

Unequal Representation of Regional Units in the Institutions of Central Government: the Case of two Federal Countries (Sudan and South Sudan)

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ABSTRACT: *Federalism enables for the promotion of good in governance and citizen participation of the people in government. Since implementing federalism, Sudan (1994) and South Sudan (after declared a Republic in July 2011) both countries have started the process of transferring more power and resources to sub-national governments. Sudan started with federal system but financial moved on to a decentralized system in 2005. The three levels of government in Sudan allow people to participate with different degrees at the various government levels regionally and locally. But, neither of the two federal Governments is yet able to respond to the basic services and to address development issues faced at regional units. South Sudan has faced implementing a suitable federal constitutional arrangement for the country if lasting peace were prevail. Both in Sudan and South Sudan, there are; unequal national representations of regional units in the central government. This paper attempts to untangle some of the problems relevant to Sudan and South Sudan as two semi-federal countries in Africa, and to explore the implications of federal arrangements, particularly participatory instruments for designing public policy. The core question of this paper is why representation of regional units in the institutions of central government in Sudan and South Sudan are not sufficiently fair and equal. The objectives of this paper are to understand the federal mechanism in each of Sudan and South Sudan, and the weakness of linkages between structures and participation of regional units in federal government. It further examines the politics of representation in federal -states - local governments. The paper assumes that there are many reasons behind unequal representations of regional units in central institutions of both countries.*

Key words: *Federalism, States, Unequal Representation, Sudan, South Sudan*

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I. INTRODUCTION

Federalism provides for the promotion of good in governance and popular participation in government. Since implementing federalism, Sudan (1994) and South Sudan (after declared a Republic in July 2011) have started the process of transferring power and resources to sub-national governments. Sudan started with a federal system but moved to decentralized system in 2005. The three levels of government in Sudan allow people to participate with different degrees at the various government levels regionally and locally. But, neither of these Federal Governments is yet able to respond to the basic services and development faced by regional units

The Republic of South Sudan is faced with successfully implementing a suitable federal constitutional of arrangement for the country if lasting peace is to prevail. Additionally, and for the large size of the country, it's difficult to manage the country from the national capital Juba or through the ten current states and 77 counties. Therefore, federalism should reduce authoritarian powers of the current centralized system in South Sudan. In both countries there are unequal representations of regional units in central government.

This paper attempts to untangle some of the problems relevant to Sudan and South Sudan as two semi-federal countries in Africa, and to explore the implications of federal arrangements, particularly participatory instruments for designing public policy in a federal system. The core question in this paper is why the representation of regional units in the institutions of central government in Sudan and South Sudan are not sufficiently fair and equal. The objectives of this paper are to explore the federal mechanism in each Sudan and South Sudan, and the weakness of linkages between structures and participation of regional units in federal government in two countries. It further examines the politics of representation in federal -states - local governments, particularly as related to legislative and executives authorities. Additionally, the paper assumes that there are many reasons behind unequal representations of regional units in central institutions of both countries. It further examines the politics of representation in federal level as well as local governments. In

addition, the paper assumes that there is unequal representation of regional units in central institutions of both countries. The cause of this situation may be referred to the complex political status in the two countries particularly the complexity of the identifications and ethnicity. Therefore, the system in both countries hasn't achieved any satisfactory degree of development and service delivery.

This paper uses descriptive and analytical approaches as well as comparative approach in its different contexts. Finally, the paper reaches conclusions, positive and negative, as well as offers specific recommendations.

II. FORMATION OF FEDERAL SYSTEMS

Federalism is a central concept in political science, and the federal system was established basically on: a written constitution.¹ The term "federalism" is used as including informal distribution of powers, and not limited to constitutional federations in which there is a formal distribution through statutory and other documentary provisions.²

Federal systems of government represent a unique form to reconcile the need for unity and centralized rule for defense or economic purposes, while enabling the accommodation of a reasonable degree of diversity. Most federations are characterized by a level of interdependence between the central and regional governments that has been depicted as co-operative federalism.³ Some scholars have looked at federalism from a number of different perspectives directly related to the contemporary world that include political theory and philosophy, international relations, political ideology, conflict management, nationalism and multi-nationalism and globalization.

