

# South Sudan's Experience at Peacemaking

An Address to the Diaspora

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It is a privilege to have been asked to speak here today on such an important subject. I feel particularly honoured that the invitation was initiated by the South Sudanese Community Groups in Canada, to come to speak with them about their country when they know it far better than I do. I am not sure that I am the best person to speak about peacemaking in South Sudan since my own efforts at peacemaking, first as a resource person at the Karen talks on the Three Areas, and then on the Abyei Boundary Commission, have so spectacularly failed to make peace. Yet, perhaps we can learn as much from past failures as past successes.

I was in Juba at the end of October 2014 participating in the Rift Valley Institute's annual series of lectures at Juba University, whose theme that year was historic peace negotiations. Three sets of negotiations were examined: the 1972 negotiations that led to the Addis Ababa Agreement, the 1999 Wunlit people-to-people peace conference and the 2005 Comprehensive Peace Agreement. The discussions focused as much on the implementation of these agreements as on the negotiations that led to them.<sup>2</sup> The choice of case studies is evidence that South Sudan does have experience at peacemaking, but the question that confronts us all is whether this experience is relevant to the conflict that is currently tearing South Sudan apart?

There are some unpleasant and uncomfortable truths that confront us about that conflict, which we must acknowledge if there is any hope of returning South Sudan to peace. The first is the scale of the devastation inflicted on a civilian population who are not party to the political struggle. The second is that whatever the sequence of events that began the fighting, both contenders for power bear ultimate responsibility for its spread, both are culpable for massive human rights abuses. These abuses have been documented by independent investigations and are beyond dispute.<sup>3</sup> The third is that as the cycle of revenge killings spreads

1 This is a slightly revised and updated version of the Bertrand Russell Peace Lecture, presented at a symposium on Conflict and Peace-building in South Sudan, 8 November 2014, during the 22<sup>nd</sup> Annual Ghandi Peace Festival at McMaster University, Hamilton, Ontario, Canada. A summary of the lecture was included in a report by Brad Crawford and Arua Omaka (eds), *Conflict and Peace-Building in South Sudan*, McMaster University, 2015.

2 A Summary of the lectures and the discussion that followed was published as *We Have Lived Too Long to be Deceived: South Sudanese discuss the lessons of historic peace agreements*, Juba University Lectures 2014, London and Nairobi, Rift Valley Institute, 2015, available online at <http://riftvalley.net/publication/we-have-lived-too-long-be-deceived#.W8R68xNKh3Q>.

3 Among others see: South Sudan Human Rights Commission, *Interim Report on South Sudan Internal Conflict, December*

to communities uninvolved in the initial conflict a comprehensive resolution will have to involve more than just the political actors and offer some form of restorative justice to all who have been affected.

In this lecture I will try to answer the question I have posed by first briefly outlining South Sudan's experience in peacemaking, then looking at the legacy of war as a contributing factor to the current conflict and the missed opportunities to deal with that legacy during the interim period prior to independence, then analysing the contribution of the diaspora in promoting either conflict or peace, and finally suggesting how the experience of South Sudanese might be harnessed towards creating a space for peace.

### ***The Experience of Peacemaking***

I was introduced to South Sudanese methods of peacemaking over forty years ago, when I attended an intertribal meeting of chiefs in what is now Jonglei state. The chiefs had to deal with outstanding matters left over from the recently ended civil war. Cattle had been seized and girls abducted by local forces aligned with either the government or the Anyanya. Because of the Amnesty Act that accompanied the Addis Ababa Agreement the government was unable to address crimes committed by either side during the civil war, but people still wanted their cattle back and their girls returned. The discussions were often heated as the aggrieved parties presented their case. Throughout it all the elderly retired court president of the area sat in front, still wearing the insignia of his former office, puffing away on his pipe. When everyone who wanted to speak had had their say he finally spoke up and proposed a solution. The government could not force the perpetrators to return the cattle to their original owners or the girls to their families, nor could it levy fines. But the requisite number of cattle could be collected by the government and sold at auction, and the money collected used for the development of the district. As for the girls, any who now had husbands and children would have their unions recognized through the exchange of bridewealth with their families.

This compromise, which, strictly speaking lay outside normal practice in customary law, did at least have the advantage that even if the plaintiffs would not have their cattle back, neither would the defendants continue to benefit from them. There was another, unspoken, aspect to this solution: A court judgement brings no resolution if it cannot be implemented, but what the chiefs had agreed to, the government would help them implement through its administrative officers and police.

