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Chapter 9
Police Models in Sudan: General Features and Historical Development

Introduction

The police in Sudan have been an important player in the formulation and maintenance of the country’s social and political stability since the colonial era (1899–1956). However, one of the main challenges they are facing at this time is the continuous expansion of their functions and duties without an equivalent development in their professional capacities, especially at a legal and operational level. For example, the police are currently working with the same old-fashioned police oversight mechanism, which relies on internal supervisory bodies, and have completely overlooked the establishment of other external mechanisms such as independent bodies or community-based mechanisms as a modern way of increasing engagement between the police and the community in which they work. Furthermore, despite the increase in police numbers and duties, there is still only one police college, from which all police officers in Sudan graduate. By taking a historical approach, this chapter attempts to analyse the policing model in Sudan following Mawby’s (1999: 13–22) paradigm based on functions, structure and source of legitimacy.

Police functions and duties are expanding at an increasing rate. Since its establishment in 1899, the police force’s functions have grown dramatically, in addition to the traditional tasks, which generally revolve around the prevention and detection of crime, criminal investigations, general guard services, enforcing executive orders and traffic control. In the 1960s, the passports and migration department was incorporated into the police, and the rescue department was established (Berridge 2011a: 159). Then, during the 1970s, the Central Reserve Forces were established, and finally in 1992, the police became responsible for a much wider set of functions such as customs, wildlife protection and controlling prisons. As will be discussed later in this chapter, Constitutional Decree no. 61 of 1992 established a unified police force. This was a significant departure from traditional police functions, which were customarily limited to fighting crime and maintaining public safety and order (Sâlim 2005: 350–362), and the police also became responsible for civil defence, customs, wildlife protection and civil registration.

With regard to the size of the force, during the late 1940s, when Sudan was under the colonial government, it consisted of around 98 senior officers and 5,942
rank-and-file members.¹ In the final years of the Condominium, it numbered about 6,000 senior officers and other ranks (James 1991), approximately one policeman per 1,000 people. Recently, police numbers expanded to 130,000, or 3.6 police officers per 1,000 people. Moreover, during the colonial period and the early stages of the national government, the police had few central departments, including the Criminal Investigation Department (CID) and the Traffic Control Department, but today there are over 17 central departments.² In addition, as regards the legitimacy of the police, the executive power has continued to be the most powerful source since its establishment: the head of state was the commander-in-chief, and the police fell under the direct command of the Minister of the Interior.

In short, since its establishment, as is the case in many countries, the Sudanese police force has exhibited a constant degree of inconsistency between its functions and its legal legitimacy (Bittner 1967). As a result, it has been unable to carry out its functions and duties under the Constitution and other existing laws properly, a situation that has led to the current problematic relationship between the police and the community.

The Establishment of the Sudanese Police (1899–1908)

As a result of the Condominium Agreement of 19 January 1899³ the Anglo-Egyptian regime was established in Sudan. Prior to the Agreement (from September 1898 to January 1899), police duties in Sudan had been performed by the British military police (Abū Ḩarāz 2014: 40). In May 1899, after the establishment of the condominium regime, the Governor-General of Sudan appointed Egyptian military officer Captain ʿAbd al-Jalīl Effendi ʿIṣmat and 12 other senior officers to establish police forces in the newly-conquered provinces. Shortly thereafter, another Egyptian military lieutenant was appointed as Prisons Officer to take responsibility for prisons

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in Sudan. During this period, the police force was entirely controlled by the central government (Sālim 2005: 97). It is worth mentioning in this regard that colonial recruitment of police during this time was far different from the colonial policy in many colonies in Africa such as the Gold Coast (Ghana), Nyasaland (Malawi) and Kenya (Deflem 1994). In Sudan, the recruitment policy was entirely dependent on Sudanese recruits at rank-and-file levels, while the colonial administration first recruited British and Egyptian senior officers, and later began to replace these foreign officers with Sudanese; in 1947, 18 out of the 98 officers were British.

At the time the Condominium was created, the major challenge facing the government of Sudan was establishing the system of local government. This system was sufficiently strong and flexible to allow the colonial government to contain and suppress the uprisings that erupted immediately after the defeat of the Mahdist regime and the death of Khalīfa ‘Abdullāhi al-Ta’a’īshī – the head of the Mahdist state – on 24 November 1899. The best-known of these uprisings included the resistance led by ‘Uthmān Digna in Eastern Sudan in 1900, the Nuer resistance led by Mut Deng in Southern Sudan in 1902, the uprising led by Muḥammad al-Amīn Barnāwī in the Kordofan area of Western Sudan in 1903 and ‘Abd al-Gādir Wad Ḥabūba’s movement in the Gezira area of Central Sudan in 1908 (Abū Ḥarāz 2014: 42–45). At the time, Sudan was divided into provinces, districts (marākiz, sing. markaz), towns and villages. The provinces were governed by British military governors assisted by inspectors, as well as Mamurs (from the Arabic maʾmūr, which means “officer” or “official”) and Sub-Mamurs at the lower levels of the administrative units.

