

**The Legacy of Civil War in South Sudan: Elite Ethno-Politics and Failed Peace  
Agreements**

Submitted by

Kuol Garang

Master of Social Science (Environment and Planning), 2013 RMIT University

Bachelor of Social Science (Psychology), 2011 RMIT University

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### **Abstract**

The legacy of South Sudan's civil war points to the internecine conflict fought between the Arab northern and African southern parts of the former united Sudan despite parting ways in 2011. The question remains whether this legacy of civil war explains the continuity of the conflict, notwithstanding attempts by the international community to bring peace. Hence, the aims of this research are threefold: to identify factors that led to the revival of South Sudan's conflict; to investigate the role of ethnicity during the South Sudan's conflict; and to explore liberal peacebuilding strategies undertaken to bring peace to the country and why these have failed. I have argued in this thesis that the successive regimes since the colonial times in the Sudan have laid the foundation for ethnic divisions in South Sudan, which have since been exploited by unethical leaders only interested in getting a share of the resource wealth. A content analysis was carried out as a research method to analyse the dynamics of South Sudan's conflict. This research shows that ethnic manipulation, weak institutions and competition over resources re-ignited South Sudan's conflict. Despite these, South Sudan can achieve permanent peace through a negotiated peace agreement that addresses the issue of deep-seated ethnic divisions in the country. This research will assist the government of South Sudan and the international community to pursue evidence-based conflict prevention and resolution measures.

**Statement of Authorship**

“Except where reference is made in the text of the thesis, this thesis contains no material published elsewhere or extracted in whole or in part from a thesis accepted for the award of any other degree or diploma. No other person's work has been used without due acknowledgment in the main text of the thesis. This thesis has not been submitted for the award of any degree or diploma in any other tertiary institution”.

Signature

A handwritten signature in black ink, appearing to be the initials 'KJ' followed by a stylized flourish.

21 October 2019

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### Acronyms and foreign terms

<i>Anya-Anya</i>	Military wing of SSLM; literal meaning – poison
AU	African Union
ARCISS	Agreement on the Resolution of Conflict in South Sudan
R-ARCISS	Revitalised Agreement on the Resolution of Conflict in South Sudan
BBC	British Broadcasting Corporation
CMS	Church Missionary Society
CAR	Central Africa Republic
CPA	Comprehensive Peace Agreement
CTRH	Commission for Truth, Reconciliation and Healing
<i>Dot ku bany</i>	Rescue the leader
DRC	Democratic Republic of Congo
<i>Jesh Mabor</i>	White Army
IGAD	Intergovernmental Authority on Development
<i>Kokoro</i>	Division in Bari language
NATO	North Atlantic Treaty Organisation
NGO	Non-Governmental Organisation
NCP	National Congress Party
NIF	National Islamic Front
EDF	Equatoria Defence Force
ICRC	International Committee of the Red Cross
<i>Mac</i>	Fire in Dinka and Nuer languages
<i>Mathiang Anyor</i>	Brown caterpillar
NSS	National Security Service
NOOW	Not On Our Watch
NLC	National Liberation Council
NAS/NSF	National Salvation Front

NDM	National Democratic Movement
OAU	Organisation of African Unity
PDP	People's Democratic Movement
<i>Piu</i>	Water in Dinka and Nuer languages
PoC	Protection of Civilian Sites
RUF	Revolutionary United Front
SAF	Sudan Army Forces
SSDM/A	South Sudan Democratic Movement/Army
SCP	Sudan Communist Party
SPLA/M	Sudan People's Liberation Movement/Sudan People's Liberation Army
SPLM/A-iO	Sudan People's Liberation Movement/ Army in Opposition
SPLM-U	Sudan People's Liberation Movement – United
SSIM/A	South Sudan Independence Movement/Army
SPDF	Sudan People Defence Force
SSDF	South Sudan Defence Force
SSLA	Southern Sudan Liberation Army
SSUF	South Sudan United Front
SSUM	Southern Sudan United Movement
SSPA	South Sudan Patriotic Army
SSLM	Southern Sudan Liberation Movement
SSIG	Southern Sudan Independence Group
TLA	Transitional Legislative Assembly
UDSF	United Democratic Salvation Front
UN	United Nations
UNDP	United Nations Development Program
UNITA	National Union for the Total Independence of Angola
UNMISS	United Nations Mission in South Sudan

UNOCHA	United Nations Office for the Coordination of Humanitarian Affairs
UNSC	United Nations Security Council
US	United States

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## CHAPTER ONE

### INTRODUCTION

This thesis is about civil wars, elite ethno-politics and failed peace agreements. These factors have been the defining features of South Sudan's post-independence history and have impinged on its politico-socio-economic progress. My thesis asks why the conflict continues to rage in South Sudan despite several international engagements to bring stability through peace negotiations. Considering the above prevailing realities of the South Sudanese state, however, my thesis argues that successive regimes since the colonial times in the Sudan have laid the foundation for ethnic divisions in South Sudan, which have since been exploited by unethical leaders only interested in getting a share of the country's resource wealth. While this is the case, South Sudan's conflict is existentially multi-layered and needs a holistic approach to resolve its conflict drivers.

This research is within the field of political science where numerous studies have been conducted on the causes of civil war, ethnic conflict, ethnicity and peacebuilding. The research is closely related to De Waal's (2014, p. 347) study which sees South Sudan's conflict as a result of kleptocracy that has nurtured 'a militarized, corrupt neo-patrimonial system of governance'. As a result, the governance system became based on rent-seeking which inevitably led to the revival of the 2013 conflict because of the economic incentive it engenders. This causative factor only came to the fore of South Sudan's scholarship on policy making after the re-eruption of war in 2013. Political analysts might have overlooked it due to the racial and religious conflicts that had taken place between northern and Southern Sudan since 1955. My research is also closely related to Collier and Hoeffler's (2004) research on greed and grievance in civil war which argue that civil wars are caused by the availability of a primary commodity export such as oil. South Sudan depends predominantly on oil revenues to carry out its budgeting needs, which in turn creates fertile grounds for political leaders to fight over oil wealth as the decision to allocate resources is a prerogative of an incumbent authority. Even though my research aligns with the above studies, it is quite unique because there has been no investigation carried out on how the previous conflicts in South (ern) Sudan set off the current conflict. My research fills this gap by reviewing literature on previous conflicts, ethnicity, and peacebuilding in South Sudan. Doing this analytical review is particularly important because ethnic diversity and rent-seeking have existentially been central in the country's political history and the post-independent state revolves around these particulars.

This research is arranged into five chapters. Chapter one introduces the study by setting the scene for the research argument, reviews the relevant literature, and articulates the research aims, research questions, research significance and research methodology. Chapter two examines the painful birth of South Sudan by reviewing significant historical events such as the Turco-Egyptian invasion, the Mahdist revolution, the Anglo-Egyptian Condominium rule, the North-South civil wars, the Addis Ababa Peace Agreement, the Comprehensive Peace Agreement (CPA), the predicament of post-

independence South Sudan, and the 2013 re-eruption of civil war. Chapter three analyses multi-layered roots of South Sudan's conflict including ethnic manipulation, weak institutions and competition over resources. Chapter four discusses the role of the international community in the conflict, why peace negotiations have failed to bring permanent peace, and possible strategies to achieve permanent peace in South Sudan. Chapter five concludes the entire thesis and suggests implications for future research.

### **Literature Review**

Civil wars are existential problems in multi-ethnic countries like South Sudan where elite political power struggles and ethnic rivalries collapse peace agreement. Recent political narratives in South Sudan show that elite manipulation of politics is implicated in the 2013 resumption of civil war. Johnson (2014), for example, believes that political, personal and ethnic factors of the political elite led to the conflict, while Rodan and Logan (2014) assert that the concentration of power in the presidency led to the revival of the conflict. Despite Johnson's (2014) multifactorial understanding of South Sudan's conflict, the concentration of power in the presidency made the government more powerful to the exclusion of other political groups in the country, hence the conflict. Nevertheless, few studies on South Sudan's conflict have differed on who is to blame for the revival of the conflict given the patrimonial nature of the country's governance system. Brosché and Höglund (2017) single out President Salva Kiir's<sup>1</sup> authoritarian rule for the renewal of the conflict for the reason that he is the president of the country, while Rolandsen et al. (2015) blame the Sudan People's Liberation Movement (SPLM) party as a whole for not maintaining unity in the party so that the internal conflict does not turn into a nationwide conflict. President Kiir, in this regard, must shoulder much of the responsibility for the conflict because he has a constitutional responsibility to make sure peace processes aligns to political configuration in the country. Westendorf (2015) made this clear by arguing that peace processes fail when they do not respond to political processes. President Salva Kiir has not ensured that South Sudan's peace processes are in harmony with its political processes so that long term peace can be realised in the country.

Even though the shift from peaceful political contest due to unbridgeable political differences within the SPLM party to military warfare was the beginning of the resumption of the 2013 war in South Sudan, such a phenomenon is not a new thing in conflict studies. Clausewitz (1982) diagnosed this strategy many years ago when he conceptualised war as a continuation of politics by other means. In this case, the SPLM party members used violence as a stratagem to monopolise political power, thereby pushing their political adversaries to the periphery to secure unhindered access to resources. Collier and Hoeffler's (2004) research, which concentrated on economic agendas in civil war, found

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<sup>1</sup> President Salva Kiir's full name and postnominal is General Salva Kiir-Mayardit. I am only using the name Salva Kiir in this thesis because it is the most used name in South Sudan and also for smooth flow of the passage.

that economic variables such as availability of a primary export, such as oil in case of South Sudan, are strongly related to the onset of civil war because the resource provides opportunities such as extortion, increases feasibility and attractiveness of rebellion and worsens governance, which in turn generate stronger grievances. Many scholars such as De Waal (2014) have drawn on this framework. As De Waal argues, the resumption of South Sudan's civil war is a result of kleptocratic governance. This argument corroborates Enough Project's (2017) finding of the profiteering interest of the political and military leaders in the conflict. This situation has exacerbated conflict due to the positive reinforcement it engenders when a government forms militarised ethnic patrimonial networks where corrupt practices are channelled from the top to the grassroots.

Rent-seeking governance is an existential part of South Sudan's government that was a predominant cause of the conflict. De Waal (2014) shows that it started during the government of Southern Sudan and became crystallised after independence when national wealth, including donor funds, got stolen or channelled into patronage networks to profit political elite. Moyo (2009), for example, shows that in the Western African state of Sierra Leone, a rebel leader of the Revolutionary United Front (RUF) refused to sign the peace agreement with the government until a foreign aid directorate, which is an economic incentive, was added to his portfolios. As can be seen, rent-seeking makes peaceful political compromise on peace negotiations difficult because the party with economic interest never compromise unless its demand is met, which in turn creates a cycle of conflict in order to secure this interest, which largely do not conform to political processes as Westendorf (2015) argues. Correspondingly, Keen's (2000) research on incentives and disincentives for violence shows that the primary function of war is economic gain, where the government and rebels pillage, gain ransom, control trade, facilitate exploitation of labour and precipitate relief and gain access to it when it arrives. These practices have been the defining features of South Sudan's conflict whereby the rebel groups and government in the country have thrived on the conflict by looting natural resources.

Even though economic agendas of civil war onset have been shown to be misleading by Fearon (2005, p. 483) who argues that 'oil predicts civil war risk not because it provides an easy source of rebel start-up finance but probably because oil producers have relatively low state capabilities given their level of per capita income and because oil makes state or regional control a tempting 'prize', oil production generates new grievances related to financial management and allocation. These grievances are spearheaded by groups that believe they are missing out in the sharing of resource wealth. This means even if war prone oil producing states have low state capabilities given their level of per capita income, it is financial grievances unheard of when oil wealth did not exist that become the focal point of conflict. South(ern) Sudan, before oil was discovered in the 1970s, had relative stability compared to when it was discovered.

Furthermore, the connection between abundant natural resources and civil war has been an area of interest by many researchers on South Sudan. The *Africa Research Bulletin* (2016) and Pinaud (2014) see a link between South Sudan's abundant natural resources and civil war. This link might be because natural resources revenues can be looted by governments by redirecting the money to fund their dictatorial regimes and civil wars against political opponents. Studies by De Soysa (2000) which looks at civil war as a result of rapacity or paucity of natural resources, and Collier (2007) which looks at how natural resource trap leads to conflict concur with the *Africa Research Bulletin's* (2016) and Pinaud's (2014) findings on South Sudan's conflict. In poor countries, for example, democracy tends not to work because the leaders have enough money from natural resources export to create a patronage system that prolongs the longevity of the autocratic regime, which causes disquiet and potential armed conflict in the political circle of the marginalised groups. Van der Ploeg (2011) adds that a resource boom in nondemocratic developing countries leads to corruption through bad policies. The availability of oil in South Sudan has been a curse rather than a blessing. The various political and military leaders formed patronage networks, to loot resources, and private militias to fight their political adversaries for exclusive control of oil wealth, a situation referred by De Waal (2014) as rent-seeking governance.

Although abundant natural resources have been linked to civil war onset, some scholars have critiqued Collier and Hoeffler's (2004) and Fearon's (2005) models. Wassara (2007, p.7), for example, goes beyond such macro-level explanations to look at more localised competition over resources such as land and water sources upon which the livelihood of communities depends. Wassara's assertion is related to Keen's (2000) economic function of war which identifies direct claim to land as one of the reasons that causes civil war. Several studies by Costantinos and Mohammed (1999), Jacob (2012), Nkundwanabake (2009), and Zerihun (1999) support Wassara's (2007) finding. The scarcity of land and water resources can lead to decline in ethnic groups' economic prosperity and is also compounded when the government lacks money to help them build water points and support irrigation. This leads to survival of the fittest which can lead to full scale civil war, particularly in a country of rigid ethnic divisions like South Sudan. Likewise, corruption inherent in the sharing of scarce natural resources, poor extraction and preservation methods, and the less innovative ways of development, as observed by Zerihun (1999), add to the catalytic factors of civil war.

Even though South Sudan's civil war is driven by internal dynamics, the undemocratic neighbouring countries living a colonial legacy have contributed to the conflict's continuation. Frahm (2015) believes that neighbouring countries' militaries and proxy militias violate South Sudan's international sovereignty because they provide sanctuaries for rebel groups due to some having border dispute with it. On the other hand, Wassara (2015) observes that some of South Sudan's neighbouring countries are not happy with its economic proximity to their former colonial powers, and most of them are undemocratic. More importantly, however, studies by Sambanis (2001) and

Collier (2007) confirm that living in bad undemocratic neighbourhoods increases the country's risk of conflict. This may be due to dictatorial policies that influence civil war from one neighbouring country to another. The Republic of Uganda, bordering South Sudan to the south, is undemocratic and had been in conflict since 1986, before the same fighters moved to South Sudan, Democratic Republic of Congo (DRC), and Central African Republic (CAR), respectively. The Republic of Sudan to the north and Ethiopia to the east have their own civil wars. Leff and LeBrun (2014) confirm that South Sudan's neighbours such as Sudan to the north and Eritrea have been supplying weapons and ammunition to rebels in the country. The Republic of Sudan has an undemarcated border with South Sudan, which is a lurking source of conflict with South Sudan.

Besides having bad neighbours being a recipe for civil war, South Sudan's low level of education seems to also contribute to its conflict. The country has a low literacy rate at 28%: girls' literacy rate is 19% and boys' literacy rate is 38% (Africa Development Bank 2013). This gender disparity may be due to families preferring boys to go to school, while girls are prepared for early marriage which brings dowries to the families. Bloom (1985) observes that conflict is attached to a low level of education in the country. This revelation is similar to Collier's (2007) observation that being uneducated make people more likely to engage in political violence. Young people who would have been in schools find themselves in battlefields where they are either killed or kill others or disrupt civic duties of other citizens. Blaug (1996) writes that literacy contributes to economic productivity. This may be because literacy makes people aware of the dangers of conflict and encourages them to go about their daily business without threat of killing and destruction. Collier (2000) suggests that each year of education reduces the risk of conflict by 20% because an educated young population perceives less inviting economic prospects for rebellion. Yet, while the nexus between low level of education and conflict seems to make sense in the case of South Sudan, there are many countries across the world that have better levels of education than South Sudan but are embroiled in ceaseless conflict. Two such examples are the neighbouring republics of Ethiopia and Sudan.

### **Ethnicity**

Elite manipulation alone cannot explain the conflict in South Sudan. It is important to understand the concept of ethnicity because it has been used as a source of support by the political elite. Accordingly, ethnicity appears to be interchangeable with clan and tribe, meaning that elite manipulation of ethnicity applies to both clan and tribe although I prefer using ethnicity because it encompasses modern as well as traditional identity groups. Azone (2015), for example, observes that ethnicity is close to tribe, whereas Kalu (2001) understands it as referring to social groups with institutionalised framework called ethnies in Europe: an opposite of tribe which was understood by Europeans in Africa to have no institutionalised framework. These perceptions are contradictory

and thus it ought to be defined within the context of clan, tribe, culture, genealogy/or blood relation, religion and language.

The concept of clan can help us understand South Sudan's conflict better because it is the lowest unit of classification after tribe. Mwamula-Lubandi (1992, p. 206) defines it as a 'common descent basis for group and organisational identity; incorporated into socio-economic activities through a normatively accepted totem or other clan surrogate'. Sarwar (2012) has used clan in South Sudan's literature to highlight how President Salva Kiir awarded 42 per cent of ministerial positions to his Rek clan in 2011. The association of clan with corruption in South Sudan's government means that it is an important category through which unethical political elites carry out practices that fuel conflict.

Tribe is also one of the many categories to understand South Sudan's conflict. It seems several small units of clans form a tribe. Biebuyck (1996) defines tribe as a self-conscious group of people who having the potential and mores, with a basic set of common principles by which separateness and distinctions operate and can be maintained and demonstrated, while Beteille (1980) sees it as a society and a whole culture that have preceded state and civilization on the broad scale of social evolution. From both understandings, the confusion and controversy surrounding the definition of the concept of tribe generates the post-modernist question whether it is interchangeable with ethnicity, especially in South Sudan where it seems there is no clear-cut distinction when referring to the conflict.

Furthermore, tribe also appears to denote a pre-modern categorisation that does not conform to the present anthropological classification. Udogu (2001) believes that it denotes savagery. Despite this association, several studies on Southern Sudan have embraced its usage in the literature to describe conflicts between groups (Alier 1990; Johnson 2003; Johnson & Prunier 1993; and Young 2007).

From the above definitions, however, tribe seems to refer to a conglomeration of several clans, whereas ethnicity seems to refer to a conglomeration of several tribes. Many theories explain this anthropological phenomenon of ethnicity. The theory of primordialism explains ethnicity as a pre-modern and pre-historic concept that is fixed and given at a point in time (Hale 2004; Amon 2015). Hale maintains that the theory of primordialism explains ethnic identities in ancient terms. Hale offers an analogy:

The primordialist image of ethnic groups may be likened to various stones constituting a wall that is society. As between such stones, there are clear cut and enduring boundaries between groups. Each group has its particular constitutive features such as cultures, traditions, histories, physical traits, language repertoires, and religion, that also do not change and that tend to be quite consistently distributed within the group. Extended kinship relations are usually said to be the critical element that holds each group together and

imbues it with its emotive power. Primordialism focuses on the period in time through which a particular ethnic group was formed, and categorically does not see the influence of external forces in the evolution of ethnicity (Hale, P 460).

Although ethnic conflict, especially among the Dinka and Nuer ethnic groups, has been cited by Sanderson and Sanderson (1981) as historic, indicating a primordial ancient hatred between these groups, primordialism is particularly not applicable in explaining South Sudan's conflict. The current conflict, like any other country in the world, has its basis. The unethical work of successive foreign invaders in South(ern) Sudan since the colonial times has constructively exacerbated ethnic divisions, which have made Dinka and Nuer fight each other unabatedly.<sup>2</sup>

Nevertheless, successive regimes in Sudan manipulated ethnic divisions and subsequently meted out terror to Southern Sudan's ethnic groups, thereby normalising violence. Hence the theory of social constructivism which explains ethnicity as a social construct that is malleable and susceptible to change (Amone 2015). Consequently, the conflict in South Sudan, which has ethnic dimensions, can be explained as a social construction of foreign invaders whose actions exacerbated ethnic divisions which increased ethnic conflict between ethnic groups. Amone believes, through the theory of constructivism, that participating members create and develop ideas conducive to group formation. The South Sudanese ethnic groups, throughout history, have learned to protect themselves through violence due to the consistent violent approach of successive regimes. This approach has seemingly created a violent culture in resolving issues.

### *Culture*

Culture is a central aspect in defining ethnicity. Betancourt and López (1993) and Yinger (1985) define ethnicity in term of culture. Literature specific to Southern Sudan demonstrates the significance of culture in explaining ethnicity. Deng (1998), for example, highlights the concept of wealth and poverty among the Dinka ethnic group and how this underpins their understanding of culture. Having a lot of cattle in Dinka is equal to wealth and having none is equal to poverty. In fact, wealth and poverty are cultural measures among the Dinka ethnic group which represent their ethno-cultural uniqueness. Thus, the shared commonality appears to be a by-product of common culture, which acts as a significant characteristic, meaning that there can be no ethnicity without culture.

### *Blood relation, genealogical trace and shared history*

Nevertheless, blood relation, genealogical trace and shared history have been used in understanding ethnicity. Biebuyck (1996) and Blanton (2015) see ethnicity as a concept created through blood

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<sup>2</sup> I have used the colonial times beginning from the period of Turco-Egyptian invasion of Southern Sudan in 1839 as the baseline for this research because political and ethnic conflicts became more predominant and crystallised in the region's history.

relations and shared history. Biebuyck (1996) adds that if something tribal has a genealogical trace, it has no epistemological link to outsiders' influence. This perception, however, is misguided because not all ethnic groups have blood relation or genealogical trace. The Atuot of South Sudan, for instance, fall under the Dinka ethnic group due to shared cultural practices although they have a clear blood relation, genealogical trace and historical link to the Nuer ethnic group. On this note, ethnicity is a fluid concept that cannot be understood clearly through blood relation, genealogical trace and shared history.

### *Religion*

Besides blood relation, genealogical trace and shared history, religion is also an important factor in understanding ethnicity. Yinger (1985) and Horowitz (1985) believe religion is a vital constituent of ethnicity. This is consistent with Deng (1998), who states that the Dinka and the Nuer are the most religious people in Southern Sudan. The Nuer's and the Dinka's sense of belonging to their respective ethnic groups is defined by their subscription to their traditional religions. However, the advances of successive foreign invasions into Southern Sudan since the 18<sup>th</sup> Century have erased some of these traditional religions. This erasure is an example of social constructivism that the ethnic group were subjected to by foreign powers only interested in their resources and nothing else. Christianity and Islam, which are not native to South Sudan, filled the religion gap and became part and parcel of South Sudan's ethnic groups. Thus, they cannot be described without religious labels.

### *Language*

Language is another important category in understanding ethnicity. Yinger (1985) and Horowitz (1985) also see ethnicity in term of shared language. The power of shared language can be seen, for example, from Sanderson and Sanderson's (1981) work which shows that it was used as a classification category during the Anglo-Egyptian colonial time in Southern Sudan. Indeed, some of South Sudan's ethnic groups such as Anyuak, Dinka and Nuer share some common language features and cultural practices. They call water, *piu*; and fire, *mac*. These shared common words have helped them maintain intermarriages for many years, despite incessant attempts by political elites to destroy this bond in recent times. Despite shared language features, a group may have its own language but cannot stand as a different ethnic group. The Atuot group of South Sudan has its own language, but it is a subsection of the Dinka ethnic group who speak the Dinka language with subtle variations (Burton 1981).

