

A Bad Peace is Better than a Good War

The Case of South Sudan

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The above headline may strike some readers with amazement – what does a bad peace entail, and what constitutes a good war? For sure, you will only grasp the substance of this piece if we read it to the end.

It should be understood that the two notions are not my own inventive concept of peace and war. These perspectives have been coined as a result of the protracted civil war in South Sudan that has caused the loss of lives and huge suffering.

The conflict in South Sudan is almost five years old, since it erupted on 15 December 2013 in the nation's capital, Juba. Efforts to end the conflict have been led by the regional security and trading bloc, the Intergovernmental Authority on Development (IGAD), which has mediated between the warring parties in South Sudan, with the government on the one side and the Sudan People's Liberation Movement/Sudan People's Liberation Army in Opposition (SPLM-SPLA-IO) on the other.

The Ethiopian capital, Addis Ababa, was chosen to be the venue of the negotiations. The first round of talks kicked off on 4 January 2014 at Sheraton Hotel at around 7 p.m., Ethiopian local time. The author was present as part of the media team that was there to cover the big event in Africa on that day.

The negotiations went on for nearly twenty months, as there were gaps in the talks, as well as moves to include other belligerent groups that were not initially parties to the conflict in the name of "inclusivity."

The involvement of other groups such as the women's bloc of South Sudan, civil society organizations (CSOs), the eminent personalities, faith-based groups from the South Sudan Council of Churches (SSCC) and the South Sudan Islamic Council, and other groups, seems to have delayed the peace process in a way, due to the fact the warring parties had to amend the Declaration of Principles (DoP) in order to bring aboard these new groups.

Analysts criticized the involvement in the negotiations of non-state actors who were not parties to the conflict. Responding to this criticism, Bishop Enock Tombe Stephen Loro, the Emeritus Anglican Bishop of the Diocese of Rajaf, who headed the delegation of the faith-based interests, in an interview with the author in Addis Ababa, said, "We have come in to help push the warring parties to end the war and bring lasting peace to South Sudan. If they

were able or capable of ending the war, why not do it? Let them end the war. Since they are not able, we have come in to push them and tell them the people of South Sudan want peace.”¹

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“The reservations presented by the government are time bombs and landmines awaiting the implementation of the peace agreement. As civil society, be careful and study these reservations very well. But the good news is

The negotiations went on for many months and on 17 August 2015, a final peace deal dubbed the “Agreement on the Resolution of the Conflict in the Republic of South Sudan” (ARCSS) was signed. The deal was inked by the leader of the SPLM-SPLA-IO, Dr. Riek Machar Teny, and Mr. Pagan Amum Okech, the leader of the group that calls itself SPLM Leaders or the Former Political Details (FDs).

that you have the Joint Monitoring and Evaluation Commission (JMEC), it is like a court where you will meet monthly and if you have issues, bring them to JMEC.”²

President Salva Kiir Mayardit, who initialed the agreement, did not sign it immediately in Addis Ababa. According to the IGAD chief mediator, Ambassador Seyum Mesfin, President Salva Kiir had asked for a period of two weeks to enable him to return to Juba to consult with his constituencies and then he would return to Addis Ababa to sign the peace deal.

Speaking as a lead facilitator, Mr. Yor urged the civil society activities to make good use of JMEC as a monthly forum to evaluate the implementation of the peace agreement and assess the compliance of the parties to the provisions of the peace agreement.

However, in under two weeks, President Salva Kiir contacted the IGAD mediation team, and the copy of the signed agreement was brought to Juba and, on 26 August 2015, President Kiir inked the agreement at the Freedom Hall in Juba. The signing ceremony in Juba was witnessed by regional leaders from Ethiopia, Sudan, Kenya and Uganda. The gesture by President Kiir to sign the agreement was welcomed, but there were seventeen reservations that were also presented by the South Sudan government. Copies of the reservations were distributed to the media and to those who witnessed the signing of the agreement.

