

Coup attempt foiled, as Sudan celebrates new Constitution

by Muriel Mirak-Weissbach

The Sudanese government of Gen. Omar al-Bashir celebrated the ninth anniversary of the 1989 revolution, with two explosive pieces of news: First, that the referendum held throughout the country in June had resulted in an overwhelming “yes” for the draft Constitution, which includes the peace treaty with most rebel factions in the South; and, second, that an attempt to overthrow the government by violent means, by forces allied to the remaining rebels, had been discovered and thwarted.

As the Interior Ministry announced, 21 persons had been apprehended, and three of them appeared on national television, to reveal the details of the plot. Operatives backed by the National Democratic Alliance (NDA) planted bombs in nine strategically located sites in and around the capital, on June 30 and July 1. These included the power plant in Buri, which provides electricity from Damazin Dam to Khartoum, the capital; another power plant in Suba, in south Khartoum, close to a hospital; in front of Friendship Hall, a large congress center; in an oil tanker; and in the Ahmed Guassim hospital. One bomb, a time bomb, had been left in a taxi in front of Friendship Hall; the taxi driver, who had been told to wait for his passenger, alerted the police after a half-hour, and the device was defused in time.

The persons arrested, all Sudanese, are members of the Sudanese People’s Liberation Army (SPLA), the Baath Socialist Party, the Communist Party, and the British-backed Umma Party led by Sadiq al-Mahdi. They represent, in essence, the core of the NDA, which had been put together by Baroness Caroline Cox of British intelligence in 1995. In March 1995, the NDA declared the establishment of the “New Sudan Brigade,” which, it said, would transfer the war, until then confined to the South, into the North. In a videotape, aired in April 1995 by the British Broadcasting Corp., SPLA leader John Garang, flanked by Eritrean special forces leaders and soldiers, was shown addressing a rebel camp in the South, saying that they would “take the war to Khartoum.” The NDA conference in Asmara, Eritrea in 1995, organized by Cox, officially declared policy to be the violent overthrow of the government in Khartoum. That Asmara Declaration was endorsed, in December 1995, by the British establishment, in

the course of a seminar held in the House of Lords in London, again organized by Cox.

What has unfolded in Sudan, is the attempted implementation of this British plot. That the NDA was behind it is irrefutable. Those arrested provided detailed information about the plot and plotters, including the names of associates of Sadiq al-Mahdi, who gave them their marching orders and their financing. Among the names were those of Al Haj Nugdallah and Hassan Balila. Nugdallah had already been tried and convicted of plotting a coup, and had spent three years in prison before being released. He is known to be close to Sadiq al-Mahdi personally. Balila, also close to Mahdi, reportedly received funds from him, to transfer to elements inside the army. Balila was named as an organizer of the coup. Another person arrested was Abdul Mahmoud Abbo, accused of having supplied funds for the coup plot. Abbo has been preaching sermons in the mosque regularly in favor of Sadiq al-Mahdi.

An admission of responsibility

The spokesman for the NDA virtually admitted in an interview that his political grouping was behind the coup attempt. Speaking on July 2, in a telephone interview from Cairo with the Focus on Africa program of the BBC, spokesman Abu Eisa was asked who was responsible for the bombings. He said, “You see my friend, these bombs and explosives and the likes are very natural to take place in the face of the ugly policies of the Islamic fundamentalist government of the Sudan.” When pressed by interviewer Paul Batshubinga, “So, you are not denying it that you might be behind them?” he answered: “Nobody knows, but you see, the ugly policies and performances of the Khartoum government accepts [sic] such bombs, and even more and more, and while they are doing and continue to do these ugly policies, they should expect the people to fight back.”

Not surprisingly, external elements were suspected of active involvement, from Eritrea. The Eritrean government of Isaias Afwerki, under the direction of the Cox crew, handed over the building of the Sudanese Embassy in Asmara, to the NDA, for its headquarters. The Eritrean military has been

engaged in the war against Sudan on the eastern front, in coordination with the SPLA and NDA.

The scenario for the coup plot, according to those arrested, was the following: First, the explosives were to go off, blowing out Khartoum's electricity grid, thus thrusting the capital into darkness. Then, leading political figures were to be assassinated. Military operations then were to begin from inside and outside the capital. Rocket launchers were to be used to attack targets which included the Peace and Development Foundation, the Faisal Commercial Bank, and other central sites. The operatives inside the military were said to be members of the medical corps and the artillery division. A Colonel Kimer, who had been imprisoned for his involvement in an earlier coup plot, was identified by the assailants as an adviser in the latest attempt. One confessed plotter reported having visited Kimer in jail, to discuss the plan.

