation.

While a basic understanding of NGO internal capacity already exists in most countries, considerable ambiguity remains with regard to the situation of networks and alliances. The considerations raised in this conclusive chapter become even more complex when demonstrated in a network that brings together many member organizations. Much of the practical experience with the internal governance in the individual member organizations has been challenging and in some cases frustrating.

The networks' experience in the Sudan questioned the effectiveness of networking. The term of network, as Fowler writes: "has become so misused as to be virtually meaningless"⁴⁴⁸. Some of the people interviewed showed that many NGOs and CSOs are of the opinion that these coalitions and networks are effective in achieving some of their goals. It seems that the challenge in the Sudanese context lies not in the creation of new institutional bodies, for there are many, but in boosting their capacity and resources in such a way that would enhance their work and that the gap between them and their members is narrowed. Fowler continues: "This justifies an internal debate on what strategic alliances can be forged from existing networks, and what degree of autonomy of action can be relinquished in return for better performance, impact a quality".⁴⁴⁹

It is notable that despite the importance of allies, coalition and networking for the four NGOs, especially that they consider advocacy and policy influence areas of focus for them, efforts to engage in networks are often informal and are not institutionalized within

⁴⁴⁷ Murray, G., 1997. A Haitian Peasant Tree Chronicle: Adaptive Evolution and Institutional Intrusion. In: Krishna, A., Uphoff, N., and Esman, M., eds., 1997, Reasons for Hope. West Hartford: Kumarian Press, p.252.

⁴⁴⁸ 1992. Non-Governmental Organizations as Agents of Democratization: An African Perspective, International Development Journal, Vol. 5, No.3: pp. 325-339.

⁴⁴⁹ Ibid, 1992: 325-339.

the organizations or their plan of actions. The case studies show that the most serious barriers to expanding the development roles of civil society organizations may be the difficulty they face in working with one another. Competition and jealousies among them are often intense and prevent them from working together. Building and strengthening networks of Sudanese civil society is a key strategy for sustainable development. The approach to network building is based on shared learning, a solid understanding of contextual issues within which NGOs operate, and promotion of concerted and focused advocacy and communications with all sectors of society. Support for the institutional development of the networks also fulfils a strategic need, as it enhances the ability of civil society to engage other actors with a more coherent and stronger voice.

Stephen Biggs and Arthur Neame write: "What characterizes these cases is a history of negotiation, coalition, and change in NGO structure and behavior, in response to the interaction between the agency and its changing social and political context. One of the most significant observations of studies concerning NGO effectiveness has been that networking and coalitions with other NGOs, and with other public and private sectors, are often the key to results. If one views development as the articulation of a series of local struggles and processes, it is obviously vital to understand the means by which networking succeeds".⁴⁵⁰ Development experiences reveal the crucial but neglected importance of cooperation and networking among civil society that put the public interest first. This can include the protection of NGOs and CSOs, particularly when the political environment is hostile and not in favor. Though critical of some networks' work elsewhere in this thesis, I acknowledge their contribution to advocacy and influence of policies. The need for joint efforts is often important for NGOs and CSOs that effectively engage in social inclusion and change.

⁴⁵⁰ Biggs, S., and Neame, A., 1996. Negotiating Room for Manoeuvre: Reflections Concerning NGO Autonomy and Accountability Within the New Policy Agenda, in: Edwards, M. & Hulme, D., ed. Non Governmental Organizations: Performance and Accountability, Beyond the Magic Bullet. London: Earthscan, 1996, pp.31-40.

Mistakes are bound to happen in the capacity development and learning processes and in trying out innovative approaches to achieve effective results. It is important that these mistakes are quickly identified and appropriate adjustments made in the program based on lessons learned. The four participating organizations/networks however admit that mistakes occur; little has been achieved in terms of establishing a documentation process that will contribute greatly to the monitoring and evaluation of the development initiatives. These learning process strategies can well serve the NGO activities in the longer term and enhance understanding that development is not just a short term project but a long term process and commitment for all those concerned.

7.5 Case Studies Chapter Five and Six: State/Civil Society Relations

Ongoing civil society organizations experiences in negotiation, mobilization and advocacy to improve living conditions among the poor communities have brought about a shift in focus away from dominant government models towards dynamic action and reflection, built on the people's own lives and environment.

A conscious and deliberate effort made by civil society and some governmental circles to recognize the needs of poor communities and to assume increasing responsibilities for solving their problems, thereby increasing their capacities to participate fully in the life by effective use of resources through joint efforts and full participation of the community. This latter approach has brought about methodological changes away from vertical models of externally implemented change towards more diversified forms of response to people's needs and the causes of those needs. On the other hand, capacity development for those who affected by people's life called for more than improving conditions in the community; it required a process of grassroots empowerment for the excluded to influence changes in the way society was being run by becoming organizationally visible and by advocating for their own rights and the rights of all the marginalized.