The process I witnessed was something that all South Sudanese understood very well. It was based on the pre-colonial system of arbitration that had become more formalized and struc-

15, 2013 – March 15, 214; United Nations Mission to the Republic of South Sudan (UNMISS): *Interim Report on Human Rights: Crisis in South Sudan*, 2/21/2014, *Conflict in South Sudan: A Human Rights Report*, 8 May 2014, *Special Report: Attack on Bentiu, Unity State*, 29 October 2014, and *Flash Human Rights Report on the Escalation of Fighting in Greater Upper Nile*, April/May 2015; United Nations, *Interim Report of the Panel of Experts on South Sudan established pursuant to Security Council Resolution 2206 (2015)*; U.N. High Commissioner for Human Rights, *Report on the human rights situation in South Sudan*, A/HRC/28/49, U.N. Human Rights Council, 2015; *Assessment mission by the office of the United Nations High Commissioner for Human Rights to improve human rights, accountability, reconciliation and capacity in South Sudan: detailed findings*, A/HRC/31/CRP.6, Human Rights Council, 2016; *We have Dignity, We are Humans, We need Help! A brief report on the effects of the recent violence on civilians in South Sudan's capital, Juba*, South Sudan Human Rights Society for Advocacy (and other national NGOs), 2016.

tered during the Condominium period under the British. What the British “hakuma” (government) had introduced was a hierarchy of courts, a record of judgments and precedents, a more regular means of implementing decisions, plus an expansion of the court system beyond sections of the same tribe to include regular intertribal meetings between neighbouring groups. It was the main way that feuds were not only ended, but prevented from starting. The system of customary chiefs’ courts continued under the Northern Sudanese administrators who came after independence, by Southern Sudanese administrators after the Addis Ababa Agreement, and by the Sudan People’s Liberation Army (SPLA) in the liberated areas during the second civil war.

Perhaps the most remarkable application of the court system during the second civil war was in the 1999 Wunlit Conference. Following the 1991 split in the SPLA, fighting was promoted primarily along ethnic lines. Prior to 1991 the border region between the Dinka of Bahr el-Ghazal and the Nuer of Upper Nile had been reasonably stable and peaceful, the border chiefs on either side being in touch with each other to try to contain cross-border cattle rustling. After 1991 both factions of the SPLA mobilized civilian forces in the region against each other, the main targets being the civilian population base of the opposing sides.

There was in effect no “hakuma” — no government — to intervene to organise intertribal meetings or enforce the law because the competing “hakumas” of the SPLA factions were themselves responsible for orchestrating the violence. It was the churches, through the New Sudan Council of Churches (NSCC), who took the initiative to promote a people-to-people peace process to bring the civilian communities of the border region together to take the civilians out of the war. In so far as the Wunlit Conference of February-March 1999 was a success, it was less to do with the meeting itself as the months of preparation that led up to it.

With the assistance of the UN “Operation Lifeline Sudan” the NSCC was able to bring Nuer and Dinka chiefs out of South Sudan to meet in the neutral location of the UN logistics base at Lokichokio, Kenya. There, the chiefs were able to compare their experiences and come to an agreement to exchange visits and persuade their people to participate in a conference to be held in a secure location in Bahr el-Ghazal. It was the sight of the chiefs coming to “enemy” territory, so to speak, that convinced many that peace between their communities was possible, and indeed that it was coming. Although the leadership of both factions of the SPLA were skeptical about the initiative, Commander Salva Kiir Mayardit of the mainstream SPLA agreed to provide security, and Mario Muor Muor, the former director of the SPLA’s Sudan Relief and Rehabilitation Association (SRRRA), was put in charge of preparing the site at Wunlit.