## **The Issue of Ethnicity in South (ern) Sudan**

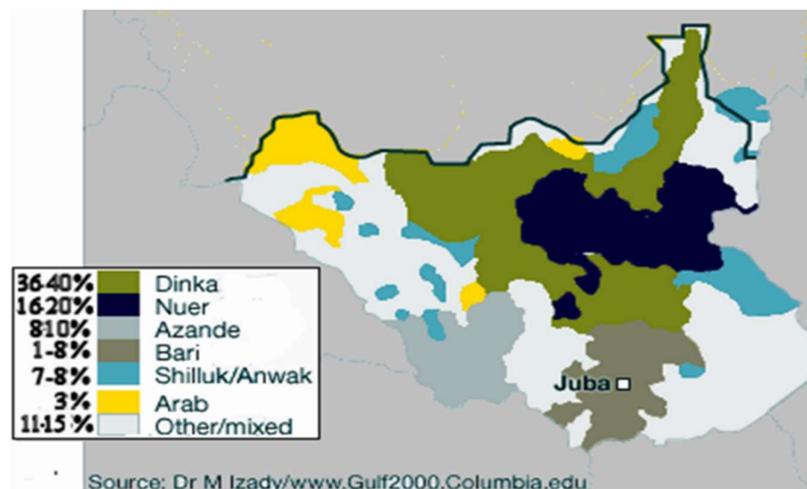


Figure 1: South Sudan's map showing ethnic groups distribution (Global Security 2018).

Ethnic Group	Population size
Dinka	36-40%
Nuer	16-20%
Azande	8-10%
Bari	1-8%
Shilluk/Anyuak	7-8%
Arab	3%
Other/mixed	11-15%

Figure 2: Supplementary table of South Sudan's ethnic groups' sizes (Global Security 2018).

Ethnicity in Sudan, and South(ern) Sudan in particular, has been a significant force in politics. Since the first Sudanese civil war, there have been ethnic affiliations and alliances among South(ern) Sudan's ethnic groups. This was evident during the Anya-Anyas' internal leadership coups and resignations (Alier 1990), which were instantly exploited by Sudan's ruling class. Amone (2014) suggests that ethnicity is a foundation from which ethnic identity and ethnic group stem; a concomitant factor upon which pre-existing, or emerging, difference between distinctive ethnic groups depends. South(ern) Sudan's conflicts have largely been dependent on ethnicity for mobilisation to fight to acquire political power.

While (northern) Sudan is composed of the same ethnic groups as South(ern) Sudan, there is a clear distinction between the two regions of the former unified Sudan in terms of race and religion. The historical injustices and conflicts in Sudan started with race and religion. For example, the exploitation of humans through slave trade during the Turco-Egyptians and Mahdist's rule was based on race and religion. The North is unified by Islam and Arabism while the South is a collection of indigenous African ethnic groups who subscribe to traditional gods and Christianity

(Johnson 2003; Alier 1990). Religion was the most salient notion of ethnicity between northern and southern Sudan before and during the civil wars. Islamic political ideology is prominent in the north compared to southern Sudan where Christianity has no political base. Consequently, the presence of Islam in the North unified its people against the South, whose Christianity was largely apolitical due to the Anglo-Egyptian Condominium Rule's secularity. This made the south vulnerable to elite manipulation during the liberation wars and beyond.

Even though religion was the unmissable defining feature of the north-south division, culture and language were and still are the prominent features of ethnic division in South(ern) Sudan. Because of these cultural and language differences which are vital categories of ethnicity, most ethnic conflicts in Southern Sudan were viciously synchronised with rebels' violence. This continuity of ethnic hostilities from a period of desperation (1983-2005) to a supposedly important transitional period of reparation (2005-2011) is one of the major challenges the country has been facing and is evident from its ethnic composition, many of whom are intolerant of each other due to elite politics. For example, over 60 ethnic groups inhabit South Sudan; of this proportion, Dinka and Nuer, who are closely related by culture and language, are transhumant pastoralists and usually engage in cattle rustling (Gurtong 2013). The rest of the tribes are farmers, but also rear livestock in small quantities. Dinka is the largest ethnic group, numbering several millions, and Nuer is the second largest ethnic group. Cattle, which often catalyze ethnic conflict due to cultural significance such as their role in dowries, play an important role in Dinka culture. Bride wealth averages fifty cows and on rare occasions goes into hundreds (Deng 1998). Likewise, other pastoral ethnic groups use cattle for the same purpose as the Dinka, particularly Dinka's kindred, the Nuer.

### **Elite Manipulation of Ethnicity**

Elite manipulation of ethnicity contributed to post-independence South Sudan's civil war. Studies conducted by Moro (2018), Thiong (2018) and Roque and Miamingi (2017) corroborate this premise. De Waal (2014), for example, shows that President Salva Kiir commanded purely private militias (*Dot Ku bany and Mathiang Anyor*) recruited from the Dinka in his home region. Too, the rebel leader, Riek Machar<sup>3</sup>, sought support of ethnic Luo Nuer youth called the 'White Army' (*Jesh Maboor*). These ethnic militias were loyal to President Salva Kiir and Riek Machar during the conflict, a phenomenon highlighted in the literature. Blagojevic (2009) believes that political leaders capitalise on the conflict potential of ethnic identities, making conflict a leverage tool to further their political ambitions. Likewise, Esteban et al. (2012) confirm the conflict potential of elite manipulation of ethnicity within the context of polarisation, which refers to increased divergence of political opinions between ethnic groups; and fractionalisation, which refers to division of ethnic groups into separate parts, thereby contributing to ethnic civil war. These

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<sup>3</sup> Riek Machar's full name and postnominal is Dr Riek Machar Teny-Dhurgon. I chose to present his two names because they are the most used names in South Sudan and for smooth flow of the passage.

assertions show that South Sudan's conflict is not necessary between the Dinka and the Nuer, but it is about the exploitation by the political elite who have manufactured grievances to galvanise support from their ethnic groups for their own interest.

Furthermore, elite manipulation of ethnicity influenced biased interpretation of South Sudan's conflict which exacerbated its intensification. De Vries and Schomerus (2017) observe that South Sudan's conflict has been based on *Manichean*<sup>4</sup> interpretations as between the Dinka-led government, which is more legitimate, and Nuer-led opposition forces, which are evil groups trying to unseat a legitimate sovereign authority. Presenting one side as legitimate and the other as illegitimate and associating them with their respective ethnic groups typifies elite manipulation of ethnic division which makes conflict gain momentum, and which in the long run complicates finding sustainable peace. In a situation where one side is assumed to be evil, however, there is a likelihood that the conflict would continue unabated and finding a solution within the prevailing realities of ethnic demonization would be elusive because of a formed collective fear of the future rooted in ethnic mistrust create during the conflict (Lake & Rothchild 1996). This view is consistent with Barth's (1969) discussion of negotiation of boundaries between ethnic groups whereby political elites harden ethnic boundaries in the pursuit of conflict and resources. South Sudan's political elite, along this line, as insinuated by Thiong (2018) have manipulated ethnic groups and identities, invented grievances and projected them as legitimate reasons to instigate war to bring about their own selfish political change.

Nevertheless, even though elite manipulation of ethnicity seems a contemporary phenomenon, its foundation predates current conflict dynamics, especially in South Sudan's politics. Johnson (2003) shows that colonialism molded ethnic division due to a predilection for some ethnic groups against others. The less favoured ethnic group developed deep-seated suspicion of the favorite ethnic group. Johnson and Prunier (1993), for example, write that the British in the 1940s commonly characterised the Nilotic Dinka and Nuer as conservative and backward, and the peoples of western Equatoria, particularly the Azande and the people of Yei River District, as progressive and advanced. South Sudan's political elite, however, have subsequently manipulated this ethnic division that was laid during the colonial period and used it to their advantage instead of taking it as a source of problems that needs rectification.

### **Different Peacebuilding Approaches**

The conflict in South Sudan has been ongoing despite peacebuilding programs to soften the hearts of the conflict-affected populations and to transform the country from a war state to a peace state. The efforts made at the peace talks are often futile and do not translate into permanent peace without

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<sup>4</sup> Manichean denotes the teaching of Iranian prophet Mani who taught the struggle between a good spirit of a world of light and an evil material world of darkness during the late antiquity.

post-conflict peacebuilding. It is to be acknowledged that there are limited examples of peacebuilding programs initiated in South Sudan. The country has been teetering between war and peace since 1955. These back-and-forth war and peace processes have wasted much time that should have been used to inculcate peace at the grassroots where ethnic groups are susceptible to elite manipulation.

### *Liberal peacebuilding*

Liberal peacebuilding has been gaining traction in South Sudan. Recent post-independence studies by Da Costa and Karlsrud (2012) and Omeje and Minde (2015) show important efforts made to 'contextualise' liberal peacebuilding activities in the country. MacGinty and Richmond (2007) define liberal peacebuilding as where the international organisations and Non-Governmental Organisations (NGOs) implement programmes that may not be sensitive to local needs and aspirations. While this is the case, however, Paris (1997) concedes that a liberal peacebuilding approach to post-conflict reconstruction is limited by the disruptive effects of the process of political and economic liberalisation. This is especially the case in countries where political elites manipulate politics at whim. Not only does political and economic liberalisation disrupt liberal peacebuilding outcomes, Heathershaw (2008) argues that it breeds technical solutions that fail to address the core issues of conflict in post-conflict countries because it only moves from peace to peacebuilding and does not address state building. This argument is particularly important for a country like South Sudan that has weak state and national institutions that get manipulated by political elites for personal agendas.

While a few liberal peacebuilding efforts have been made in South Sudan, it is facing challenges because South Sudan is not liberally constituted, and thus liberal peacebuilding needs greater examination within this context. Newman, Paris and Richmond (2009) support this position by arguing that liberal peacebuilding is situated in liberal peace where societies that are liberally constituted will be more peaceful in both their domestic affairs and in their international relations compared to illiberal states. Alternatively, Sandole (2010) believes that achieving a long-term maximalist peacebuilding is possible through a global stimulus package such as launching interconnected regional 'Marshall Plans' in Asia, Africa, the Middle East and the Balkans. While a Marshall Plan like this worked after World War II in Germany, it was in a different context. Germany's situation was different from other post-conflict situations like that in South Sudan because it had functional and strong institutions that prevented politicians from abusing power, while South Sudan has weak state and national institutions that are controlled by people belonging to the ethnic group of the political elite who often abuse power with impunity.

Furthermore, proponents of liberal peacebuilding believe it can be achieved in a transformative way. Paris (2004) argues that peacebuilders should first convert war-torn countries into liberal market democracies because well-established liberal market democracies are seen to be peaceful in

both their internal affairs and their international relations with other countries. To achieve this goal, Paris proposes a peacebuilding strategy called institutionalisation before liberalisation to minimise the destabilising effects of liberalisation in many ways. The introduction of democracy and market liberalisation without strong institutions makes the whole process pretentious as the process can fail to provide pillars to safeguard democracy and the rule of law which are important for a country to be a functioning state. Keating and Knight (2004), although in agreement with Paris (2004) on the need for strong institutions before the introduction of liberal peacebuilding, maintain that for a peacebuilding operation to construct an architecture of sustainable peace, it should aim to address the underlying causes of conflict. This idea is on the basis that the construction of sustainable peace is ensured by the establishment of functioning institutions to mitigate violence. Strong institutions, moreover, have the potential to prevent political elites from abusing office and thus can facilitate a national building program like the Marshall Plan witnessed in Germany, which in turn can help in mitigating a re-eruption of conflict.

### *Justice*

Local justice is often held as an important peacebuilding mechanism. Ibreck and Pendle (2017) state that the authority of chiefs' courts in peacebuilding has been acknowledged within South Sudan's United Nations Mission (UNMISS) Protection of Civilians Sites. Baker and Obradovic-Wochnik (2016) add that peace and justice are intertwined. In the post-conflict setting, peace and justice must be produced for there not to be conflict and violence. This observation demonstrates that local peace and justice do not look like the peace drawn up by international donors and peacebuilders. The duo, however, imply that local peacebuilding, although often dismissed in favour of an internationally drawn up peacebuilding initiative, is a potential avenue of addressing the past. Despite this, local peacebuilding also has its pitfalls. Wielenga and Harris (2011), in relation to Rwanda, argue that the *gacaca*, a system of community justice inspired by Rwandan tradition, in its traditional form is a restorative justice model; however, its practice leans more towards being retributive than restorative. Because of its retributive model the *gacaca* is shown to have not been contributing positively to building justice and reconciliation which have the potential to create peace and security in Rwandan society. Wielenga and Harris' argument favours only restorative justice which in one way is promising but in another it is not. This is because in situations where there has been genocide like the case of Rwanda, it fails to pass the moral and ethnic principle test to expect the justice in post-conflict peacebuilding to only bring about restoration but not retribution. South Sudan's society, however, favours a restorative model where victims of crimes are compensated for their losses, which makes sure that the wounds are amended instead of instituting punitive measures that punish the offender without compensating the victim. The problem with restorative justice, particularly in South Sudan, is that the political elite, who have looted national wealth, can use looted wealth to bribe local courts to get acquitted.

### *Reconciliation*

Besides justice, reconciliation is often presented as an imperative means to bring permanent peace to war-torn countries. Omeje and Minde (2015) state that South Sudan's government has been working to achieve permanent peace through local reconciliation. In fact, reconciliation is premised on the principle that building trust in a post-conflict peacebuilding locale means reaching out to others. Conteh-Morgan (2005) mentions that whether in Sierra Leone, Liberia, Bosnia, or Rwanda, post-war individuals, groups, or communities create meaning through their interactions with each other and with their common environment. These communications and interactions produce socially agreed results upon which governance related to economic, political, cultural, educational, or military matters can be achieved. The peacebuilding operation, in other words, should promote these types of communications and interactions to build confidence in people as a way of creating sustainable peace. It is important to note that reconciliation without necessary procedural arrangements and structures does not prevent conflict. Ackermann (1994) acknowledges that reconciliation, which provides the necessary procedural arrangements and structures that can function as essential communication channels in times of crises, has been ignored in the international arena, highlighting that it is an effective method of creating sustainable peace because it creates the structural and procedural basis for the peaceful resolution of diverging conflicts of interest. However, the missing piece of the jigsaw in this is the lethal role of the political elite who manipulate structures necessary to ensure effective reconciliation. Recent evidence from South Sudan shows that power struggle between President Salva Kiir and former vice President Riek Machar led to the collapse of the national dialogue and reconciliation when the former removed delegated powers from the latter. Without strong institutions that would guarantee its effectiveness, it is destined to fail.

Further still, while reconciliation *per se* creates the conditions for positive peace to flourish, it is predicated on the conditions on the ground in the post-conflict setting. Castañeda (2009) argues that for the post-conflict country to achieve peace, food security and poverty reduction, security is a primary requirement. The availability of security allows stakeholders to conduct works that further peacebuilding freely and makes sure that the local populations in the post-conflict setting are not pre-occupied by the urge to protect themselves but by the urge to listen and embrace peacebuilding initiatives. Denney (2011) concurs with Castañeda (2009) on the need for security to come before peacebuilding. He sees it as logical that development is dependent upon a stable environment in which peacebuilding can grow without interruption. Without stable security, therefore, the range of peacebuilding programmes that are implemented in post-conflict societies will not yield much needed result. An example of a failed post-conflict peacebuilding approach that did not consider the imperative of stable security can be seen in the aftermath of the Iraq war in 2002. Berdal (2009) shows that despite the pumping of billions of dollars into Iraq in order to support post-conflict peacebuilding and reconstruction, the finances did not translate into peace as sectarian and religious

factions fought for dominance. However, the Iraq situation is different from South Sudan's post-conflict situation because the conflict was imposed by external force, which, in fact, breached the principle of Westphalian sovereignty, while that of South Sudan is civil with political and ethnic layers. Thus, without a complete end to civil war and provision of security at the grassroots peacebuilding efforts will continue to fail in South Sudan.

### *Peace education*

Peace education is another tool used for peacebuilding. Hodgkin and Thomas (2016) lament that although peace education faces serious challenges in South Sudan, it is an important peacebuilding method. This view is consistent with that of Tinker (2016) who states that for peacebuilding to be sustainable it needs to be anchored on peace education. Despite this view, Johnson and Johnson (2005) believe that peace can be achieved in varying ways. It may be imposed by either the most powerful party in the conflict or by powerful third parties who provide peacekeepers or may alternatively be grounded on a consensual agreement about goals, benefits, and the sharing of resources. The establishment of peace education allows it to be institutionalised through the economic system, political structures, education, religion, housing patterns, and mass media. However, there is a problem with one tier of Johnson and Johnson's imposition of peacebuilding. A peace imposed on the parties in conflict is more likely to fail than a negotiated peace. In the same vein, Bar-Tal and Rosen (2009) maintain that the education system has the power to provide the young generation with ideological tools, ethos, values, goals, myths, and beliefs that the society considers acceptable requisite for social functioning. I believe that, through school attendance, which must be mandatory, education can reach entire young generations. The educated generation would more likely train the next generation on the importance of peacebuilding, making it an ethical responsibility to every educated citizen to do things that promote peace. A major obstacle to peace education, particularly in South Sudan, is kleptocratic governance in which the political elite steal national wealth which should have been used for peace education, through patronage networks of ethnic affiliates.

### *Participation*

Inclusive participation is a beneficial tool for peacebuilding. Recent studies on South Sudan by Jolaade and Abiola (2016) and Mai (2015) have identified women's participation in peacebuilding as a central principle of inclusivity; however, patriarchy and customary laws have hindered women's organizations from building peace. Mani (2005) supports a participation strategy by indicating that rebuilding the state's representation function, which should be constructed around inclusive political and civil community, is a central need of the post-conflict society. This is because the inclusive post-conflict community stands the chance to overcome the fragmentation of society that occurs or is exacerbated during war, and therefore views all community members as survivors of conflict whose root cause is being addressed. Donais and McCandless (2017) add that the inclusivity

norm in post-conflict peacebuilding has become an important factor in contemporary peacebuilding and its meaning continues to evolve through unfolding practice as new methods of fostering inclusivity are being explored. While inclusive post-conflict peacebuilding seems a panacea to the problem of exclusion, Jarstad and Sisk (2008) shows that there are concerns that an inclusive, multiparty process in post-conflict peacebuilding can complicate the mediation process in ways that undermine the efficacy of the peacebuilding programme. This is, however, contrary to Paffenholz's (2014) observation that inclusivity in peacebuilding does not decrease the effectiveness of negotiation. Paffenholz suggests that, for example, civil society can assume direct representation, observer status or any other form of representation different from the interlocutors. The problem with this, particularly in South Sudan's context, is that the intransigent party would likely brand the civil society as partisan in favouring their opponent, which might complicate maximum inclusive participation in peace negotiations and subsequent peacebuilding.

### *Resources Management*

Efficient management of resources is also an important factor in a post-conflict peacebuilding environment. The Food and Agriculture Organization (2015) shows that South Sudan's government and the international community have been investing in livestock water provision, including *hafirs*, as a peacebuilding strategy. There is available evidence on the need for a comprehensive approach regarding the use of water in post-conflict settings. In order for the use of water not to reignite the already settled conflict, however, Swain (2015) suggests that a series of measures subsuming legal reforms and building of sound water institutions; careful planning of water use to achieve sustainable food security; and cooperative involvement of international, national and local stakeholders in the planning and managing of water resources need to be considered in the post-conflict reconstruction. However, Swain acknowledges that post-conflict reconstruction policies do not adopt a long-term strategy of water resource development but are fixated on short term strategies. Swain's legal, internationally cooperative, national involvement in crafting water policy is congruent to Weinthal, Troell and Nakayama's (2011) work on managing water resources. Weinthal et al. found that managing water resources in a post-conflict context needs a more nuanced, coordinated, participatory, and conflict-sensitive approach. Tignino (2011), for example, states that the right to water and sanitation has been included in few post-conflict constitutions and peace agreements. International agencies such as the UN assisting in the crafting of post-conflict arrangements should promote water and sanitation rights in the nation's constitution.

Peacebuilding approaches, however, have been subjected to tumultuous arrays of ineffectiveness across the world and this has created the urge to shift focus. De Coning (2018) argues that international peacebuilding is experiencing a pragmatic change which has seen the emergence of an adaptive peacebuilding approach which embraces uncertainty, focuses on processes rather than end-states, and invests in the resilience of local and national institutions to promote change. De

Coning emphasises that the failure of peacebuilding in the past decade in Burundi, Libya, South Sudan and Yemen has significantly eroded international confidence. This failure might reflect things that are not being done right by the peacebuilding operations. Matthew (2014) observes that socio-economic recovery, politics and governance, security and rule of law, and human rights need to be given more attention in peacebuilding to build resilience and reduce the likelihood of more daunting and costly challenges in the future. The emergence of adaptive peacebuilding seems to be related to environmental peacebuilding. In looking at environmental peacebuilding, a new discipline that sees natural resources as a source of cooperation, Ogden (2018) suggests that cross-border investment in water treatment can be a mechanism for brokering peace in post-conflict locales. This is particularly relevant to South Sudan where ethnic conflicts are fought over water points and grazing land.

The attempts on liberal peacebuilding implementation in South Sudan and its subsequent failure reflects the historical vulnerability of the country to conflict re-eruption. In a nutshell, the literature on South Sudan's conflict, whether being on ethno-politics or peacebuilding has shown existential deficiency on how the previous conflicts influenced the current conflict. The various conflicts that took place in Sudan and fought mostly in Southern Sudan since the Turco-Egyptian invasion of the region in 1839 have had significant impact on the lives of ordinary South Sudanese. The conflicts destroyed families and local proto-states administrative structures, thereby anchoring an existential distrust into the social fabric of the South Sudanese society. While most of these conflicts, as discussed in detail in the next chapter, were fought on racial and religious grounds between north and south, and on ethnic ground among Southerners, the Southern Sudanese people were greatly affected due to ethnic manipulation that the conflict ensured. Literature on South Sudan's conflict have often ignored how these previous conflicts influenced the current conflict. Hence, the gap that this thesis aims to address by discussing the painful birth of the country, multi-layered roots of post-independence South Sudan's conflict, and the role of the international community in this conflict.

### **Research Aims**

Despite all that has been done to address the conflict in South Sudan, it appears the conflict has largely been a work of elite manipulation of politics and ethnicity, which has seen it intensifying without sign of abating. The conflict has been presented as political, ethnic, tribal and clan based. I have intentionally chosen to present the conflict as political and ethnic given the interlink between politics and ethnicity in South Sudan. Therefore, this research has three aims. The first aim is to identify factors that led to the revival of South Sudan's conflict. The second aim is to investigate the role of ethnicity during South Sudan's conflict. The third aim is to explore peacebuilding strategies that have been undertaken to bring peace to South Sudan and why these have failed to bring permanent peace to the country. Given these aims, I will explore South Sudan's painful birth, multi-layered roots of the conflict, and the role of the international community in the country's conflict.

### **Research Questions**

While the complexities of South Sudan's conflict are intertwined with elite ethno-politics and failed peace agreements, questions abound as to why the conflict continues to rage in South Sudan despite efforts to bring peace through peace negotiations by the international community. Answering this question will help in finding out how to mitigate elite manipulation of politics and ethnicity in South Sudan. And what should be done to achieve permanent peace in the country?

