


Repeated Dateline Extension Exposes R-ARCSS Flaws and Parties' Lack of Political Good Will

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INTRODUCTION

Viewed critically from all perspectives, the revitalized agreement on the resolution of the conflict in South Sudan (R-ARCSS) shrouds not only in implementation intricacies but also in that it does not address the underlying fundamental contradictions in the conflict. Notwithstanding its colourful celebrations in Juba on 31 October 2018, and the Papal kissing of the leaders' feet after the Vatican retreat in April 2019, the principal parties to R-ARCSS failed to implement the critical provisions to pave the way to the formation of the revitalized transitional government of national unity (R-TGoNU) on 12 May 2019. The repeated dateline extension on account of incompleteness of the pre-transitional processes, particularly the training and deployment of the 83K-strong necessary unified forces (NUF), the number and borders of the states and other security arrangements, proves not only leaders' lack of political will but also smokescreens the preparations to outmanoeuvre the other come the dry season. The contest remains between Salva Kiir and Riek Machar, although unsheathed in ethnic paraphernalia.



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BACKGROUND TO THE CONFLICT

By the time the comprehensive peace agreement (CPA) was signed in 2005, the SPLM/SPLA top brass had evolved into a class completely alienated from the people. This class in collaboration with elements of the ruling National Congress Party (NCP) took over the rein of political and economic power of the subnational entity – Government of Southern Sudan – during the interim period (2005-2011). This class had no scientific understanding of the post-conflict reconstruction of the war-torn South Sudan. It had no program for socioeconomic and cultural development of South Sudan in order to transform the centuries-old condition of poverty, ignorance and superstition of its people.

Between September 2005 and July 2011, the Government of Southern Sudan (GOSS) received per month approximately six-hundred million dollars in oil revenue. There is nothing substantive in terms of physical infrastructural, economic or social services development to show for this money. It was lost through corruption and outright theft as this parasitic class engaged in primitive accumulation of capital and the emergence of the parasitic capitalism – parasitic because it controls no means of production but, rather, by virtue of its relations to the state as ministers, legislators, judges, generals in the army and security forces.

The Republic of South Sudan was born in July 2011 against a backdrop in ubiquitous insecurity and ethnic conflicts, corruption in government and society, ethnic rivalry, negative social and economic indices, and a repressive political order in which human rights were trampled upon with impunity. The regime in South Sudan did not reflect the national liberation character of the SPLM/A but was a mirror image of the totalitarian and repressive regime the Ingaz had constructed in the Sudan.

The fighting, therefore, within the presidential guards on 15 December 2013, which heralded the civil war, was a culmination of intense and unprincipled power struggle within the SPLM top leadership. It was not ideological in nature, but reflected structural weaknesses in the SPLM occasioned by excessive militarism, subversion of political organization and education, and the failure or refusal

to construct democratic structures, institutions and instruments of public power and authority in the liberation. This gave the false notion that the civil war was between Salva Kiir and Riek Machar, and therefore reconciling them would end the conflict.

THE IGAD BROKERED AGREEMENT ON RESOLUTION OF CONFLICT IN SOUTH SUDAN (ARCISS) AUGUST 2015

The IGAD intervention to resolve a political conflict emanating from unresolved political contradiction within the SPLM leadership was likely to have marginal returns. Like other liberal peace-making initiatives and agreements, the IGAD-brokered ARCISS did not address the fundamental contradictions underlying the conflict. However, its main element – the cessation of hostilities agreement – was intended to permit the parties to discourse and put in place a programme for social and economic development of the young state.

The IGAD initiative was flawed from the word go; one member of the mediating team, Uganda, was a party to the conflict on the side of the government. Sudan, Ethiopia, Kenya and Uganda all had respective national security, economic and political interests in the conflict in South Sudan, suggesting that they were not honest brokers. Thus, they did not act strategically in the interest of regional peace and stability but tactically as they competed against each other.

Barely three months into the formation of the Transitional Government of National Unity (TGoNU) fighting erupted in J1 – the presidential palace of Salva Kiir – leading to the collapse of the agreement and a return to war. The resumption of fighting and its escalation to the hitherto peaceful areas in Equatoria and Bahr el Ghazal, and the proliferation of political and armed opposition groups, underscores the dangers inherent in power-sharing modality, and in ignoring the fundamental contradictions of social and economic development in South Sudan.