The attempt to overthrow the Bashir government comes almost exactly on the 100th anniversary of France's capitulation to the British in Sudan at Fashoda, and just months before the anniversary of the British defeat of Sudan in 1898. It comes as the country has emerged from a British-instigated civil war, with almost all rebel forces in agreement to make peace, and the possibility that even Garang will be forced to come to the negotiating table. It comes, most importantly, as the population has delivered a massive vote in favor of the new Constitution. The Constitution introduces freedom of political association, consolidates the federal system, and incorporates the text of the 1997 peace treaty. The latter peace treaty embraces demands made by southern rebel factions, including the demand for a referendum in the South, on the option of national unity or secession.

The peace treaty and the new Constitution

The draft Constitution elaborated in the course of 1996-97, was voted up at the February meeting of the National Congress, and was then approved by the Parliament and the President on March 28, 1998. In May and June, it was submitted to a referendum, throughout the country and among Sudanese abroad. According to the official results released by General Elections Board Chairman Abdul-Moneim Al-Zein Al-Nahas, the number of registered voters, including expatriates, was 11.9 million, of whom 10.9 million cast their vote. The "yes" votes were tallied at 10,472,888 (96.7%) and the "no" votes at 326,732 (3.3%). The largest "yes" vote (100%) was registered in a southern state, Warap, while another southern state registered the largest "no" vote (12.7%). The Sudanese abroad who registered to vote numbered 130,328, and of them, 100,621, or 77.2%, turned out to vote. The "yes" vote from this group was 97%. The referendum was carried out in 52 embassies abroad.

Perhaps the most significant aspect of the Sudanese Constitution is the fact that it incorporates and reflects the negotiating process that has taken place over the past years with

southern rebel factions, to establish a just peace. A statement of principles, agreed upon in April 1996 by several rebel factions, became the working basis for further negotiations, which led to a final peace treaty signed in April 1997 by all major rebel factions except that of Garang. The final document issued shortly thereafter to implement the accord, was the "14th Constitutional Decree." Now, in the Constitution, it is stated that all Constitutional decrees that had been passed, are to be repealed, but "the 14th Constitutional Decree (Implementation of the Peace Agreement), 1997, shall remain in force and shall expire upon termination of the transitional period." The text of the 14th decree was appended to the draft which was voted on in the referendum.

This is the formal means whereby the peace process has been incorporated into the new social ordering. Thus, the principal and crucial political points of the two are virtually the same. The peace treaty states under its "guiding principles," for example, 1) "The Sudan is a multi-racial, multi-cultural and multi-religious state. Islam is the religion of the majority of the population, and Christianity and African creeds have significant adherents." In the Constitution, it is stated under the opening section on "The State and the Directive Principles," that "the State of Sudan is an embracing homeland, wherein races and cultures coalesce and religions conciliate. Islam is the religion of the majority of the population. Christianity and customary creeds have considerable followers."

It follows, that "freedom of religion, belief, worship rites, *daawa*, missionary and preaching activity are guaranteed to all, and no citizen shall be coerced to embrace any religion or creed," as the peace accord puts it. In the Constitution, the point is more fully elaborated. Coherent with the freedom of religion, it is stated in both texts, that the sources of legislation shall be *Sharia* (Islamic law) and custom (that is, as practiced by non-Muslim religions). In the peace treaty, it is specified that "general laws, derived from the general principles common between the states, shall be applied nationally. States having peculiarity may promulgate, with respect to the peculiarity thereof, such laws as may be complementary to the federal laws, in addition to the right of states to legislate, each as to such function as may correspond thereto, including custom and codification of the same." This spells out the means whereby states in the South, whose population may be predominantly neither Christian nor Muslim, may introduce laws to regulate specific exigencies.

Similarly, with the question of language, the national language shall be Arabic, but other languages will be allowed and promoted. In the peace treaty text, it is specified that "English shall be the second language."