### **Research significance**

This study contributes to the understanding of the historical complexities of the South Sudanese conflict which has consistently witnessed several failed international engagements. In so many ways, this research is a stepping-stone to a new exploration of the conflict mitigation mechanisms specific to South Sudan's societies. The research will inform future design and execution of a new research study on how South Sudan's conflict can be transformed into a peaceful political discourse. It will benefit relevant government authorities, especially those engaged in conflict resolution to apply evidence-based practices in addressing the underlying conflict drivers in the country. On an epistemological ground, my research contributes to conflict and peace studies and particularly why peace agreements fail to yield the intended outcome despite concerted international engagement to resolve the conflict.

### **Research Methodology**

This research is purely a qualitative study. Northey et al. (2005) see qualitative data as an inductivist, process-oriented, research method rooted in the constructionist paradigm, and which examines the what, how and why of social life. O'Leary (2013) concurs with Northey et al. on the inductivist nature of qualitative research and understands it as a critique of positivism. The research uses literature review to answer the research questions. The importance of literature review is well documented. Marshall and Rossman (1999) articulate that literature review supports the prominence of the study's focus and validates the eventual findings of the research in a narrowly descriptive study. I will therefore engage the literature comparatively and evaluatively while also being reflexive.

### **Conclusion**

This chapter introduced the research scope, reviewed relevant literature, and outlined the research aims, research questions, research significance and research methodology. Existing literature on South Sudan shows that there has been no research conducted on how the previous conflicts set off the current conflict. Hence there is an inherent gap in the literature that this research seeks to address by looking at previous conflicts and how they fractured into various layers of conflict. The next chapter looks at the painful birth of South Sudan, made possible by political events before and after the 1956 independence of Sudan.

## CHAPTER TWO

### SOUTH SUDAN'S PAINFUL BIRTH



Figure 3: Map showing the border between Sudan and South Sudan (Welsh 2014).

#### Introduction

South Sudan has endured for decades a painful journey to statehood. The country was subjected to foreign invasions from the first quarter of the 19<sup>th</sup> century. One cannot understand conflict in South Sudan without understanding its history of successive invaders who occupied it and exploited its resources and people and how each has manipulated ethnicity in a different way. The successive invaders used exploitative commerce for acquisition of resources, natural and human, from South Sudan. I will argue in this chapter that South Sudan's conflict is a product of slave trade, colonisation, militarisation and fractionalisation of South Sudan's ethnic groups since the 1839 invasion by the Turco-Egyptian forces. These historical events have influenced South Sudan's post-independent military culture in which political disagreements are being resolved with violence.

This chapter is divided into four sections. The first section discusses the subjugation of Southern Sudan by foreign powers, specifically the invasion and subsequent rule by the Turco-Egyptian, the Mahdist, and the Anglo-Egyptian forces. The second section discusses how the legacy of colonial and foreign occupation impacted on conflict through north-south divide and fractionalisation of the rebel movement and the failure of various peace agreements such as the Addis Ababa Peace Agreement, and the Comprehensive Peace Agreement (CPA) because they were imposed from above without popular buy-in from grassroots community groups. The north-south civil wars

ingrained a predacious culture in which military became a shortcut to acquiring wealth in South Sudan's post-independence period. The third section summarises South Sudan's independence and subsequent post-independence conflicts. The fourth section deliberates on the 2013 resumption of South Sudan's conflict. This chapter will help in understanding the antecedents, complexities and continuities of South Sudan's conflict.

### **THE SUBJUGATION OF SOUTHERN SUDAN BY FOREIGN POWERS**

The problem of South(ern) Sudan can be traced to several foreign invasions during the period when the country existed in the form of proto-state administrative structures. The modern nation-state administrative structures, however, were not in existence and the various proto-states defended their territorial units with minimal force. Many of the existing groups were acephalous and showed little to no resistance to the subjugating foreign power. An example of this was the Nuer ethnic group (Sanderson & Sanderson 1981).

#### **The Turco-Egyptian Rule (1839 – 1883)**

The period of the Turco-Egyptian Rule in the Sudan was the beginning of the current legacy of civil war in South Sudan. The region experienced an influx of foreigners in the 19<sup>th</sup> century after the invasion of Sudan by Muhammad Ali, the Albanian soldier who became the viceroy of Egypt (Gray 1961; Alier 1990). Muhammad Ali's motive for the invasion was for gold and slaves to sustain and build up his military. By 1820, the whole of the Northern Sudan was under full control of the Turco-Egyptian forces (Johnson 2003).

#### *Exploitation of human resource*

The exploitation of humans during the Turco-Egyptian period was the beginning of the normalisation of organised violence in South Sudan because the Turco-Egyptians were the first invading forces to control Southern Sudan. Initially, the impoverishment of many people in some areas in the Northern Sudan because of the new form of taxation and land ownership imposed by Turco-Egyptians increased slave-raiding and slave-owning, most of which were conducted in Southern Sudan (Johnson 2003). Due to these factors, the Turco-Egyptian forces by 1839 had organised a state expedition along the Nile River, reaching as far as Gondokoro Island near Juba, the present-day capital of South Sudan. The Turco-Egyptian forces returned to Northern Sudan in 1840, having witnessed the impassable forest of Southern Sudan and the business potential of the region. The news of business opportunities reached the external world upon their return and shortly Southern Sudan became a hunting ground for slaves (Ruay 1994). By the 1870s, slave-raiding had reached its peak in the region. But not all Southern Sudanese were affected; some Southern Sudanese who collaborated with the merchant companies or Turco-Egyptian government benefited from the slave trade.

During the Turco-Egyptian time, however, the slave population in Northern Sudan was drawn largely from Southern Sudan. The words 'slave' and 'black' became synonyms for black people in Sudan. The few among Southern Sudanese who had converted to Islam were not spared from slave status and the stigmatisation of the slave trade. The region became an exploitable hinterland where racial stratification intensified and identification of the people as of low status became the hallmark of the economic and political system of the Turco-Egyptian rule. The exploitation by the invaders did not go unchallenged. The South rose against the exploitative policies in which cattle were extracted from pastoral communities as tribute to the government (Johnson 2003).

#### *Attempts to stop exploitation of human resources*

The practice of slave trade left harrowing memories on the part of foreigners who witnessed its practicalities, and it conjured foreign advocacy for it to be abolished. One of these foreigners appalled by slave trade in 1839 was an Austrian businessman, Ignaz Pallne, who reported to the anti-slavery society about Egyptian government slave-raiding activities in the Nuba Mountains in Kordofan. His report disquieted the anti-slavery society, especially the Catholic Missionaries from Malta, pressing them to set up Sudan's first Christian mission in Khartoum in 1848, with the aim of stopping slave trade (Ruay 1994). In another supplementary note, the British missionary explorer, David Livingstone, who came up with the three Cs (commerce, Christianity and civilisation) to rescue Africa, reported the cruelty of the East African slave trade. These reports set the stage for the fight against the scourge of slave trade in Sudan and East Africa. The Egyptian government depended on the British money to shore up its economy and to continue perpetrating slave trade damaged its image (Scroggins 2002). Hence, the urge to stop slave trade became imminent.

Accordingly, on the day of the opening of the Suez Canal in 1869, Khedive Ismail of Egypt approached the British explorer, Sir Samuel Baker, and asked him to return to the Upper Nile, which he had explored earlier with his wife, to help stop the slave trade. Baker heeded Ismail's call and proceeded to spend two years in the Upper Nile. Baker succeeded in one thing, and that was naming a vast southern region, Equatoria. However, he failed to stop the slave trade as the commercial need for slaves had increased in Northern Sudan. Upon the expiration of his two-year contract, Baker was replaced with Colonel Charles George Gordon by Ismail, who later became the first Turco-Egyptian governor of Sudan. Gordon was troubled by the intensity of the slave trade traffic coming from the South between the junction of the White Nile and the Sobat River. Gordon attempted to stop the slave trade by setting up posts along the Sobat and imprisoning slave dealers, one of which was a notorious Arab slaver called Ali Nasir, after whom the present town of Nasir was named. Despite Gordon's efforts in stopping the slave trade, he still knew there was slave trading going on in the vast forests of Southern Sudan. Gordon returned to England in 1882 (Scroggins 2002).

#### **The Mahdist Rule (1883-1889)**

While the Turco-Egyptian occupation did not last long in Sudan, their predacious rule was followed by another predacious rule, which extended the normalisation of violence in Southern Sudan. The Mahdists, the followers of Muhammad Ahmad Abdullah who proclaimed himself the promised redeemer of the Islamic world, who are believed to have come to Sudan in the 16<sup>th</sup> century from the Middle East through Egypt, overthrew the Turco-Egyptian government in Sudan in 1885 and established a Mahdist State. This theocratic revolution was to free Northern Sudan from political and economic control of Egypt and to deny the latter gold and slaves. The Mahdists were supported by the slave merchants who were opposed to anti-slavery activities (Alier 1990). The Mahdist army was largely comprised of slaves from southern and western parts of Sudan. Little dignity was conceded to Southern Sudan during the Mahdist rule. The slave-raiding and slave-trading which intensified during the Turco-Egyptian occupation declined during the Mahdiyya due to the contraction of state power (Johnson 2003). This did not, however, stop incursion into Southern Sudan by the Mahdists.

#### *Mahdist incursion into Southern Sudan*

Brief incursions were made into the Southern Sudan by Mahdists from Northern Sudan to acquire food during the 1888-1892 famine. More slaves were also sought to shore up the dwindling supply of domestic labour and military requirements. During the Mahdist era, the country became divided into the followers of the Mahdi known in Arabic as Ansar or Mahdiyya and the followers of the Khatimayya order led by the Mirghani family (Johnson 2003). These Islamic sects later became the oppressing powers in Sudan as each would start fighting each other politically. However, their view of Southern Sudan was similarly racial, religious and cultural.

Having followed the footsteps of Turco-Egyptian incursion into Southern Sudan, however, the Mahdists failed to establish and consolidate administrative units; they ruled by raid which was the same way as Turco-Egyptian forces, thereby connecting the jigsaw of violence witnessed during the Turco-Egyptian occupation. The raids for slaves and food led to the localisation of violence in Southern Sudan (Sanderson & Sanderson 1981) and resulted in the alteration of the population dynamics in Northern Sudan (Daly 1993). The 1956 population census shows that 58 percent of the population of Sudan were Africans, 39 percent were Arabs, and 3 percent were other races. The claim of Sudan as an Arab country was debunked by this census although the various successive regimes led by a political class identifying themselves with Arab descent refused to accept the fact. The 3 percent of other races constituted foreigners who had come as businessmen as well as colonial administrators (Ruay 1994).

#### *French incursion into Southern Sudan*

History shows that the Mahdists were not the only people that subjugated Southern Sudanese before their defeat in 1898, France had already come to the area through West Africa and meted out

violence on local people. One of these was a Frenchman Alphonse de Malzac who established his station in Rumbek. De Malzac beheaded local tribesmen and planted their heads around his settlement to instil terror in the local community. Another Frenchman was Captain Jean-Baptiste Marchand who in 1898 hoisted France's flag in Fashoda – known today as Kodok – only to pull out with the threat of military intervention by the British Government (Ruay 1994). The incursions by the Mahdist and French into Southern Sudan opened the way for subsequent foreign occupation that result in more violence.

### **The Anglo-Egyptian Condominium Rule (1898-1956)**

The Anglo-Egyptian Condominium rule started in Sudan after the capture of Omdurman from the Mahdists in 1898 (Alier 1990; Johnson 2003; Scroggins 2002). Violence continued in Southern Sudan during this period through hostile policies such as brutal pacification and ethnic predilection. The period also marked the beginning of the north-south civil war. The British had no economic and cultural interest in Southern Sudan other than a strategic control of the Nile River. The oil had not yet been discovered. If it was discovered, however, the British interests would have not been only confined to the strategic control of the River Nile. The South was seen as backward because it had nothing of economic value apart from the Nile. The British authorities sent their Mahdist prisoners as labourers, seconded officers as rulers, and relegated hard-bitten European missionaries as teachers to the South. The South was put on a care and maintenance basis while focusing on the hospitable North (Daly 1993; Johnson 2003).

#### *Resistance to colonial rule in Southern Sudan*

The British occupation did not go unchallenged. The Southern Sudanese resisted taxation, intimidation, forced labour, destruction of social values, confiscation of property and limitation of group and individual freedom. This resistance to Anglo-Egyptian administration in the 1900–1930 period was spearheaded by two groups – spiritual and secular leaders. The spiritual leaders had major grassroots followings because of the spiritual powers they claimed to possess. Examples of these leaders were Ngundeng Bong of Lou Nuer, Awou Kon of Atuot, and Mayen Mathiang of Agar. The secular leaders were also the rulers of the people at the grassroots level and had acts of bravery and courage, as well as settlement of disputes, improvement of welfare, and inheritance from ancestors. Examples of these secular leaders were King Gbudwe of Zande and King Akwei of Anyuak who fought the Turco-Egyptian occupation, the Mahdists, and the Anglo-Egyptian rule. The resistance to Anglo-Egyptian rule in Southern Sudan was crushed in 1930 (Alier 1990; Johnson 2003). This development opened the door for the introduction of unfavourable policies by the British colonial government.

The Chief of Aweil District, Kuach Ngor, in opposition to the colonial government returned all his money from his emolument, which he had purposely saved, to the last colonial administrator of

Aweil District in 1955. Chief Ngor had warned people that the foreign rulers would one day leave and people should not think otherwise (Ruay 1994).

### *The Southern Policy*

The Condominium administration introduced a series of policies pertaining to the governance of Southern Sudan, which led to the crystallisation of the north-south divide. The first of these policies was the decision to isolate the region from Northern Sudan to stop slave trade, avoid unity of the Nile Valley between Egypt and Sudan, stop religious influence, and defeat the resistance experienced in the South from Ngundeng Bong of Lou Nuer and King Gbudwe of Zande. The isolation of Southern Sudan was made possible through the introduction of the Closed District Ordinance in the 1920s to facilitate the final abolition of internal slave trade and to halt the spread of Islam into non-Islamic districts. While the law was meant to safeguard the South from the North's Islamic influence, it did not exclude the Muslims from the South. The part of Upper Nile Province from Renk to the North was excluded because of the Northern traders' interest (Johnson 2003). The Closed District Ordinance, which primarily hindered integration of communities as a basic tenet of governance in the South, was resisted. Chief Isa Ahmed Fartak of the Forege people of western Bahr el Ghazal vehemently opposed its introduction (Ruay 1994).

However, following the isolation of Southern Sudan, which ensured complete abolition of slave trade and the curbing of the spread of Islam, the British Civil Secretary, Sir Douglas Newbold, opened a second policy called the Southern Policy in 1930, to merge the region with either East Africa or Sudan. This policy meant that the South was to develop along African lines rather than along Arab lines. The British had considered the African aspect of Southern Sudanese cultural, religious, and racial distinction. While the British controlled the whole Sudan, the South still lagged. Southern Sudan at the time received little direct benefit from legal ivory trade. The South only benefited from dealing directly with the Ethiopian and Swahili ivory hunters in the territory whom the central government considered illegal (Johnson 2003).

The announcement of the Southern Policy in the 1930s was a sign of shifting British attitude towards Southern Sudan because educational needs were limited in the South before the end of World War II. The Arab-dominated government in Khartoum had a policy of needing only 'few educated blacks' to fill minor clerical posts in the South. Only Southern chiefs were required to provide boys for education in the pastoral communities, and the education was only provided by mission schools, which were micro-managed by the colonial government (Alier 1990; Johnson 2003; Sanderson & Sanderson 1981). Sir Douglas Newbold, who adopted the Southern Sudan Policy of self-rule in 1944, died in 1945. He was replaced with Sir James Robertson in 1945, who promptly reversed the Southern Policy in 1946 (Alier 1990). The Southern Policy of 1930 which was aimed to expand education and training in the South was unfulfilled because the British

Government did not want to antagonise Northern Sudanese Muslim leaders and Egypt who wanted Southern Sudan to remain part of the whole Sudan (Daly 1993).

In 1946, the British education policy in Sudan changed when a decision was made in the Sudan administrative conference to grant independence to Sudan as a whole. The British education system, which was based on gender roles, has been blamed as a contributing factor to the current South Sudan's gender disparities which placed males as superior to females (Edward 2018). Nonetheless, the Sudan administrative conference was discriminatory. The conference was attended by Sudanese representing the North on the one hand and British officials on the other. There was no Southern Sudanese consulted in making the decision to grant Sudan independence (Alier 1990).

#### *The 1947 Juba Conference*

To appease the Southern Sudanese, the Anglo-Egyptian administration carried out another sham conference the following year, which infamously became the 1947 Juba Conference. This consultation was convened to discuss the decision that the future of the South lay in the united Sudan (Daly 1993). This conference became a confusion to Southern delegates who were unprepared for it. According to Johnson (2003), the Southern delegates only came to the conference on assurance that the civil service pay scale would be regularised throughout the country. The fact that this conference was convened a year after the decision to grant Sudan independence is interesting. The Southern delegate at the conference was Chief Lolik Lado and the Northern delegate was Mohamed Saleh Shingeiti. During this conference, Chief Lado Lolik advocated for the South to be economically brought to the level of Northern Sudan before granting Sudan independence. He termed the Northern Sudanese as domesticated (civilised) and therefore Sudan could not be granted independence when the South was lagging in all fundamental indicators (Alier 1990). Unbeknown to chief Lolik were the overarching racial, religious and cultural differences that cannot be bridged between the north and the south.

#### *The beginning of the salience of ethnicity in South(ern) Sudan*

The Anglo-Egyptian government in Southern Sudan created an imbalance of the security sector which led to the beginning of ethnic hostilities in Southern Sudan. The Equatorial Corps which replaced the Northern battalion in the South were recruited from Zande, Moru, Madi and Lotuko from Equatoria Province and the Jur ethnic community in Bahr el Ghazal Province. The police who were deployed in rural areas across southern Sudan were also recruited from Equatoria. The final pacification of the Dinka and Nuer of Upper Nile and Bahr el Ghazal was completed by the Equatorial Corps, with assistance from the Northern army units in the case of Nuer. There was no recruitment from Upper Nile and most of the Bahr el Ghazal inhabited by the Dinka and Nuer ethnic groups (Johnson 2003). These pacifications were violent in nature and set the scene for the never-ending ethnic hostilities in independent South(ern) Sudan.

Furthermore, racial and ethnic division in the line of service was commonplace. Southern Sudanese serving in the police and Sudan Defence Force were not integrated into national organisations but served in the three southern provinces. The forces were not representative of Southern Sudan ethnic composition. The people of Dinka and Nuer ethnic groups saw people from Equatoria serving in the army and police force as representative of alien rule and not as institutions and organisations which they had interest in. This increased mistrust and misconception of Equatorians in Southern Sudanese society. The only paramilitary body which did have strong roots in the rural areas was the Native Administration police, or chief police, comprised of local men enlisted to enforce chiefly authority (Johnson & Prunier 1993).

#### *Subsequent North-South disagreements*

The review of Sudan's constitution in 1951 shows incredible disregard for the people of Southern Sudan. The Constitutional Amendment Commission which comprised 13 members was appointed to the Governor General under Judge Stanley Baker; it had only one Southern Sudanese representative, Buth Diu, who was a Nuer. The rest of the 12 representatives were from Northern Sudan and Britain. The Southern representative proposed the adoption of the federal system of government. Another proposal, among others, included assigning the Governor General the power to protect the interests of Southern Sudan and establishing a ministry for Southern Affairs and appointing a southerner to head it as a goodwill gesture to the Southern Sudanese. Despite the unanimous vote by the Southern representatives in favour of the ministry for Southern Affairs, the Legislative Council threw out its creation. The defeat of the Southern interests in the Legislative Council was a case of pure racism. The Northern Sudanese who claimed Arab identity did not want equality with Southern Sudanese whom they scorned (Alier 1990; Johnson 2003).

Nonetheless, the despising of the South Sudanese by the northern leaders and Anglo-Egyptian administration did not end with the nearly one-sided 1951 constitutional amendment committee. The Northern political leaders and Egypt in 1953 reached an agreement for the self-determination of the whole Sudan and on the terms of the elections that were soon to take place to the new parliament and the process by which the South would choose its future. Southern Sudanese were excluded from this meeting between Egypt and Northern Sudanese political leaders (Alier 1990; Sikainga 1993; Johnson 2003).

In 1954, however, the Sudanisation of the institutions was accelerated by removing British administrators. This handover of institutions to northern Sudanese illuminated further the north-south divisions. Southern Sudanese were given six posts compared to 800 posts that were to be vacated by the British and Egyptian colonial officials. The Northern Sudanese political leaders blamed Southern dissatisfaction on the British and Egypt. One Southern Sudanese minister in the government was warned against sedition and secessionism by Prime Minister Ismail el Azar after complaining about the few posts given to the South (Collins 1976; Daly 1993).

While Southern Sudanese wanted a strong representation free from interference, Buth Diu was serving his master who appointed him in the first place into the Constitutional Amendment Commission (Alier 1990). According to Joseph Garang, a Southern intellectual and a member of the Sudan Communist Party (SCP), Diu was heavy-handedly involved in obstructing the work of the commission. Buth Diu's work became referred to as Buthian because his reasoning was ideologically driven as it was geared towards the eradication of British imperialism in the Sudan, oblivious to the objective realities of the Northern Sudanese claiming Arab identity. The Buthians were awakened by the 1953 Egyptian and British agreement which agreed the terms of the 1954 independence. With a growing dismay with the colonial governance and secret dealing between Sudan and Egypt, an intensified anti-colonial movement cropped up in the South. This time, the Buthians, who were first outwitted into submission to the collusion between Northern Sudanese on the one hand and the British and Egyptian officials on the other, were increasingly becoming irrelevant.

The new group, which became known as the Bullenites, were comprised of Bullen Alier de Bior, Dak Dei, Santino Deng Teng, Thon Ater Bar, Vincent Bazia, Siricio Iro, and Rodento Onzi (Garang 2010). As with Buth Diu, it became clear to this group that their problem was not Arab race but colonialism which had caused the South to lag due to its detrimental policies such as the 1920s Closed District Ordinance (Johnson 2003; Nyaba 2018). Garang (2010) delineated that from 1821-1898, the main hindrance to Southern advancement was the slave trade; from 1898-1948, it was the British interests since its position did not provide for the advancement of the Southern Sudanese.

The policies of the successive Northern-dominated governments were based on race, religion and Arab identity (Jok 2007; Deng 1995). These factors acted as an obstacle that prevented Southern advancement, regardless of a prior Southern movement of Buthians and Bullenites groups.

## THE NORTH-SOUTH CIVIL WARS

### The Sudan's First Civil War (1955-1972)

Rebels	Ethnic groups	Leaders
Anya-Nya	Madi	Joseph Lagu
Anya-Nya II	Dinka	Akuot Atem
	Nuer	Gai Tut
	Nuer	Abdallah Chuol

*Figure 4: Table showing rebel groups in Southern Sudan in the first Sudanese civil war (Alier 1990; Johnson 2003).*

The north-south civil wars were a result of racial and discriminatory policies encouraged by the British colonial government in southern Sudan, which the Arab-dominated government adopted and

used against the South. As a result, the unity of the Sudan became uncertain on 18<sup>th</sup> August 1955 when the Equatorial Corps garrisoned in Torit mutinied. Three hundred people were reportedly killed, including two hundred Northerners (Daly 1993). The agreement between Egypt and the Sudan on the independence of the Sudan and the terms of the 1954 elections to the new parliament without Southern participation contributed to a deep suspicion and mistrust, leading to the mutiny. The draconian Sudanisation of administrative units in which British officers were replaced by Northerners across the country, including bringing Northerners to fill administrative posts in the South, with only few posts given to Southerners, combined with slow economic prospects in the South, were also catalysts to the Equatorial Corps' mutiny (Johnson 2003).