Chapter Five shows that the four organizations/networks have attempted to create a partnership with the state either by working directly with some of its technical

departments on issues related to environment, street children, and poverty reduction or through provision of training on human rights and child protection, education, and water management.

The four NGOs have developed different strategies and approaches to maintain a relationship with the state. It is evident that the principal factors for such partnership continue to be both internal and external. This research has provided some examples of NGOs' strategies such as the organization's cooperation and collaboration with government technical units such as the Higher Council for Environment and Natural Resources, the Ministry of Justice, the National Council for Child Welfare, the Juvenile Court, the Ministry of Social Planning, and the Ministry of Education. The potentialities of continuing working with some technical units are promising. This cooperation could be through the delivery of services implemented by NGOs, for example for street children or through joint document aims towards national plan for environmental work.

The case study here gives evidence of the importance of the policy dialogue for sustainable development efforts. It also shows how well conceived and flexibly implemented activities can change social and economic environment in positive ways. Such results need to come simultaneously from above and below. The culture of participation of communities and civil society organizations in development initiatives has to be mainstreamed in government policies and strategies. As illustrated by Krishna, A.; Uphoff, N.; and Esman, M. that: "Rather, the process of policy change involves more experimentation and iteration than implied by the language of 'policy dialogue' a 'big bang' theory of development".⁴⁵¹

Such approaches invariably require understanding of the implications and consequences of the results of joint efforts and contribution of the NGOs/CSO in enriching the dialogue and communication with the government. This learning work approach will help the

⁴⁵¹ Krishna, A., Uphoff, N., and Esman, M., 1997. Reasons for Hope: Instructive Experiences in Rural Development. USA: Kumarian Press, p.5.

silent majority of civil servants understand the role of NGOs in development and will also contribute to change the attitude of government officials towards NGOs. On the other hand the image and attitude of NGOs/CSOs against government bodies will be changed and the relation between them will consolidate on this basis.

The curious paradox is the role of the state in development and its relation with NGOs and community organizations. As far as policy implications are concerned, a greater contribution to promote sustainable development may lie in maintaining peace and economic stability. This missing role affects the performance of other social forces both private and public in supporting long term development efforts. The implication is that voluntary sector national, local and international, donor agencies and government need to be more sensitive to local development efforts and take greater care to ensure that their development strategies and programmers complement or build upon them.

Chapter Six is a comparative study between the NGOs laws in Sudan and Egypt. The study illustrates the official side of the NGOs and government relation and shows the implicit conflicts between the NGOs/CSOs and government institutions. It is interesting to see the NGOs law in Sudan came in 2005 after three years of introducing the NGOs law in Egypt. The Sudanese law replicated the Egyptian one and added more restrictive measures particularly on the internal and external funding and on the authority of dissolution of the organizations. Both official mentalities in Khartoum and Cairo are governed by security and control over the voluntary work, while external and internal business companies have been offered free hand facilities without restrictions. Experience in Sudan and Egypt indicates that restrictive laws and procedures designed for the political control of NGOs clearly hamper legitimate NGOs. The struggle against the laws in the two countries is ongoing joint resistance initiated by the CSOs and NGOs. The latest news from Sudan confirmed that the civil society organization raised the issue to the Constitutional Court.

In most of developing countries the state is desperately keen to maintain rural and urban support and use a range of voluntary organizations to do this in the absence of strong

government bodies. In Sudan the state seeks to be protected and maintained by law and through its own bodies and therefore there is little room for NGOs and CSOs to work independently. The state-civil society relations in Sudan may be inline with Bratton when he describes two extreme approaches: “government-NGO relations are likely to be most constructive where a confident and capable government with populist policies meets an NGO that works to pursue mainstream development programmes... and most conflictual where a weak and defensive government with a limited power base meets an NGO that seeks to promote community mobilization”.⁴⁵²

In conclusion, it may be stated that the present informal initiatives, while not nearly as active as before, are still visible particularly in rural areas. The expectation of development practitioners that these practices would disappear rapidly have been proved wrong. Indeed, apart from the official intervention in voluntary work, inappropriate development policies, and the weaknesses of the communication and dialogue between NGOs/CSOs and the state, the technical relations have been strengthened and maintained. Highlighting this type of interface and the role of social cooperation as a capital in Sudanese communities may risk undermining the role of the political intervention which still continues to be significant. Along with tension and denial, the last two decades also brought new developments that give us hope for the future. Surely there were many setbacks. Hopefully there were startling breakthroughs toward the significance of traditional structures and understanding of the role of civil society in developing countries. Either way, the momentum has been established.