At the conference between twelve hundred and fifteen hundred ordinary people participated along with the chiefs, and expressed their grievances openly and forcefully. This was all part of a cathartic process that helped each community to understand the other and agree to reconcile. A covenant was agreed and signed by 318 persons.<sup>4</sup>

<sup>4</sup> “Wunlit Dinka-Nuer Peace Documents” (partial copy available from [southsudanfriends.org/wp-content/uploads/2014/02/Wunlit-Documents-1.pdf](http://southsudanfriends.org/wp-content/uploads/2014/02/Wunlit-Documents-1.pdf)); NSCC, *The Story of People-to-People Peacemaking in Southern Sudan*, NSCC, 2002; John Ashworth, “The People to People Peace Process”, paper presented at the Rift Valley Institute 4<sup>th</sup> annual series of Juba University lectures, “Negotiating Peace in South Sudan: historic agreements and their lessons for the future”, 23 October 2014; Mark Bradbury, John Ryle, Michael Medley, Kwesi Sansculotte-Greenidge, *Local Peace Processes in Sudan*, RVI, 2006 (<http://www.riftvalley.net/publication/local-peace-processes-sudan#.VFpgj75h3bg>).

Wunlit as a process of people-to-people peacemaking must be considered a partial success insofar as it did involve the active participation of people at the grassroots level, and it did bring some peace and stability to the border region before the civil war ended. But the process could not be repeated in Jonglei state, where it was most needed, because of the obstruction of the breakaway faction, then still allied with the Khartoum government. And the full number of border courts agreed in the covenant have still to be established due to lack of effective support from the Government of South Sudan and the state governments during the interim period prior to independence. This partial success demonstrates the important role of the “hakuma” in implementation. Where the “hakuma” is absent or lax in its responsibilities, full implementation even of popular agreements is not possible.

In the immediate postwar period a very similar process employing cross-border customary authorities did bring a measure of stability and peace along the north-south border between South Sudan and Sudan. During the war the Misseriya and Rizeigat Baggara had acted as militias ( *Murahalin*) for the Khartoum government against the Malual Dinka of Northern Bahr el-Ghazal. During the interim period following the signing of the Comprehensive Peace Agreement in 2005 both Baggara communities could no longer rely on the use of force to gain access to seasonal pastures in the Malual Dinka territory. In two peace conferences, in 2008 and 2010, the Malual Dinka confronted first the Misseriya and then the Rizeigat over acts of violence committed during the war, including not only cattle rustling but the abduction of women and children, as well as continuing clashes in the dry season pastures following the end of the war.

In both conferences there was the active participation of ordinary persons as well as the customary authorities of the Malual, Misseriya and Rizeigat. Each conference, too, had the active support of government authorities, including the Government of National Unity (GoNU) in Khartoum, the Government of South Sudan in Juba, the local government authorities of Northern Bahr el-Ghazal state, international agencies such as the United States Agency for International Development (USAID), the United Nations Mission in the Sudan (UNMIS) and the Norwegian Ministry of Foreign Affairs, as well as international and national Non-Governmental Organizations (NGOs) such as Planning and Development Collaborative (PADCO)-Sudan; Policy, Assessment and Consultancy and Training (PACT)-Sudan; and Swisspeace. As in Wunlit, members of each community aired their respective grievances openly and forcefully, and as in

Wunlit this enabled the communities to reach an understanding about how they had damaged each other, and reach at least a partial reconciliation. Not all issues have been fully resolved, particularly between the Malual and the Rizeigat, but a working arrangement over shared pastures was agreed and has largely been implemented.<sup>5</sup>

What are the lessons of these three different people-to-people peace processes? First is the importance of the customary authorities — the chiefs’ courts of the Nuer and Dinka, the Nazirs and Omdas of the Misseriya and Rizeigat — in providing a forum and a method for open debate and reconciliation. Second is the active participation of the people, and not just the customary authorities, in framing the debate and formulating a resolution. Third is the participation of external agencies, whether the churches, international and national NGOs, and even international governmental agencies as facilitators and moderators. Fourth and finally the importance of government authorities and institutions not only in guaranteeing and facilitating the process, but in the implementation of agreements.

### ***Lessons of the Addis Ababa Agreement***

These were very local peace agreements, but South Sudanese have experience of peacemaking at the national level as well. The 1972 Addis Ababa Agreement was the result of negotiations between the Sudan government and the armed opposition of the Southern Sudan Liberation Movement (SSLM). Now that the government of South Sudan is in a parallel situation of fighting and negotiating with its own armed opposition, what lessons can be drawn from the 1972 negotiations?

First, external support for the negotiations was important. As with Wunlit, the actual negotiations were preceded by several months of preliminary approaches and meetings between representatives of the two parties, in this case facilitated by external agencies, the World Council of Churches (WCC) and the All Africa Council of Churches (AACC).