THE HIGH-LEVEL REVITALIZATION FORUM (HLRF) AND REVITALIZED ARCSS

The greatest political blunder the IGAD and the U.S. Administration committed in the rights of the people of South Sudan was to recognize and accept, as de facto situation, the coup Taban Deng Gai hatched against Riek Machar and the SPLM/A (IO) to become the first vice president while the fighting raged between the SPLA and the SPLM/A (IO) forces in the suburbs of Juba.

The Joint Monitoring and Evaluation Commission (JMEC), the body tasked with monitoring the implementation of the ARCISS, played a partisan role in favour of President Salva Kiir. Festus Mogae, its chairman, refused to declare that the ARCISS had collapsed, insisting that it was only wounded, preventing IGAD's effective intervention to stop the fighting. It stopped the deployment of the Regional Protection Force as a buffer between the SPLA and the SPLM/A (IO) forces. It smacked of a conspiracy against the SPLM/A (IO).

In June 2017, almost a year after the rekindling of fighting and its escalation, and in order to justify his continued employment by IGAD, Festus Mogae started to move to resuscitate ARCISS. The High-Level Revitalization Forum (HLRF) workshop in Bishoftu, Ethiopia, in August 2017 was a missed opportunity in terms of charting a correct modality to resolve the conflict in South Sudan. Instead, he premised the ARCISS resuscitation on the power-sharing and critical reforms modality that produced ARCISS, hoping to get a different result. It demonstrated a complete lack of knowledge of what were at stake in the conflict.

The revitalized agreement on the resolution of conflict in South Sudan (R-ARCSS), like ARCISS, did not address the fundamental contradictions in the conflict. However, the process enabled President Omer el Bashir (Sudan) and President Yoweri Museveni (Uganda), both driven by respective national security and economic interests in South Sudan conflict, to coerce the opposition parties into signing the R-ARCSS on 12 September 2018.

The parties to R-ARCSS have twice missed the dateline for the formation of R-TGoNU on account of non-implementation of the pre-transitional processes. These included, *inter alia*, the number and boundary of states, the constitutional amendment incorporating R-ARCSS into the Transitional Constitution of South Sudan (2011) amended 2015. It was a clear demonstration of lack of political will on the part of the government to overcome those issues. President Kiir and hawks in his government played tricks to buy time, while the armed SPLM/A IO, political opposition (SSOA) and other political parties are happily awaiting what comes out of the delay tactics.

A little over one year since the signing R-ARCSS, only the Cessation of Hostilities agreement (CoHs) – notwithstanding violation in Eastern Upper Nile and Central Equatoria – still holds. This raises questions: whether or not the parties will implement R-ARCSS to the letter and spirit of 12 September 2018 when they signed the agreement, and on 30 October 2018 when they celebrated the peace. Will the nagging issue

of the number and borders of states torpedo the R-ARCSS and return the country to war? Assuming that the parties will compromise and implement all the provisions of R-ARCSS, and that they constitute the R-TGoNU, what will be the conditions under which these parties avoid conflict come the elections at the end of the transitional period?

THE R-ARCSS IMPLEMENTATION DIFFICULTIES: A DISCUSSION

The fact that R-ARCSS does not address the fundamental contradictions means that South Sudan is pregnant with the same elements of the conflict. The principal one is the socioeconomic and cultural backwardness of its people; this submerges their consciousness and renders them vulnerable to manipulation and fragmentation along ethnic lines. Therefore, the main difficulty with the R-ARCSS is the absence of a socioeconomic development agenda on the part of the government or the opposition.

The bad chemistry between Salva Kiir and Riek Machar, which overlaps with historical Dinka-Nuer ethnic rivalry, is general knowledge. Their appeal to ethnic hubris makes it difficult for any of them to compromise in the highest interest of the people of South Sudan. Riek Machar, propped by his ethnic Nuer supporters inspired by a myth associated with Ngundeng's prophecy, believes that his presidency of South Sudan is a birth-right entitlement. This ambition, notwithstanding his repeated political and military failures to oust Kiir from power, has nothing to prop it in terms of clear political objective and organizational skill. He virtually was the leader of GOSS for most part of the interim period. President Salva Kiir has vowed never again to work with Riek Machar as his deputy. However, he is disposed to working with anybody in the SPLM/A (IO) leadership to implement the peace agreement. It is clear that the two cannot work together. Therefore, Riek's insistence to be first vice president during the transition inadvertently keeps the country and its people.