The soldiers of Equatorial Corps, armed with the historical antecedent in which the British officers had been replaced by Northern officers, feared that they would be disarmed and moved to the North. With the help of the British, the government brought the mutiny under control. Some of the mutineers were captured and executed by the government and others fled to Uganda which was still a British colony. Instead of blaming Egypt for encouraging Southerners to commit mutiny for its much-needed union with the Sudan, the Northern Sudanese blamed the mutiny on the foreign missionaries in the South. Many of the Equatorial Corps mutineers who went into the bush formed the Anya-Nya guerrilla movement which later waged the first Sudanese civil war (Daly 1993; Johnson 2003).

In December 1955, a month before Sudan's independence, the Southern Sudanese parliamentarians in the legislative assembly proposed a motion as a condition for granting Sudan independence. The motion was premised on a federal system of government that would be in line with the 1947 Juba Conference. The Northern Members of Parliament, including the Leader of the Opposition, Mohamed Ahmed Mahgoub, superficially accepted the motion to make the Southerners happy for the time being and would later decline to implement the promised federal system of government. The unrealistic deal for federalism was passed and the motion for independence was also passed, paving the way for Sudan's independence (Alier 1990).

Overlooking the precarious political situation in the South, the Anglo-Egyptian regime proceeded to grant independence to the Sudan on 1<sup>st</sup> January 1956. Before independence, however, the Sudan was self-governing since the 1954 elections and the conduct of the independence was a formality. During this time, the Northern political leaders were reluctant to take Southern Sudan's quest for independence seriously. While co-ruling the Sudan, the British and Egypt were in competition to win the hearts and minds of the Northern Sudanese and cared less about the Southern Sudanese. This made the Northern Sudan's political leaders less pressured to allow Southern Sudan to succeed. Whereas the South was taken for granted in most of the pre-independence discussions, the only thing negotiated regarding the South by the Northern Sudanese political leaders and the British was the transfer of the colonial administrative structures. The British, however, did not want to displease

Egypt despite its foreign secretary suggested that Southern Sudanese should instead form political parties (Johnson 2003). This suggestion was an underestimation of the solution to the Sudanese problem, because it inferred that the Sudan's political problem was lack of liberalism, which accordingly requires a liberal democratic solution.

The events of the 1955 mutiny by the soldiers of the Equatorial Corps sent a shock wave throughout the Northern Sudanese society. By 1958, the Southerners had found themselves in difficult situations, both in the North and South. Southerners were either exiled or would be sent to jail for calling for federalism. The government of General Ibrahim Abboud (1958-1964) started the process of Islamisation and Arabisation in the South. This resulted in the abolition of local languages and English, which were made official languages by the Church Missionary Society (CMS) conference in 1928. The Arabic language became the official language in the whole Sudan. Following these events, the war against the repressive Khartoum regimes was growing in the South, led by the members of the Equatorial Corps who ran into the bush in 1955 (Alier 1990).

Despite sustained intimidation from Sudan's government, the Southern Sudanese civil servants and politicians in exile did not stay apolitical as required by the government. They formed a political movement in Leopoldville, Belgium Congo, in 1963 (Johnson & Prunier 1993). The Anya-Nya started its guerrilla offensive against the Government of Sudan in 1963. By this time, however, the Anya-Nya as a fighting force was not properly organised. Attacks on the government positions were random and uncoordinated. An example of this disorganisation was the 1964 unsuccessful attack on Wau, the provincial capital of Bahr el Ghazal, by forces under Bernardino Mou Mou (Alier 1990). The Anya-Nya guerrilla movement was individually operated as territorial units. Each unit commander named his Anya-Nya the way he wanted. Examples of these territorial units were the Samuel Abu John's 'Sue River Republic' in Zande country in Western Equatoria and Anyidi Republic of Akuot Atem from Bor District (Johnson & Prunier 1993).

With war raging in the South and the central government feeling the threat of a Southern guerrilla movement, a round table conference was called and convened in Khartoum in 1965 to discuss the way forward for the Sudan. This conference was attended by both the Northern and Southern political parties. Southern representatives attended with high emotions given the government sponsored killings after the 1955 mutiny. Representatives from Ghana, Nigeria, Uganda, Kenya and Egypt attended the conference as observers. The Northern political parties, united by Arabism and Islamism, demanded that the Anya-Nya surrender without the prospect of peace. The Southerners, in turn, did not speak with one voice; there were leaders calling for complete independence, others wanting a federal system while those collaborating with the Northern parties stood for the *status quo ante*. Despite the call for the various political parties to work for peace, this conference did not achieve its objectives. It was followed by the constitutional assembly passing a resolution authorising the government to use force in order to restore law and order in the South. The Southern

political parties and civilians alike saw the passing of this resolution as a declaration of war on Anya-Nya and unarmed Southerners (Alier 1990; Wakoson 1993).

Despite the declaration of war in the passing of the resolution under the pretext of restoring law and order in the South, the Twelve-Man Committee, six from the North and six from the South, which was formed to follow through the work of the 1965 roundtable conference, started its work. This committee agreed that some powers from the centre be transferred to the South in order to preserve and develop its vernacular languages and cultures and establish regional legislative assemblies in the three Southern provinces. The work of the Twelve-Man Committee was interrupted in 1969 when Colonel Jaafar Nimeiri took over power by military coup (Alier 1990; Johnson 2003). The coming to power of President Nimeiri, however, did not end the problems of northern oppression in Southern Sudan.

### **The Addis Ababa Peace Agreement (1972 – 1983)**

The coming to power of Jaafar Nimeiry in a 1969 coup altered the political landscape of the Sudan on the way forwards as far as the Southern Sudan is concerned. President Nimeiry declared self-governance for the south by decreeing a Minister for Southern Affairs and appointed a southerner, Joseph Ukel Garang, a member of the Sudanese Communist Party, to head the ministry. Garang, however, did not live long to work in the interest of the south. He was later executed in 1971 by President Nimeiry for being part of the Fifth Columns who unsuccessfully attempted a coup against his regime. President Nimeiry appointed Abel Alier as Minister for Southern Affairs and also as a deputy president; a dual mandate he held until Nimeiry's downfall in 1985.

Armed with the opportunity to sit in a cabinet meeting with Nimeiry as a Minister of Southern Affairs and a Vice President of the Sudan, Alier proposed peace with the Anya-Nya to the government. The government, however, did not want peace but war. Alier, being a southerner, was in an uncomfortable situation from being a Fifth Column working in the interest of the southerners and the constitutional mandate of being a Minister for Southern Affairs and vice president of the Sudan. Having insisted on the peaceful resolution of the conflict in the South, Alier presented his proposal to the government and obtained assurance of support from the president. Alier also asked the government to freeze its military offensive against the rebels, commit to ceasefire and tone down public propaganda. By 1971, before the peace commenced, Alier toured Europe to spread the message of peace. The southerners, both in and outside the country, could not believe Alier's message of peace given the historical memories of slavery, Sudanisation and Arabisation, and injustices committed against the south by the northern ruling clique (Wakoson 1993; Holt & Daly 2014; Alier 1990; Johnson 2003).

The Addis Ababa Peace Agreement was signed on 27<sup>th</sup> February 1972. The agreement provided the south with self-government, and integration of Anya-Nya forces into the Sudan army, police service,

prison service and wildlife service. The agreement defined southern Sudan as comprising the Bar El Gazel, Equatoria and Upper Nile provinces in accordance with their boundaries as they stood on 1<sup>st</sup> January 1956 and any other areas that were culturally and geographically parts of the 'Southern Complex as may be determined by a referendum'. The Southern complexes included Abyei between Bar El Gazel and Southern Darfur, Kurmuk at the Southern tip of the Eastern Sudan, and Hufirat al-Nahas and Kafia Kingi in the North-Western Bar El Gazel (Wakoson 1993). Among others, the referendum in the Southern Complexes to decide whether to be part of the north or south did not take place. The Southern command was to be reconstituted at the ratio of 1:1, that is, 12,000 officers, half from the North and half from the South. This security arrangement did not materialise.

While the Addis Ababa Peace Agreement gave southerners some form of self-rule which they did not have before, it was tainted with deceit and subordination. In fact, the self-rule was not a total autonomy. The whole southern government, including its Legislative Assembly, was under the control of president Nimeiry. The president had the power to veto the bill in the regional assembly and not with the High Executive Council. This particular provision made the regional assembly powerless as the president would not allow any bill he saw as contrary to the constitution. The agreement was also experiencing threat from northern political parties who wanted Anya-Nya to surrender (Alier 1990; Wakoson 1993; Daly 1993).

Nevertheless, the Addis Ababa agreement gave southern regional government powers to act in the interest of the southern Sudanese and query the government on policies that it deemed as not in the best interest of the southern Sudanese. This power of the southern regional government brought it into a collision course with the central government which was a one man show. Shortly after the signing of the Addis Ababa Peace Agreement, oil was discovered in the South and this increased economic wrangling between the southern regional government and the central government over procedural matters. The southern regional government was not consulted on the issuing of an exploration license to the American oil company, Chevron, to explore oil in Upper Nile province. The division of the oil license fees was also not in the best interest of the south. The central government did not communicate to the south how much money was received and how much money should be given to the southern regional government. The central government and southern regional government were also at odds over where Chevron would base its headquarters while exploring oil in the south. The central government wanted Chevron to camp in the southern Khordofun, outside the southern region, while Chevron wanted it in Malakal because of the proximity and the existing airfield (Alier 1990).

With threat of looming military action against mutinies on Akobo and the stationing of twelve bombers in Malakal airport, a political ploy designed by the central government, Chevron agreed to base its headquarters in Muglad, Southern Khordofun. Chevron discovered oil in southern Sudan's Upper Nile province, north of Bentiu, in 1978. This discovery came with more problems

between the southern regional government, central government, and Chevron over the naming of its oil well. After contentious debates, the well was named 'Unity Field', to mimic the superficial unity between north and south. The central government had also considered annexing Bentiu to the north so that oil wells would not fall in the South; however, this was unsuccessful (Alier 1990). The numerous wars to which the South had been subjected by the various northern Sudan regimes were squarely centred on denying the southern Sudanese access to their resources (Wakoson 1993). The oppression was centred on religion and race as tools to foster Arab Islamic nationalism for the purpose of exploiting southern Sudan.

In June 1983, the spirit of the Addis Ababa Agreement was abrogated. Being under immense internal pressure from northern theocrats who saw the Addis Abba Agreement as encouraging separation of the south from the north, coupled with his overall dwindling support in the north, President Nimeiry annulled the Addis Ababa Agreement. Southerners who were in the national army, who were not happy with the regional government, were also working with Nimeiry to undermine the agreement by portraying the southern regional government as Dinka-dominated and they advocated for the division of the South. President Nimeiry made sure that the former leader of Anya-Nya, who was integrated into the Sudanese army with a new rank of general, signed for the petition of the south into three regions. The same republican order which abrogated the Addis Ababa Agreement imposed sharia law all over the Sudan, eliminated southern regional civil services, police and prison, and stripped the regional assembly of the power to elect its member (Alier 1990; Johnson 2014).

Unsurprisingly, given that President Nimeiry came to power through a military coup, his leadership style was dictatorial. He resented the fact that the southern regional assembly elected its leaders in stark contrast to the central government which did not elect its leaders. The international community, particularly the United States (US), had found a new friend who would strengthen its military and thus believed in crushing any uprising with military power. The US government gave Nimeiry the confidence to abrogate the Addis Abba Agreement by giving him hardware to deal militarily with the south (Johnson 2003). The end of this agreement reflected its start. It was a top-down political agreement that excluded the people at the grassroots. President Nimeiry had exclusive powers that overrode the agreement, meaning that the agreement was President Nimeiry. Too, the south had no recognisable bargaining power such as an army to deter the north from abrogating the agreement; hence the abrupt signing of the Addis Ababa Agreement in 1972 was a recipe for another war.

### **Sudan's Second Civil War (1983 – 2005)**

The second Sudanese civil war was a continuation by stakeholders from the first Sudanese civil war. Several of these military stakeholders wanted to lead the second Sudanese civil war; however,

they were defeated by John Garang's<sup>5</sup> faction with the help of Ethiopian forces. The north-south schism fragmented into multiple internecine fractionalisation. There were an estimated 21 rebel factions organised along ethnic lines.

<b>Rebels</b>	<b>Ethnic groups</b>	<b>Leaders</b>
Sudan People's Liberation Movement/Sudan People's Liberation Army (SPLM/A)	Dinka	John Garang
Sudan People's Liberation Movement – United (SPLM-U)	Shilluk	Lam Akol
South Sudan Independence Movement/Army (SSIM/A)	Nuer	Riek Machar
Sudan People's Defence Force (SPDF)	Nuer	Riek Machar
South Sudan Defence Force (SSDF)	Nuer	Paulino Matip
Equatoria Defence Force (EDF)	Acholi Madi	Thiopholus Ochang Loti Martin Kenyi
Bahr el Ghazal Group	Dinka	John Machamdit
Bor Group	Dinka	Arok Thon Arok
Mundari Forces	Mundari	Clement Wani
Bari Forces	Bari	Paulino Lanyumbek
Southern Sudan United Movement (SSUM)	Nuer	Paulino Matip
Sudan People's Liberation Movement/ Army in Opposition (SPLM/A-IO)	Nuer	Riek Machar
National Salvation Front (NAS/NSF)	Bari	Thomas Cirillo Swaka
National Democratic Movement (NDM)	Shilluk	Lam Akol
People's Democratic Movement (PDM)	Zande	Joseph Bakasoro
South Sudan Democratic Movement/Army (SSDM/A)	Murle/Dinka	George Athor/David Yaw Yaw
South Sudan Liberation Army (SSLA)	Nuer	James Gatdet
South Sudan United Front (SS-UF)	Dinka	Paul Malong Awan
South Sudan Patriotic Army (SSPA)	Dinka	Agany Abdel Bagi Ayii
South Sudan Liberation Movement (SSLM)	Nuer	Bapiny Monytuil
Southern Sudan Independence Group (SSIG)	Dinka	Kawach Makuei
Union of Sudan African Parties	Dinka	Samuel Aru Bol
Sudan People's Liberation Movement (SPLM) faction of Kerubino Kuanyin Bol	Dinka	Kerubino Kuanyin Bol

<sup>5</sup> John Garang's full name and title is Dr John Garang De Mabior. I shorten his name to John Garang because they are the names preferred by the majority of South Sudanese and also for smooth flow of passage.

*Figure 5: Table showing militias, groups and rebel forces in the second Sudanese civil war.*

On 15<sup>th</sup> May 1983, the second Sudanese civil war broke out. While there were numerous reports of the existence of an underground organisation of this war, the mutiny by the soldiers of 105 Battalion in Bor garrison against the looming transfer to the North was the trigger to this conflict. The disarmament of the 105 Battalion was also supported by prominent Southerners working with the central government. The former Anya-Nya commander, Joseph Lagu, and former Southern regional government president, Joseph Tombura, supported the 1983 assault on Bor. Both were from Equatoria and wanted the Government of Sudan to ‘cut the Dinka down to size’ (Alier 1990). Mutiny broke out in Bor before the government troops arrived. The mutineers deserted the town and later headed to the Ethiopian-Sudanese border. Another reason leading up to the resumption of war was that the central government had violated the quantitative military deployment of one-to-one ratio of Southerners to Northerners. Also, the Akobo mutiny of 1975 in which Southern soldiers fled to Ethiopia was another catalyst to the resumption of war (Shinn 2004).

The ex-Anya-Nya officers who were not happy with the Addis Ababa Peace Agreement were in the bush. They later named themselves Anya-Nya II. This group had earlier infiltrated Upper Nile Province from Ethiopia as they were unhappy with the implementation of the Addis Ababa Peace Agreement by the central government. They joined the mutinying soldiers in Ethiopia (Daly 1993). The amalgamation of old Anya-Nya soldiers who had been in the bush for so long and the new Sudan People’s Liberation Army (SPLA) which was being formed did not go well. The old Anya-Nya commanders wanted to lead the new movement while the soldiers who mutinied wanted, too, to take charge of the insurgency. John Garang’s vision for the movement was for a united Sudan while the discontented members were for the separation of the South from the North. The Ethiopian government did not want separatists in the Sudan because it was battling the Eritrean rebels at the time (Johnson 2003).

#### *The Formation of SPLA/M*

Having dislodged the Anya-Nya II of Akuot Atem, Gai Tut and Abdallah Chuol from their camp in Ethiopia, the SPLA/M launched its manifesto in July 1983. The manifesto highlighted the deep-seated problem of Sudan by re-defining the problem of Southern Sudan as ‘a problem of the backward areas’ in the country. This shifted attention of the Sudanese people and international community from seeing the movement as a Southern separatist movement. The SPLA/M convinced some sections of the Sudanese people to be the national movement for the deliverance of the marginalised masses of the Sudan. The Manifesto also attacked colonialism and neo-colonialism perpetuated against the southerners and other marginalised masses of the Sudan since the time of Turco-Egyptian invasion to the period of Arab-controlled central government of Sudan. The SPLA/M characterised the underdevelopment in Sudan as that of areas outside the central region. The manifesto cited the abrogation of the Addis Ababa Peace Agreement as another factor why the

movement to liberate the Sudan was much needed. The government of Nimeiri used the Marxist-Leninist rhetoric of the content of the SPLA/M manifesto as a tool to attack the movement as communist. This was to appeal to the US's administration for support given the geopolitical cold war between the US and the Soviet Union at the time (Alier 1990; Johnson 2003).

While it was believed the SPLA/M was influenced by the Marxist-oriented Ethiopian regime, its ideology was not straightforward as it teetered between attacking personalities in the Northern government and chartering the way forward for a new Sudan vision based on equality and citizenship for all Sudanese. The manifesto was referring to some tribes as 'enemies of the people' and categorising Southern politicians that continued to maintain ties with the regime as 'bourgeoisified elites'. These utterances and the way the SPLA/M conducted its operations made sure no socialism or any other ideology was inculcated in the minds of its followers as John Garang solidified his grip on SPLA/M (Young 2003). The fall of Mengistu's regime in May 1991 saw the dislodgement of SPLA/M from its bases in Ethiopia (Johnson 2003; Scroggins 2002).

#### *North-South proxy war by militias*

Successive northern-led governments in the Sudan manipulated ethnic divisions in the south by fractionalising and militarising ethnic groups to fight each other. Consequently, the north-south proxy war by militias followed the SPLA/M gaining of momentum militarily in the south, thereby pressuring the Nimeiri government to start sponsoring tribal militias to counteract the SPLA/M advancement, as well as its supply route. The militias were organised the same way as Anya-Nya II was organised. The militias from Eatoria were sourced from Mundari, Acholi and Madi, and in Western Bahr el Ghazal, they were sourced among the Fertit tribes. The victims of these tribal militias were the unarmed civilians for their suspected collaboration with the SPLA/M. One Southern Sudanese town which was organised and lived on militia lines was Wau. While this town was socially integrated and lively by 1987, it was divided into twofold war zones: one for the Dinka and the other for the Jur civilian population. Each tribe had their police forces including Fertit tribe which had its militia guarding the Sudanese army. Due to this settlement of Wau on a tribal basis, it witnessed several killings of civilians, particularly from the Jura and Dinka. In 1987, for example, 354 Dinka civilians were killed by the Sudan Army Force (SAF) and its allied tribal militia from Fertit. The central government also recruited Murhallin militia from the Baggara tribes of Southern Kordofan, Southern Darfur, Western and Southern Gezira, Northern Upper Nile and north-western Bahr el Ghazal. This militia terrorised Northern Bahr el Ghazal during the internecine war in Sudan. Children and women were kidnapped and sold as slaves in northern Sudan (Alier 1990).

On the other hand, the Murle raided the Dinka population in former Bor District and Lou Nuer of former Akobo District in the 1970s using weapons obtained from the government in the 1960s, augmented with weapons obtained from Ethiopia. The Dinka of Jonglei, however, had acquired some modern weapons during the fall of Idi Amin of Uganda to defend themselves against the

Murle cattle rustlers since there were no police to confront them. Amin forces were chased north of Uganda towards Southern Sudan; their weapons were sold on the black market. The central government armed the Mundari with modern weapons to fight the Dinka subtribes in Bor District. This led to increased polarisation of the Southern ethnic groups, thereby diminishing trust between and among ethnic groups (Johnson & Prunier 1993).

The main threat to the SPLA in the South, however, was the South Sudan Defence Forces (SSDF) of Paulino Matip, a former Anya-Nya II survivor and a Bul Nuer from Mayom area of former Bentiu District. It comprised established organisations and militias sponsored by the regime of President Nimeiri. The cruel tactics of the SPLA/M guerrilla movement which included elimination of local leaders and rivals led to formation of several militias in Equatoria, Upper Nile and Bahr el Ghazal. It is widely believed that the opposition to SPLA/M in Equatoria was because the organisation was perceived there as a Dinka reaction to the division of the South. Whatever the reasons for opposition to the SPLA/M in Equatoria, the government of Sudan saw an opportunity in that resentment and accordingly armed local militias which it referred to as 'friendly forces' to fight the SPLA. However, there was a disparity between the SPLA/M forces and the local militias. John Garang advocated vigorously for the new Sudan vision while the local militias wanted self-determination for the south (Young 2003; Johnson 2003). While the resentment of the SPLA which was seen as a Dinka-dominated movement was a factor that led to the cropping up of many militias, the militias failed to transition into a national movement comprised of the tribal composites of Southern Sudan. They remained purely tribal militias such as the Didinga, Toposa, Mundari, Murle and Fertit militias (Young 2003).

#### *Split within the SPLA/M*

While on the verge of military victory the SPLA/M divided on the 28<sup>th</sup> August 1991 over the running of the movement and the existing ethnic divisions between Dinka and Nuer. The 1991 coup to oust the movement's founding leader, John Garang, from power was spearheaded by two commanders, Riek Machar and Lam Akol, who publicly accused John Garang of being a dictator who did not respect human rights among other shortcomings. Both Riek Machar and Lam Akol were zonal commanders in Upper Nile. Having persuaded the local Nuer population, including the Nuer of Ethiopia where the refugee camp was based, and some few army commanders, the duo believed in the inevitability of replacing John Garang. After the announcement of the coup over the British Broadcasting Corporation (BBC), the SPLA/M was in jeopardy. The planned operation to capture Juba, the current capital of Southern Sudan, had to be put on hold (Johnson & Prunier 1993; Johnson 2003; Young 2003).

The movement, by this time, became a twofold faction: the Nasir faction led by Riek Machar and the Torit faction led by John Garang. Riek Machar's group became unsuccessful, whereas John Garang's group, which became known as the SPLA/M mainstream by virtue of its presence virtually

intact in Equatoria and Bahr el Ghazal regions as well as in some parts of Upper Nile, became successful. The Nasir Faction's coup attempt resulted in an ethnic pogrom when Riek Machar's Nuer ethnic group raided the Dinka subgroups of Bor District. This resulted in many civilian deaths and loss of livestock and properties. The Torit Faction continued the liberation war against the repressive central government of the Sudan. According to Lam Akol, the coup failed because Riek Machar did not stick with the deliberately vague language regarding the self-determination for the South on his BBC message as agreed earlier (Johnson 2003; Young 2003).