Second, when the two delegations finally met they entered into the negotiations with a serious intent and were committed to reaching an agreement; neither party was negotiating to play for time on the battlefield.

5 Martina Santschi, Report: Dinka Malual–Misseriya Peace Conference, 11-14 November 2008, Aweil, Southern Sudan, Swisspeace, April 2009; Communiqué: Dinka Malual and Rizeigat Peace Conference, January 22<sup>nd</sup> to 25<sup>th</sup>, 2010, Aweil, Northern Bahr el Ghazal State.

Third, the role of the chair to the negotiations, Cannon Burgess of the AACC, was strictly that of a moderator, not a mediator. He was there to keep the negotiations on track, at times summarising points made in order to move the discussion on, at other times asking the delegations to clarify their positions, refusing to allow discussion to be sidetracked, sometimes breaking for prayer to allow tempers to cool, and finally sharply reminding them that the discussions could end in failure. At no time was he expected to provide drafts for the two sides to accept and sign.

Fourth, the role of the Ethiopian government was more indirect. It offered a safe and neutral venue for the talks. The Emperor Haile Selassie, gave his advice only once, and only when appealed to by both sides. He delivered his opinion diplomatically, but unambiguously, and his position as a respected elder statesman of Africa meant that what he said mattered, and could be accepted without coercion.

Fifth, there were other southern Sudanese “stakeholders” present as observers. They played no direct role in the formal negotiations, but had an influence on the delegates in informal discussions outside the negotiations.

Sixth, all texts of the final accord were drafted, discussed and agreed by the negotiating delegations in their committees, rather than drafted and presented by an external mediator.

And finally, though many in the SSLM were not happy with the compromises contained in the final agreement, the leadership ratified it because of the overwhelming support for the agreement that they received from the people of South Sudan.<sup>6</sup> The contrast between the 1972 negotiations and the series of negotiations that have stumbled along in Addis Ababa and Khartoum over the last five years is sharp. The commitment to negotiations by both parties today is in doubt, as each dry season begins with more violations of an agreed ceasefire. The position of the third party to the talks — the former detainees — is ambiguous. The impact of ex-

<sup>6</sup> Douglas H. Johnson, “The 1972 Addis Ababa Negotiations”, paper presented at the Rift Valley Institute 4<sup>th</sup> annual series of Juba University lectures, “Negotiating Peace in South Sudan: Historic Agreements and their Lessons for the Future”, 22 October 2014; Joseph Lagu, Sudan, *Odyssey through a State: from Ruin to Hope*, Omdurman: M.O.B. Center for Sudanese Studies, 2006: 259.

ternal agencies, such as IGAD, and the interventions of the mediators, has often done more harm than good.

### ***The Legacy of War and the Missed Opportunities of the Interim Period***

Before the last century, warfare between South Sudanese communities tended to follow certain basic rules. Fighting was between armed men. Women and children might be captured, but by and large, women, children and the elderly were not the targets of fighting. On those rare documented cases that I know of when they were killed, this was either out of extreme revenge or an aberration.

As a result of the change in warfare in the last civil war this rule is frequently ignored. The reasons for this are complex and have to do with the way in which the civil war morphed into total war, where civilian populations became prime targets of armed groups. Part of this had to do with the Khartoum government’s militia strategy where they recruited tribal militias (from both the north and the south) specifically to attack the civilian support base of the SPLA. Not only were livestock stolen and crops destroyed, but women and children were abducted or killed. It wasn’t just the Khartoum militias who behaved in this way. The SPLA, too, attacked the civilian communities from whom southern militias were recruited. The areas hardest hit by these tactics were Jonglei state, where the activities of the Murle militia in the 1980s

provoked a violent reaction from the Lou Nuer and the SPLA, and Unity state, where *murahalin* and Nuer militias were used in the ethnic cleansing of the oil fields.

The split in the SPLA intensified the ferocity of these attacks. The assault on Bor in 1991 was carried out by three groups: the SPLA of the Nasir faction, Khartoum’s Anyanya II allied with that faction, and Lou Nuer civilians of the so-called “White Army”.

I was working with Operation Lifeline Sudan at the time and saw the photographs taken by the UN team that entered Bor in the aftermath of the attack: the body of an old man shot in the back as he tried to run away, young boys tied to a tree with their heads bashed in. I do not know who perpetrated these specific atrocities: SPLA, Anyanya II or White Army, but there was no way that these victims could be considered combatants, and I was deeply disturbed when a spokesman for the Nasir faction tried to justify these killings to me, and

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when one of the Nasir commanders dismissed civilian deaths merely as “regrettable.”