After the condominium government had successfully suppressed most of the internal disorder in the country, and a degree of stability was achieved from 1905, the Governor-General abolished the police department of the central government in Khartoum (Abū Ḥarāz 2014: 42–45). This decision gave the provincial governors full authority over the police forces in their provinces, including recruitment, training, salaries and all other powers relating to police duties and administration. However, this new measure was short-lived, as a new police ordinance was adopted in 1908. This ordinance and the subsequent general regulations for police (1910) extended the Governor-General’s jurisdiction to all police personnel in all the provinces and other departments, including the prison authority. Article 5 of the ordi-
nance also gave the Governor-General the power to issue general regulations for all the police forces in Sudan. However, the same article also ruled that provincial directors, the director of customs and the controller of the harbour could issue special regulations for their own forces without prejudicing the powers of the Governor-General. Police recruitment, salaries and training fell within the responsibility of the provincial directors. The police forces in each province also had their own uniforms according to special provincial uniform regulations, and Article 4 of the 1908 ordinance subjected all police forces in the provinces to the authority of the governor and inspector of each province. It is apparent from this description that the executive was the source of legitimacy for the police force, and that its functions predominantly revolved around maintaining peace and order and suppressing any acts against the colonial regime at a local level through semi-military actions. The government also attributed a similar symbolic role to that of the Egyptian police during its early establishment to the police in Sudan, namely upholding the dignity and authority of the state (Fahmy 1999: 374–377). In addition, the source material gives the impression that the police forces in Sudan at the time (1899–1908) did not form a single institution.

The 1925 Reform of the Police

After the 1916 defeat of the Fur Sultanate in Darfur and the suppression of the cadets mutiny in 1924 (as part of the White Flag revolution), the Sudanese struggle against the Condominium regime entered a new phase characterised by the consolidation of a new generation of political actors and by civil rather than armed strife. This new political front was led by the Graduates’ General Congress, which represented the educated class in society, and by the labour and trade unions, which represented the working class. The role of these two emerging groups in the Sudanese social and political context forced the government to revisit its strategy for dealing with security challenges in Sudan.

In 1924, the Sudan Government decided to seek the assistance of an expert from the Indian police, John Ewart. Ewart was appointed by the government of Sudan after the White Flag revolution broke out in August 1924. Ewart’s work represented not only a step towards establishing a policy of centralised police administration, but also a move towards adopting a civil model for the police in Sudan.

Although Ewart was seeking a central policy for the standardisation of recruitment, training, professional conduct and professional practices, his vision differed from the existing situation as regards the nature of the police and their duties. In his report to the civil secretary of the Sudan Government, Ewart focused on two
major points: first, he heavily criticised the legal boundaries of police powers in the 1908 police ordinance and the 1910 police general regulations, claiming that they were inconsistent with the 1899 Sudanese code of criminal procedure. He wrote: “The code of criminal procedure is the true foundation of any system of civil police organization. Moreover, regularized training of the police in their duties in respect of the criminal administration must be based on the code.”8 His report also criticised the legal framework of the police, even recommending the adoption of a new police ordinance and new general regulations: “A decision on the above point will permit the revision of the present police ordinance and police central regulation. These are both out of date and inadequate to modern recruitment and will have to be remodelled entirely.”9 For the first time in their history, the police were presented as a civil law enforcement institution rather than a semi-military force for maintaining order. Ewart's second main point concerned the training of police personnel. He wrote:

Military police and civil police are two essentially different organizations. If the former are required i.e. a force trained to act in formed body and according to military principles against gatherings or communities that are in more or less open rebellion – they and their training must be kept quite distinct from the civil police whose functions are prevention and detection of crime, and preservation of law and order up to and including the suppression of riot.10

The distinction between the roles played by the police and the military in maintaining peace and order was clearly explained in the report, which stated that police training should never go beyond how to confront an ordinary riot. Instead, Ewart was concerned about the police's capacities with respect to crime prevention and detection, and he suggested establishing a police school for commissioned police officers alongside the schools for non-commissioned officers that had been established by G. H. Blumberg in 1916 (Abū Ḥarāz 2014). His report also focused on building the capacity of the Mamurs11 and police personnel to record all crimes in their areas. To consolidate criminal investigation practices, the report further suggested the establishment of “a body of especially trained policemen employed for