⁴⁵² Bratton, M., The Politics of Government-NGOs Relations in Africa, World Development, Vol. 17, No.4. 1989, pp. 569-587.

Appendix A

Research Instruments & Questions

1. Semi-structured interviewing

A checklist of questions related to each topic of interest is used. No formal questionnaire is used. Other different types of interviews include individual interviews, group discussions, focus group discussions and oral history.

12 people from each four participating organizations were interviewed. The people interviewed represent staff members, board, and representatives from the member organizations. The selection was gender sensitive. From the staff members, interviews were made with the key positions such as chairperson, financial officer and coordinators/project officers. Volunteers were also selected by some organizations to be interviewed.

The analysis of responses from semi-structured interviews requires a summary of each interview into main points raised and then creates a limited number of 'categories' of response which help to know the different and interesting views and opinions reflected by individuals and groups.

2. Focus Group Discussions

The number of participants range between 4 and 6 people. The use of this tool has been limited during the course of the research to four discussion groups.

3. Documents review

The research looks at some reports, mostly narrative six month, annual reports, reports mainly prepared for general assembly meetings, annual work plans and evaluation reports. Few financial reports were reviewed. Other documents received from the organizations are copies of organization's constitution and provisions of regulation and internal laws, strategic planning sessions, newsletter, and publications.

The documents reviewed which were collected from other sources are The Constitution of the Republic of Sudan, the protocols of Comprehensive Peace Agreement (CPA), NGOs Act Regulating Voluntary Work

4. Direct Observation

It is a relevant tool to observe objects, events, people's behaviour or relationships. It is a good way to cross-check people's responses or answers to questions. It is worth mentioning that the researcher has been working with international organizations in Sudan for more than two decades. My positions in these international organizations varied from program officer, operations manager, field monitor and accompanier which allowed me to observe the progress and development of CBOs, NGOs and CSOs in Sudan.

Research Questions:

The following steps were taken with regard to selection of the research questions:

Step 1: General

- In what areas do Sudanese NGOs need to enhance their capacity to become a more effective agent of development?
- What are the main weaknesses at present of Sudanese NGOs?
- What are the limitations of the current legal environment in Sudan with respect to independent NGO activities?
- What are the mechanisms by which Sudanese NGOs network?
- What are the tools and mechanisms by which they project their influence and advocate change?

Specific

- How does the current NGO law affect NGOs?
- What coping mechanisms do NGOs adopt to survive under the National Islamic Front (NIF) regime?

- How do NGO and government representatives view their relations? What do they see as the strength and weaknesses of their relationships?
- How do NGOs view the capacity building support provided by internal donors?

Step 2: The single overarching question was:

- In what areas and how do the Sudanese NGOs need to enhance their capacity to become more effective agents for development?

The subsidiary questions are:

- What are the mechanisms by which Sudanese NGOs network?
- What are the tools and mechanisms by which they project their influence and advocate change?
- How do NGO representatives view their relations with the NIF government?

In terms of the organization's capacity building the semi-structured questionnaire focused on the following four areas:

Financial capacity:

- Do you keep financial records?
- To whom do you release your accounts?
- Are your accounts externally audited?

Internal Governance

- Is there a separation of board and executive responsibility?
- How and how regularly is the leadership rotated?
- How often does general assembly meet?
- Who is represented on the board and why?

Voice and Accountability

- Who do you represent?
- How do you organize and mobilize this constituency?
- How do you make the government accountable to that constituency?

External Relations/Networking

- Who are your key external partners (e.g. top five)?
- What are the main areas of cooperation?
- What are the main areas of tension or disagreement?

Appendix B
List of People Interviewed

(Interviews conducted in Arabic)

Human Rights and Legal Aid Network (HRLAN)

1. Yasir Salim, Chairman, 12/4, HRLAN office
2. Mutasim AL-Amir, Coordinator, 10/4, office
3. Laila Moohammed Salih, Member, 2/4, office
4. Lunba Khawaja, Finance Oficcer, 2/4, office
5. Mohammed Al-Hassan Abdelatif, Training Coordinator, 11/4, office
6. Husam Mohamed Osman, Member, 10/4, office
7. Asia Al-Amas, Member, 12/4, office
8. Aisha Rufai, Member, 9/4, office
9. Adam Salih, Member, 9/4, office
10. Anwar Bashir, Member, 9/4, office
11. Abdealla Bushra, Commuincation Coordinator, 11/4, office
12. Osman Husein Abubakr, Member, 16/4, organization office in Nuzha area..