The fragmentation of the Nasir faction into a number of competing forces<sup>7</sup> meant that there was no unified command that could exercise some control over commanders in the field and impose discipline on their troops. This is why the Wunlit Conference was so important, and why it was very unfortunate that it did not lead to further people-to-people processes in Jonglei state.

The interim period of 2005-2011 was the right time when an expansion of the people-to-people process could have taken place throughout South Sudan, and especially in Jonglei state. Unfortunately, there was no systematic policy of reconciliation, no attempt at reconciliation between the SPLA and civilians, and no sustained effort to reconcile formerly opposed communities. This was to have especially dire consequences in Jonglei where military solutions were applied to the problems of disarmament and the cycle of raids and counterraid.

Jonglei had been the site of some of the worst militia activity during the war, and there was an urgent need to promote reconciliation between the different civilian populations that had supplied the militias. This did not happen, and when the Murle continued their cattle raids on the Lou Nuer and the Bor and Kongor Dinka, this set off an escalating cycle of revenge attacks, especially between armed Murle and Lou civilian groups. Both parties continued to rustle cattle, but increasingly their targets were other civilians, with a rising scale of atrocities including decapitation and the evisceration of pregnant women.<sup>8</sup>

What was particularly tragic about Jonglei is that on those few occasions when representatives of the opposed communities were able to meet together they discovered that they had basically the same grievances: about a local justice system that no longer worked; about the lack of access to dispensaries, schools and markets; about the lack of any development of water resources in grazing areas to reduce dry season tensions. These were all failures of both the state

and national governments, but rather than bring pressure on the government to address their grievances, they turned on each other.

### ***The Role of the Diaspora***

What has been the response and role of the South Sudanese diaspora throughout these developments? The South Sudanese diaspora are spread across the world, having come out of Sudan at different times during twenty-two years of war, and with different experiences of that war. The earliest members who came out at the beginning of the war were often persons with education and skills that enabled them to gain employment in their host countries. As the numbers of South Sudanese refugees grew the refugee resettlement schemes brought increasing numbers out of the refugee camps in Africa mainly into the United States, Canada and Australia. In the US, the diaspora at first organized themselves into pan-South Sudanese associations, but as numbers grew and refugees were located around the country, they tended to organize themselves into associations from specific homelands or language groups, and various Equatorian, Dinka and Nuer associations tended to emphasize local identities, rather than a national identity.

There is, of course, nothing inherently wrong with cultural associations where persons can gather to speak their own language, maintain contact with home and share common problems. But the tendency also has been to perpetuate divisions from home, rather than reinforce South Sudanese solidarity. The run up to the 2011 independence referendum did provide the basis for a common purpose, but since independence, and especially since the events of December 2013, that common purpose has been difficult to maintain. A South Sudanese friend of mine in Australia tells me that South Sudanese there remain deeply divided, even within communities of the same language group.<sup>9</sup>

Because of their access to the internet, the voice of the diaspora has been particularly loud. Most websites dealing with South Sudan today are set up outside South Sudan. Most of the articles and comments posted are posted by persons living outside South Sudan. The websites often post news

7 Douglas H. Johnson, “The Nuer civil wars”, in Günther Schlee and Elizabeth E. Watson (eds), *Changing Identification and Alliances in North-east Africa*, vol. II, Oxford and NY: Berghahn Books, 2009: 31-47.

8 For a detailed account of patterns of fighting in Jonglei see Edward Thomas, *South Sudan: A Slow Liberation*, London: Zed Books, 2015.

9 See the RVI research paper, *The Role of Transnational Networks and Mobile Citizens in South Sudan's Global Community: A pilot study focused on Melbourne and Juba*, London and Nairobi: Rift Valley Institute, 2018, available online at <http://riftvalley.net/publication/role-transnational-networks-and-mobile-citizens-south-sudan%E2%80%99s-global-community#.W8SFuhNKh3Q>

items, but because there seems to be no consistent editorial oversight much of it is opinion presented as fact, statements unsubstantiated by evidence. Comments on chat sites, Facebook and websites such as *Sudan Tribune* quickly descend into trash talk, seemingly copied from American sporting figures, littered with obscenities and even threats of physical violence. The comments often react to who a person is assumed to be, rather than what a person has actually said.