In fact "the earliest such leagues were the Achaean League of Greek city states of the third century BC. The Swiss league, which originally comprised three cantons, was formed in 1291, while the Union of Utrecht in 1579 saw the formation of a Dutch political entity, which has been seen as important in the development of federal systems".⁴ In European terms, modern federalism dates perhaps to the French Revolution, which however failed to build a federal structure for representative democracy.⁵ The second and more modern stage of federalism dates, accordingly, from about 1787 to 1918. The founding father of the American Constitution had a very different understanding than what 'federalism' meant today. The conventional late 18th C American understanding of federalism was what already existed according to the Article of confederation (1781-1789) rather than the one which succeeded them!⁶ Moreover other scholars presented different meaning to the concept of federalism.

"Unfortunately, some of the most influential works in political science today offer incomplete or insufficiently broad definitions of federalism and thereby suggest that the range of choices facing newly democratizing state is narrower than it actually is".⁷

Recent interest in federalism, in both established and emerging democracies, has derived in large part from the search for political arrangements and institutional forms that can accommodate the twin pressures of globalization and regionalism.⁸ Others look to federalism with the view that "federalism seemed to be succeeding in nations that were traditionally unitary, but were allowing some devolution to regional bodies (such as Scotland in the UK and Catalonia in Spain) to preserve the unitary state. Such devolution did not imply federalism was resurgent".⁹

¹ Cythia. J Bowling and others, *Fragmented Federalism: The State of American Federalism 2012-13*, *The Journal of Federalism*, Vol.43, Number 3, Summer 2013, p.319.

² Ken Coghill, *Federalism: Fuzzy Global Trends*, *Australian Journal of Politics and History*: Vol. 50, Number 4, 2004, 1.

³ D. F. Woodward, *Federal Systems, Government and Politics*, Vol.1, School of Political and Social Inquiry, Monash University, Australia p, 2.

⁴ D. F. Woodward, *opi.cit*, p, 3.

⁵ Charles Chatfield, *The Federalism Papers: Commentary on the History of Federalism, Peace and Change*, Vol. 24, No. 3, July 1999, p, 2.

⁶ For more details see:

Michael Burgess, *Comparative Federalism: Theory and Practice*, London New York, 2006, pp, 50-75.

⁷ Alfred Stephan, *Federalism and Democracy: Beyond the U.S. Model*, *Journal of Democracy* (1999) 19-34, P, 2.

⁸ Robyn Hollander and Haig Patapan, *Pragmatic Federalism: Australian Federalism from Hawke to Howard*, *The Australian Journal of Public Administration*, vol. 66, no. 3, pp. 280–297, p,1.

⁹ John Wanna, *Improving Federalism: Drivers of Change, Repair Options and Reform Scenarios*, *The Australian Journal of Public Administration*, vol. 66, no. 3, pp. 275–279, p, 2.

Nonetheless, federalism has indeed been enjoying a global renaissance. Having fallen into some disrepute earlier in the 20th century, it is now very much back in favour. It is enjoying popularity both as the mode of governance democratically most appropriate for regionally diverse nation states (i.e. federalism as devolution) as well as a way of bringing about closer association between established democratic nation states (federalism as union).¹⁰

III. FEDERALISM IN AFRICA: THE PUZZLE OF UNEQUAL REPRESENTATION AND DEMOCRACY

The principle of equal representation in each state at any federal system, as Alfred Stepan said "is not democratically necessary and may even prove to be a disincentive to multinational polities that contemplate adopting a federal system."¹¹ He added that many democratic federations have quite different formulas for construction their of upper houses.¹² Above all, however, the federal system strengthens democracy. "The citizens have more possibilities to participate in politics and to uphold their interests. They have the right to vote at several levels: at the federal, the Land (federal state) and, finally, at the local level".¹³ While the history and evolution of federalism is rich and complex in the world in general, in developing countries, and particularly in Africa, it remains vulnerable.¹⁴

"African states have created distinct national characteristics. There is diversity too in the ways states function. Despite western economic and political pressure for uniform western concepts of democracy, law and economic management, African governments are finding their own ways of managing statehood".¹⁵

Many developing countries have adopted some institutions and techniques from older federations but have adapted them through innovations, to their own needs and circumstances.¹⁶

The central themes of African history are the peopling of the continent, the achievement of human coexistence with nature, the building up of enduring society, and their defense against aggression from more favored regions.¹⁷ Most federal arrangements in Africa have aimed at settling the claims of the forces of society against the partisan control of state resources to the disadvantages of significant minority section whose separate existence is compelled and defined by some basic principles.¹⁸ The majority of political parties in Africa have either fallen victim to military intervention or have become moribund political grouping which exist largely in name only, and which come to life every few years to conduct uncontested plebiscitary elections in behave of the entrenched governmental elite.¹⁹