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8 J. M. Ewart, “Police Training”, report to the Civil Secretary, 19 July 1925, 1, Upper Nile 1/33/263, NRO, Khartoum, Sudan.
9 J. M. Ewart, “Police Training”, ordinary document sent to South and Darfur Province Governors and attached to Ewart's report to the Civil Secretary, 27 June 1925, 1, Upper Nile 1/33/263, NRO, Khartoum, Sudan.
10 J. M. Ewart, “Police Training”, ordinary document sent to South and Darfur Province Governors and attached to Ewart's report to the Civil Secretary, 27 June 1925, 1, Upper Nile 1/33/263, NRO, Khartoum, Sudan.
11 Administrative officers had judicial powers at the time.
the assistance of local police in the more complicated cases of their work.”12 This body would in time lead to the establishment of the Crime Investigation Directorate (CID) in Sudan in 1938 (Abū Ḥarāz 2014: 56). As a result of Ewart’s recommendations, another police ordinance was adopted in 1925, and his vision of the duties and organisation of the police culminated in the adoption of the Police Ordinance of 1928, as well as detailed Police General Regulations.13 It is worth mentioning that the 1928 ordinance remained in effect until 1970, and was thus the longest-lasting police ordinance in the history of the Sudanese police.

It is clear from this sequence of events that the functions of the Sudanese police shifted slightly from mirroring those of the military police – which focused on disciplining and suppressing any attempt to mutiny – towards civil and legal functions, which derive from the law. In addition, the source of the police’s legitimacy changed somewhat as they became more of a legal institution working in accordance with the law and less of a heavy stick in the hands of the executive power. The structure of the police force also moved away from a decentralised model towards a centrally equipped and trained police force that operated according to a single unified legal framework and a central policy. However, despite all these reforms, the police were still perceived by the public as an institution that served colonial interests. Unfortunately, Ewart’s recommendation did not survive: the new policies softened the grip of the colonial regime on Sudan’s police and opened the door for national liberation ideas to challenge the legitimacy of police practices that supported colonial policy. This will be discussed further in the context of the police strike and the Joda strike.

The Police and the Early Challenges of Establishing the Post-Colonial State (1951–1964)

During the period between 1952 and 1956, especially as a result of the 1953 Anglo-Egyptian Agreement on Sudanese self-government and self-determination (Daly 1991: 280–302), Sudan went through an intensive transitional process towards and after independence. The new national government faced a number of serious challenges, including the relationship between the North and South, the slow pace of economic development and issues related to civil and political freedoms. The government also

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12 J. M. Ewart, “Police Training”, report to the Civil Secretary, 19 July 1925, 1, Upper Nile 1/33/263, NRO, Khartoum, Sudan.
had to deal with an accelerating labour movement that opposed the legal framework of the old colonial state, as well as the general environment, which called for the promotion of civil and political freedoms throughout the country.

**The Police Strike**

The shift in the colonial regime’s policy, which considered increasing the number and role of Sudanese officers in the police force, provided a good environment for a significant proportion of Sudanese senior officers and other ranks to begin thinking about forming a police federation similar to the one they had heard about in Britain. This idea led to what was called “the police strike” several years later (Berridge 2011b). In May 1951, 70 Sudanese police constabularies from Khartoum organised a secret meeting to discuss a declaration of a police constabulary federation. All of them were Sudanese rank-and-file officers who had received education at a primary school level (Abū Ḥarāz 2014: 137–138). Although the meeting was dispersed peacefully, the problem grew to the point where there was a police march in Khartoum North on 5 June 1951. The following day, a strike of all police and prison departments in Khartoum Province was declared (Berridge 2011b). On 8 June 1951, shortly after the end of the strike, the acting Civil Secretary established a commission of inquiry that has come to be known as the Watson Commission. James R. S. Watson was appointed to lead this commission “to enquire into and ascertain the causes of the recent failure of the Khartoum police force to perform their duty.”

During the period between the late 1940s and Sudanese independence in 1956, the graduate movement and trade union struggles enjoyed significant successes, especially regarding service conditions and welfare. This situation encouraged Sudanese police officers and other police ranks, who saw their colleagues in the civil service sector successfully gain significant benefits through civil and democratic means the police were not allowed to use. Furthermore, the association of these movements with the struggle for national liberation and independence also prompted Sudanese senior officers and other ranks to think critically about their role and duties with respect to the existing colonial state. From an internal point of view, the Watson report attributed the causes of the strike to grievances among police personnel and unfair service conditions, which had perpetuated and been increasing for a long time. In 1947, under the sub-heading **General Conditions of**

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the Police, the annual police report stated: “Police officers continue to nurse their old establishment grievances, in particular their status as compared with the administrative officers.” The report went on to describe the situation among the rank and file: “Dissatisfaction among other ranks is limited largely to a complaint about housing conditions.” These grievances worsened over time and, because of the negligence of the colonial regime, convinced the police constabularies that the only way to improve their conditions of service was to follow in the footsteps of the trade unions.