Accusations posted on the internet are picked up, circulated and embellished. I remain skeptical of the truth of unsupported accusations. When I was working as Assistant Director for Archives before the war I managed to negotiate a grant of ten thousand dollars from the Ford Foundation for equipment and supplies. It was not long before a jealous colleague submitted a report to a member of the Southern Assembly accusing me of embezzling ten million dollars. The young man had just got excited and kept on adding zeroes. In some ways I was flattered, because *janubiyin* routinely accuse each other of corruption, and this suggested in a very backhanded way that somehow I was accepted as a *janubi*. But despite the fact that this and other accusations against me are completely false, they still circulate after thirty years and are accepted uncritically by many.

It is not yet clear to me what impact the diaspora have had or can have on events inside South Sudan, but there are some worrying examples of incitement and deliberate disinformation. I do not intend to condemn all South Sudanese in Canada by the examples I am going to cite, since the initiative of South Sudanese Community Groups in organizing this conference is a very positive development. If South Sudanese in Canada are aware of the two examples that follow, I would be very interested to learn what their response was.

During the fighting between Nuer and Murle in Jonglei a South Sudanese resident in Canada represented himself as the spokesman for the Lou Nuer White Army. He posted on the internet a number of press releases which in effect urged South Sudanese in Jonglei to go on killing each other, and even made threats against specific members of the Jonglei state government. I understand that the Canadian government was so concerned about these actions that they even considered extraditing this person. In the reversal of fortunes and opinions so common in South Sudan, this person has been given a government job, speaks on behalf of the Juba government and regularly post pictures of himself in the company of the president he once denounced.

Perhaps we should not worry too much about the activities of a self-important egotist. But another person who identifies himself as “a concerned South Sudanese living in Canada” has recently posted on the diaspora *South Sudan News Agency* website a long piece entitled “The Gurtong Trust-Peace is a revenge preaching and killing Machine: why are the Norway, the UK and the Swiss’ Governments’ Foreign Affairs funding it?” In it he makes the following accusations: that the Gurtong Trust Peace and Media Project “topped the list” of “the planners and promoters of the *Juba Nuer Massacre*” last December; that Gurtong preaches revenge killing against the Nuer; that the word “Gurtong” is Dinka for Revenge War; that the director of the Gurtong Trust, Jacob Akol, is a Bor Dinka who was featured in a “so called ‘*Bor Massacre*’ documentary” and is intent on revenge. The alleged purpose of this article was to persuade Gurtong’s funders — which he identified as the Norwegian Ministry of Foreign Affairs, the UK and the Swiss Ministry of Foreign Affairs — to cut off funds to the Gurtong Trust. The article has been picked up and reposted in a number of other South Sudanese websites.

For the record, I have known Jacob Akol for over forty years. He is a BBC-trained broadcaster and has had a long career in journalism. He published an account of his own life as a refugee during the first civil war and a collection of his own articles in two books published by the Pauline Press.<sup>10</sup> He is not a Bor Dinka, but comes from Bahr el-Ghazal. He did not feature in a documentary about the Bor Massacre and has never even heard of such a documentary (nor have I). The word “Gurtong” is not a Dinka word but an Anuak term describing a peacemaking ceremony when a spear (*tong*) is ceremonially blunted — something that is explained on the Gurtong website. Gurtong has published no article advocating revenge killings, and the author of the piece cited no such article. Finally, of the governments the author claimed was funding Gurtong, one of them has never funded Gurtong at all. Jacob Akol has posted a lengthy refutation of these libels, but as far as I know none of the websites that carried the original article have published his rebuttal.<sup>11</sup>

10 Jacob J. Akol, *I Shall Go the Distance*, Nairobi: Paulines Publications Africa, 2005 (now re-issued in a Kindle edition by Amazon as *Long Way to Tipperary: The Story of a “Lost” Sudanese Boy of the Sixties*); Jacob J. Akol, *Burden of Nationality: Memoirs of an African Aidworker/Journalist 1970s-1990s*, Nairobi: Paulines Publications Africa, 2006.