Many would agree that the statement of Mr. Yor was a prediction as to what happened at the State House (J1) in July 2016, when the bodyguards of President Kiir and the bodyguards of his former First Deputy Dr. Machar clashed, prompting renewed violence in Juba that left more than 300 people dead, according to the reports by the United Nations and other humanitarian agencies. That scenario forced the first vice president, Dr. Machar, who had taken the oath of office a few months before that, to flee the country. As he departed Juba and fled into the bush, Dr. Machar made a statement through Al Jazeera and the international media that the peace agreement had “collapsed and the country was back to war.”

Many analysts and monitors dreaded that the reservations presented by the government would not lead to a smooth implementation of ARCSS. A renowned South Sudanese lawyer and advocate, Youhaness Yor Akol², who was addressing a group of civil society activists in Juba just a few days after President Kiir signed the agreement, commented:

The collapse of the peace agreement and the renewed violence in different parts of the country compelled the chairman of the JMEC, Mr. Festus Mogae, the former president of Botswana, to suggest to the IGAD heads of state during their extraordinary summit in Addis Ababa in June 2017 to call for a new process to revitalize ARCSS. His belief was that the new process would re-energize the peace process and put life back into it. The process started again, and delegates convened in Addis Ababa with the aim of fortifying the peace agreement.

¹ Bishop Enock Tombe is a civil engineer by profession who served as General-Secretary of the Sudan Council of Churches (SCC) in Khartoum between 1995-2002. He was appointed Bishop of the Episcopal Church of the Sudan to head his home diocese of Rajaf on the outskirts of Juba. He retired in January 2018 and is currently active in the peace process.

² Youhaness Yor Akol is an independent South Sudanese advocate and elderly brother of the renowned South Sudanese politician Dr. Lam Akol Ajawin. Mr. Yor used to run an independent law firm in Juba.

Humanitarian Access on 21 December 2017 in Addis Ababa. This was seen as the first step in the right direction to the revitalisation process of the ARCSS.

A Breakthrough in Khartoum

Finally, a breakthrough was made by the parties in the Sudanese capital Khartoum on Sunday 5 August 2018 when President Kiir and his archrival Dr. Machar signed an agreement on power sharing, which followed their commitment to cease hostilities and observe a permanent ceasefire. The deal was hailed by many as a step in the right direction to end the five-year conflict in South Sudan and was the final step to the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS), which was later signed as outlined above.

Although the signing in Addis Ababa was not hailed as much as the signings in Khartoum, it marked the end of a stage in the R-ARCSS. The R-ARCSS will establish a Revitalized Transitional Government of National Unity (R-TGONU), which will be shared by the elites who have been fighting one another for nearly five years.

At this point, it must be remembered that the aim of a peace agreement is to stop the conflict. Ultimately, this involves sharing power amongst the elites. This is the concept of a peace agreement. But this peace agreement must also create a system of governance that serves the people of South Sudan and helps provide security to the citizens and delivers services, which have been absent while the conflict ravaged the country.

Release of Prisoners of War

As part of the implementation of the R-ARCSS, the warring parties, specifically the government of South Sudan and the SPLM-SPLA-IO, are supposed to release all the Prisoners of War (POWs) in their custody with immediate effect.

As part of this commitment, in September 2018 President Kiir ordered the release of all POWs and other political detainees from the government's detention facilities. President Kiir called the release of POWs "a positive step for confidence building."

The order was announced on South Sudan Broadcasting Corporation (SSBC) in Juba and welcomed by the SPLM-IO.

"The release of political detainees and prisoners of war will definitely create a conducive environment for confidence building, which is critical to the implementation of the R-ARCSS. As SPLM-IO, we are happy because the political detainees and prisoners of war will be freed," said Mr. Manawa Peter Gathkuoth, SPLM-IO deputy spokesperson.³

This order for the release of the POWs is one step in the right direction to the implementation of the R-ARCSS. It should be respected and implemented by all the parties in the interest of peace in South Sudan.