There are very few countries in Africa that adopted three federal systems (namely: Nigeria, Sudan, South Africa, Ethiopia and lastly South Sudan).²⁰ At the same time many African states have had serious problems with the management of diversity. First, their constituent groups were forcibly and arbitrarily incorporated by the colonizers.²¹ Most federal arrangements in Africa have aimed at settling the claims of the forces of society against the partisan control of state resources to the disadvantages of significant minority section whose separate existence is compelled and defined by some basic principles.²² The puzzle of federalism in African federal countries is referred to many reasons, most important one the modern of the fragile experiences, and actually the absence of democracy.

¹⁰ Alan Fenna, *The Malaise of Federalism: Comparative Reflections on Commonwealth–State Relations* The Australian Journal of Public Administration, vol. 66, no. 3, p, 2.

¹¹ Alfred Stepan, *Op.cit*, p, 5.

¹² *Ibid*.

¹³ Klaus-Dieter Schnapauff, *The Federal System of the Federal Republic of Germany*, Published by the Forum of Federation, www.forumfed.org, 2010, p, 24.

¹⁴ Michael Burgess, *Federalism in Africa*, The Federal Idea, A Quebec Think Tank on Federalism, January 2012, p, 8.

¹⁵ Richard Dowden, *The state of the African state*, Royal African Society, 2004, p, 138.

¹⁶ Ronald Watts and John Kincaid, *Unity in Diversity: Learning from Each Other*, Vol. 3, 2010, P, 4.

¹⁷ John Iliffe, *Africans: The History of A continent*, Cambridge University Press, 1968, P, 5.

¹⁸ P. P Ekeh and EE. Osaghae, " *Federal Character and Federalism in Nigeria*" (edit), The Caxton Press (West Africa Limited) Ibadan, Nigeria, 1989, p, 20.

¹⁹ J. Gus Liebenow, *African Politics: Crises and Challenges*, Indiana University Press, 1986, P, 206.

²⁰ Michael Burgess, *op.cit*, p, 5.

²¹ Eghosa Osaghae *Federalism and the Management of Diversity in Africa*, Identity, Culture and Politics, Vol. 5, Nos.1 & 2, 2004, p.164.

²² P. P Ekeh and EE. Osaghae, " *Federal Character and Federalism in Nigeria*", (edit), The Caxton Press (West Africa Limited) Ibadan, Nigeria, 1989, p, 20.

IV. THE FEDERAL SYSTEM IN SUDAN: REALITY AND PROBLEMS

Sudan is a huge and complex country with several ethnic, cultural, and religious diversities. It is rich in agricultural, mineral and petroleum resources. The Nile River - the longest River in the World - runs from South of Sudan to the North and across Egypt to the Mediterranean. Sudan used to be described as "a microcosm of Africa" and was the largest country in the continent before splitting into two countries in 2011. According to a referendum held as part of the Comprehensive Peace Agreement (CPA), Sudan eventually split into two countries on July 9th, 2011.²³

Unfortunately, no sooner had independence been declared, than the term federalism became a taboo in the political language of the Northern Sudanese elite who on the eve of independence had assured their Southern brothers that they did sympathize with their cause.²⁴ Subsequently, the North rejected the idea on the grounds that it was not appropriate for the country. Although Sudan attained political independence in January 1956, it did not enjoy uninterrupted democratic governance over that long time, like many other African countries.²⁵

In 1991 Sudan declared the adoption of federalism, and in 1994 the Government of Sudan re-divided the country into 26 states to devolve more powers to local authorities, and to distribute national resources more equitably between the different parts of the country.²⁶ A federal system in Sudan is the most appropriate for balanced development among states, and for improved living standards, as opposed to central system.

