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 By D NARA Date 3/2/78

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 TO : THE DEPARTMENT OF STATE, WASHINGTON.

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SUBJECT: Dispute Over the Appointed Senators

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E.O. 12556, Sec. 3.3

By VH, NND 822900, NARA, Date 9-19-86

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The Governor General's Commission unanimously approved the list of 20 appointed Senators submitted by the Governor General, but behind this unanimity lies a dispute of political significance. A crisis was averted, the bitterness between the British administration in the Sudan and the Egyptian-NUP combine was heightened, and no main political force in the Sudan is particularly pleased with the results. Although the issue which led to the dispute was not of great importance, the manner of its solution and the background of it has reinforced the NUP belief that the British administration, as that attitude is understood by the NUP, may well force the British further over onto the Egyptian side. In other words, the British aim of achieving an independent Sudan is being jeopardized by a British attitude which is antagonizing the NUP. This situation is sufficiently serious, although admittedly it is very early in the game, to warrant a detailed explanation.

By statutory provision the Governor General was charged with appointing 20 Senators, subject to confirmation by the Governor General's Commission. With the sweeping NUP victory in the elections NUP leaders let it be known that they believed the NUP should have a majority of the appointed Senators. The British administration, stunned by the size of the NUP victory, gradually took the line that this was not such a sweeping NUP victory as it appeared, but their reasoning in arriving at this position is largely rationalization. The British administration let it be known, although not officially, that they had no intention of giving the NUP a majority of the 20 seats. Initially the Governor General's advisors thought in terms of a third of the seats for the NUP. They were laboring under the added difficulty that their contacts with the NUP have been so limited that they were hard put to think of many NUP leaders of senatorial caliber whom they knew. The Governor General held that he should appoint 20 men who would be widely representative of various professional pursuits, that they should be individuals whose abilities lent themselves to senatorial deliberations, and that the party balance of parliament should not be upset. These were admittedly admirable criteria, but the political difficulty was that his choices appeared to be predominantly Umma. Furthermore, he wanted to appoint some independents, and the plain and simple fact is that there is no such thing as a genuine independent in the Sudan; literally every one of prominence has some sort of tie which makes it possible to label him as pro one particular party or one of the two main sects, except in the South. The Governor General also wanted strong representatives from the South, but here again the difficulty arose of finding able Southerners, and the NUP interpreted this desire to have several Southern Senators as a part of the alleged

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British attempt to divide the country into Northern and Southern parts with the British planning eventually a separatist move in the South. Up to this point no member of the Governor General's entourage had discussed these matters with any NUP leader; indeed there had been no contact between the Governor General's office and the NUP. This obvious gap was bridged by a meeting between W. H. T. LUCE, Advisor to the Governor General on Constitutional and External Affairs and Ismail M AZHARI, the president of the NUP.

The first meeting between Luce and Azhari was a more or less formal attempt to get acquainted, as they did not know each other. At the second meeting they discussed the question of appointed Senators. Azhari made plain that the NUP felt that it deserved a majority of the 20 appointed seats, would provide a list of people whom it considered good candidates, and asked that no person who had already been defeated in the parliamentary elections be appointed a Senator. His reasoning on this latter point was that such people had already been repudiated by the people, and since several Umma leaders had been defeated he wanted to prevent the Governor General from offering consolation prizes to defeated Umma candidates. However, to indicate that he did not feel too strongly on this latter point he subsequently submitted two lists of proposed senatorial candidates, one a list containing no undefeated candidates and the second a list containing some defeated NUP candidates.

The Governor General's advisors held several meetings to decide on the list of appointed Senators and finally came up with a list of 9 NUP, 5 Umma, 3 Independent, 2 Southerners and 1 SRP. Although the NUP appointees were taken from the NUP list, they were Khatmia rather than from the old Ashigga party. To the NUP this meant the Governor General was trying to cause dissension by appointing Khatmia whom he believed would favor an independent Sudan rather than the more pro-Egyptian elements of the NUP. At this point it was widely believed that the NUP leaders would object to the Governor General's list and the Governor General's Commission would have difficulty in effecting a compromise. If this had happened, the opening of parliament could not have been scheduled until agreement was reached on the 20 appointed Senators. If no agreement was reached the Egyptian and NUP members feared the Governor General would declare "a constitutional breakdown" and take over the government.