#### *The Abuja Talks and Washington Conference*

In May 1992 (and 1993), the government of Nigeria sponsored a peace negotiation under the auspices of the Organisation of Africa Unity (OAU) in the Nigerian capital Abuja. The SPLA/M Torit Faction was represented by its Chief of Staff, William Nyuon Bany, who was co-opted into the Nasir Faction of Riek Machar and Lam Akol. He was conned into accepting to negotiate with the government of Sudan as a united entity with the Nasir Faction. Upon hearing of this alliance, John Garang was disquieted and went on to the BBC to denounce the alliance, saying William Nyuon Bany was an illiterate man and was conned into the alliance. The Abuja negotiations collapsed due to irreconcilable differences between the parties. Nyuon returned to his military base in Pageri and thereupon defected because while in Abuja during peace talks in 1992, he had been enticed with money by the Government of Sudan. On 27<sup>th</sup> September 1992, Nyuon defected from the faction led by John Garang and joined forces with Riek Machar, a fellow Nuer. He was later killed by Peter Gatdet in the bushes of Upper Nile in 1996. The former US President Jimmy Carter brought John Garang and Riek Machar to Washington in October 1993; however, the meeting turned into a political quarrel. The Washington Declaration that was to be signed was not signed (Scroggins 2002; Machar 1995).

#### *The Frankfurt Agreement*

The Frankfurt Agreement was a stepping-stone to the Khartoum Agreement. This agreement was signed in 1992 between the Nasir Faction and the Government of President Omar el Bashir in Frankfurt, Germany (Johnson 2003). However, shortly after the agreement, Riek Machar and Lam Akol separated. Riek Machar formed Southern Sudan Independent Movement (SSIM), and Lam Akol formed SPLM-United. The Equatorian officers, most of whom were not originally with the SPLA/M, formed the EDF. However, upon joining the government, the SSIM, SPLM-United and EDF signed a political charter in 1996 and moved their headquarters to Khartoum. Riek Machar became assistant president on the terms of the Khartoum Agreement (Young 2003).

#### *The Khartoum Agreement*

The Khartoum agreement was an agreement signed between the Sudanese government and various southern rebels and militia factions in Khartoum in 1997. These groups included the South Sudan Independence Movement/Army (SSIM/A) of Riek Machar, the Union of Sudan African Parties of Samuel Aru Bol, the Sudan People's Liberation Movement (SPLM) faction of Kerubino Kuanyin Bol, and the Equatoria Defense Force (EDF) of Thiopholus Ochang Loti. The agreement promised freedom of movement and religion, a defined federal structure, a formula for revenue sharing, devolution of powers to the states, a four-year interim period for the south to recover from civil war, and a Coordinating Council of Southern State as head of the transition period. Riek Machar was made President of the Southern Council and also commander in chief of the South Sudan Defense Force (SSDF). The agreement became a subliminal beginning of the reunification of the SPLA/M factions as the Sudanese government would later prove that it was a stratagem to fractionalise the southern liberal struggle (Scroggins 2002; Young 2003). This was a grand design by the Khartoum government to weaken the southern liberation movement by uniting southern opposition forces against the SPLA/M. However, this plan did not materialise.

The Nasir Faction, left without control of the leadership of SPLA/M, made the first contact with Sudan's government for military support against the Torit Faction. In return for military support, they allowed safe passage of Khartoum forces in their areas unhindered to capture towns under the control of John Garang's faction (Scroggins 2002).

A year after the Khartoum political charter, SSIM, EDF and other smaller militia groups such as the Bahr el Ghazal Group of John Machamdit, Southern Sudan Independent Group of Kawach Makuei, and Bor Group led by Arok Thon Arok, signed the Khartoum agreement. Like Khartoum's meddling in Southern affairs after the 1972 Addis Ababa Agreement, the ministers of the Coordination Council of Southern Sudan in Juba were imposed upon Riek Machar by Bashir's government. An example of this was Khartoum's blocking of Taban Deng Gai from becoming the governor of oil-rich Unity State in favour of Paulino Matip, who was a militia leader. Matip, however, parted ways with Riek Machar in 1998 after a fight that killed four ministers in Taban Deng Gai's cabinet. Taban Deng Gai fled for his life to Bentiu, and Matip formed Southern Sudan United Movement (SSUM; Young 2003).

#### *The Fashoda Agreement*

The Fashoda Agreement was a part of the Khartoum Agreement and was signed by Lam Akol of the SPLM-United in 1996. This agreement brought the SPLM-United into the SSDF. The SSDF, according to Khartoum, was a success to weaken and defeat the SPLA/M and secure the South for oil exploitation, unbeknown to them that not honouring a signed agreement would set asunder the various militia groups brought together by the Khartoum Agreement. Another smaller organisation, which was not a part of the Khartoum Agreement, was the Southern Sudan Liberation Movement

(SSLM); it was comprised largely of Nuer. Like the SPLM-United of Lam Akol, it was independent of Khartoum's sway (Young 2003).

#### *The Collapse of the Khartoum Agreement*

Not long after the skulduggery underpinning the Khartoum agreement became known to its signatories, Riek Machar and Taban Deng Gai abandoned the agreement and fled to Nairobi, Kenya, where they rebuilt SSIM under the new image of the Sudan People's Defence Forces (SPDF) because of non-implementation of the agreement by the Khartoum government. The Nuer militias in the Upper Nile were malleable and easily manipulated by the Khartoum government as power and economic greed became the driving forces. An example of this malleability can be seen from Peter Gatdet who left the SPLA/M with Riek, then left Riek Machar and re-joined SSUM, then rebelled against SSUM and re-joined SPLA/M. The result of this change of sides was the death of innocent people in his area of command (Young 2003; Johnson 2003).

While the Khartoum Agreement was collapsing, Gatluak Deng, the chairman of the Southern Coordination Council sponsored by Khartoum, was increasing the size of the SSDF. Gatluak brought to SSDF's ranks Mundari forces of Clement Wani and Bari militias of Bahr Jebel led by Paulino Lanyumbek. While Gatluak was bringing various forces into the SSDF in Juba, Riek Machar was finding ways to reconcile with John Garang in Nairobi. Both John Garang and Riek Machar finally reconciled in 2002 to forge a new united voice for a peaceful resolution of the conflict in Sudan (Young 2003; Daly 1993; Johnson 2003). This reconciliation was possible with the pressure of George Bush's government which was fighting a war on Islamic terrorism after the September 2001 attack on the World Trade Center in New York. The government of Sudan was placed on a blacklist as a sponsor of terrorism. This was also made possible with the finding that Osama bin Laden had lived in Sudan in the early 1990s and had opened a farm between the north and Southern Sudan border (Scroggins 2001). This reunification of the former SPLA/M made CPA negotiations possible due to perceived unity in the south.

#### *The Comprehensive Peace Agreement (CPA)*

The war in the Sudan was brought to an end in January 2005 through the CPA (2005). Having historical experience of the Addis Ababa Peace Agreement of 1972 which was later abrogated by President Nimeiry in June 1983 (Alier 1990; Johnson 2003), the SPLA/M was armed with both the history of intransigence in the Sudan and clear understanding of the fundamental problem of the underdeveloped areas of the Sudan. The CPA provided Southern Sudan with a powerful self-government, with its army, and defined six years transitional period after which it would conduct a referendum to choose whether to remain part of Sudan or become a separate country. Under the terms of the CPA, the SPLA/M leader became the President of the southern regional government and the First Vice President of the central government of the Sudan. This was realised when John

Garang was sworn in as the First Vice President and with the signing of a transitional constitution of Sudan in July 2005. The transitional constitution of Sudan was a copy of the CPA which gave the South autonomous powers to form its government (Miamingi 2018).

John Garang died two weeks after being sworn in as the First Vice President of Sudan in a helicopter crash on his way from Uganda to South Sudan and was succeeded by his long-time deputy, Salva Kiir. The CPA continued under the guidance of Salva Kiir and the autonomous government of Southern Sudan was formed in October 2005. While the CPA led to greater autonomy for southern Sudan, the history of atrocities between north and south repeated itself in November 2006 when hundreds of people died in fighting in the Southern town of Malakal. This was the deadliest fight between the south and north since the signing of CPA in 2005. The people of southern Sudan voted in a referendum whether to remain part of the whole Sudan or separate for an independent country. The South voted overwhelmingly for separation with more than 98% of votes. The overwhelming votes for independence, although the north was quick to recognise the result, did not translate to perpetual peace between north and south. In May 2011, the northern army occupied the disputed region of Abyei, which brought both armies to a standstill. With concerted diplomatic efforts and negotiations by the African Union (AU), the United Nations (UN) and the Intergovernmental Authority on Development (IGAD), the government of north and south signed an agreement to demilitarise the contested Abyei region and allow an Ethiopian peacekeeping force (BBC 2010).

Reminiscent of the Southern Complexes which were to conduct a referendum to choose whether to be part of southern Sudan or not in the 1972 Addis Ababa Peace Agreement (Wakoson 1993), the referendum and popular consultations agreed in the CPA to be conducted in Abyei, Blue Nile and Southern Khordofun, respectively, never took place. The government of Sudan continued being intransigent on the Abyei referendum and popular consultation in Blue Nile and Southern Khordofun. This intransigence led to the SPLA/M breaking away from the unity government in 2011. However, with international support to the CPA, the SPLA/M returned to the unity government despite ill implementation of the CPA in letter and spirit (Gurtong 2018). The CPA, however, did not provide modalities on how southern Sudan can achieve a long-lasting peace by correcting the historical traumas that started with the Turco-Egyptian colonialism of 1839.

### **South Sudan's Independence**

South Sudan got its independence formally in July 2011 and the transitional constitution passed by the Transitional Legislative Assembly (TLA) was drawn up and signed. However, in the following year, north and south found themselves in another border war. The Sudanese troops occupied the border town of Heglig, locally known as Panthou in Dinka, after weeks of fighting in which the South had invaded and occupied the town. The bombing of border towns of Bentiu, and others, by the Sudanese war planes sent 200,000 refugees into the South from the border areas. This dispute came to a halt in September 2012 after the leaders of both countries agreed on trade, oil and security

deals in a talk organised by the AU in the Ethiopian capital Addis Ababa. In March the following year, the two countries agreed to resume oil exploitation after a year of hiatus due to conflict over fees for oil transit through the oil pipeline to Port Sudan (BBC 2010). While the CPA did not achieve all its intended targets, it somewhat achieved the independence of the South. Unlike the 1972 Addis Ababa Peace agreement, the CPA, which was controlled by the SPLM and the ruling National Congress Party (NCP) in Khartoum at the time, was well defined as to how the South would self-govern and separate from the North. However, it failed to provide a mechanism to achieve transitional justice (such as criminal prosecutions, truth commissions and reparations programs) or respond to failed political processes that led to civil war in the first place. Westendorf (2015) has argued that peace processes fail when they do not respond to political processes. This argument gives answer to why several peace agreements have failed to ensure lasting peace in South Sudan.

### **The Post-Independence South Sudan**

South Sudan's post-independence period witnessed some of the most scathing ethnic conflicts in its history. Multiple splinter groups broke off from the government and army due to a variety of grievances such as missing out on parliamentary positions and share of power. Ethnic groups splintered into sub-groups. Chief among these were the groups led by General Athor Deng and David Yau Yau (*Sudan Tribune* 2011). General Athor, a Dinka by ethnicity, formed a coalition with five other armed militias spanning across four of South Sudan's ten states (Boswell 2011). Before his assassination by the SPLA in December 2011, Athor's rebellion had committed lots of destruction including loss of numerous civilian lives in Pangak County. Like Athor, a little-known rebel leader, David Yau Yau, rebelled after losing a parliamentary seat in the same elections. Yau Yau, previously active between May 2010 and June 2011, re-joined the SPLA in June 2011 but re-defected in April 2012, resuming operations in Jonglei state in the following August. Yau Yau galvanised his Murle youth and waged a destabilising insurrection aimed at ousting the elected government of South Sudan. Across South Sudan, however, ethnic politics is the centrepiece of all the internal insurgences bedevilling the country. Unlike Athor, Yau Yau is from the Murle ethnic group. His support comes from a sub-ethnic division inside the Murle ethnic group. Like Athor, Yau Yau's popular support is rooted in the SPLA mismanagement of the 2009-2010 forced disarmament of civilians (Lagrange 2010 p2).

The government of South Sudan attempted on several occasions to address both ethnic and rebel-related conflicts in the country. Among methods employed were forced disarmament of ethnic groups, peace talks, and issuing of amnesties to rebel groups. In a worse turn of events, the first forced disarmament carried out on Lou Nuer youth proved deadly and never came to fruition. It turned into a serious confrontation pitting the national army against the Lou Nuer youth, leading to the loss of more than 1,600 lives in the battle. Reminiscent of the decades of SPLA's battles against the Islamic government of Sudan, this fight led to the highest casualties in military action since the

signing of the CPA. With greater loss of lives and the futility of contested forced disarmament, the government changed tactics. Local peace conferences involving chiefs and former militia leaders, particularly in Murle and Lou Nuer areas of Pibor, were embraced. Alleged raids for cattle and children by the Murle ethnic group continued unabated (Lewis 2009). The government of South Sudan, in an effort to neutralise and bring rebels under its army, embarked on issuing amnesties to rebel groups including late general Athor and Yau Yau, but only a few rebels such as Brigadier General Bapiny Monytuel of the South Sudan Liberation Army (SSLM) and a militia leader, Major General Johnson Uliny, accepted the offer (Mayar 2013).

### **The Resumption of War in South Sudan**

<b>REBELS</b>	<b>ETHNIC GROUPS</b>	<b>LEADERS</b>
Sudan People's Liberation Movement/Army in Opposition (SPLA/SPLM-IO)	Nuer	Riek Machar
National Salvation Front (NAS/NSF)	Bari	Thomas Cirillo
National Democratic Movement (NDM)	Shilluk	Lam Akol
People's Democratic Movement (PDM)	Azande	Joseph Bakasoro
South Sudan United Front (SS-UF)	Dinka	Paul Malong
South Sudan Patriotic Army (SSPA)	Dinka	Agany Abdel Bagi
Cobra Faction	Murle	David Yau Yau

*Figure 6: Table showing rebel groups in South Sudan after the 2013 resumption of war.*

The resumption of war in South Sudan was not unexpected. The series of events that happened before the December 2013 war and the fragile nature of its ethnic composites were the tips of the iceberg of a looming war as seen in the south-south conflicts involving various militias in the 1980s and 1990s. In early 2013, three prominent members of SPLM, the main dominant ruling party in South Sudan, declared their intentions to contest for the chair of the party. These SPLM members included Vice President Riek Machar, SPLM party's Secretary General Pagan Amum, and John Garang's widow Rebecca Nyandeng. Their intentions to contest the presidency increased paranoia on the part of President Salva Kiir, whose response changed the political landscape of the nascent republic. The SPLM's political wrangling started when President Salva Kiir dismissed Finance Minister Kosti Manibe and Cabinet Affairs Minister Deng Alor on grounds of an alleged multi-million financial scandal and charged them with corruption. In July, President Salva Kiir stripped Riek Machar of his delegated powers, and dismissed Riek Machar's cousin-in-law Taban Deng Gai as governor of the oil producing Unity State. On July 23<sup>rd</sup>, President Salva Kiir dismissed Riek Machar and his entire cabinet, except for four ministers, and suspended Pagan Amum as Secretary General of the SPLM party (Africa Union Commission 2014; BBC 2010).

In November, President Salva Kiir dissolved all political structures of the SPLM party except for the chairmanship and secretariat. These moves isolated his critics from both the government and the SPLM party. This political purge followed a forced retirement of several senior officers within the SPLA. The dismissed group united in a marriage of convenience and appointed Riek Machar as their leader due to his seniority. On December 6th, 2013, the dissident SPLM group held a press conference in Juba criticising President Salva Kiir's dictatorial tendencies in the party and government. The dissident group called the President to convene a meeting of SPLM's Political Bureau, the highest decision-making organ of the party, and announced a public opposition rally to be held in Juba on the 14<sup>th</sup> of December 2013. President Salva Kiir's faction countered the rally by announcing the meeting of the SPLM party's National Liberation Council (NLC). Riek Machar's group cancelled their public rally and joined the NLC meeting. This meeting became a battleground where the president attacked Riek Machar openly for his role in the 1991 SPLA/M split (Africa Union Commission 2014; De Waal 2014; Johnson 2014).

Within a short period of time, things changed from bad to worse in Juba. A day after the NLC meeting, President Salva Kiir ordered the disarmament of the presidential guard. The presidential guard is an amalgamation of SPLA war veterans and integrated Nuer militia. This disarmament exercise led into fighting within the presidential guard, mostly between Nuer and Dinka soldiers. The following day, dressed in military fatigues, President Salva Kiir appeared on national television announcing that an attempted coup had been foiled. This announcement was synchronised with the massacre of Nuer civilians in several suburbs of Juba, and arresting opposition politicians. Several units of Nuer soldiers mutinied in Jonglei, Upper Nile, and Unity States, killing scores of Dinka civilians. Riek Machar, who was based in Jonglei at the initial time of these mutinies, called for the overthrow of President Salva Kiir's government (Africa Union Commission 2014).

The breakaway faction of Riek Machar, mostly composed of Nuer, had less money to further a successful rebellion against the well-equipped government of President Salva Kiir. This led Riek Machar to appeal to ethnic sentiment by mobilising the 'White Army' of Lou Nuer youth to fight the government. The 'White Army' helped Riek Machar to overrun Bor town heading towards the capital Juba. The presence of Ugandan troops and Darfur rebels in South Sudan helped President Salva Kiir's government from being overrun by Riek Machar's forces. Riek Machar aimed to control the towns of Malakal, Bentiu, and Renk in order to reduce the financial capacity of the government. Several Nuer generals defected to Riek Machar's faction with many troops (De Waal 2014).

## **Conclusion**

Although there were small scale territorial skirmishes among Southern Sudan's proto-states before foreign invasion in the early 19<sup>th</sup> Century (Ruay 1994), I have argued in this chapter that South Sudan's conflict is a product of slave trade, colonisation, militarisation and fractionalisation of the

South Sudan's ethnic groups since the 1839 invasion by the Turco-Egyptian forces. These centrifugal forces were central to the parallel evolution of the two Sudanese states. South Sudan's birth, which reflects its existential violent conflicts, is summed up by historical events prior to its independence. From 1839 to 1898, the period of Turkiyya and Mahdist rule, the obstacle to southern Sudan's progression was slave trade, although the practice was reportedly being carried out as early as the late 1980s. From 1898 to 1956, the hindrance to southern self-sufficiency was the Anglo-Egyptian colonialism which isolated the south from the north through Closed District Ordinance policy which prevented the growth and development of Southern Sudan's economy and education, and instead promoted tribalism as a system of governance. From 1956 to 2005, the impediment to Southern Sudan's development was the harmful policies of successive northern theocratic regimes in which southerners were seen through the lenses of slave trade in the quest to create a monolithic Arab Islamic identity. During this period, however, bribery of proxy militias and racist politics of subterfuge were successful tools used to derail the southern liberation struggles. From 2005 to the present, the problem of South(ern) Sudan has been self-inflicted.

The peace agreements (the Addis Ababa Peace Agreement and the CPA) failed to bring permanent peace because they were mainly top-down agreements that lacked bottom-up involvement. They also failed because they failed to address the issue of ethnic divisions among ethnic groups in South Sudan that have prevented a united front against oppressing powers in Khartoum. The recent post-independence history of South Sudan, however, shows that the government of President Salva Kiir, that has created what Reno (2000) calls a 'shadow state' based on ethnic identity and sustained through what Nyaba (2018) refers to as 'primitive accumulation of wealth', is part of the problems hampering the realisation of permanent peace in the country. The next chapter looks at the multi-layered roots of the South Sudan's conflict. While the various regimes in the history of the Sudan laid the foundation for the overarching conflict in South Sudan, which has since been exploited by unethical leaders only interested in the share of resource wealth, elite manipulation of ethnic divisions, weak institutions and competition over resources appear to have caused the revival of civil war in South Sudan.

## CHAPTER THREE

### MULTI-LAYERED ROOTS OF SOUTH SUDAN'S CONFLICT

#### Introduction

Having provided a chronology of foreign invasions and history of conflict in southern Sudan in the previous chapter, we see that the myriad roots of the post-independence South Sudanese conflict are complex. They are, however, reminiscent of the pre-independence conflicts where the resolution of one conflict exposes another layer of conflict that needs resolution and by the time the resolution for the first layer of the conflict is reached, another conflict of the same kind erupts, with another layer ready to explode (Scroggin 2003).

The 2013 war of power by the SPLM top leaders was not a surprise to many people inside and outside South Sudan. According to Johnson (2014), although the unresolved tension in the SPLM party, such as the devastating SPLM split spearheaded by Riek Machar in the early 1990s, remains an unresolved issue, the conflict has always been framed as the SPLM's war. Like Johnson (2014), Rolandsen (2015) sees this common perception of SPLM's internal split as the cause of the conflict, arguing that the deep cleavages within the ruling political party catapulted the nation into catastrophic violence.

While South Sudan's conflict is multi-layered as conflict is in all societies, I am arguing in this chapter that elite manipulation of ethnic divisions, weak institutions and competition over resources re-ignited South Sudan's conflict. These factors beg the question whether they are the reasons the conflict continues to rage in South Sudan despite several international engagements to bring peace. Henceforth, I will discuss how these factors contributed to South Sudan's conflict in the following passage. This analysis will help in understanding the existential interface between politics and ethnicity in South Sudan.

#### Ethnic Manipulation

##### *Stacking security forces with ethnic loyalists*

Ethnic divisions exacerbated during the colonial times and solidified during the north-south civil wars have been manipulated by South Sudan's political elite to maintain power. This unethical practice was evident from day one of the conflict when the Nuer soldiers in the presidential guards were disarmed by the Dinka soldiers, leading to the fighting along ethnic lines. According to the African Union Commission of Inquiry (2014), the subsequent killings of people of the Nuer ethnic group in Juba, for example, were conducted by private militias trained by President Salva Kiir; likewise, the killings of people of the Dinka ethnic group in towns outside Juba were conducted by Riek Machar-affiliated renegade generals. Among the orchestrators of these ethnic pogroms during the conflict was also the infamous National Security Service (NSS) that has often been accused of

being behind the unknown gunman killings in Juba. The literature attests that dictatorial governments redirect national funds to fight civil wars against other ethnic groups (Prendergast, Clarke & Van Kooten 2011). This movement of funds to relevant army units to fight on behalf of government is facilitated by a dynamic of heterogeneity. As a result, South Sudan's conflict became intense along ethnic lines because the ethnic configuration of the country is so heterogeneous that it is too easy to identify where one belongs, which exacerbated ethnic divisions further during the war.

Nevertheless, the dynamics of heterogeneity increased defections from the government and forging of alliances during and after the outbreak of South Sudan's conflict. For this reason, military personnel of the Nuer ethnic group defected to Riek Machar due to feeling threatened and intimidation from ethnic militia loyal to President Salva Kiir. Evidence shows that in heterogeneous societies, members defect because they are highly identifiable, which makes them more inclined to ethnic confrontation (Van de Ploeg 2011). This is particularly the case when heterogeneous groups become fractionalised. Using econometric tests, however, Blimes (2006) shows that ethnic fractionalization is indirectly linked to civil war onset. This observation makes sense because South Sudan's national army was dominated by people of the Nuer ethnic group, while the government was dominated by people of the Dinka ethnic group. Literature accentuates that in a country where the government is dominated by one ethnic group, the position of marginalised ethnic groups would likely change in favour of ethnic confrontation (Jacob 2012). For example, Fearon, Kasara, and Laitin (2007) show that there is more civil war risk in countries where a leader come from the minority ethnic group, particularly in Sub-Saharan Africa. Although this example is not the same as that of South Sudan where the leader comes from the majority ethnic group, it shows how fragile this explanation is and cannot be inclusively relied upon. Some countries in Sub-Saharan Africa, for example, are homogenous such as Somalia, but the conflict has raged without a solution.