Although the Watson report acknowledged the legitimacy of the grievances and the poor conditions of police service, it tended to attribute the strike to internal issues such as the leadership skills and the personality of British police officers and largely ignored the effects of the whole social and political picture on the police. The report also denied the right of the constabulary to establish a police federation, describing the situation as a “failure” and, in some cases, as “mutinous.” In conclusion, the Watson report, the subsequent termination of the contracts of two British police officers and the dismissal of a number of Sudanese rank-and-file senior officers and other ranks represented a clear retreat from Ewart’s vision of the police in Sudan, who in 1925 had advocated for a professional and civil force rather than a militarised force blindly following the instructions of the colonial administration.

The Joda Strike

Joda was a privately-owned pump scheme located south of Kosti in Blue Nile Province. Its 700 tenant farmers had not been paid for the cotton harvest of 1955, and they refused to deliver any more cotton unless they received payment. Supported by the Federation of Trade Unions of the Sudan, the Trade Union of the White Nile Schemes in Kosti organised a strike demanding higher payments, limited working hours, housing and health services. The government tried to negotiate, and when this failed, it put pressure on the farmers by taking administrative and legal measures against their leaders. This eventually led to a violent clash between the farmers.

19 Al-Ṣarāḥa, no. 721, 17 February 1956, NRO, Khartoum, Sudan.
20 Al-Ṣarāḥa, no. 728, 24 February 1956, p. 5, NRO, Khartoum, Sudan.
and the police, during which three police officers and more than 100 farmers were killed.\(^{21}\) The police responded immediately by mounting an aggressive campaign against the farmers, and over 600 were arrested. On 22 February 1956, the police arrested an additional 281 farmers, and because of a lack of space in the prisons, they detained them in the local garrison. By the next day, 195 had died from heatstroke and suffocation because of a lack of ventilation in the armoury.

This incident had a negative impact on the newly-formed post-independence government. Politicians and senior state figures tried to blame the disaster on the police and the leaders of the farmers’ trade union.\(^{22}\) A court was established to try three police officers and three union leaders, but the most significant administrative result of the incident was the abolition of the post of police commissioner, which returned the police to the control of administration officials (provincial governors and district commissioners). This incident also had an adverse effect on the relationship between the police and the public at the time, because it supported the impression that the police were agents of the state working against the public interest. The image of the police as a legal and civil institution was severely harmed, especially after the police commandant in Blue Nile Province refused to release the rest of the farmers, in violation of a court decision.\(^{23}\) This further fuelled public scepticism about the government’s intention to establish a legal and impartial police institution. This situation continued through the first parliamentary regime (between 1956 and 1958) and the military regime that succeeded it (between 1958 and 1964).


In October 1964, a series of intensive demonstrations and widespread civil disobedience succeeded in overthrowing the military government and restoring a parliamentary regime. The movement was led by students, trade unions, professional bodies and others, and was joined only later by the political parties. From the beginning, as Berridge (2011a: 141) puts it, “the police force was cast in this drama in its usual role as the villain of the piece.” The police were held responsible for the shooting of a student during a political forum organised by the student union at the

\(^{21}\) *Al-Ṣarāḥa*, no. 728, 24 February 1956, p. 5, NRO, Khartoum, Sudan.

\(^{22}\) *Al-Ayyām*, no. 7599, 23 February 2003, 3–4, NRO, Khartoum, Sudan.

\(^{23}\) *Al-Ṣarāḥa*, no. 728, 24 February 1956, p. 1, 7, NRO, Khartoum, Sudan.
University of Khartoum, which was part of the government’s new strategy towards the armed conflict in Southern Sudan, which had become endemic since a slow beginning in 1955. Immediately after the resignation of the military regime, harsh criticism was directed at the role of the police and their methods during the period of military rule. Senior police officers, including the Police Director-General, were arrested and forced to take early retirement. In response, police officers submitted a memorandum to the cabinet requesting the appointment of a new Police Director-General and successors to other retired police officers; ratification of amendments to the Police Ordinance, which had been drafted by the police headquarters; and the establishment of a commission of inquiry to investigate the role of police in the killing of the student at the University of Khartoum (Sālim 2005: 283).

The memorandum demonstrated a strong desire to adopt a professional and accountable model of policing. The police’s involvement in political sabotage during the military regime and the circumstances of the death of the student during the Khartoum University incident encouraged both police officers and the new ruling politicians to adopt a new model of modern, civil policing that matched the democratic change (Sālim 2005: 283). This model gradually turned the police force towards becoming a law enforcement institution that performed its duties under the effective control of the judicial authority (Berridge 2011a: 153–156). This new model meant that the police had to improve their image and redevelop their relationship with the public. The rescue/emergency police department was therefore re-established and new cars and up-to-date communication equipment were provided for it.