11 Gurtong Is Not “A Revenge Preaching and Killing Machine” <http://www.gurtong.net/ECM/Editorial/tabid/124/ctl/ArticleView/mid/519/articleId/15709/categoryId/24/Gurtong-Is-Not-a-revenge-preaching-killing-machine.aspx>

The wildness of these claims caused one commentator to ask, “I wonder what it is about Canada that causes so many refugees there to think and behave so strangely.” The toxic lies broadcast by the “concerned South Sudanese living in Canada” cannot just be the result of ignorance. This is not misinformation but disinformation. The real intended audience of this piece is not the donors of Gurtong — they clearly will not be persuaded by such false allegations — the real audience is other South Sudanese in the diaspora and at home. One can only speculate on the motives of the author in traducing a South Sudanese organization whose main purpose is and always has been to promote understanding and peace among all South Sudanese. The only likely outcome of such libels being uncritically accepted by other South Sudanese is to prolong war rather than promote peace.

What can people in the diaspora do to counter this negative influence? They can organize umbrella groups that keep various diaspora organizations in contact with each other to explore common backgrounds and experiences and rediscover a common purpose, in spite of political differences. As individuals, they can counter the hate speech that spills out onto the internet, not so much through more web chat but through personal dialog with anyone known to promote hate speech, and by support to anyone who is a victim of hate speech. But above all to be committed to respecting the common humanity of their fellow South Sudanese whatever their origin.

### **Restorative Justice and People-To-People Peace**

The circle of violence in this current war is expanding. We hear of Mabaan in Upper Nile forming their own defence force to fight the Nuer. Refugees from Sudan's war in Blue Nile state have been returning home from the refugee camps in neighbouring Upper Nile, fearful of attack by SPLA-in-Opposition forces who have passed through Blue Nile to attack the area of Renk. The peace established between the Rizeigat and Malual Dinka is being threatened by other SPLA-in-Opposition forces passing through Mile 14 and regrouping in Eastern Darfur.<sup>12</sup> It is evident to me that the prolonged nego-

<sup>12</sup> “The Mile 14 Area”, Human Security Baseline Assessment for Sudan and South Sudan, <http://www.smallarmssurveysudan.org/facts-figures/borderdisputed-areas/14-mile-area.html>.

tiations between the warring parties in Ethiopia and Khartoum will not, and cannot by themselves restore South Sudan to peace. Unlike the 1972 Addis Ababa negotiations, we have yet to see evidence that the two opposed parties are negotiating with serious intent; rather they seem to be playing for time.

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The obstacles to a lasting peace are not confined to the political ambitions of the leaders of either side. I think the main obstacle is the trauma that so many South Sudanese have now experienced at the hands of their leaders and the forces that

are supposed to protect them. At a meeting in London a few years ago a woman from Malakal stood up and asked me, “How can we live side-by-side with these people again?” Her answer was that she could not: let them stay in their own area, was her solution. Clearly she did not consider the people who invaded Malakal fellow citizens any more. Nuer living in Juba could ask the same question.

In the woman's answer to her own question lies the danger of federalism, as it is currently being debated in South Sudan. Federalism in itself is neither a bad idea nor unworkable, but in so far as many South Sudanese conceive of it as meaning withdrawing into their home areas there is the danger that it would promote *de facto* segregation rather than national unity.<sup>13</sup> A peace agreement that merely tinkers with the structures of government and the distribution of offices will not address the trauma that threatens to divide South Sudanese from one another. But, as David Deng of the South Sudan Law Society recently asked, “I wonder whether there's not some opportunity here.” His answer was that peace has to be approached in a holistic manner.

The peace process, he said, has to go beyond the major players, who are largely unaffected by the horrors of the violence. There is a need to engage combatants, survivors, and those living in conflict-affected places. The question civil society now faces is how to incor-

<sup>13</sup> I have discussed the history of the federal idea in South Sudan in *Federalism in the History of South Sudanese Political Thought*, Rift Valley Institute Research Paper 1, London and Nairobi: Rift Valley Institute, 2014, available online at <http://riftvalley.net/publication/federalism-history-south-sudanese-political-thought#VEZcJks9Lbg>, and recently reprinted in Luka Biong Deng Kuol and Sarah Logan (eds), *The Struggle for South Sudan: Challenges of Security and State Formation*, London: I.B. Tauris, 2018.

porate those who are uninvolved at the formal level and, at the same time, are most affected by violence.<sup>14</sup>

The South Sudan Law Society has issued a number of working papers dealing with issues of working with a traumatised population and establishing transitional justice that are well worth serious consideration.<sup>15</sup> What will be needed is a real people-to-people process. It is not enough to approach a donor organisation to fund a meeting of 300 or so people, fly in a bishop and a couple of ministers to bless the meeting, and then fly them out again. This will require the type of real long-term engagement between communities that preceded Wunlit, and the type of sustained implementation that was not followed up after Wunlit.