According to the Interim National Constitution of Republic of Sudan (NCRS) 2005, (Act 24 of 2005) Sudan is a decentralized State with four levels of government: (1) the national level of government, which shall exercise authority with a view to protecting the national sovereignty, territorial integrity of Sudan and promoting the welfare of its people; (2) Southern Sudan level of government, which shall exercise the authority in respect to the people and states in Southern Sudan; (3) the state level of government, which shall exercise the authority at the state level throughout Sudan and render public services through the level closest to the people; and (4) local level of government, which shall exist throughout Sudan.²⁷

Although this change in the levels of federal system gives a new balance in the sharing of wealth and power, the country's states have thus far failed to achieve any satisfactory degree of development and service delivery.²⁸ The number of states in Sudan was reduced from 25 to 15 after the cessation of South Sudan in 2011. Later on, in 2012, a presidential decree re-divided Darfur into five states making the total number 17 states. It's worth mentioning, if the government of Sudan can't run the federal system, the re-distribution of states in Darfur (and may be in Kordofan) will become just a dysfunctional layer of government. The total number of states in Sudan is presently 18. But those states didn't achieve the main goals behind the implementation of the federal system as a suitable option to govern the country. Yet, the sustainable and comprehensive development and delivery of social services are far being to be achieved for the citizen of Sudan.

V. SUDAN AND SOUTH SUDAN IS IT SEPARATION OR INDEPENDENCE?

In 1991, Sudan declared adoption of the federal system. According to the Tenth Presidential Decree, the Government sub-divided Sudan into 26 states instead of nine, 16 of which in the North and the rest in the South.²⁹ The federal system has been implemented in a non-democratic environment and lacked a rigid constitution. This has had a negative impact on the performance of the administrative institutions at various levels of the country's government, and produced widespread conflicts between the still dominant central federal government and most of the peripheral states. In 1998, Sudan adopted a new Constitution which had been in position up to 2005. That latter Constitution approved and enhanced the federal system with three levels of government, but the states and localities failed to achieve any kind of reasonable reform to the local

²³ The Comprehensive Peace Agreement (CPA) which held in Nivasha, Kenya in January 2005 gives South Sudan the right for Referendum.

²⁴ Steve Odero Ouma, *Federalism as a peacemaking device in Sudan's Interim National Constitution*, unpublished LLM, Centre for Human Rights, University of Pretoria, October 2005, p, 21.

²⁵ Hassan Mushieka, *Federalism in Sudan*, Khartoum University Press (KUP), 2014, P, 36.

²⁶ For more details about the adoption of federal system see:

Hassan Mushieka, *Development Management in Federal System: The case of Sudan*, Unpublished PhD Thesis, University of Khartoum, Sudan, 2010, p, 60.

²⁷ See: *The Interim National Constitution of Sudan, (Act 24 of 2005)*, National Assembly, Omdurman, Sudan, 2005.

²⁸ *Comprehensive Peace Agreement (CPA) 2005, the Protocols of wealth sharing between the Government of Sudan (GOS) and Sudan People's Liberation Movement (SPLM)*, Nivasha, Kenya, 2005.

²⁹ Hassan Mushieka, *The experience of Federalism in Sudan: The case of Khartoum and Western Kordofan states*, Sudanese Studies volume, No.46, Khartoum University Press, October, 2010, p, 78.

government's institutions due to the lack of adequate revenues allocation, planning, and rational policies.³⁰ Although the (CPA) included more details about the relationship between the federal government, states, and regional level, local government has paid little attention to strategic plans.

As a matter of fact, the (CPA) called for its two partners to jointly organize a referendum on self-determination for the people of South Sudan in 6 years period, a plebiscite for Abyie area in Western Kordofan and a popular consultation for Southern Kordofan/Nuba Mountains and Blue Nile state.³¹ As a result of the referendum, the people of South Sudan opted for cessation as a separate state in July 9th 2011; with an overwhelming majority of more than 98% of the vote in favor of cessation. "The Southern Sudan Referendum Commission announced in Khartoum that 98.83% of the voters had backed independence; while those who voted for unity were 44,888 people (1.17%), and those who voted for separation were 3,792,518".³² The plebiscite for Abyie has been delayed and according to some observers, the resolution in this issue may be adjusted and solved completely by UN Council. However, the Government of Sudan thought that this might ignite an outbreak of a new conflict in the region, and it may be better to resolve the dispute over Abyie within an African context.³³

In any case, what happened on the ground it could be a separation rather than independence as the leader of Southerners described in their formal political speeches. Especially that happened smoothly and peacefully with the satisfaction of the majority of the citizen in the two parts of the previous Sudan.