In addition, the manifestation of ethnic anxieties by South Sudan's political elite shows that ethnicity was greatly exploited in the conflict. To clarify, Moro (2018) believes that the South Sudan's war is a result of a political split in the ruling oligarchy that mobilises along ethnic lines. Moro also shows that not only were Nuer killed in the conflict but also there were revenge killings against the Dinka people in Nuer-dominated areas and thus he blames the government's use of oil revenues that have solidified patronage networks as the cause of ethnic cleavage. President Salva Kiir uses oil revenues to pay strong men to fight his war of power. With the Dinka-led government in charge, coupled with the killing of Nuers in Juba, there was a feeling of dispossession in the Nuer community as shown by numerous defections from the SPLM (Africa Union Commission 2014). Ethnic groups, in this context, encourage the government to create power imbalance that favours them, which in turn pressures the least favoured ethnic groups to reclaim the balance of power by force (Pendle 2014), which leads to a vicious circle of violence.

*The 'big tent' policy*

Ethnic composition of the national army in South Sudan, which led to the conflict being fought along ethnic lines during the early days of the conflict, was facilitated by the ‘big tent’ policy. The ‘big tent’ policy was an ethnic accommodation policy in which illiterate ex-ethnic militia groups, most of whom were Nuer, were pardoned and amalgamated into the national army by President Salva Kiir before the 2013 re-eruption of conflict (Johnson 2014). Although this policy seems to have worked well in the short term as there was no all-out war experienced from the illiterate ex-ethnic militias before December 2013, it contributed to the initial upsurge of gun violence along ethnic lines. According to De Waal (2015), the ‘big-tent’ policy brought loyalty to President Salva Kiir’s government, and the price of that has increased with greater competition leading to conflict and shift in allegiances. President Salva Kiir’s ‘big tent’ policy prior to the renewal of the civil war was an opportunity by some rebel groups to get into higher government positions. Daly (1993) and Johnson (2003) show that during the liberation struggle, many militias were sponsored by the Sudanese government to fight the SPLA/M. Some of these militias were led by officers who splintered from the mainstream SPLA/M. The Khartoum government bribed them to fight their kith and kin in the south. The opportunities created by the bribery of militias during the north-south civil wars are the same as the opportunities created by the ‘big tent’ policy, which have significantly influenced post-independence South Sudan’s conflict being fought along ethnic lines.

Nonetheless, the use of ethnicity during the 2013 South Sudanese conflict was to maintain ethnic politics for the purpose of continuous monopoly of power. Since the re-eruption of the 2013 war, however, the political elite has used ethnicity to galvanise support to obtain political power. For instance, the rise of ethnic militias such as *Mathiang Anyor* and *Dot Ku Bany*, all Dinka militias recruited only from the president’s ethnic group, and Lou Nuer’s ‘White Army’ after the 2013 resurfacing of the conflict, as indicated by the Africa Union of Inquiry (2014), are clear manifestations of the use of ethnicity to manipulate politics to maintain a monopoly of power. To illustrate, the December 6<sup>th</sup> press conference by disgruntled SPLM apparatchiks was used by President Salva Kiir to frame, identify and falsely arrest the attendees as coup plotters. Admittedly, ethnic favouritism due to power monopoly became clear when some SPLM apparatchiks from president Salva Kiir’s region such as Deng Athorbei, Nhial Deng Nhial and Paul Mayom Akech were not arrested, but were later appointed into important government positions. This political accommodation scaffolds the ‘big tent’ policy in a different form based on ethnic interest, which made South Sudan’s political elite appears a class of war mongers with vested interest in the country’s continuous conflict by way of ethnic manipulation, weak institutions and competition over resources that have fuelled conflict in the country.

#### *Political entrepreneurship*

The competition for power for the purpose of political power monopoly in South Sudan brings into question the role of political entrepreneurs. Both President Salva Kiir and Riek Machar have been the key stakeholders in South Sudan’s conflict since the 1980s, meaning that they have significant

following from their ethnic groups. For example, the 1991 SPLA/M split spearheaded by Riek Machar divided the Southern Sudan liberation struggle into the Dinka-led faction and the Nuer-led faction (Johnson 2003). Likewise, the 2013 war was also fought along the 1991 lines in which the Dinka ethnic group was pitted against the Nuer ethnic group. This continuous rise of ethnic sentiments, however, points to the failure of the post-independence South Sudan's institutions to capitalise on encouraging ethnic harmony and tolerance. President Salva Kiir's and Riek Machar's attitudes of political entrepreneurship, in which they were intransigent on maintaining the status quo which encourages conflict re-eruption, have seen enormous loss of innocent civilian lives. Blagojevic (2009, P. 22) evinces the lethal role of political entrepreneurs by stating that 'The instability and uncertainty that result from a major structural change and the institutional inability to regulate inter-ethnic relations, provides a perfect condition in which political entrepreneurs can manipulate ethnic emotions in order to mobilise groups for their own political purpose'. In this respect, Kaufman (1996 p.109) refers to these politicians who often hold power by exploiting political differences by steering forward ethnic hatred and by drawing on historical memories of injustices in order to justify their actions as belligerent leaders. Correspondingly, President Salva Kiir and Riek Machar have belligerently manipulated ethnic emotions for their own political ambitions before and during South Sudan's conflict. This ethnic manipulation reflects the work of successive regimes since the colonial times in the Sudan who laid the foundation for ethnic divisions in South Sudan which have been manipulated by President Salva Kiir and Riek Machar who are only interested in the share of resource wealth. This unprincipled ethnic manipulation of politics for selfish gain has paralysed South Sudan's role in fostering national cohesion.

#### *Stacking judiciary and civil service with ethnic loyalists*

Ethnic manipulation by post-independence South Sudan's leaders to dominate and marginalise other ethnic groups through jobs distribution also contributed to the revival of civil war. The interim constitution of South Sudan gives enormous powers to President Salva Kiir. Often, appointment and dismissal from political or constitutional posts in the country are prerogatives of the president. The drafters of the interim constitution arrogated enormous powers to the president while other exercised powers are by contravention. With all powers consolidated within the realm of a single political leader, it is likely that if such a leader is non-benevolent, he or she can turn things in favour of his/her own ethnic group or allies – leading to institutional experience of political nepotism. In this context, for example, after South Sudan's independence in 2011, President Salva Kiir awarded his clan of Dinka Rek 42 per cent of cabinet positions, and his state of Warrap 10 ministerial posts (Sarwar 2012). The other ethnic groups and states that constitute the country of South Sudan were given either inadequate or no ministerial positions compared to the president's clan and state. Admittedly, there is no evidence of a war caused by ministerial position in South Sudan. However, political domination or marginalisation can cause disquiet in disadvantaged ethnic groups and is partly complicit in the South Sudan's continuation of civil war. In addition, filling institutions with

ethnic loyalists renders the integrity of such institutions questionable and thus they become seething hotspots of policies that breed conflict. De Waal (2014) sees this kleptocratic governance inherent in South Sudan as the cause of the conflict.

Nevertheless, the dysfunction of ethnically composed judiciary and civil service is not out of context. Roque and Miamingi (2017) maintain that marginalisation of other ethnic communities through ethnic politics promoted ethnic nationalism in which people from the Dinka ethnic groups, particularly those related to the president, have dominated national institutions. This corrupt practice has caused uproar in the wider South Sudanese society as it is seen as contrary to the goal preached to the masses during the liberation struggle. Other ethnic groups, who felt marginalised, as observed by Roque and Miamingi, connived in armed conflict to topple the Dinka-led government for them to have a share of the national cake. The government, however, sees criticism and rising against its rule as a problem of rebel groups using ethnic sentiment to galvanise support.

South Sudan's government ministries have been used as tools to nurture ethnocentrism. Since the creation of the government of Southern Sudan in 2005, various ethnic groups have mobilised ethnic loyalties to exact influence in various ministries they control. Not only has ethnicity been used this way, it has also been used as a tool for determining the government. The president on numerous occasions meets with leaders of various ethnic groups to obtain their support. These ethnic groups recommend who should be appointed into the government as a minister. Comparatively, however, the use of ethnicity to further ethnic hegemony is not a new thing. In multi-ethnic countries, for example, there are ethnic parastatal organisations, ethnic military, ethnic police, and ethnic political parties. According to Ben-Ami, Peled and Spektorowoskai (2000), when the nation's institutions are dominated by ethnic structures, the government becomes distanced from people while ethnic groups become much closer. With this intention, ethnic allegiance overtakes institutional processes which consequently provides fertile grounds for ethnic skirmishes. People from the Dinka ethnic group, especially from where the president originates, have higher numbers in important government positions (Sarwar 2012). This ethnic disproportionality provides good conditions for ethnic civil war, hence the South Sudan's conflict.

In the same way, ethnicity has been used to create and further economic patronage which in turn has led to increased corruption as people who misappropriate public funds are not brought to book because they are protected from prosecution by patronage networks. The government of South Sudan has on numerous occasions awarded lucrative contracts to the clan of the President and has allowed the political elite to steal four billion dollars, none of which has been recovered hitherto (De Waal 2014; De Waal 2015). This practice causes economic asymmetry as the certain ethnic group dominating the state's economic system becomes well off compared to the less dominating ethnic group (Bloom 1985). In other words, economic asymmetry in multi-ethnic countries appears to have not been due to hard work of a particular group of people, or their tendency to embrace liberal ideas of capitalism; but instead, it appears to have been due to historical manipulation of

economic policies allowed by a particular ethnic government in favour of a particular ethnic group, from which key actors in such an ethnic government originate. Therefore, the conflict in South Sudan appears a manipulation of ethnicity to promote patrimonialism in the judiciary and civil service, which has boomeranged into the revival of conflict.

### **Weak Institutions**

South Sudan's political elite manipulated weak judiciary and legislature to promote unscrupulous practices that induced the conflict. The weaknesses inherent in these branches of government contributed to the re-eruption of the civil war because they are manipulated by an executive president who exercises power as he chooses. Studies specific to South Sudan's renewed conflict show that leaders in these important government branches are handpicked and dismissed on whim by President Salva Kiir (Nyaba 2018; Miamingi 2018). The architect of South Sudan's transitional constitution granted enormous powers to the president, thus creating suspicion about electoral conduct in the country. If, for example, there were strong institutions to regulate the conduct of elections, whether within the SPLM political party or in nationwide elections, the current war might have been averted. The weak state of SPLM party structures, as well as the nationwide institutions of South Sudan, allowed the executive and particularly the president to make decisions that damage unity and cohesiveness of the country.

Similarly, a weak security sector was one of the most important factors that allowed the revival of South Sudan's conflict. Johnson (2016), in her capacity as the head of the United Nations Mission in South Sudan (UNMISS), believes that the South Sudanese conflict is a result of weak security institutions which always carry risk of internal fragmentation and instability. The history of divisions within the liberation movement, the plethora of militias and Khartoum's proxy forces made South Sudan vulnerable. While Johnson implies that a strong security institution might have averted the conflict in South Sudan, she is oblivious of the fact that ethnic groups pledge allegiance to ethnic leaders in multi-ethnic countries like South Sudan, which creates more problems that exacerbate ethnic divisions and further increases the continuation of conflict.

#### *Elite gerrymandering*

Elite gerrymandering in which political elites divided the country into ethnic voting blocs increased the conflict in South Sudan due to fear of ethnic domination, and land and boundary contestations. In the early months of the conflict, for example, Riek Machar proposed the division of South Sudan into 23 states along the boundaries of former British Colonial districts. In a somewhat tit-for-tat move, President Salva Kiir announced the creation of 28 states, which later grew to 32 states, thereby expanding Riek Machar's division of the country into small ethnic enclaves. This suggests that both Riek Machar's and President Salva Kiir's gerrymandering policies which divided South Sudan into ethnic enclaves were due to weak institutions that these conflict stakeholders can abuse at will. Moro (2018) concludes that South Sudan's government manipulated borders to enhance

its support. President Salva Kiir's and Riek Machar's domination of South Sudan's conflict during the early months of the violence shows competition for who would win militarily before the re-introduction of political competition, forgetting that the same people they were fighting to win were the ones they were killing in mass numbers. Indeed, the SPLM's party politics became played out in the form of war, proving Clausewitz's (1982) understanding of war as a continuation of politics by other means.

In fact, the gerrymandering policy increased ethnic anger and subsequently contributed to the continuation of the conflict. History shows that this was not the first gerrymandering in the country's history and its aftermath was intensified civil war. Moro (2018), for example, shows how the division of South Sudan caused ethnic anger and subsequent comparison to *Kokoro*, which was a deliberate division of South Sudan in 1983 by president Nimeiryi. According to Moro, many of the oil fields, whose land ownership is vigorously disputed by some South Sudanese ethnic groups, were included in states that exclusively belong to the Dinka ethnic group. As a result, ethnic groups who disputed the boundaries saw it in ethnic terms because President Salva Kiir is a Dinka and his decisions were seen as promoting Dinka hegemony, oblivious to the fact that in Warrap State, where he hails from, as reported by the World Food Programme (2011), the people are food insecure like the rest of South Sudan's States. The angered ethnic groups' grievances seem to have some grounds. With the tyranny of numbers and the obvious ethnic politics that is often played out during elections in multi-ethnic countries, President Salva Kiir's source of support is in States exclusive to the Dinka ethnic group. The angered ethnic groups formed a fear of the future as far as Dinka domination of the government is concerned. Lake and Rothchild (1996) argue that this collective fear of the future leads to ethnic conflict, hence the continuous conflict in South Sudan.

#### *Centralisation of power*

Due to weak institutions created by decades of civil war, South Sudan's political elite centralised power to sustain patronage networks important for orchestrating and financing conflict. As a result, the 2013 re-eruption of civil war points to the politicisation of this eccentric state-making that was contested by SPLM party members. Radon and Logan (2014) emphasise that South Sudan's conflict was caused by political power struggle between the opposing groups of the SPLM party who opposed lack of reform. The government concentrated power in the executive president who uses power at impulse. This made the executive too powerful, with an overriding force that gives no room to political criticism, making it choose extra-legal means to consolidate power. Left with no choice, the opposition, in turn, chooses extra-legal means to fight back. De Waal (2014) concurs with Radon and Logan (2014) on how political power struggle triggered the war in South Sudan. He stresses that the internal party critics might have been interested in the president's seat to manage internal party revolt in a non-violent way to their advantage by using their high-ranking positions to manipulate political structures. The government's hesitation to decentralise power to the local institutions might have been centred on fear that it would lead to loss of power. Pendle (2014) adds

to De Waal's (2014) observation that the conflict in South Sudan is a result of the attempt to renegotiate the balance of power using violence, which did not go well within the political echelon of the former wartime comrades.

Nevertheless, the SPLM party vested too much power in President Salva Kiir to gain political loyalty, which in turn created authoritarianism that propelled South Sudan into civil war. Brosché and Höglund (2017) observe that South Sudan's conflict was instigated by high centralisation of political power in the executive, which made the president an overriding political figure. President Salva Kiir's failure to talk peace and come to an understanding with members of his own party catalysed the conflict. He might have calculated to defeat his political rivals militarily, which was thwarted because of the political influence and significant following they have in the country. In a nutshell, President Salva Kiir was solely responsible for the start of the conflict because he has a constitutional mandate to prevent civil war from happening through policies that promote unity.

### *Competing visions*

In addition to the centralisation of power, South Sudan's conflict was also a product of competing visions. Johnson (2014) elaborates on how power struggle within the ruling party caused the conflict by noting that the conflict was due to the division within the ruling party over the direction of the party. The prominent members of the SPLM party such as Pagan Amum, Riek Machar and Rebecca Garang had voiced their concerns over the lost of direction and vision of the party based on creating a democratic new Sudan. Their criticism of President Salva Kiir, coupled with their intentions to unseat the president through internal party elections pushed President Salva Kiir into war to maintain the status quo which favours him.

With all governing powers in their possession, however, the political class is a force to reckon with in a country that just emerged from decades of civil war because they can do anything as they wish due to weak institutions. The political elites in post-CPA South Sudan manipulated structures of governance and power in ways that shifted the focus from advancing democratic ideals to consolidating power. This political ploy is not a new development in South Sudan's ethno-politics. The deep-seated ethnic divisions in the country make sure any negotiated peace agreement fails because the international community is ignorant about its dynamics. De Waal (2014), for instance, highlights how the SPLA/M used ethnic-based grassroots participatory processes and turned them into instruments for consolidating political power during the liberation war. This liberation way of consolidating power in the hands of few leaders seems to have encroached into post-independence South Sudan, giving the SPLM oligarchs the license to represent voices of reform as anti-government. Due to competing visions within the SPLM party, however, the government has been intransigent on making political reforms because it might lead to loss of power. Rolandsen (2015) states that the most vocal voice demanding reform and development of the national constitution has not been the government or the SPLM party but has been coming from the opposition outside

the government and the civil society actors, meaning that the government was unwilling to initiate reforms to better the state of the country's political setting.

### **Competition over resources**

#### *Kleptocratic assemblage*

Elite competition over South Sudan's resources looks to have re-ignited the conflict, which became played out in term of kleptocratic assemblage of resource wealth hidden in personal bank accounts outside the country. Even though the political in-fighting in the SPLM party, as stated by Johnson (2014), is the tip of the iceberg of the nature of South Sudan's conflict situation, De Waal (2014) stresses that the conflict does not only rest in power struggle but is also a result of kleptocratic governance. The kleptocratic elites see any alternative voice to their rule as a threat to their source of wealth. De Waal (2015, p.195) argued 'What looked superficially like an ethnic conflict was in reality a cynical scramble for riches'. This viewpoint was corroborated by the Enough Project (2017) report, which details how political and military leaders siphoned off money for themselves and their families into foreign countries; a situation described as violent kleptocracy. Evidently, Collier's (1999) work on the role of economics in civil war concurs with De Waal's (2014; 2015) observations. He stresses that where there is a primary 'lootable' commodity or resource, leaders fight for the control of such a resource. This assertion was further reinforced by Collier and Hoeffler's (2004) study in which primary commodity exports substantially increase the risk of conflict. Hence, South Sudan's oil wealth has increased looting of resources on the part of the political elite, which has in turn increased competition over their control.

Nevertheless, the power struggle in the political echelon of the SPLM party was the inverse of resource struggle. South Sudan's political class, particularly President Salva Kiir's critics, according to De Waal's (2014) analysis, wanted to change the leadership to tilt the kleptocratic governance in their favour. *Africa Research Bulletin* (2016) adds to the argument of economic underpinning of South Sudan's conflict by observing that the resource richness of South Sudan and the attraction of diverting revenues for personal benefit is a key reason why the country has been engaged in a devastating civil war. The few political elites have arrogated themselves the rights to governing the country and control the resources because of their participation in the liberation struggle, forgetting that South Sudan's liberation was a collective effort of the country's citizens who voluntarily fought and contributed resources to keep the movement alive. This practice has resulted in militarised institutions that leave no room for reform because the ex-military officials feel threatened by an educated civil population that might come with new ideas that would see them replaced, retired or relegated.

The participation in the liberation war by the 1980s SPLM officials has been used in post-independence South Sudan as a license to silence others and loot resources. This has increased corrupt practices within the liberation class to the detriment of South Sudan's citizens who are

yearning for provision of services. Pinaud (2014, pp. 210) states that South Sudan's 'military elite formed itself into a new aristocracy through wartime predation and cemented its power through lavishing resources (captured during periods of war and post-war) upon soldiers, former foes, and affiliated kin, thus creating a class of obliged intermediaries through new social contracts'. Although the SPLM political leaders were military comrades at the inception of the movement in 1983 and during and after the signing of the CPA in 2005, this did not translate into post-independence political unity. The little unity during the interim period might have been because they wanted to secure the CPA and the independence of South Sudan before resuming their power struggle witnessed during the bush war. It might have also been due to lack of exclusive control over the country's resources which were still being controlled by the Khartoum government. Considering this political elite practice, the tendency of political leaders to claim the right to rule because they fought for the country fits De Soysa's (2000) understanding of conflict due to subsoil resources. Political leaders with selfish agendas, who loot resources, often sideline their political adversaries to have unhindered access to resources.

Even though the SPLM political leaders were former guerrilla fighters who became government officials after the signing of the CPA in 2005, their conversion from military officers to civilian administrators did not go well for the country as aggressive corruption increased political in-fighting and corruption. These unconventional practices might have been because of lack of preparedness in governing modalities and effective ways to prevent and deal with corruption. It might have also been due to the change of leadership upon the death of John Garang, who was the insignia of the SPLA/M movement since inception. The post-CPA South Sudan, however, became much more different from the pre-CPA southern Sudan. There were no finances during the liberation war in contrast to the post-CPA period. Keen (2000) writes that war is a continuation of economics by other means. The SPLM political leaders, along this line, have shown that the resumption of South Sudan's civil war has been animated by corruption.

#### *Militarisation of South Sudan's society*

The militarisation of South Sudan's ethnic groups by the political elite is another contributor to violent conflict in the country. Roque and Miamingi (2017) observe that unaddressed local grievances have fed militias and insurrections across the country. In fact, the country's ethnic groups are heavily armed to the point that they are more powerful than the military. The military can overlap with ethnic groups and militias because they can represent the two entities such as being officially a national soldier, and clandestinely an ethnic militia. A National Small Arms Assessment in South Sudan conducted by the United Nations Development Program (UNDP) in 2017 suggests that civilians hold between 232,000 and 601,000 firearms (Small Arms Survey 2017). The risk of conflict becomes much higher when ethnic youth are armed in a volatile country where allegiances are pledged to one's ethnic group instead to the country.

In addition, the heavily armed youth have known nothing else apart from conflict as many were born in war and grew up in war. The majority of them have not had any formal education. According to Collier and Hoeffler (2004), where there is a high number of uneducated youth and a primary lootable commodity, the risk of conflict is higher. Correspondingly, South Sudan's youth population is 75% (Deng 2013), with a literacy rate of 35% (Africa Development Bank 2013). These combinations make the inevitability of conflict more certain. The youth, left with no option to obtain wealth for customary functions such as dowry, become involved in conflict such as cattle rustling and even getting involved in greed-based militia conflict to acquire wealth for marriage and prestige. Too, they become vulnerable to political elites who recruit them to fight for their selfish war of power, which leads to unnecessary possession of weapons.

The consequence of unnecessary possession of guns by illiterate youth can further be seen in the previous attempt to disarm militarised civilian in Southern Sudan, which did not go well. Young (2007), for example, shows that previous disarmament of Lou Nuer tribespeople by the government prior to South Sudan's independence proved atrocious as both sides became locked in serious gun violence. The Lou Nuer youth might have misconstrued the disarmament as an extension of ethnic bias by the ethnically dominated government; the government might have acknowledged that it was a forced disarmament process to remove illegal firearms from the hands of civilians to improve security in the country. This instance shows that the situation in South Sudan is a delicate process because disarming one ethnic group before the others leaves it vulnerable to attack by a rival ethnic group and might lead to the disarmed ethnic group's livestock or means of survival being looted by the armed ethnic group as the government watches helplessly. The cycle of conflict in South Sudan continues despite several attempts by the international community to bring peace to the country.