At the time, the Sudanese government was very keen on establishing a modern and professional police force. The protocol of the mutual security relationship between the Sudanese Ministry of the Interior and its counterpart in the Federal Republic of Germany was re-enforced, resulting in the creation of a forensic laboratory in 1965, a telex system for the police that covered all of Sudan’s provinces and a system of mobile radios in cars and steamboats. The same year, a police dog unit was established with help from the Egyptian government (Berridge 2011a: 158). In 1967, the Police College started to accept university graduates instead of secondary school graduates, and beginning in 1968, officers were required to pass examinations in order to rise through the ranks. Between 1965 and 1969, the number of reported offences in Sudan rose from 2,159 to 2,608 per 100,000 people (Berridge 2011a: 159), which reflected a development in the police’s capability to reach crimes and identify criminals, as well as a tighter engagement between police and citizens.
Chapter 9 Police Models in Sudan: General Features and Historical Development


On 25 May 1969, a group of military officers overthrew the civilian government. The May Regime, as the new government was subsequently called, remained in power until 1985. The new regime inherited the dual challenges of armed conflict in the South and strong political opposition in the North. However, within three years, it had succeeded in putting an end to the armed conflict in Southern Sudan by adopting a peace agreement signed with the rebel group in Addis Ababa in February 1972. This agreement created a regional government in Southern Sudan, and was enshrined into law by the Regional Self-Government Act for the Southern Sudan in 1973 (Shinn 2004), which ultimately became part of the permanent Constitution of 1973 (Stevens 1976). The regime succeeded in foiling a number of attempted military coups and several other plots to overthrow it, the most serious of which were those of the Mahdist Ansar in 1970, a 1971 coup attempt led by the communists, and the National Resistance Movement invasion in 1976.

By the beginning of 1977, it was clear that the regime had defeated most of its major opponents and imposed a degree of stability on the country. The atmosphere of peace and constitutional stability, along with relative success in implementing the popular local government system in the North, which coincided with the self-government system in the South, encouraged the state to consolidate its achievements by assigning more powers to the local level. This culminated in the Regional Government Act of 1980 and the Local Government Act of 1981 for the Northern part of the country (El-Battahani and Gadkarim 2017: 39). Three levels of governance (central, regional and local) were established, and they have existed in one form or another until today. These three levels expressed a determining influence on the state’s policy towards the police in terms of functions, structure and source of legitimacy. The ruling semi-socialist regime adopted a new formula of policing that can be described as a militarised model with a decentralised structure that was explicitly affiliated with the political views of the regime.

The May Regime showed a strong tendency to establish a military model for the police. The long-lasting Ordinance of 1928 was finally replaced by the Police Act of 1970, and for the first time, the police were explicitly defined as a semi-military force in Article (8)(1) of the Act. It also preserved the provision that authorised a merger of the police force, as a whole or in part, into the Sudan Armed Forces (SAF) to act as military personnel, and it subjected these integrated forces to military rules. Similar provisions have continued to appear in all subsequent police acts until today. In the same manner, the Police Act of 1977 created a new hierarchical promotion system for senior and rank-and-file officers that was based on ranks and
was similar to the promotion system in the military. In this respect, I should add that both Police Acts (1970 and 1977) explicitly included the post of Police Director-General as an organic component of the hierarchical structure and recognised that this role was held by the commander of the police force, thus implying a chain of command similar to the military. However, this chain was significantly disturbed by the adoption of Republican Decree no. 52 in 1979, which imposed a decentralised mode of administration for the police.

**Republican Decree no. 52 of 1979: The Fragmentation of the Police Structure**

One could argue that Decree no. 52 was a major milestone in the history of the Sudanese police. It dissolved the Ministry of the Interior and liquidated the Police Headquarters organisation. The Decree itself clearly stated that its intention was to empower the decentralised government system (Sālim 2005: 322–326). Police units were scattered among various departments at both a national and regional level. At the regional level, control and command of the police were placed in the hands of the regional governors. Central police departments were dispersed among other government departments and ministries: for example, the CID was attached to the Office of the Attorney-General (Berridge 2011a: 175) and the passports, immigration and nationality police were annexed to the Ministry of Finance.