Another bone of contention between the warring parties, had been the distribution and exercise of powers. Southern forces had demanded greater decentralization, and power-and wealth-sharing. The Constitution details the functioning

of Sudan as a “federal republic,” made up of 26 states, with relevant distribution of powers and responsibilities. All areas regarding national questions are the responsibility of the federal government, including defense, police, armed forces; borders and border disputes; nationality and passport affairs; foreign relations; elections; “currency, financial, fiscal and credit policies”; federal financial resources; foreign trade; national projects and federal lands and resources; federal transportation, and so forth. The states have responsibility for government and state administration; state financial resources; state lands, natural resources, animal and wildlife; non-transit waters and electric power; state roads, transport, communications; missionary and charitable affairs; registration of births, deaths, and marriages; and so on. For the ten southern states which constitute “the South,” the peace treaty has further specified the establishment and functioning of the Southern States Coordinating Council, which is explained in significant detail in the accompanying interview with Dr. Riak Machar, who leads the council.

In addition to power- and wealth-sharing, forces engaged in the war against the central government had demanded the right to self-determination. This has been accorded, in full, as detailed in the peace treaty: Following a four-year transitional period, after the formation of the council, a “referendum in the Southern States, shall be on the following options, namely: a) Unity; b) Secession.”

National, democratic political parties

Finally, the issue of political parties, as demanded by opposition forces in the north as well as the south, is also treated. The Constitution states, under the paragraph on “Freedom of association and organization,” that “1) 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.” And, “2) There shall be guaranteed for citizens the right to organize political association; and shall not be restricted save by the condition of consultative decisionmaking and democracy in the leadership of the organization, and use of propagation not material force in competition, and abiding by the fundamentals of the Constitution, that as regulated by law.”

The specifications regarding the internal behavior of political parties, have been made in order to prevent the reemergence of the kind of multi-party system which existed before 1989, whose parties were anything but democratic. The two parties of the current NDA opposition, the Umma Party of Sadiq al-Mahdi, and the Democratic Unionist Party (DUP) of Othman Mirghani, for example, were based on local family groupings, united by membership in the same religious sect. Party leadership positions were not elected, but inherited, and the party leader is considered a demi-god, worshipped by his followers. According to legislation being drawn up on the regulation of political parties, it is expected

that parties will be required to be national in representative membership, non-sectarian, and governed internally by democratic principles. As General al-Bashir stressed, in a speech on July 6, no parties whose representatives carry arms abroad would be allowed to open up party offices in Sudan. Both the DUP and Umma, as they are constituted today, are members of the NDA, which is part of the insurgency of Garang’s SPLA.

War or peace

There is no doubt that the Sudanese Constitution adequately and thoroughly deals with the issues which have ostensibly been the cause of strife in the country. Now, it is up to those continuing the armed insurgency and the political destabilizations, to come to terms with the constitutional process. General al-Bashir made an unannounced visit on July 12 to Juba, the capital of Bahr al-Jabal state in the South, and brought this message to a group of army officers and troops. He made clear that either the insurgents would accept the new reality, and make peace, or they would be militarily defeated. Referring to the Constitution, he said that the peace treaty it contains “has met all demands” of the people of south Sudan and “has granted them the right to self-determination for achieving unity by their choice.” Thus, there was no cause for continuing their insurgency. “We have decided to clear all regions from the rebels this year,” he said, “and liberate every span of land from the occupation, leaving no rebel or hireling within the borders.” The Sudanese President also announced that government armed forces “have advanced in east Sudan and in the Blue Nile, liberated most of the areas and defeated the rebels, who ran away,” according to press reports.

The response to the Constitution on the part of the political opposition parties was unmistakable, in their reported involvement in the attempt to overthrow the government. Following the arrests which took place, the British-backed political opposition immediately organized protests, against alleged “violation of the human rights” of the accused. A rally was organized on July 14 in front of the Sudanese Embassy in London, and the Human Rights Watch organization immediately put out a letter, claiming that the coup attempt had been invented to motivate the arrests. “The timing of the arrests and statements by high government officials,” their July 15 statement reads, “suggest the bombings served as a pretext to stop opposition political parties from reopening inside Sudan, where they would challenge the de facto one-party state.”

More broadly, the reaction to the process leading up to the referendum on the Constitution, has been extremely encouraging, at least as far as the international climate is concerned. By doggedly pursuing the peace option with those rebel groups open to negotiation, and by accepting even the option of secession as demanded, the government of Sudan has demonstrated its commitment to end the war