#### *International interest*

Competing international interest has been a contributor to South Sudan's conflict. The framing of any conflict as ethnically-based reminds regional and international actors of the horrendous loss of life in human history, and thus can conjure foreign intervention. Eckel (2013) writes that the Ugandan Army helped the Juba regime to flush out an ethnic militia known as the White Army, intent on capturing Juba. The conflict, which started with in-fighting within the ruling SPLM, led to an all-out conflagration involving regional powers. According to De Waal (2015, p.196), 'South Sudan became a cockpit for regional rivalries. Uganda sent troops to bolster Salva Kiir in the early days of the conflict; Khartoum has permitted the oil to flow, and kept Juba's financial lifeline intact, while also supporting Riek Machar; and Ethiopia and Kenya have sought to strengthen their positions as regional powers by contributing troops for a "protection and deterrent force" as part of the UNMISS'. Apuuli (2014) considers the Ugandan intervention in South Sudan illegal, suggesting that the only legitimate intervention that South Sudan needed was economic assistance to improve its deteriorating economy. Despite Apuuli's assessment, South Sudan added a new layer of

regionalisation, which brings into question the role of regional powers in finding a lasting solution to the conflict in South Sudan.

The acrimonious split between South Sudan and Sudan is also a source of the cause of the conflict. Frahm (2015) writes that both South Sudan and Sudan governments are in a proxy war. Sudan's government funded militias to destabilise northern parts of the country, especially Unity State where most of South Sudan's oil is extracted. The Sudan Armed Forces (SAF), before South Sudan's conflict would bomb border towns, north of the country, sending shock waves of fear across the country, reminiscent of the days of devastating liberation struggle. Wassara (2015) states that the perceived sabotage between Sudan and South Sudan regenerates hard-to-forget memories of the second Sudanese civil war. The Sudan government might have embraced a psychological war to scare South Sudan's government from making further claims to contested territories north of its border. In addition, South Sudan took most of the oil at independence, which the Sudan government resented (Moro 2018). The military aggression shown by Sudan's government has led South Sudan to believe that the former wants the nascent republic to fail to justify its objection to separation.

On the other hand, as observed by Frahm (2015), the South Sudanese government was believed to be the key funding ally of the Sudan People's Liberation Army/Movement – North (SPLA/M-N) which comprises the former SPLA/M members who hail from the Sudan. President Salva Kiir, however, denied his government was supporting the SPLA/SPLM-N to destabilise Sudan. Collier (2008) found that having bad neighbours increases the risk of civil war. Correspondingly, South Sudan has the resentful Sudan government that has been supporting South Sudan's rebels and militias before and after the revival of the civil war.

Beyond South Sudan's borders, the oil wealth has been another centrepiece that seems to fuel conflict. The superpowers which include the US and China have their varying interests in South Sudan. Large (2016) argues that China's engagement came to be dominated by a closely related combination of political and security concerns founded in, but going beyond, its economic interests and associated imperatives of protecting investment. Chinese companies are involved in oil business in South Sudan and have stakes in the oil pipeline that South Sudan uses to transport its crude oil to Port Sudan.

Some scholars see the internationalisation of South Sudan's conflict differently. Wassara (2015), for example, sees the economic proximity of South Sudan to old European colonial powers of the neighbouring countries as a problem, mentioning that neighbouring countries are stable because of maintaining distance with their former colonial masters. Wassara's argument is inconsiderate of the fact that deep-seated ethnic divisions in South Sudan have always made negotiated peace agreement fail due to the international community's ignorance of internal ethnic dynamics.

In fact, history is a witness to foreign powers meddling in South(ern) Sudan's affairs. Alier (1990) shows that when President Jaafar Nimeiry found a new friend, the US, which provided weapons to

fight the war in Southern Sudan, the Addis Ababa Peace Agreement which ended Sudan's first civil war was abrogated because the government had backing from a strong ally. In this context, South Sudan has the backing of China in the oil business which allows it to fund its weapon buying programmes, thereby giving confidence to defeat the rebels. The role of foreign powers in South Sudan's economy may have contributed to South Sudan's conflict because they believe in absolute victory of a single party to the conflict in order to exploit lootable resources such as oil, at the expense of addressing the root cause of the conflict which needs a win-win peace process acceptable to all warring parties.

### **Conclusion**

I have argued in this chapter that the conflict in South Sudan was caused by elite manipulation of ethnic divisions, weak institutions and competition over resources. To support this argument, I have looked specifically on how these factors contributed to the conflict. The ruling class, however, have pre-emptively exploited ethnicity to suppress political opposition, to defend the government and to appeal to ethnic support bases from the grassroots. These political manoeuvres, collectively, have led to the sporadic outbreak of violent conflict that became fought along ethnic lines. The rebel groups have also used ethnicity during the conflict as a mobilising tool to take over the leadership of the country from the ruling ethnic group or to advance their claim for maximum ethnic bargaining power. Thus far, the role of ethnicity in South Sudan's conflict has manifestly been a force to reckon with in the country's post-independence history and needs a clear strategy to counteract its negative effect. The next chapter looks at the role of the international community in South Sudan's conflict.

## CHAPTER FOUR

### THE ROLE OF THE INTERNATIONAL COMMUNITY IN SOUTH SUDAN'S CONFLICT

#### Introduction

Having discussed the multi-layered roots of South Sudan's conflict in the previous chapter, I will explore the role of the international community in South Sudan's conflict in this chapter. I will argue in this chapter that internationally supervised peace negotiations have failed to bring permanent peace to South Sudan because the international community has been ignoring deep-seated ethnic divisions that have fed rebellions for decades within the political elite. In doing this, I will begin by discussing international peace keeping, justice and reconciliation, and diplomatic intervention to gauge how the international community has been responding to its mandate. I will also discuss constitutional and electoral reforms, why peace negotiations have failed, and strategies to bring permanent peace to the country. This chapter will help in identifying the missing jigsaw piece in finding permanent peace in South Sudan.

#### International Peace Keeping

##### *UN*

Although the international community has been engaged on several fronts during South Sudan's civil war, it has been ignoring the deep-seated ethnic divisions exacerbated during the colonial times and manipulated during the north-south civil wars. The UN's effort to make sure the warring parties agreed to ceasefire, through the United Nation's Security Council's (UNSC) adoption of the Resolution 2132 on December 24, 2013 for immediate cessation of hostilities (Blanchard 2014), proved futile due to these deep-seated ethnic divisions. However, while the warring parties were intransigent on silencing guns, they could not resist mounting international pressure to heed the call for a ceasefire. The effect of the immense international pressure was witnessed in the Ethiopian capital, Addis Ababa, when the South Sudan's President and SPLM-iO rebel leader, Riek Machar, signed a ceasefire agreement in January 2014 (Wolf 2014). These signatures, however, did not translate into peace, but instead were followed by the continuation of the conflict.

While the international community has intermittently achieved limited ceasefire in South Sudan, attempts to keep peace have failed due to ethnic polarisation that the international community has been ignorant of throughout its sponsored peace negotiations. As a result of increasing rebellion on ethnic lines, the UN Security Council authorised increase to peacekeeping forces from 7,000 to 12,500 troops and in the police component from 900 to 1,323 (Blanchard 2016). These attempts also failed to stop the conflict even though they sent a clear message to the warring parties that the international community wants the war in the country to be addressed. One of the reasons overall

why the UN's efforts to bring peace and maintain order in South Sudan proved unsuccessful was South Sudan's government which perceived the UN's approach as helping the rebels. In January 2014, for example, President Salva Kiir accused the UN of sheltering rebels and wanting to take over his government (VOA 2014). These accusations reverberated in the country and led to the storming of a UN refugees' protection base in Bor, killing 58 people (BBC 2014; Wilson 2014). Most of the people who were being protected in this UN base were of the Nuer ethnic group and were more sympathetic to the rebel leader, Riek Machar, due to ethnic affiliation as well as the mass killing of people of the Nuer ethnic group in Juba by government troops during the early days of the conflict. Although this incident drew strongest condemnation from the UN Security Council which stated that the attack might constitute a war crime, South Sudan's government in response accused the UN peacekeeping forces in Bor of 'provoking demonstrators and sheltering rebel supporters' (Wilson 2014). This incident shows the complexity of ethnic divisions in South Sudan and how ignoring it means the conflict will continue unabated.

Nevertheless, the UN's documentation of atrocities during the war in South Sudan through the United Nations Mission in South Sudan (UNMISS) shows its positive role in the conflict, although the ethnic configuration of the country that has seen deep-seated ethnic divisions has always rendered futile its efforts to bring peace to the country. Because of this, the UNMISS failed to keep and maintain peace in South Sudan. Its human rights report which was released in May 2014 illuminates the level of atrocities committed by the warring parties during the early days of the civil war and thereafter. One of these atrocities documented by UNMISS was the killing of 300 Nuer men in the Juba suburb of Gudele on 16<sup>th</sup> December 2013 (UNMISS 2014). While the UNMISS report highlighted the role played by ethnic divisions in the lead-up and during the conflict, the report has not had any positive impact on the quest for peace in the country.

### *Sanctions*

Despite UNMISS's highlighting the ethnic dimensions of South Sudan's war, the UN and international community did not address them. As a result, enforced sanctions on South Sudan by the international community have not worked because they missed the target and have been misconstrued as violation of sovereignty. Some of these sanctions include the March 2018 US government sanctions on South Sudan's oil-related entities over the conflict crisis in the country (Radio Tamazuj 2018). These sanctions were followed by publishing names of individuals obstructing peace in the country. Some of these government officials included Lieutenant General Malek Reuben Riak Rengu, General Paul Malong Awan, and Information Minister Michael Makuei Lueth (De Bourmont & Gramer 2018). Additional futile sanctions include the July 2018 UN Security Council-imposed arms embargo on South Sudan to help stop the flow of weapons to warring groups in the country and help protect civilians. This sanction was met with criticism from the UNSC member states who objected to its passing, that it would undermine chances of peace in the country (UN News 2018). However, the signing of the R-ARCISS in the Sudanese capital

Khartoum in September 2018 seems to have ushered in a new dawn of peace following these sanctions. This signing was followed by a peace celebration in Sudan's capital Juba, which was attended by the rebel leader, Riek Machar (*Sudan Tribune* 2018; Wudu & Silva 2018). The UNSC's sanctions might have had a positive effect on signing the peace agreement but have not been effective at ensuring that the signed peace agreement is implemented by the ethnically composed participants.

### *IGAD*

Like the UN, the IGAD's trading bloc from the Horn of Africa, Nile Valley and the African Great Lakes has failed to bring peace to South Sudan due to its ignorance of ethnic divisions. This ignorance made its role to bring peace to South Sudan questionable as war reignited across the country, leading to it handing over the peace agreement to the Africa Union (AU). The IGAD's failure to exert maximum pressure on the warring parties to bring peace to the country reflects the nature of its member states which are undemocratic and have ethnic divisions of their own. Whereas the AU became tough in its language to the warring parties by calling for actions against South Sudan's leaders and getting a moribund ceasefire (*The East Africa Monitor* 2018), the ceasefire was violated immediately (Associate Press 2018) due to ethnic divisions within the political elite which frustrate finding permanent peace. The composition of IGAD, which includes South Sudan's neighboring countries, can ensure peace if it toughens its language in favour of quick peaceful settlement of the conflict. However, some IGAD member states such as Ethiopia have the same ethnic group (Nuer) as South Sudan's rebel leader. This puts it in a difficult situation because it does not want to be partisan. This limits the role IGAD can play in bringing peace to South Sudan.

Nonetheless, the IGAD's advocacy for the peaceful resolution of the conflict in South Sudan since the inception of the 2013 war was demonstrated by its extraordinary meetings that have witnessed the call for peace and stability in South Sudan through dialogue. However, its effort looks to have been overshadowed by proxy regional interests. The Ugandan government involvement in the early period of South Sudan's conflict was a partisan effort against the SPLA/M-iO and rendered it unworthy of mediating the conflict. The Sudan and Ethiopian governments had been accused by the government of South Sudan of supporting rebels to overthrow Salva Kiir's government. The accusations against these regional allies carry heavy weight. The Sudan and Ethiopian governments had hosted South Sudan's rebels after the re-eruption of the 2013 war. Like the government of Uganda that had engaged militarily in South Sudan's conflict, the governments of Sudan and Ethiopia were no exception to being partisan with regard to the rebellion in the country. Ethiopia is a home to a large section of ethnic Nuers. This ethnic connection makes South Sudan's government paranoid about Ethiopia's role in the peace process and risks it being seen through the lens of ethnic divisions in the country.

### **Justice and Reconciliation**

*AU*

Despite the negative effect of ethnic divisions in South Sudan, lasting peace can be found through justice and reconciliation. The AU's major report into the atrocities committed in South Sudan in 2014 was promising in finding justice for the victims of the war. Through its Commission of Inquiry, which was established as a response to the 2013 re-eruption of war, the AU released its final fact finding in October 2014 on the human rights violations during the conflict. This inquiry debunked fallacious attempts by both the government of South Sudan and SPLM-iO to hide atrocities committed during the war. The report sheds light on the onus of responsibility during the conflict (AU Commission of Inquiry on South Sudan 2014). The purpose of these prominent organisations' work on documenting the atrocities committed during the conflict was to hold the parties involved in the conflict accountable and to promote human rights of the victims of the conflict. These reports, however, have informed the issue of accountability during the peace negotiation to resolve the conflict. The call for the formation of a hybrid court to try those deemed culpable for the atrocities committed since the inception of the 2013 war has its source in finding justice for victims and observing the credibility of the international community. Unless justice is served for the victims of the 2013 war and a nation-wide reconciliation is carried out, the negative effect of the deep-seated ethnic divisions whose foundation was laid by various regimes in history and exploited by subsequent unethical leaders will not fade.

*ARCISS*

The Agreement on the Resolution of the Conflict in South Sudan (ARCISS) was the culmination of all the peace negotiations carried out by the international community after the outbreak of the war. The ARCISS was signed in 2015 after a year and a half of negotiations between the government and rebel groups. This agreement allowed two armies in the country during the transition period that would be integrated into the national army before the end of the transition period. Different from the various agreements signed between north and south and within South Sudan, beginning with the Addis Ababa Agreement of 1972, the ARCISS provided for the establishment of the Commission for Truth, Reconciliation and Healing (CTRH) to promote peace, national reconciliation and healing (IGAD 2015). However, the ARCISS was not overwhelmingly embraced by all parties in conflict. The government objected to the agreement and signed it with reservations. After the agreement was signed, the rebel leader, Riek Machar, refused to come to the capital Juba to implement the agreement and assume his position as the First Vice President of South Sudan due to lack of trust created by years of ethnic divisions. Riek Machar succumbed to the pressure from the US government and returned to Juba in April to implement the peace deal (Moro 2018). This return, however, did not translate to peace as conflict was looming large within the mostly rival ethnic armies.

Meanwhile, the collapse of ARCISS was imminent as it was moving at a snail's pace and few achievements were being made. A major sign of this collapse was evident when unknown gunmen killed two SPLM-iO officers, George Alex Sandra Gismala and Domach Koat Pinyien, on the 2<sup>nd</sup> July 2016, heightening tension between the two camps. Three days after these killings, five SPLA soldiers died in a shootout at a checkpoint. The unknown gunmen were believed to be soldiers belonging to the SPLA. On the 6<sup>th</sup> of July, the ARCISS collapsed when fighting was renewed between the bodyguards of President Salva Kiir and those of the First Vice President Riek Machar at the Presidential Palace while the president and the two vice-presidents were in a meeting. Fighting continued the 8<sup>th</sup> and 9<sup>th</sup> of July with SPLA attacking SPLM-iO forces in Jebel, including the residence of Riek Machar. About 300 people were killed in these fights and 40 000 people were displaced to United Nations protection of civilians' sites. Two peacekeepers were reportedly killed (Roque & Miamingi 2016). This renewed fight forced Riek Machar to flee the country towards the Democratic Republic of Congo (DRC) border where he was airlifted to safety by the UN and thereafter put under house arrest in South Africa by the AU (de Vries & Schomerus 2017). This humanitarian gesture was overshadowed by ethnic divisions when the government accused the UN of siding with the rebels, who were mostly of the Nuer ethnic group.

Nevertheless, while the IGAD is committed to the revitalisation of the ARCISS, the realisation of permanent peace in South Sudan seems as elusive as finding the legendary Holy Grain. The ARCISS failed because the peace agreement was superimposed by the international community that is ignorant of ethnic cleavages in the country. The ARCISS also allowed two warring forces, which are mostly ethnically composed, and cannot stand each other, in the same city. This was a recipe for the collapse of the agreement. On the 12<sup>th</sup> September 2018, the Revitalised Agreement on the Resolution of the Conflict in South Sudan (R-ARCISS) was signed (Gurtong 2019); however, the formation of a unity government was extended for another six months with the blessing of IGAD after President Salva Kiir and Riek Machar to the agreement failed to meet pre-transitional arrangements such as training and integration of forces (IGAD 2019). Whether this second round of peace agreement will stand within the prevailing realities of ethnic divisions within the political elite is subject to posterity.

#### *NGOs*

The Enough Project, a Washington based NGO whose mission is to end genocide and crimes against humanity, has been involved in documenting and shaming government officials who have been profiting as the result of the continuous conflict in the country. In partnership with Not On Our Watch (NOOW), the Enough Project released The Sentry report in September 2016 to highlight the level of corruption and money laundering during the conflict in South Sudan. The report shows that the top government and army officials of South Sudan, including rebel leaders, have assets abroad. The report also shows where and how these assets were acquired illegally through corrupt means (The Sentry 2016). One of the positive signs of fighting corruption and money laundering is

the attention that the Sentry report generated. The report has led to the investigation of James Hoth Mai, a former South Sudanese Army Chief, by the Australian Federal Police (AFP) about his mansion that he built with allegedly stolen money from South Sudan (Agius 2018). Even though the Enough Project's work unearthed the level of corruption fuelling the conflict in South Sudan and sought to hold the culprits accountable as justice to the people of South Sudan, the role of ethnic division in fuelling conflict in South Sudan still needs to be addressed for permanent peace to be achieved in the country.

Like the Sentry report, investigative journalism has been an important tool that the international community has used to fight corruption in South Sudan. In October 2018, John Allan Namu, the co-founder of Africa Uncensored, released three documentaries on the widespread plundering of South Sudan's natural resources, particularly teak and mahogany. These acts of plundering occurred through and with the help of prominent government officials of the neighbouring Kenya and Uganda (Kegoro 2018). While the report was critical about the neighbouring countries' failure to stop the plundering of South Sudan's natural resources, it highlights the role of the international community in bringing to the fore the corruption in South Sudan and the moral role the various countries should play in helping South Sudan address its conflict. This level of plundering has made South Sudan's conflict continue due to the incentives the foreign middlemen get in stealing South Sudan's resources. While the documentary has worked in revealing the fuelling of South Sudan's war, the international community has failed to convince the ethno-political peace negotiators in South Sudan.

### **Diplomatic Intervention**

A diplomatic solution favouring an interventionist monitoring mechanism in the electoral affairs of SPLM has been suggested to end the conflict in South Sudan, despite deep-seated ethnic polarisation in the country. Brosché and Höglund (2016) believe that international actors wanting to address the deadliest conflict in South Sudan need to monitor the intraparty politics of the SPLM and ensure that the party electoral processes are transparent and not at the mercy of a single wielder of power. Having in mind the historical instability of the SPLM during the bush war until post-independence intraparty skirmishes, however, Brosché and Höglund maintain that the SPLM's electoral process is the point of contention and it is this electoral process that unleashed the continuation of civil war. The SPLM's internal grievances, which had seen factionalism for many years, constantly intruded into the central politics of the party. On the other hand, De Waal (2014) observes that the SPLM's ethno-based political patronage in which state resources are used to buy both political and military loyalty and the power to appoint and dismiss party opponents makes the dismissed individuals regroup in a marriage of convenience to oppose the authoritarian wielder of power. However, reminiscent of a one-man-show during the bush war against successive repressive regimes in the Sudan, Johnson (2003) believes that the SPLM has not cleansed itself of authoritarianism and autocracy. The bush-style rule where policies and discharge of power were at

the behest of the chairman has not changed and has not been addressed by the peace efforts. This has prevented the realisation of peace, especially within the deeply divided ethnic groups in which political elites find support.

While efforts to reform the SPLM into a participatory political party to reflect the international best practice and to be inclusive of the diverse political views within the party were thwarted by President Salva Kiir, De Waal (2014) suggests that any transformative method that would make South Sudanese politics more participatory and transparent will force the leaders to be more accountable to their citizens and the country at large. The South Sudanese political systems, since the signing of the CPA in 2005 and its subsequent creation through a referendum in 2011, had not been participatory and transparent because the masses have been mobilised to make war and seek resources through ethnic-based patronage networks due to weak institutions that have allowed ethnic divisions to thrive. The SPLM party for too long has been silent on its internal reforms and has not charted the way forward for the party and the country at large because it is not interested in reform that would undermine its interest. Thus, realising permanent peace in South Sudan needs addressing the source of ethnic divisions within the SPLM party because peace within it would be reflected in the country at large.

Furthermore, a peace drawn up by the SPLM party can also face challenges due to ethnic fears. Rolandsen (2015) believes that a much-needed peace could be brought to South Sudan by a peace deal with a detailed implementable matrix that has a fixed deadline for both internal party and countrywide political settlement of the conflict that would lead to national elections and a permanent constitution. This proposal is oblivious of the political actors' intransigence on embracing change that they see as a threat to the status quo. History shows that in the old Sudan, the Addis Ababa Peace Agreement which gave considerable powers to the southern regional government to manage their affairs was abrogated because President Nimeiry's regime saw it as a threat to the status quo-cum-Arab-Islamic culturalism in the Sudan (Alier 1990). Similarly, the political actors in South Sudan, particularly the governing clique, are hypersensitive, and paranoid of any attempt perceived a threat to the status quo-cum-kleptocratic governance where ethnic relatedness determines appointment into government.

Further still, a micro-scale conflict resolution mechanism is also believed to be one of the solutions to South Sudan's conflict. De Vries and Schomerus (2017) state that South Sudan's conflict cannot be resolved with peace agreement, suggesting that the country needs a way to resolve local conflicts by allowing the expression of multilayered grievances of many different groups and individuals. This proposition is centred in the idea that local grievances are projected into the national political discourse and become points of political contention as political rivals are well connected to their constituents. This proposal is in stark contrast to the interventionist model espoused by Brosché and Höglund (2016) and the strict implementation of the peace deal approach by Rolandsen (2015). However, it is closely related to the participatory and transparency approach suggested by De Waal

(2014). The small difference between Rolandsen's (2015) and De Waal's (2014) approaches is that the former advocates for the resolution of local disputes that can easily move into political discourse and become matters of confrontation, while the latter advocates participation and transparency of the political system. Despite the potential of this micro-scale conflict resolution model, the political class is hard to muzzle. The resolution of local disputes, required as it seems in South Sudan, can be another opportunity to shift focus and consolidate power. Indeed, the incumbent, motivated by the drive to maintain and consolidate power, can open sham participatory mechanisms laced with ethnic composition, thereby deceiving the citizens to believe they are part of the wide participatory system, when in fact the mechanisms are recipes for further conflict saturated in ethnic grievances.