All of this is hypothetical as long as there is no end to the current fighting. But how to make the parties serious about negotiating peace? The diaspora communities in different countries have been and are being wooed by representatives of the warring parties seeking their public support. It is natural for you in the diaspora to be concerned about what is happening in your own country, especially as it affects your home areas and your own families. It is also natural, in these circumstances, to want to take sides. But when you are approached by these representatives you can pose to them a series of questions to determine their commitment to a peaceful resolution to the conflict that they – and not you – initiated. These might be all the more effective if posed to persons you consider to be your leaders. Such questions might include:

1. Are you committed to a national dialog leading to a national constitutional convention before new elections are held?
2. What role do you see for civil society groups and community leaders in a national dialog?
3. Are you willing to commit yourself to a peace even if it does not involve you, or the leader of your party, holding a position in government?
4. What steps will you take to help restore peace between the communities who have been affected by this war?
5. What restitution to the peoples who have suffered violence from your forces will your group commit itself to?
6. Will you and the leaders of your group submit yourself to some form of transitional justice or a truth and reconciliation process?
7. And of course the question we all would like to ask, but to which we will probably never get a truthful answer is: How many people are you willing to see die so that you can hold onto or seize power?

Public opinion can have the power to influence leadership. Just as public support for the Addis Ababa Agreement reinforced the commitment of the leaders of the SSLM to stand by

14 South Sudan: Is Peace Possible? voices from civil society, January 2014, Rift Valley Institute Meeting Report, Nairobi Forum, Friday 10 January, 2014, p.2.

15 David K. Deng, “Special Court for Serious Crimes (SCSC): A Proposal for Justice and Accountability in South Sudan”, Working Paper, South Sudan Law Society, May 2014 and “Truth and Dignity Commission: proposal to reconcile the many truths of South Sudan from 1972 to the present”, Working Paper, South Sudan Law Society, August 2014; “Trauma, Healing and the Plight of Displaced Persons in South Sudan”, Peace and Justice. A Newsletter by the South Sudan Law Society (SSL), November 2014; Search for a New Beginning: Perceptions of Truth, Justice, Reconciliation and Healing in South Sudan, Juba: UNDP and SSL, 2015; Rens Willems and David Deng, Justice and Conflict in South Sudan: Observations from a pilot survey, The Hague: University for Peace, 2015.

it, so the public voice of the diaspora can be mobilized to put pressure on the warring leaders to put the nation before political ambition. Publicly withholding support until the leadership demonstrates a genuine commitment to peace can be more effective than signing up to an insincere declaration. Your opinion does matter, and now is the time to make it known. Your voice does count, and now is the time to make it heard.

### ***Postscript***

Since this lecture was first delivered in 2014, two peace agreements have failed, civilian and armed opposition groups have fractured and multiplied, and the 2018 IGAD-brokered peace agreement is again based on incorporating some opposition members into government through the creation and distribution of government positions. A more positive development has been the parallel rise of active and vocal civil society groups, generating a civilian constituency for peace. One of the most creative and innovative groups is “Anataban” (“I’m tired”), who campaign for peace both inside South Sudan and among the diaspora, using theatre, songs, videos and art to spread their message.<sup>16</sup>

### ***About the Author***

Douglas H. Johnson is a specialist in the history of Northeast Africa. He has served as assistant director of for archives in the Southern Regional Government, a resource person during the IGAD-sponsored peace talks, and a member of the Abyei Boundary Commission. His works include *Nuer Prophets: A History of Prophecy from the Upper Nile in the Nineteenth and Twentieth Centuries* (Oxford: OUP, 1994) and *The Root Causes of Sudan’s Civil Wars* (Oxford: James Currey, 2011).

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<sup>16</sup> Instruments in both Peace and War: South Sudanese discuss civil society actors and their role, London and Nairobi: Rift Valley Institute, 2016, available online at <http://riftvalley.net/publication/instruments-both-peace-and-war#.W8SKXhNKh3Q>