As expected, implementation of this decree involved serious practical complications and aroused strong opposition among police officers. The imposition of a semi-military police training method, along with the contradictions between the Decree and the provisions of the Police Act of 1977, caused severe interruptions in the legal and administrative practices of the police at all levels. For example, the 1977 Police Act centralised recruitment policy, training standards, promotion requirements, salaries, armament and financial issues and placed them under the effective control of the Minister of the Interior and the Police Director-General. Dispersal of these sensitive tasks among different institutions at both a national and local level created inefficiencies and uncertainties in everyday management (Sālim 2005: 324–325). Junior police officers who had been trained under the militarised police doctrine for the previous seven years complained that the absolute authority of local administrators (whom they described as “civilians and politicians”) would be fatal for the implementation of the military discipline model among rank-and-file police (Sālim 2005: 322). Senior police officers argued that the absence of a central body with the power to guarantee a homogenous national policy and similar standards of policing across regions and provinces would lead to chaos in police practice (Sālim 2005: 316–318).
The chain of command and the establishment of police headquarters were provided for in Republican Decree no. 475 and the Police General Regulations of 1979. The Decree established the post of Police Inspector-General in place of the Police Director-General required by the Police Acts of 1971 and 1977. The general regulations made the Police Inspector-General, who would report directly to the head of state, the senior officer in the police force. This was an obvious retreat from Ewart’s ideas on the legal legitimacy of the police. The Police General Regulations of 1979 also stipulated that the police would be composed of several forces under the supervision of the regional governors, and would be under the effective control of the Police Regional Director-General, with the exception of the CID and the police college, which would continue to be under the direct control of the Police Inspector-General. The Decree went further, explaining in detail the powers of the Police Inspector-General versus the regional governors and local administrators over police forces at the regional and local level. It did the same with regard to the special central police forces that served in some departments, such as the railway police.

Eventually, it became obvious that these measures, particularly the Police Act of 1979, had stripped the police of any independent institutional character. Nevertheless, it must be acknowledged that in rural areas, administrative orders were deeply affected by political and clan issues. Control over police practice by local administrators seriously prejudiced the image of the police in the minds of the public. This situation again raised the question of the source of police legitimacy and cast a deep shadow over the police force’s identity as an independent institution and over the legality and impartiality of its duties. Furthermore, professional satisfaction within the force itself was badly affected by this situation during the last years of the May Regime.


In April 1985, a popular uprising put an end to the May Regime. A transitional military council (TMC) and interim government were appointed to prepare for general elections in a year’s time. One of the top priorities of the TMC and the interim cabinet was the re-establishment of the Ministry of the Interior. The vast majority of political actors who played an influential role during the interim period agreed that establishing a professional and united police force under an effective Ministry of the Interior would be an essential prerequisite for successful general elections. The dismissal of the previous regime’s Sudan Security Organisation (SSO) and the
return of the SSO’s tasks to the police was another factor in the interim government’s decision to restore the Ministry of the Interior. The Ministry was established based on the same structure as prior to 1979, and the Police Inspector-General was appointed as Minister of the Interior on 8 April 1985. His deputy was appointed to be the Police Director-General. The task of the newly-born Ministry was to prepare the police forces for the general elections and carry out duties related to intelligence and national security (Sālim 2005: 337–340). After the general elections, the new parliamentary regime took up the policy of restoring the civil model of policing. It promoted the provisions of the police ordinance, removed the direct presidential powers over police and gave the Police Inspector-General – who had become the deputy of the Police Director-General – greater monitoring and supervisory powers over all Sudanese police forces (Berridge 2011a: 194).


There was another military coup in June 1989. Its leaders established a Salvation Revolution Command Council (SRCC). For many years, all executive and legislative powers were concentrated in this council. It was obvious from a very early stage that the regime was motivated by a radical Islamist agenda in relation to both its domestic and foreign policies. As in the early phases of all military regimes in Sudan, the severe armed conflict in Southern Sudan and strong opposition from the Northern political parties were the major challenges the new regime needed to confront. On this occasion, it decided to address these challenges by mobilising an extensive political and military campaign against its opponents in both the Northern and Southern regions of the country, accompanied by a huge Islamic propaganda campaign that aimed to engage a wide sector of the community. As a result of this, large militias under the name of the Popular Defence Forces (PDF) and the Community Police Forces (CPF) were established simultaneously under the control of the military and the police. Islamic groups in the state political apparatus exercised extensive powers over these forces. The objective of the militias was to participate in the military efforts in the South and to protect the regime against any militant movements targeting the centre of the state that might be organised by the defunct Northern political parties.

In accordance with the new regime’s policy, its leaders, inspired by their military backgrounds, showed an eagerness to adopt an openly militaristic policing model, especially with respect to organisation and duties. Police officers, who were still traumatised by the fragmentation of their institution during the May Regime,
viewed this strategy as a useful tool for increasing the institutional unity of the police and further pursuing a centralised structural and organisational model for the force. There was an implicit agreement between police leaders and the military officers in power to accept this model, in which the police would act as reserves in military operations in Southern Sudan in exchange for the regime’s preserving the unity of the police force and strengthening the centralised structure. To this end, in May 1991, the Minister of the Interior established the Technical Committee for the Reorganisation of the Ministry of the Interior (Sālim 2005: 346–348).