There is simmering discontent within the SPLM/A (IO) army linked to Riek Machar's promotion of his clan and family members. In fact, following the signing of R-ARCSS and Machar's location to Juba as one of the five vice presidents was inevitable SPLM/A (IO) Army Chief of Staff Gen. Simon Gatwech Dual and Commander of IO Sector One Gen. John Olony indicated publicly that their forces would not join Riek Machar in Juba. Therefore, Machar's repeated requests for dateline extension has nothing to do with non-implementation of pre-transitional processes; his fear of rebellion within the SPLM/A (IO) drives the repeated request to extend the dateline for the formation of R-TGoNU. This plays well into Kiir's scheme of things; he abhors Riek Machar as one of his five vice presidents.

The current context of South Sudan oozes exponentially high levels of complacency, indifference and apathy, mistrust and hatred, even among the ordinary people not linked to the state.

This hatred and indifference correspond to and are amplified by the differential access to financial and economic resources, as well as the distribution of power in the country now running along ethnic lines. Elites and intellectuals are suspicious of each other, and will never engage in constructive debate on the pressing issues facing the country, because they hail from different ethnicities or regions. It must be pointed out honestly and without fear that the apparent ethnic Dinka hegemony on the one hand, and the feeling of marginalization on the other hand among smaller ethnicities, drives this indifference and hatred. The loss of national fraternity in favour of ethnic and blood solidarity is precarious; it militates against viable state formation and nation building in South Sudan, and coupled with lack of a national agenda for socioeconomic development, would plunge South Sudan into perpetual instability and conflict. The transitional period, which begins following the formation of the R-TGoNU in February 2019, is extremely short. South Sudan has been in perpetual straits since 1955. In order to rein peace, stability and social harmony, particularly after this devastating civil war, it will require a long transition of ten to twenty years. A long transition allows passions to cool, reconcile people and kick off social and economic development. No sharp ideological differences exist between those in or out of government, therefore, apart from struggle for personal power, nothing really material that prevents them to agreeing to a political program for transforming the poverty, ignorance, illiteracy and superstition that submerge the consciousness of the people.

The transformation of this situation requires a paradigm shift in the political thinking of the South Sudanese intelligentsia and political leaders; a shift that anchors and puts people in the centre of state formation and nation building engineering processes. South Sudan requires a philosophy of state and nation building. The concept and vision of the 'New' Sudan ante did not have built into it the philosophical tools to transform the 'old' Sudan's reality. As a result, it produced a distorted toxic reality of the old Sudan. South Sudan is a caricature of itself in the seventies. No wonder that the 'New Sudan' as a concept, has now become anathema to so many people. In order to correct the distortions that have occurred in our reality, and which generated this toxic social and political environment that now condition the socioeconomic and political thought systems, we should answer the general questions about the statehood and nationhood we desire in South Sudan. Answering this general question is imperative for synthesizing a conceptual framework we can call a philosophy of state and nation building in South Sudan.

I can vouch that the answers to these general questions speak to concepts fundamentally at variance to the R-ARCSS, which purport to address the question of power and whoever wields it in the country. Thus, since the struggle is about power, and R-ARCSS terminates with the conduct of elections after 30 months, there is likelihood of a return to conflict on account of dispute over elections results.

CONCLUSION

The argument that ARCISS collapsed because it did not address the fundamental contradictions in the conflict holds water to perpetuity. It was a combination of intrigues and bested interests playing out to the advantage of the parasitic capitalist class and their regional and international comprador capitalist in the context of extraction and plunder of South Sudan natural resources. It was in the connection that Sudan and Uganda midwived the R-ARCSS preceded by the agreement to involve Sudan in the development and exploitation of South Sudan.

In its current configuration, and if the parties to it fail to chart a political program – that is to say, translating the articles of R-ARCSS into plans to transform the conditions of poverty, ignorance, illiteracy and superstition that submerge the consciousness of the masses of the people of South Sudan – R-ARCSS may suffer the same fate as ARCISS. The repeated extension of the dateline for the formation of the revitalized transitional government of national unity bears witness to this fact.



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About the Author

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