

Peacemaking and Peace Agreements in South Sudan

An Introduction

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In 2011, South Sudan seceded from Sudan following a landmark referendum on self-determination. Yet fewer than three years after the historic vote for independence, the world's newest country descended into a civil war that, since December 2013, has brought killing and bloodshed. In attempts to resolve the conflict and bring the civil war to an end, the warring factions have signed peace agreement after peace agreement. In September 2018, Salva Kiir, the president of South Sudan, and his major adversary, the former vice-president and rebel leader Riek Machar, signed yet another peace agreement in Addis Ababa, the Ethiopian capital. This is the 12th agreement between them. Most of these agreements have suffered from a fraught mediation context (at times, being very coercive), deficits in preparedness (with inadequate time to fully implement the agreements), consent, impartiality, inclusivity (given the proliferation of armed and unarmed oppositions) and lack of a broad political strategy to anchor the agreed-upon peace deal. How did this young country that attained her independence in 2011 amidst massive international fanfare degenerate into chaos so quickly? And why have the attempts to resolve the conflict faced such difficulties?

The Zambakari Advisory is pleased to publish its first Special Issue on the subject: "South Sudan Peace Agreement and Peacemaking." We asked scholars, activists, students, former government officials and leading intellectuals to think about the theme for this issue and offer insights into it. We hope these analyses will provide new insights to both reflect on, and inform the work of stakeholders engaged in brokering peace and/or the pending National Dialogue.

This collection features 15 articles contributed by Douglas H. Johnson, Peter Adwok Nyaba, Rev. Elias Rinaldo Gamboriko, Joseph Madak Wuol, Nichola Mandil Ukeil, Mabior P. Mach, Abui John Garang, Samson S. Wassara, Mahmood Mamdani, Rita M. Lopidia, Luka Biong Deng Kuol, Asha Abdel Rahim, John Ashworth, Angelina Bazugba and Malish John Peter on South Sudan's experiences with peacemaking and peace agreements, providing both a social and historical context, as well as an analysis of the specific peace processes. These papers offer a critical evaluation of South Sudan's political crises, its experience with peace deals, and offers innovative solutions for the bumpy road ahead as South Sudan seeks once more to implement an imperfect deal. The authors make it clear that the contemporary history of South Sudan has been that of conflict and civil wars (1955–1972, 1983–2005, 2013–current) with the Republic of Sudan to the north and with itself after securing independence in 2011. This issue highlights lessons learned from the Wunlit Peace Process in 1999, the 2005 Comprehensive Peace Agreement (CPA), the 2015 Agreement on the Resolu-

tion of the Conflict in South Sudan (ARCSS), and finally the 2018 Revitalized Agreement on the Resolution of the Conflict in South Sudan (R-ARCSS).

Preparation for the establishment of the Revitalized Transitional Government of National Unity is underway. If this new experiment in inclusive governance is successful, it should usher in a new era of inclusivity and democratic rule in May of 2019 after an eight-month interim period designed to resolve various obstacles that proved insoluble during the regionally brokered peace deals. The conflict has inflicted a terrible cost to the South Sudanese, now numbering more than two million in refugees camps throughout the region, while more than half the population are still dependent on emergency, assistance and food aid, while one in three is displaced.

The many attempts to resolve South Sudan's political crises have been short-lived and have not addressed fundamental contradictions within South Sudan. The failures to build an inclusive democratic state, resulting in face-saving settlements and various power-sharing arrangements between the government and various political and military elites, which have been later dishonored, have always led to another cycle of violence. Historically, political agreements have excluded non-violent resistance movements while rewarding armed resistance groups, leading to an inability or unwillingness to disarm, demilitarize and reintegrate armed militias; a national tendency to recycle old guards into the new political dispensation; and the failure to democratize the political space with national citizenship and an inclusive framework to manage diverse populations within a unified nation. Lastly, South Sudan has also suffered from failures of leadership that was capable to deliver socioeconomic development to address the fundamental problems of poverty and underdevelopment.

The failures of various peace agreements, the causes of the conflicts in a historical perspective, the flawed modalities and the implementation of the security arrangements, the analysis of the series of events that led to the signing of ARCSS in 2015 and the R-ARCSS in 2018, and the challenges awaiting the full implementation of R-ARCSS are all covered within this issue. As of today, the confusion in the R-ARCSS on the roles of the Joint Transitional Security Committee (JTSC) and the Strategic Defense and Security Review Board (SDSRB) continue to plague the implementation of the agreement. Several contributors call for the parties to use this opportunity to build confidence, trust and reconciliation within and between communities torn by protracted conflict. Another analyzed outcome of the R-ARCSS signed in Khartoum is that the sovereignty of South Sudan has tacitly been surrendered to Sudan and Uganda by formally acknowledging them as "guarantors," electing them to mediate the disagreement between the two parties, thereby making South Sudan an informal protectorate of Sudan and Uganda.

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Some papers in this Special Issue address the urgent societal problem affecting women. The authors acknowledge the important gains during previous peace talks when women participated in the peacemaking process. This included the stipulation that at least twenty-five percent of the seats and positions in each legislative and each executive organ of the state needs to be allocated to women as part of Affirmative Action designed to redress historical injustices created by history, customs and traditions. This was later translated into the Transitional Constitution of the Republic of South Sudan (2011).

The contributions in this issue express cautious optimism about the viability of the recent peace agreement and propose to the political elites some measures that can be undertaken in order to sustain peace and create conditions for the socioeconomic development of South Sudan. The success – or failure – of the full implementation of the various agreements rests in the hands of the political elites and the South Sudanese. While the road ahead offers opportunities, there are also real obstacles that will require political adaptability, patience and the ability to silence the gun-wielding class to give peace a chance to succeed. A holistic and inclusive framework that includes the needs and rights of civilians, and the interests of all political actors, is a starting point for long-term political stability in South Sudan. The challenge ahead will be how to fully implement this imperfect agreement and to create a conducive environment for ensuring public safety and security, but if the leaders of South Sudan and regional and international power brokers ignore the lessons from previous agreements, South Sudan will only defer its problems to a later date.

About the Author

Christopher Zambakari is a Doctor of Law and Policy; Chief Executive Officer of The Zambakari Advisory; Hartley B. and Ruth B. Barker Endowed Rotary Peace Fellow; Professor, College of Global Studies at Cambridge Graduate University International; Assistant Editor, The Bulletin of The Sudan Studies Association. His area of research and expertise is international law and security, political reform and economic development, governance and democracy, conflict management and prevention, and nation and state-building processes in Africa and in the Middle East. His work has been published in law, economic and public policy journals.