The terms of reference of the committee revolved around reviewing the organisation and structure of the Ministry of the Interior, suggesting job descriptions for the senior positions in the Ministry that determined responsibilities and powers and deciding on the actual human resources requirements for senior officers and other rank-and-file members. The committee’s final report recommended merging all the forces attached to the Ministry of the Interior, including the police, prison forces, fire-fighting forces and wildlife control, into a single unit to be called the Unified Police. In its report, the committee justified its recommendation by arguing that despite the fact that there was no significant difference in the salary levels of the various bodies and material benefits between the different forces, gathering all these forces together in one unified force would solve professional jealousy issues and lead to a better use of resources. In addition, the duties of the forces complemented each other, and therefore their unity would contribute positively to the efficiency of each of them. The report went on to argue that this unity would eliminate competition among them, and would lead to the uniformity of service conditions and privileges in all Sudanese police forces (Sālim 2005: 346–348).

Despite the formal policy of the state, which adopted the federal system by Constitutional Decree no. 4 on 4 February 1991, the SRCC issued Decree no. 61 of 1992 (Sālim 2005: 346–348). Decree no. 61 adopted the recommendations of the committee report and merged the aforementioned forces into a single body called the Unified Police. The Decree also merged the customs authority into the police. Shortly thereafter, the Police Forces Act of 1992, which superseded the previous Acts relating to these forces, was ratified. For the first time, the Police Act of 1992 included a section specifying the institutional police objectives, alongside the traditional section laying out the duties of members of the police. Previous Police Acts had usually described the duties of senior officers and rank-and-file police, but said nothing about the objectives of the police as an institution. In addition to specifying the ordinary duties of the police, however, the Police Forces Act of 1992 explained that these duties were necessary in order to protect the higher values of the community and to preserve public morals. Important elements of good policing such as civil, democratic, independent and impartial service were not expressed. The significance of this new section on police objectives was that it made Allah and the
Sharia the sole sources of police legitimacy, instead of the previous source, which had mainly been the law and executive orders from senior officials in the executive branch. This was because according to the ideology of the regime, the higher values of the community derived directly from Sharia law. As a result, a considerable proportion of police personnel began to argue that they were not accountable to anyone but God, and when and how no one could know.

The Police Act of 1999

The Police Act of 1999 has been considered to be the most militarising act in the history of the Sudanese police, but this is mainly because it was intended to be a response to the serious military situation in the South. The conflict eventually spread to encompass most of Southern Sudan and adjacent regions in the Western and Eastern states. The military and its supporting militia (the Popular Defence Forces) were unable to put an end to the rebellion, which was aided by a broad alliance among most of the Northern political parties. The situation fatally threatened the stability of the central government in Khartoum, which was under great pressure from both the state and community sectors to mobilise more personnel and resources to contribute to the military operations. The police were an obvious early candidate for that role. However, one complication the government faced in this regard was that the Police Force Act of 1992 barely allowed any use of police forces in an active role in armed conflict. According to Article 8 of the Act, the police could only play this role under the provisions of the Sudan Armed Forces (SAF) Act when they were attached to the military. Police forces practising their ordinary duties in areas of active military operations had neither a legal obligation nor the power to engage in combat operations. The need to modify the legal framework to enable police forces to take part in active operations was one of the major factors behind the adoption of the Police Act of 1999.

Interestingly, for the first time in the history of police legislation in Sudan, Article 4 of the Police Act of 1999 used the term “enemy” (ʿadaww), which had previously been wholly alien to civil police functions. The term was defined as “armed groups and gangs, rebels, outlaws, and those who step outside the legal authority” (al-jamāʿat wa-l-ʾiṣābāṭ al-musallaḥa wa-l-mutamarridūn wa-l-khārijūn ʿan al-qānūn

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wa-l-sulṭa al-sharʿiyya). A further step in the same direction was Article 61, which imposed the death penalty on senior officers and other rank-and-file police if they were convicted for certain actions related to combat operations, such as fleeing before the enemy or surrendering any site or equipment without justifiable reasons. Similarly, Article 62 imposed the death penalty for surrendering to the enemy in a manner that showed cowardice, and also for forcing commanders to surrender any site or police equipment to any unauthorised person during combat. In the light of Articles 60, 61 and 62, it is clear that combat operations had explicitly become police duties, and this development significantly affected their conduct in the ensuing years.

The most serious consequence of the Police Act of 1999 was the engagement of police forces in the large-scale military campaign against rebel groups in Darfur. At the beginning of the campaign, the government attempted to deny that the armed conflict in the region was political, and declared that the rebels were no more than outlaw gangs and bandits. A large section of the Police Central Reserves (PCR) – the combat arm of the police – was mobilised to lead the campaign against the rebels in Darfur, and many men were transferred to serve in the police in Darfur State. Training protocols at the time did not include training in International Humanitarian Law (IHL) or other legal obligations regarding engagement in internal armed conflicts. As a result, this lack of training in IHL aggravated the already poor professional skills of the police in combat. High numbers of causalities from both sides were therefore recorded between January 2003 and November 2004, and serious crimes against civilians were committed by police, other security forces and their supporting militias. This situation led the UN Security Council to intervene and refer the situation in Darfur to the International Criminal Court in March 2005.