Friends for Children Society (Amal)

1. Mohammed Gadalla, Chairman, office
2. Abdelkhalil El-Nouri, General Secretary, office
3. Mahasin Sidiq, Coordinator for Alternative Families, office
4. Nefisa Sulieman, Coordinator for Social Centres Unit, office
5. Asma Abu Naib, Coordinator for Nyala Branch, office
6. Abdelazim Mohamed Ahmed, Deputy General Secretary, SECS office
7. Sahar Abu Shok, Psychologist, office
8. Ibrahim Abdelrahim, Psychologist, office
9. Iman El Hedai, Member, SCSNAP office
10. Hassan Abdel Ati, Member, Consultancy office
11. Yasir Salim, Member, HRLAN office
12. Idris Al-Nayel, Member, SCSNAP office

Sudanese Environment Conservation Society (SECS)

1. Sumaiya Al-Said, General Secretary, 17/4, SECS office
2. Adil Mohamed Ali, Member, 13/4, office
3. Ali Al-Khalifa, Coordinator for Environmental Rehabilitation, 14/4, office
4. Magda Hassan, Member, 22/4 , office
5. Sadeq Kara, Coordinator for Advocacy and Lobbying, 14/4, office

6. Mohamed Al-Fahal, Finance and Adminstration Manager, 14/4, office
7. Mutasim Nimer, Member, 15/4, office
8. Asim Maghrabi, Member, 13/4, Consultancy office
9. Muwaia Shaddad, Chairman, 21/4, office
10. Mai Tareq, Member, 6/4, office
11. Tariq Al Tayeb Haroun, Al-Rahad, office
12. Amal Abdelfadil, Member, 18/4, University of Khartoum

Sudanese Civil Society Network for Alleviation of Poverty (SCSNAP)

1. Al-Nagiya Al-Wasila, Member: Saba organization, 17/4, SCSNAP office
2. Khalid Hassan Idris, Member, 2/4, office
3. Zeinab Badereldin, Member, Alam Organization, office
4. Idris Al-Nayel, Chairman, office
5. Muwaia Shaddad, Member, SECS, 26/4, office
6. Abdelrahim Belal, Member, Consultancy office
7. Ata Al-Batahani, Member, University of Khartoum
8. Tahra Hamad Magzoub, Ex-Officer, 23/4, GCRT office
9. Asma Mohamed, Finance Officer, Amasar Organization, SCSNAP office
10. Huda Abdelgadir, volunteer, office
11. Huda Khojli, Member, office
12. Sahar , Secretary and Volunteer, office

Appendix C

Focus Group Discussions

1. Sudanese Environment Conservation Society (SECS):

Main Theme for discussion: Challenges facing Organization's Institutional Strengthening

Date: 19/4/2007

Place: SECS office

Participants:

1. Abdelrahim Belal, Member
2. Dalia Yacoub, Branches Coordinator
3. Mutasim Nimer, Member
4. Nasir Ahmed Bur, Member
5. Muawia Shadad, Chairman

2. Human Rights and Legal Aid Network (HRLAN)

Main Theme: HRLAN capacity and Member Organizations:

Date: 20/4/2007

Place: HRLAN office

Participants:

1. Anwar Bashir, Child Rights Institute
2. Abdelalla Hamid, Action Cultural Centre
3. Muawia Hassan, Nubian Heritage Organization
4. Aisha Rufai, Peace Bridge Association

3. Friends for Children Society (Amal) and Human Rights and Legal Aid Network (HRLAN)

Main Theme: Capacity in Networking:

Date: 29/4/2007

Place: HRLAN office

Participants:

1. Abdelkhalig Al-Nouri, General Secretary, Amal
2. Asma Al-Naib, Nyala Branch Coordinator, Amal
3. Abdelazim Mohamed Ahmed, Deputy General Secretary, Amal
4. Yasir Salim, Chairman, HRLAN
5. Mutasim Al Amir, Coordinator, HRLAN
6. Asia Al Amas, Member, HRLAN

4. Amal Members

Main Theme: Members and Amal

Date: 16/4/2007

Place: SCSNAP office

Participatns:

1. Iman Al Hedei, Member
2. Azhari A., Member
3. Faiza B., Member
4. Najla H., Member

Glossary

Aid Alhasad	Harvest Celebration
Aiad Al aras	Wedding
Al Bulug	Adolescence
Al Zakat	Taxes in Islam
Ansar	Followers of Mahdi
Bagara	Arab tribe in Western Sudan
Baramka	Tea drinking ceremony
Bayt al Mal al Amm	The General Treasury
Faza	Form of communal labor
Hakuma	Government
Hakumas	Governments
Karton Kassala	Camp for IDPs built by carton
Khalifa	Mahdi's successor
Khatmiyyah	Followers of Khatmiyyah sect
Maliki	King
Nafir	Form of communal labor
Rabitat Abna	Tie that binds the sons
Sandug	Box: Form of rotating saving
Sharia	Islamic Law
Sheikh	Community leader
Sot Al Mara	Voice for women

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