³ Manawa Peter Gathkuoth is the deputy spokesperson of SPLM-IO Mahar's faction. He was quoted by The Dawn English daily newspaper, published in Juba Monday October 1, 2018, page 2, Vol. 3 Issue 762.

Archbishop Lukudu: Sincere Change of Heart Needed for Peace

As the R-ARCSS enters a pre-transitional phase, a church leader in South Sudan made a call for a change of heart for the sake of peace.

Paulino Lukudu Loro⁴, the Metropolitan Catholic Archbishop of Juba, who was presiding over a church service to mark the centenary of faith at the parish level of St. Theresa Cathedral, said on Sunday 30 September 2018, “I saw [that] people have been moving to Khartoum, Addis Ababa and Kampala in search for peace. There are options for us to look for this peace, wherever we can find it. [...] Let us accept what we have agreed upon in this revitalized peace agreement. If it is yes, let it be yes for peace. Meaning it is good for all of us. Therefore, we must seriously work for the implementation of this peace agreement.”

He added, “There is no need to hate one another, and there is a need for a sincere change of heart for the sake of peace. Let all come and let us all together work for peace. Let there be security in our country as a result of this peace agreement.”

A Bad Peace or a Good War

If this peace agreement, the R-ARCSS, holds and can stop the war it can be a good peace. However, there are accusations and counter accusations by the parties to the R-ARCSS. If it fails (God forbid), but conflict does not resume, then there will be a bad peace.

My question is whether a bad peace is a better than the so-called good war, which was glorified by some warlords. War by any degree is bad, and peace by whatever degree is something good. But war can be good for some people because it creates opportunities for them.

Some of these opportunities include getting into power or government. War becomes a conduit for some people to get power: It becomes a good thing for anybody who wants to get into power, sleep in hotels, fill their pockets with money,

local and hard currency, eat good food, fly to conferences in any part of the world as they wish.

All these happen at the expense of poor men and women where the war is fought. For such people, peace is always a bad thing, because it prevents them from getting what they want. Peace is a threat to those who always want to cause chaos in order to eventually make their way into the government. Peace is also a bad thing for some people who, though not directly involved in the conflict, benefit from the mayhem that comes as a result of war.

Some people may be in the government, and when there is war, they celebrate, because the prolonged period of the conflict keeps them in power. Often, they derail the peace process by their behavior and actions. Such people are not far from the spoilers of peace. They find themselves in a safe haven when there is a war in their country.

The logic behind this argument is that peace is a threat to some people who would want to stay in power for a long time. Peace is a threat to them because with peace come some conditions: power sharing with the former foes and transitional justice in the form of the hybrid court of South Sudan.

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This court, if established, would facilitate the trials of those who committed atrocities before, during and after the five-year conflict in South Sudan. Analysts see the establishment of hybrid court for

South Sudan under the terms of R-ARCSS as a litmus test of the commitment and respect of human rights by the government of South Sudan.

Here comes my argument: a peace agreement to whatever degree, and whatever may be its provisions, if it can stop a war or conflict, is a good peace. But if it is just a signed piece of paper that stops the war only for a short period of time and then people return to war, then it is not a good peace for people!

If this peace agreement can end the five-year bloody conflict in South Sudan, it should be welcomed. It will be a good

⁴ Archbishop Paulino Lukudu Loro is the senior Catholic Bishop in South Sudan and a vocal church leader.

peace. But as Archbishop Loro said, there is a need for a sincere change of heart for the sake of peace in South Sudan. This call that the archbishop made was in the presence of President Kiir, who attended the church service at St. Theresa Cathedral Kator.

At the end of the day, this peace agreement can deliver a good peace. The war that has ravaged the country over the past five years cannot be termed a good war at all!

About the Author

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