VI. THE POLITICS OF FEDERALISM IN SOUTH SUDAN

Before the recent instability, South Sudan was already in trouble partly of its own making, partly not. When a trace finally came with the comprehensive peace agreement (CPA) 2005, the region of southern had experienced virtually no development in half a century and faced a legacy of destruction and division, much of it manipulated by successive governments in Khartoum. It also had the curse of oil – 90 per cent of the revenue of the autonomous government of South Sudan comes from petroleum.³⁴

The present of government system in South Sudan is a quasi federalism because it is half away between a centralized and a federal system with many attributes of federalism. The states have limited powers in addition to having their own Judiciary, police, prisons, authority and fire brigades. They also may have limited power to raise the needed revenue for development.

For the past few years after separation, legislative and decision making have occurred within the context of ongoing ideological main political party (SPLA). Yet, South Sudan needs democracy for socio-economic development, and to promote civil and political rights and equal representation at all levels of government. Therefore, the transition to democracy is essential for a federal state in South Sudan. And democracy based on the federal system gives the citizens at local and state levels the right to participate in government competitively; in relation to the federal government at the center. Moreover, it should be taken into consideration that this type of democracy presents certain challenges.³⁵ The federal government should play, according to the constitution, its appropriate role to succeed in achieving the main targets through democracy.

VII. THE ADVANTAGES AND DISADVANTAGES OF FEDERALISM TO THE PEOPLE OF SOUTH SUDAN

South Sudan has faced with implementing a suitable constitutional federal arrangement for the country if lasting peace was to prevail. The relatively large size of the country also makes it difficult to manage from the national capital Juba or through the current states and counties. In any case, the federalism will reduce the authoritarian practices of the current centralized system in South Sudan. However, in South Sudan there are unequal national representations of regional units in the central government. The SPLA/M dominated the federal government at the expense of other parties and political groups. Not only that, but the Dinka tribe and the supporters of president Silva Kier misused the power in most of the central institutions of government. This

³⁰ Hassan Mushieka, *Development Management in Federal Systems: The Case of Sudan*, Khartoum University Press (KUP) 2014, p, 190.

³¹ Comprehensive Peace Agreement (CPA) 2005, the Protocols between the Government of Sudan (GOS) and Sudan People's Liberation Movement (SPLM), on the resolution of conflict in Southern Kordofan / Nuba Mountains and Blue Nile states, Nivasha, Kenya, 2005.

³² South Sudan Backs independence-results, 7 February 2012 at www.bbc.com (last visited 28 April 2019)

³³ For more details see: statement of Ali Kartei the Minister of external relationships, *Alsafa* daily newspaper, Number, 6938, Sudan, December 13 2012.

³⁴ Alex de Waal, *The Politics of Peace*, *New Statesman*, 28 September 2009, p, 45.

³⁵ Hassan Mushieka, *Federalism and Political Participation in South Sudan*, unpublished paper, 2018, p, 9.

inequality of the political situation and neglecting of political leaders from different regions is bound to have negative impact on political stability and political arena as a whole.

The most relevant advantages of federalism in South Sudan could be summarized as follow:

- Federalism could be a solution to enduring ethnic conflicts and marginalization, as well as a solution to unequal representation of regional units in the institutions of central government.
- The federal system enables the states in the country to participate equally in the federal government according to size of population.
- Federalism is a popular system as an instrument of accountability and good governance.
- It assists to realize the necessary balance of power among all states of South Sudan.

The disadvantages of federalism in could be identified Sudan and South Sudan mentioned as follows:

- Federalism in Sudan increased the sound of ethnicity and tribalism in most states of the country.
- Federalism in both Sudan and South Sudan further centralized the financial resources in the federal government and marginalized the other tiers of governments.
- In Sudan, people from northern Sudan (Nile state and Northern State) mostly dominated the federal institutions while in South Sudan only one tribe dominated on the federal government.

VIII. COMPARATIVE VIEW OF TWO COUNTRIES

Since implementing federalism, Sudan and South Sudan have started the process of transferring both power and some resources to their sub-national governments. The three levels of government in these two countries allow the people to participate at various government levels (national, regional and local). But, the Federal Government is not best placed to respond to all of the problems faced by local communities in either of the two countries greater.