At the Governor General's Commission meeting the opening gun was fired by Dardiri Mohammed OSMAN who insisted that the NUP should have at least 14 seats. Ibrahim AHMED countered by saying this was unfair to the Umma and he thought representation among the 20 Senators should roughly follow the popular vote; by this he meant that if one party had won all of the parliamentary seats by a 60 to 40 ratio that should not mean that they would have every one of the 20 seats but only the percentage reflected in the popular vote. The debate went on for some time with Sir Lawrence GRAFFTEY-SMITH holding out for the Governor General's recommendation. After a lengthy altercation with the Chairman desperately striving to find some conciliatory formula, ZULFICAR entered the debate and pointed out that this decision was not basically too important since the party strengths in parliament were not going to be upset; he believed the Governor General should have given the NUP more seats, but in the interest of finding an acceptable formula he would recommend 10 seats for the NUP, 4 for the Umma, 3 Southern Party, 2 Independents and 1 Socialist Republican Party. The Chairman ZIAUDDIN accepted this as reasonable,

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adjourned the Commission meeting and consulted with the Governor General. Since Ziauddin, Zulficar and Dardiri were in agreement, it did not prove too difficult for the Chairman to persuade the Governor General. Grafftey-Smith went along with this because he had little choice after the Governor General accepted the compromise, hoping it would mean that the NUP would not refuse to confirm Ibrahim Ahmed as a continuing member of the Governor General's Commission. Since that left Ibrahim Ahmed a minority of one, he decided to accept the majority decision largely because he is a reasonable sort of man. And so the compromise was reached and parliament could meet.

No party leader was satisfied with the results except the SRP Secretary, Ibrahim BEDRI. Khidr HAMAD, Secretary of the NUP, issued a statement claiming "the appointments in question are unfair to the NUP since it has over two-thirds of the elected members and less than 50 per cent of the nominated members whereas some parties are favored with more than 100 per cent which is out of all proportion." Sayed Siddik El Mahdi, President of the Umma Party, stated that "...the appointments leave much to be desired," and pointed out that neither journalists nor workers were represented in the Senate. He went on to accuse both "partners to the Condominium" of being unfair.

The disturbing aspect of this dispute over the appointed Senators is that the British administration has failed to get its point of view across to the NUP leaders. The NUP considered this instance the first test of the British administration's willingness to work with the NUP. Because the appointment of these Senators could not affect the balance of parliament, due to British agreement on this point plus the sweeping NUP victory, the British administration could have made concessions of two or three senators that would have gone a long way toward mollifying NUP opinion. It chose not to do so and despite the possible validity of some of its reasons, it unfortunately convinced the NUP that the main reason it did not do this was because it did not trust the NUP. Furthermore, the administration implied to the NUP that it had not really won a sweeping victory, whereas to the NUP its sweeping victory is a great accomplishment, and in any event this is a pointless subject for argument. Not only was the NUP dissatisfied but the Umma also thought the British had let them down, and they are becoming less trustful of the British administration. Because the NUP started off distrusting the British and have had this attitude strengthened, they have no confidence that they can ever work with the British and the bluntness of the British approach to them is pushing the NUP further toward the Egyptian point of view than many of its members were prepared to go. A subsidiary factor is the stature of the Egyptian and British members of the Governor General's Commission. Group Captain Zulficar is widely respected and has a sincerity and moderateness of outlook that make him particularly effective. Sir Lawrence Grafftey-Smith has already irritated Dardiri Osman, the pro-NUP member of the Commission. He is widely portrayed as a British imperialist and the Egyptians have retailed stories of his gay living while he was stationed in Egypt; he is not admired by the Sudanese.

The British administration is at a disadvantage in not knowing the NUP leaders. This disadvantage is compounded by the fact that many members of the British administration have made little secret of the fact that they do not like the NUP

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