### **Constitutional and Electoral Reform**

With the futility of any ceasefire in mind and how such ceasefire can worsen the already sanguinary military situation, Johnson (2014) believes that putting into place an internationally enforced ceasefire first, and giving ample time for a negotiated political arrangement in a nationwide constitutional convention that includes more than just the current combatants, can bring peace to South Sudan. This approach is comparable to political settlement of the war in the Sudan that was proposed by John Garang in 1989. This proposal in the context of kleptocracy, as is the case with the numerous warring parties in South Sudan, can be contentious. The rebels, which are the underdogs in the current conflict, might easily accept this interventionist approach. However, the government might see the international enforcement of ceasefire as an infringement of its sovereignty and a clandestine effort to help rebels who are mostly of the Nuer ethnic group. The government might mobilise the masses in the name of resisting a foreign invasion and risk the credibility of the ceasefire enforcement. De Waal (2014) shows that in a kleptocracy, a description which fits South Sudan's government, the ruler has a private security, political, and public goods budget. With the ruler armed with resources to execute his wishes, it is hard to maintain peace as a result of a negotiated peace settlement which brings in political opponents that would challenge his authority. Though De Vries and Schomerus (2017) explain how a peace process that considers various groups' lived experiences and shared grievances can deliver peace to South Sudan due to the mutual benefits it engenders, the incompatibility of the militant mindset brought about by decades of internecine wars in the country and exacerbated ethnic divisions during these wars makes the achievement and realisation of peace elusive.

Several commentators on South Sudan have shown how a lack of a constitution tailored to the needs and aspirations of the indigenous people re-ignited the conflict in the country. Nyaba (2018), Roque and Miamingi (2017) advocate for an autochthonous constitution for South Sudan in order to put an end to the conflict in the country. This indigenous-tailored constitution would come as a result of a nationwide consultation with all the ethnic groups. Having listened to all the ethnic groups' needs and aspirations, the country can craft a fair and balanced constitution that makes no ethnic group a dominant force over others. Whereas a fair and balanced autochthonous constitution of

South Sudan can help build trust and maintain peace, it can fall short of fulfilling its purpose without strong institutions and a sense of patriotism for the country to co-exist in peace. Nonetheless, the fact that it is not in the best interests of elites means that it is unlikely to occur. The citizens of any given country, not only South Sudan, are the pillars that hold the nation together. And for the citizens to be strong advocates for their country's stability, they need to be taught the constitution and how to defend it. The autochthonous constitution of South Sudan, without the citizens defending it, can fall prey to elite manipulations due to ethnic divisions that plunged the country into civil war in the first place.

### **Why Peace Negotiations Have Failed in South Sudan**

#### *Lack of political will due to ethnic divisions*

Peace negotiations have failed to bring lasting peace to South Sudan because of institutionalised ethnic divisions that suppresses political will. Despite many achievements made since 1955 in terms of self-determination for the people of Southern Sudan, which eventuated in the 2011 independence, the country has failed to achieve peace because the political elite have preferred ethnic politics instead of unifying liberal politics. While the period after the independence of Sudan was dominated by Arab nationalism and Islamic theocracy, Southern Sudan found itself in a hard-to-escape abyss and had to choose the use of force twice to break free from the bondage of Arab and Islamic nationalism (Johnson 2003). The result of these wars has always been symptomatic peace agreements which failed to provide means to achieve permanent peace. The mechanisms to achieve peace have always been torpedoed by political elites who have proved unescapable warmongers in the politics of South(ern) Sudan. The drive for this incessant act has always been centred on power monopoly. The ruling clique fears that if there is permanent peace which would lead to real democracy, then there would be a political change that would see them losing power to ethnic political adversaries.

Admittedly, lack of political will in South Sudan predates its attainment of independence. Beginning from the Sudan's independence of 1956, the Southerners were abysmally treated by the overweening Arab politicians who wanted nothing from the South other than its resources, including human capital as domestic servants. Southerners had always considered northerners as waging a war of race and religion despite the façade of a Ministry of Southern Affairs. This stratagem by northern politicians was aimed at not achieving permanent peace. Lack of political will to achieve permanent peace in Sudan, for example, was crystallised after the end of the Anya-Nya movement. The Anya-Nya were tricked into laying down their weapons and nothing thereupon was done by the wielders of power to sooth the hearts of the outraged Southerners. The same was done during the CPA, but with sustained international pressure, parts of this agreement were implemented while others were not followed up. The ARCISS in 2016 collapsed because of lack of political will to negotiate and implement peace in good faith due to deep-seated ethnic mistrust

exacerbated by various foreign invaders into the Sudan since the 19<sup>th</sup> Century and solidified during the north-south civil wars.

Nevertheless, the government of South Sudan has been fixated on silencing the guns but not on addressing the root cause of the conflict. This fixation has made sure that conflict continues in the country. Roque and Miamingi (2017) see lack of interest to address underlying ethnic grievances as one of reasons that catapult ethnic communities into insurrections in South Sudan. President Salva Kiir's 'big tent' policy', for example, addressed one of the glaring *prima facie* signs of conflict at the expense of the underlying cause of the conflict. A national dialogue and reconciliation initiated by Riek Machar, in his capacity as the country's Vice President, as indicated by Johnson (2014), was strangled by President Salva Kiir when he stripped Riek Machar of his delegated duties. Berdal (2009) shows that during the Angolan civil war, lack of political will to commit to peace was evident when the conflict re-erupted, leading to the killing of Jonas Savimbi, the leader of The National Union for the Total Independence of Angola (UNITA). South Sudan's conflict, however, has been exacerbated by the refusal to adhere to the need for peace by the political elite due to fear of other ethnic groups.

The 2016 re-eruption of violent conflict between the forces of President Salva Kiir and Vice President Riek Machar after a peace accord that brought back the rebels into the government happened because there was no political will from the political elite to address the conflict. Alier (1990), Daly (1991) and Johnson (2003) show that the 1972 Addis Ababa Peace Agreement that ended Sudan's first civil war did not provide for how the Sudan would achieve permanent peace, such as addressing the root causes of the conflict. This failure resulted in the abrogation of the agreement, which led to the subsequent re-eruption of the second Sudanese civil war. The CPA also did not provide a means to achieve permanent peace. A central problem that often catapults the country into extra-legal means to resolve internal differences is the failure of the Addis Ababa Peace Agreement, the CPA and the post-CPA government of South Sudan to spearhead political will by ensuring that the root causes of the conflict, which I have shown to include ethnic manipulation, weak institutions and competition over resources, are addressed. This problem has been exacerbated by ethnic differences that are hard to bridge.

#### *Lack of stability due to continuous conflict*

The peace initiatives have failed to bring permanent peace in South Sudan due to lack of economic, political and social stability as a result of ethnic divisions that suppress policies that can bring stability to the country. Except for the six years of total peace, 1972 to 1983 (Alier 1990), in which the South was back on track economically, politically and socially, the country thereafter plunged into the trap of instability which has not been corrected since then. Much of the blame for not achieving stability in the country before the 2011 independence was placed on Sudan's government. However, after independence, it is evident that the ruling class in South Sudan has failed

tremendously to provide stability to the country. Yet, it is axiomatic that stability ensures economic, social and political pillars of the country are strong in maintaining peace. This truism, however, has not been the case in South Sudan. The ruling class has thrived on the dynamic of instability by manipulating ethnic divisions for the purpose of power monopoly for short term economic gains. This fear of losing power and the amassing of unreasonable wealth have brought South Sudan to where it is now and is the tip of the iceberg of problems that that prevents finding a permanent peace, and will not end without a change of work ethics on the part of the political elite who are the servants of the people, but who have, in reverse, become the people to be served.

#### *Weak institutions*

In the short history of independent South Sudan, there have been observable political failures in bringing peace to the country due to weak institutions that have allowed maladministration and prevented electoral politics. It is electoral politics that shapes how power can be transferred from the losers to the winners of an election; however, this has not been achieved in the country. The country has been teetering between war and peace since independence and has not found time, or the leaders have not been willing to transform political differences into peaceful political debate due to weak institutions that do not hold them accountable. Electoral politics does not come by itself. It comes with the crafting and promulgation of a national constitution which guides the country on how laws can be made and amended. Due to the weakness inherent in South Sudan's institutions, the country has to date been operating using a transitional constitution that does not conform to the needs and aspirations of the people of South Sudan (Miamingi 2018).

One might think that the delay to transform the country to electoral politics through the crafting of a national constitution to achieve permanent peace might be centred on a fear of losing power. The SPLM party is an amalgamation of various militias and rebel groups who have been welcomed back with amnesties. This might cause fear in the decision-making body that if there is a proper transition into electoral politics, there would be loss of power to ethnic warlords. The ongoing war that has not been ended might have also been the reason for not moving into electoral politics. The government might think that it needs to bring the war to an end, forgetting that one war breeds another one, which can be more profound in a country of rigid ethnicities.

#### *Lack of transitional justice and reconciliation*

There has been lack of transitional justice and reconciliation to achieve permanent peace in South Sudan. This mistake was first witnessed in the 1972 Addis Ababa Peace Agreement which did not stipulate how the Sudan would achieve permanent peace. The same mistake was repeated in 2005 when the CPA was sign. The CPA only aimed at silencing the guns, like the Addis Ababa peace agreement, but said nothing on transitional justice and reconciliation. The only exception of all these agreements in the history of South(ern) Sudan was the ARCISS which had defined objectives

for transitional justice and reconciliation. However, this agreement did not survive to be implemented in letter and spirit as expected by the people of South Sudan due to overarching ethnic divisions that turned political disputes into gun violence. The transitional justice and reconciliation would have softened the hearts of people and communities who have wronged each other and thus fostered forgiveness among South Sudanese.

Nonetheless, there has been a blatant failure in South Sudan to embrace reconciliation, justice and accountability. This void has ensured the continuation of war. Countries that have ensured that transitional justice and reconciliation are carried out have realised peace after war. Among these countries are Germany and Rwanda. The perpetrators of Jewish holocaust and Tutsi genocide in these respective countries are up to now being hunted and prosecuted. This makes sure that the rule of law is being followed and no one is above the law. South Sudan's government on this point has failed on numerous fronts and this is the reason why peace negotiations fail to bring lasting peace to the country. Doing nothing as far as justice, accountability and reconciliation are concerned in South Sudan means achieving nothing, which opens the door for anarchy and perpetual violence.

Furthermore, South Sudan's political elite have expediently prioritised maintaining power to have easy access to national wealth that they can loot with ease by manipulating and mobilising ethnic or cultural divisions in society, instead of prioritising transitional justice and reconciliation. This is not only applicable to the ruling class, but also to the rebel groups who present themselves as alternative government in-waiting and has made sure peace negotiations do not translate into permanent peace. Westendorf (2015) believes that transitional justice and reconciliation, which are vital requirements for permanent peace, ensure that the hearts of the populace are reunited through justice and forgiveness. However, this has not been the case in South Sudan because ethnic divisions and loyalty override moral conscience to do the right thing to achieve permanent peace.

#### *Lack of proper education for youth*

Whatever problems South Sudan has been facing, the worst of all has been lack of proper education and employment opportunities for youth. The history of war in the country is culpable for this problem which can be specifically pinned down to the failure of the post-independent SPLM government to institute changes that would transform the country from a war state to a peace state. With limited education and employment opportunities in the country there is nothing stopping people from rebelling against the government because there are no tangible education and employment programs from their government. In a nutshell, the people of South Sudan have nothing to be proud of from their government after the 2011 independence due to the circle of conflict that has been exacerbated by poor education and limited employment for the youth who are the majority but who have no means to get education to attain power peacefully.

### **Strategies for Achieving Permanent Peace in South Sudan**

The conflict in South Sudan has made the country weak on many fronts. It has made the people of South Sudan destitute with no proper health care, agriculture, security and education. To bring back the country from conflict to peace, there is a need for radical change in the country's approach to peace by crafting strategies that would create a conducive atmosphere for permanent peace. I believe South Sudan can do better if its causes of conflict are addressed in a negotiated peace agreement. This can be followed by implementing the solutions to the conflict as agreed by the political elite who have power but who have not used their power for the betterment of the South Sudanese.

#### *Resolving the problem of ethnic manipulation*

The revival of South Sudan's conflict, as shown in this thesis, was caused by ethnic manipulation of ethnic groups by political elites who stacked national institutions with ethnic loyalists that they can exploit to fight their war of power. Since the inception of the Government of Southern Sudan (GoSS) in 2005, President Salva Kiir, after the death of his long-term comrade John Garang, adopted an ethnic accommodation policy in which untrained ethnic militias were amalgamated into the national army. This practice caused ethnic blocs in the national army days before the re-eruption of civil war. For this reason, President Kiir and rebel leader Riek Machar had loyal ethnic factions in the national army. They manipulated these loyal ethnic factions to fight on their behalf, which led to war being fought along ethnic lines. The two leaders have also been part of South Sudan's conflict narrative since the early 1980s, meaning that they have been political entrepreneurs in the conflict.

To resolve South Sudan's conflict, there is no need to look further than targeting ethnic manipulation that catapulted the country into conflict in the first place. I propose that South Sudan can resolve the issue of ethnic manipulation by including dynamics of ethnic divisions in future peace negotiations. Any political design that can transpire in a negotiated peace agreement that gives emphasis to ethnic cleavages in South Sudan is beyond this thesis. However, one thing is certain. A political reform such as constituting a house of paramount chiefs as a senate of the country, and houses of sub chiefs as senates of states, can help stop the practice of ethnic manipulation in which President Slava Kiir meets various ethnic groups' leaders at the presidential palace to obtain their support.

#### *Resolving the problem of weak institutions*

Weak institutions was another factor identified in this thesis that led to the renewal of South Sudan's civil war. History shows that political elites have always used extra-legal means to manipulate politics for the purpose of economic gain in South Sudan (Johnson 2014). This abuse of national institutions happens because of inherent weaknesses in the judiciary, legislature and military institutions that have allowed political elites to destroy the country through ethnic policies. The division of South Sudan into ethnic enclaves by President Salva Kiir and Riek Machar during the

war shows that the weak state of the country's institutions allows political elites to do things as they choose, without respect to the integrity of such institutions. This has led to the centralisation of power in the hands of President Salva Kiir, which has in turn increased authoritarianism.

The problem of South Sudan's weak institutions is difficult to resolve; however, the ruling elite can only resolve it by tackling factors that make institutions weak in the first place, instead of just building strong institutions. For example, crafting an indigenous national constitution that is acceptable to all parties in the conflict, giving special consideration to clear separation of powers among the branches of government, with a proper decentralised system of government that devolves political power to the periphery, as well as strong mechanisms for peaceful political competition can help in building strong institutions that would prevent the country from going back to war.

#### *Resolving the problem of competition over resources*

Competition over resources is a third factor identified in this thesis to have caused South Sudan's conflict. South Sudan's political elite competed over the country's resources to have unhindered access. This competition has led to kleptocratic assemblage of the country's wealth in foreign banks, leaving nothing for development. Due to the incentive gained from the looting of resources, the political class militarised ethnic groups to fight for their selfish aims. Ethnic groups missing out in the share of resource loot also armed themselves to fight for their rightful share. This practice created a vicious cycle of violence. Meanwhile, because of the fact that oil attracts conflict due to its profitability, international interest soared in the country. This became clear when the Ugandan army became involved in South Sudan's conflict in the early days of the conflict.

The problem of competition over South Sudan's resources by the political elite, ethnic groups and international groups can be resolved by crafting a strategic plan for the extraction and use of oil wealth and other resources. This strategy, agreed by all interlocutors in peace negotiations, can begin by training South Sudanese with a goal of having domestic oil companies involved in the extraction of resources. The resource wealth, in turn, can be used to fund education, health, roads, and agricultural programs.

#### **Conclusion**

To summarise, internationally supervised peace negotiations have failed to bring permanent peace to South Sudan because the international community has been oblivious of the deep-seated ethnic divisions bedevilling the country. The international community needs to shift attention in the peace process by mapping out problems that led to the conflict in the first place and correcting the vice through negotiated settlement. If the problems of ethnic manipulation, weak institutions and competition over resources are not addressed by targeting their sources through a negotiated peace agreement that gives emphasis to deep-seated ethnic divisions in the country, future peace negotiations will likely fail to bring permanent peace to South Sudan. The next chapter is a conclusion where I will summarise the whole thesis.

## CHAPTER FIVE

### CONCLUSION

#### Introduction

Civil war has been the main problem of the post-independence South Sudanese state and had its tentacles in the badly mismanaged union of northern and southern Sudan in 1955, which started with the adoption of the Sudanese constitution that paved the way for the 1956 independence. These political miscalculations were based on Arab nationalism, leading to failed political and religious processes in the country. Only northern political and religious elites benefited from these political processes that exacerbated ethnic, racial and religious divisions in the country. These problems of the Sudanese state have moved into post-independence South Sudan. Thus, in this chapter, I will conclude the last four chapters of this thesis. I will approach this concluding chapter in three parts. In part one, I will summarise the previous four chapters by highlighting how I approached the thesis in each chapter. In part two, I will use the preceding analysis in the last four chapters to articulate key conclusions as far as the conflict in South Sudan is concerned. In part three, I will provide implications for future research.

#### How I approached the thesis

I have argued in this thesis that successive regimes since the colonial times in the Sudan have laid the foundation for ethnic divisions in South Sudan, which have since been exploited by unethical leaders only interested in getting a share of the country's resource wealth. This ethno-political machination continued into post-independence South Sudan in the form of continuous greed-based civil war, tied to ethnic chauvinism. I have laid the ground for the above argument in chapter one by reviewing literature on elite and ethnic manipulations, ethnicity and peacebuilding. I have shown in this section that South Sudan's conflict started as a political dispute within the ruling SPLM party which spiralled into a nationwide conflict fought along ethnic lines. The peacebuilding approaches attempted in South Sudan have failed to prevent conflict re-eruption because they are centred on liberal peacebuilding in an illiberal country.

I have argued in chapter two that South Sudan's conflict is a product of slave trade, colonisation, militarisation and fractionalisation of the South Sudan's ethnic groups since the 1839 invasion by the Turco-Egyptian forces. To support this argument, I have looked at the painful birth of South Sudan from a history which encompassed the Turco-Egyptian occupation of 1839 which increased enslavement and forced taxation, the Mahdist defeat of the Turco-Egyptian forces in 1883 which saw six years of increased violent raiding for food and slaves across Southern Sudan, and the Anglo-Egyptian Condominium rule of 1898 which stopped the advancement of Islam and Arab culture to Southern Sudan and which created a greater divide between north-south relations and among southern ethnic groups. The brutality meted out by foreign invaders on Southern Sudanese during

these regimes normalised violence as a mean of resolving disputes in the region. After chronicling foreign invasions in Sudan and southern Sudan in particular, I turned to discuss the North-South civil wars of which Sudan's First Civil War of 1955 to 1972 was ended by the Addis Ababa Peace Agreement of 1972 and Sudan's Second Civil War of 1983 to 2005 was ended by the CPA in 2005, which guaranteed Southern Sudan a six years interim period which eventuated in the 2010 referendum that led to the independence of South Sudan in 2011. I have shown in this section that the North-South civil wars were the result of racial and discriminatory policies encouraged by colonial governments against the South, which the north adopted and used against the South. Successive northern-led governments in Sudan manipulated ethnic divisions in the South by fractionalising and militarising the different groups to fight each other. The Southern Sudanese rebels, who later became the ruling elite in South Sudan, adopted ethnic manipulation that was used by the north against them and used it among themselves, leading to the resumption of war in 2013.

I have also discussed the 1991 SPLA/M split into two streams in this chapter. One stream was headed by John Garang, the late SPLA/M chairman, who later became the President of the Government of Southern Sudan (GoSS) and at the same time the Vice President of the unity government of the Sudan, who died in a helicopter crash in 2005, and the other was headed by Riek Machar. This split saw the derailment of the Southern liberation struggle. I have also discussed the post-CPA Southern Sudan conflict situation which saw increased opportunistic ethnic insurgencies, and the 2013 re-eruption of war, which was spearheaded by the opposing coteries of the SPLM party in which the army divided and its members fought each other on ethnic lines: between soldiers loyal to President Salva Kiir who is from the Dinka ethnic group, and those loyal to the former Vice President, Riek Machar, who is from the Nuer ethnic group. This round of conflict was along the same ethnic lines as in 1991, between a Dinka-dominated stream led by John Garang and a Nuer-dominated stream led by Riek Machar. This chapter was aimed at addressing the historical complexities of South Sudan's conflict.

I have argued in chapter three that elite manipulation of ethnic divisions, weak institutions and competition over resources re-ignited South Sudan's conflict. To support this argument, I looked at multi-layered roots of South Sudan's conflict which subsumed the aforementioned factors. The chapter explored how political elites manipulated politics and ethnic divisions during the conflict.

I have argued in chapter four that peace negotiations have failed to bring permanent peace in South Sudan because internationally supervised peace negotiations have ignored the issue of deep-seated ethnic divisions in the country. To support this argument, I have discussed the role of the international community in South Sudan's conflict, why peace negotiations have failed, and strategies to achieve permanent peace in the country.

### **Key conclusions**

South(ern) Sudan's conflict is multi-layered. Successive foreign regimes used unethical means to worsen ethnic divisions to exploit resources in Sudan. These regimes included the Turco-Egyptian forces, the Mahdists, the Anglo-Egyptian Condominium rule, and various Northern Arab theocratic regimes that cared less about Southern Sudanese due to their race, religions and cultures that they saw as backward. The Northern regimes' oppression of the Southerners and the existing inequality plunged Sudan into a series of civil wars. The north-south divide was increasingly exploited by various northern politicians for both political and economic gains.

Consequently, ethnic divisions were exacerbated during the colonial period and during the north-south civil wars through proxy militias encroaching into South(ern) Sudan. South Sudan's political elite manipulated these ethnic divisions and weak institutions made possible by decades of war to compete over the country's resources that they can loot with ease. This manipulation has created a class of privileged political elites who exercise power without due consideration to the lives of ordinary people of South Sudan who had sacrificed their lives and belongings to liberate their country from the bondage of northern Arab domination.

As a result of deep-seated ethnic divisions exacerbated during the colonial times and manipulated by South Sudan's post-independence leaders, internationally supervised peace negotiations have failed to bring permanent peace to the country. The international community has ignored the issue of ethnic cleavages in South Sudan in all the peace negotiations it has carried out because it assumed it is a minor problem and instead prioritises precarious peace negotiations that begin and end with the needs of the political elite. This unpatriotic practice has been the centre of opportunistic civil wars and proxy militias because the incentives it offers in terms of political position or economic benefits gained during the war are high. The international community, to be precise, has been missing its peace target in South Sudan and thus permanent peace will not be realised unless the issue of deep-seated ethnic divisions in the country is addressed, because identities are constructed, manipulated and perpetuated by political elites.

To summarise, the injustices carried out by various foreign invaders in Southern Sudan since the colonial times such as slave trade, colonisation, militarisation and fractionalisation of ethnic groups have influenced South Sudan's post-independence continuation of civil war in which political elite have manipulated ethnic divisions and weak institutions and competed over the country's natural resources, leading to the resumption of civil war. Despite efforts by the international community to bring peace to the country, conflict has continued unabatedly because the international community has always sidelined the issue of ethnic divisions in the country as unworthy of peace negotiations. Given this, any political process, whether a peace negotiation sponsored by the international community or homegrown political settlement aimed at addressing the conflict in South Sudan, will fail to bring permanent peace unless the problem of ethnic divisions in the country is addressed.

### **Implications for future research**

This research has three implications. The first implication is regarding the role of the international community in peace negotiations. As shown in this thesis, the top-down peace agreements sponsored by external authorities did not work to bring permanent peace to South Sudan, suggesting that the international community needs to look at alternative peace negotiations such as homegrown peace negotiations that foster local ownership. The second implication is that the research has clarified the role of ethnicity in civil war and peace negotiations. Any peace negotiations in a multi-ethnic country like South Sudan that does not address the issue of ethnic divisions is destined to fail. The third implication is that liberal peacebuilding will always fail to build peace in an illiberal conflict locale like South Sudan, suggesting that illiberal states need illiberal peacebuilding. This research will assist the government of South Sudan in particular and the international community in general to pursue evidence-based conflict prevention and resolution measures.

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