The CPA has become part of the National Interim Constitution of Sudan (2005). Article 24 of the second Constitution identifies that Sudan is a decentralized State, with four levels of government; national, southern Sudan, states and local levels of government, which shall function throughout Sudan.³⁶ The central government is responsible for protecting the territorial integrity and the national sovereignty of Sudan and promotes the welfare of its people. The states governments are responsible providing public services. Local governments are responsible for the delivery of key social services, (e.g. primary health care, and education) and play a crucial role in security, development and dispute resolution in the locality through the peoples committees.³⁷

In order to lower less competition between the various levels of government, it is more important to the two countries to simplify the laws and ensure more balanced participation in federal government. This may be more easily achieved if there is a political will on the part of the two governments.

IX. SIMILARITIES AND DIFFERENCES BETWEEN SUDAN AND SOUTH SUDAN:

- The three tiers of government

Since independence Sudan adopted several National Constitutions and governed by military regimes. It appears in the 1994 Constitution as a revisionist principle of federalism intended to control the uses of state power by correcting Sudan's previous failures, particularly during the civilian era. Since early in 1956 and over all the years of national self rule, Sudan has been unable to attain the base of nation building. That is attributed to many reasons; one of the most important such reasons is the shortness period of the democratic government, compared to the much longest periods of government steady pace toward by military regimes.

Sudan declared federalism in 1991 and adopting in 1994; Sudan's government re-divided the country into 26 states to devolve more power, and distribute national resources between the different parts of Sudan. Accordingly, to the Constitution of Sudan assigned (in 1998) three levels of the governments; (i.e. federal, state and local). As a result of that, conditions have not adequately changed the regarding the living standards of the people. From then onwards, the government couldn't "create appropriate roles for the State in development. That is, in term of how to organize and manage system that can identify priority problems, formulate policies and

³⁶ For more details see;

The National Interim Constitution of Sudan, article (24), National Assembly, Omdurman, Sudan, 2005.

³⁷ Ibid.

find ways to have this policies, and implement them in a sustainable way".³⁸ Further, Sudan split into two countries on 9th of July, 2011; the rest of the country became fifteen states after this serious political event.³⁹

The 2005 Interim National Constitution created the new Sudanese National Legislature, a bicameral parliament which replaced the previous unicameral body. The National Legislature consists of the Council of States (the upper house), and the National Assembly (the lower house). All members of the National Legislature serve six-year terms. The Council of States consists of 50 members indirectly elected by state legislatures, and the National Assembly is comprised of 450 members.⁴⁰

South Sudan has implemented federal system since it separated from Sudan in July 2011. In October 2013, South Sudan's President issued a decree establishing 28 states in place of the 10 then already established states.⁴¹ On January 2017 another 4 states were created, Central upper Nile state, Northern Upper Nile state, Tumbra state, and Maiwut state, thus leading to an overall number of 32.⁴² It visibly that, each government in the federation of South Sudan, at both the federal and state levels, has a full governmental apparatus for the exercise of the three functions of legislation, execution and adjudication. The two countries have adopted three tiers of government, while the total numbers of states in Sudan are eighteen and in South Sudan are 32. In the third level of government the number of localities increased to 189 in Sudan and to 132 in South Sudan.⁴³ However, these levels of government failed to provide basic services and realize development as well as expanded equal representation. It's worth mentioning in both Sudan and South Sudan appropriate legislation and adequate laws are still required as tools for achieving greater balance in the relations between the federal, state and local governments.

- **Equality and inequality in the representation of the regional units**

Political instability, poor macroeconomic management, corruption, and inadequate infrastructure, have all left Sudan surrounded with many problems and more than two-thirds of its population falling deeper into poverty.⁴⁴ This is attributable mainly to the weakness of the politics of local- states- federal relations. The Government of South Sudan at all levels has been unable to implement significant solutions to the states problems regarding poverty, despite the country's vast natural resources. The main factor in this respect has been the existence of wide spread corruption among leaders focused mainly on their personal interest, the absent of equity and equality, the unstable political situation, and the absent of political awareness have perpetuated the conflict between the governors and protesting citizen.

- **The statues governing the localities in the two states**

Local government has paid little attention to strategic planning, although the CPA included many details about the relationship between the federal government, states government, and the regional level (i.e. the government of South Sudan). The administrative system in Sudan and South Sudan still face many challenges in order to become adequately compatible with federalism, and to become more attractive and beneficial to the people at different levels of governments, and to motivate equal representation in the institutions of central governments. Most of those problems could be classified as internal problems that are relevant to the political system in two states. However, they are also important understanding federalism itself.