The role the Sudanese police played in Darfur and other rebellious areas of the country was an extremely important milestone in contemporary police doctrine and practice in Sudan. One might argue that the Sudanese police had entered a new phase in their history by adopting a very militant model, which was aggressive, largely unchecked and authoritarian. Interestingly, a considerable majority of police personnel supported this new model of central and military-style policing, as became clear during the drafting of the Police Act of 2008 in the aftermath of the

2005 Comprehensive Peace Agreement (CPA)\textsuperscript{28} between the government of Sudan and the Sudan People’s Liberation Movement (SPLM).

\textbf{The Police Act of 2008 and the Influence of the CPA}

The 2005 CPA provided for the self-determination of the people of Southern Sudan at the end of a six-year transitional period. The CPA also established a regional government in Southern Sudan that had considerable autonomy from the central government, and recognised the armed forces of the SPLM as an autonomous part of the Sudan Armed Forces. It further required that for the purposes of holding national and regional elections at the end of the transitional period, the transitional government had to draft and ratify a transitional constitution and enact broad social and political reforms to promote democracy and general freedoms.

The position of the police under the CPA and the anticipated constitution was one of the more sensitive issues during the negotiations. To control the volatile situation in Darfur, the government of Sudan was eager to keep the organisation of police forces and their legal framework as they were. However, the SPLM was supported by Northern political parties, which wanted to introduce radical reforms to the legal framework and the structure of the police and other security forces in order to help build a decentralised civil model. The CPA ultimately adopted a model of police administration composed of three levels: the national level, the Southern Sudan government level and the state level. The subsequent Interim National Constitution (INC), which was ratified in July 2005, adopted these same three levels, but Article 148 of the INC provided that the powers and functions of each level should be “prescribed by law”.\textsuperscript{29} A few years later, during the drafting and ratification processes of the Police Act of 2008, the police used this phrase to expand the powers of the national police and restrict the state’s powers over them. The majority of officers did not welcome these provisions because they viewed them as a second attempt at fragmenting and undermining the police. Fearing a repetition of what they had experienced during the May Regime, officers at all levels reacted aggressively towards any provision that might be considered to be an imposition of effective powers over the police force at a state level. Therefore, although Article 5 (2) of

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the Police Act of 2008\textsuperscript{30} provided a decentralised police structure with three levels of police administration, it mostly lacked the substantial state statutory powers over the police that were mentioned in the CPA. Instead, the new Police Act set out in detail the duties and powers of the Minister of the Interior and the Police Director-General relating to recruitment, promotion, movement, supervision, and legal and administrative powers over police staff. Although most of the military terms and combat duties laid out in the Police Act of 1999 were withdrawn, the Sudanese police continued to exercise these functions in practice.

**Conclusion**

The police in Sudan have long faced problematic issues regarding their function, structure and source of legitimacy. In fact, during the colonial era – and indeed until today – the police have been seen by the public as a harmful body that serves the state’s interests as opposed to the interests of the public. Throughout the history of the police in Sudan, there have been frequent rapid expansions of their functions, which has led to a great deal of police–public interaction in many areas of Sudanese daily life. Historically, this expansion has not been accompanied by the required development in police performance, either in practice or in theory, and public satisfaction with the services provided by the Sudanese police has therefore remained low, and the image of the police in the eyes of the majority of Sudanese community members is not especially favourable. The police’s organisational structure and the distribution of human resources among different departments have not reflected the real needs of local communities in most rural and urban areas of the country. Instead, police deployment has always reflected the threats the state needs to face, and these threats have not necessarily corresponded to the community’s interests or what they need from the police.

For example, when the conflict in Darfur erupted two decades ago, the police focused on protecting government buildings in large cities, as well as protecting the flow of supplies, but local communities wanted protection for them and their farms from being abused or looted by the rebel groups outside the cities. The police nevertheless continued to act as a government tool that was continuously used against people, which prevented the police from building a positive and trusting relation-

ship with the public. The police rarely questioned the legitimacy of any policy or practice the government asked them to enforce. They also considered that the orders and directives issued by the executive power prevailed over all directives from the other state powers. When directives from different powers clashed, the police tended to collude with and support the executive, as happened in the case of the Blue Nile Police Commandant during the Joda strike.

To improve the policing model in Sudan, the police must critically analyse their functions and their ability to carry out these functions in a way that serves the community professionally and is responsive to the community's needs. In order to achieve this, they must maintain a balance between what the government asks them to do and what is just and procedurally significant, taking the public's needs and interests and human rights rule into consideration. This is essential for resolving the tensions between the functions of the police and their tools.

References