There are other chronic problems that consist mainly in the lack of financial resources, and the absence of capacity building. No doubt, these problems created hindrances and prevented Sudan from achieving real federalism and thereby enhance the country's political regime. In the present time localities as the third tier of government in Sudan and South Sudan still face difficulties to associate with the states government, so as to be more concerned with people's priorities and their basic needs.⁴⁵

³⁸ Hassan Mushiaka, *Federalism and Poverty Reduction in Nigeria and Sudan: The Politics of Local-State and Federal Relations*, International Journal of Business and Management Invention (IJBMI), Volume 7 Issue 3 Ver. II, March 2018, PP, 01-14, India, p, 10.

³⁹ Ibid.

⁴⁰ www.forumfed.org/countries/sudan/ (Last access May 6 2019).

⁴¹ South Sudan's Kiir appoints governors of 28 new states, Sudan Tribune, Retrieved 13 January 2016.

⁴² Kiir pressured into taking decree to parliament for approval, October 2015.

⁴³ Salah Aldian Babiker, *Local Government in Sudan*, Unpublished PhD, University of Khartoum, 2017, p, 128.

⁴⁴ Mushiaka, H.H, and Hisham " Fiscal Federalism in Sudan: Challenges and Options of Reform" Al Mustaqbal Al Arabi Journal, Issue No 425, Beirut, Lebanon, November 2014, p.12.

⁴⁵ Salah Aldeen, *Local Government in Sudan*, Unpublished PhD, University of Khartoum, 2017, p, 81.

X. FEDERALISM AND POLITICAL PARTIES IN SUDAN AND SOUTH SUDAN

When South Sudan separated from the Republic of Sudan in 2011, the former's ten states increased to 15 in a short time. The situation partially changed in a few months, because the leaders didn't take into consideration the national interest of the country. Moreover, the situation rapidly deteriorated in most states of the country, and tribal conflicts increased, particularly between the Dinaka and the Nouer (The two biggest tribes in the country). South Sudan has always suffered ethnic violence and had been in the state of civil war since 2013 up to the end of 2018. Mainly as a result of that, the country presently ranks third lowest in the latest UN World Happiness Report.⁴⁶

Although there are tenths of political parties in Sudan and a few of them in South Sudan, there are only two parties dominating the government (National Congress Party in Sudan and SPLM in South Sudan). This situation has marginalized the most other political parties from the political arena in Sudan and South Sudan with different degrees.

Nonetheless, although the federal governments in both countries have played a role in overseeing local elections to ensure all voters are given equal opportunities to vote, several legislative acts haven't provided more uniform guidelines to the voters. This resulted in poor participation at all levels of government. Above all, the political parties in both countries have had different view on how to govern their country.

IX. CONCLUSIONS AND RECOMMENDATIONS

This article has attempted to investigate and clarify the unequal representation of regional units in the institutions of central government in Sudan and South Sudan. It **also** attempted to untangle some specific problems relevant to these two countries in Africa, through the foregoing discussion and analysis. The paper started with a brief exposition of the historical trends that lead to federalism in Sudan; and it explored the reasons for which the country adopted its particularly type of federalism. It also explored the implications of the federal arrangements adopted, particularly with regard to participatory instruments for designing public policy and concerning of policies federalism in the two countries. Based on analysis of the available safe the article reveals that the federal system in both countries is still weak and fragile. Because for the absence of democracy and prerequisites of federal systems particularly the rigid constitution.

On the other hand, the representation of the people in the federal government in South Sudan dominated by one party as well as one ethnic group represented in the Dinka tribe (the largest one in South Sudan). Also, the paper explained the main reasons behind the fragile political situation in this country, and how the federal system work insufficiently. But still, one of the major challenges associated with the idea of a centralized system of governance is that the state enables equal representation to all people of the country. To develop a stable and high quality system of federalism in Sudan and South Sudan, the federal, state and local governments must work together in homogenous and effective ways than they do at present.

Finally, unequal representation, not only at the level of federal government, but also at other levels of government, has had a negative impact on the performance of government. This paper has endeavored to explain clearly this problems and its negative impact in the future of good governance in both countries. The most important recommendations of this paper are:

- The Republic of Sudan should put an end to the unequal representation at the greatest level of the states government and in the institutions of central government in order to achieve balance and fairness in governance.
- South Sudan needs to work more seriously and consistently to identify better practice that can realize the benefit of federalism.
- Both of Sudan and South Sudan need democracy for socio-economic development; and to promote civil and political rights, as well as equal representation at all levels of government.

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