



THE SUDD INSTITUTE

RESEARCH FOR A PEACEFUL, JUST AND PROSPEROUS SOUTH SUDAN

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The SPLM Leadership Contest: An Opportunity for Change or a Crisis of Governance?

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Executive Summary

The days surrounding the 2nd anniversary of independence have ushered in a tense political climate in Juba causing public concern across the country and beyond. This anxious political situation showcases the cracks within the top leadership of the nation's ruling party, the Sudan People's Liberation Movement (SPLM). While there are different events that could have sparked the crisis, on the surface it is clear that the issue is linked to different camps within the SPLM under the President, Vice President and Secretary General of the party, positioning to each advance their cause to be named the SPLM Chairperson ahead of the national elections scheduled for 2015. On a deeper level, what is unfolding also appears to be a consequence of weak institutional restraints within the party, lack of adherence to the party constitution, and the maintenance of a rigid party structure based on pre-CPA politico-military high command hierarchy. If the current power struggle within the SPLM continues unabated, it is certainly bound to have far reaching consequences. This could include a possible party split, state failure, or a remote chance of emergence of a genuine multi-party democracy.

There is a great need to find an amicable solution to the current political crises. However, given that the differences between the President, Vice President and Secretary General might be difficult to repair, an eventual divorce may be inevitable. The question remains whether that separation is done by relieving the officials of their positions, or by reaching some sort of intermediate reconciliation that will enable the party to go ahead with the review of the basic documents and move forward with an open election exercise through party primaries. Those best suited to intervene to mediate such a solution may be national elders, church and civil society leaders, or the international community.

Summary of Recommendations

- The SPLM leadership should immediately stop making statements that seem unnecessarily divisive and instead open up appropriate communication channels within the relevant party structures to re-establish dialogue.

- Establishing this dialogue may require intervention from the national elders, such as former vice presidents of Sudan, church and civil society leaders, or from the international community and friends of South Sudan.
- The SPLM should reconsider disentangling the election of the chairmanship of the party from the position of the president of the Republic of South Sudan to ensure this pre-election posturing through non-democratic mechanisms does not repeat itself.
- In the event that it is not possible for SPLM to hold together as a united party, any split or break of the party should be done in a mature, peaceful manner that keeps intact national integrity, peace and security

Introduction

The days leading up to the celebration of South Sudan's second anniversary of independence have ushered in a tense political climate in Juba that is genuinely causing public concern across the country and beyond. This anxious political situation showcases the cracks within the top leadership of the nation's ruling party, the Sudan People's Liberation Movement (SPLM). Of course, it is worth mentioning that what has now visibly become a three-way power struggle among President Salva Kiir Mayardit, Vice President Riek Machar Teny, and the SPLM Secretary General Pagan Amum Okiech has been a simmering situation dating back to the 2008 SPLM National Convention. Interviews with prominent SPLM members indicate that at that time, it emerged that the camp associated with the president was planning to remove both Riek and Pagan as first deputy chairperson and secretary general respectively. Fearing the adverse consequences of this decision however, particularly at the time when unity within the SPLM rank and file was thought necessary to withstand the NCP's machinations, the convention decided against the move in favor of the status quo.

With the current party convention around the corner, and cognizant of the 2008 experience, it is plausible to conclude that the heightened criticisms of the President by the Vice President and Secretary General that we are seeing now are more of a pre-emptive strike than anything else.

Overview of the Situation

The genesis of the current intra-party power wrangling is said to have re-emerged in late 2012 when the SPLM leadership dispatched members of the Political bureau to South Sudan's ten states. The expressed aim of the state visits by the party officials was to thank the people for their unwavering, overwhelming support rendered throughout the years of liberation struggle and for leading a successful referendum that unquestionably guaranteed independence. While in the states, these political leaders quickly found that what was planned to be a congratulatory affair turned out largely as a condemnation of the party. In the view of the grassroots, the ruling party had lost vision and direction, as it had not been able to deliver badly needed essential services such as road networks, health facilities, security, and education, among others.

With the 2015 general elections looming around the corner, the grassroots' message disapproving of the SPLM stewardship sent a chilling effect within the party leadership.

After the return of the dispatched leaders from the field, confusion seemed to have ensued prompting the top party leaders to begin trading public barrages of accusations against one another over who is responsible for this apparent failure. The affair did not stop at just public finger pointing. The Big Four (the President, Vice President, the Speaker of the National Legislative Assembly and the SPLM Secretary General) allegedly met briefly before the last extraordinary Political bureau meeting. In that meeting, the SG and the Vice President are reportedly said to have challenged the President openly, blaming him for failing the party and declared their intentions to unseat him from the party chairmanship in the next SPLM National Convention, with each of course, presenting himself as a viable replacement. Following the political bureau meeting, the Vice President has purportedly raised six points outlining the key areas in which he thinks the President and the party have failed.

Alternatively, different sources within the party instead place the start of the current political posturing to an alleged meeting between President Kiir and Thabo Mbeki, the former South African president, during which President Kiir allegedly expressed his intention to step down sometimes in 2015. According to interviews conducted by the Sudd Institute, some SPLM party leaders were present at the Kiir-Mbeki meeting and might have shared with other members of political bureau the purported news of Kiir's intention to exit from power in 2015. Obviously, the declaration was not official and from all indications, the President seems set to run for another term.

While a power contest over leadership is a normal thing to expect in the life of any political organization, this current state of affairs within the SPLM is attracting attention largely because of the way in which the party is handling what appears to many as a leadership crisis that could threaten the foundation of the country. To put the lid on the situation and contain any possible spill out into the public domain, the SPLM ought to have dealt with its internal power wrangling through the organizational structures and mediating mechanisms such as the party constitution. Unfortunately, this is not happening. Instead, lack of party discipline to contain the matter internally has led to some members directly taking their discontent to the public arena and this is surely causing a great deal of apprehension. Faced with this situation, it is logical to ask the question as to why the party chose not to address the leadership matter internally.

Driving factors

To make sense of what is unfolding, it is appropriate to explore a number of factors that include power structure within the party, the weak institutional restraints on excessive power in the hands of a few individuals, lack of adherence to the party constitution and the growing number of factions and power centers within the SPLM. After secession from the government of Sudan, the ruling party seems to have maintained its pre-CPA politico- military high command hierarchy. For example, when the time came in 2005 to structure the SPLM-led national government, giving positions seems to have been done on the basis of seniority in the movement. For example, the positions of the president, vice president and the speaker of the National Legislative Assembly followed the order of this seniority. This may also explain why a number of senior party officials working in the government prefer to use their military titles instead of the official designations

associated with their current jobs' positions. In the interest of maintaining discipline, order, strategic vision and direction after the untimely death of Dr. John Garang, the longtime leader of the SPLM, it was certainly wise to follow the established structure and hierarchy as a preventive measure. While keeping the Movement's hierarchy is laudable, it presents a challenge to civilian leadership, which should be built on individual aspirations, experience, merits, and integrity, and it seemingly undercuts democratic values. The current state of affairs certainly exemplifies this reality. With the understanding that leadership can only be accessed on the order of wartime seniority, this clearly means that officials can only ascend to the top of the ladder by toeing this unconventional line.

Being that most members of the party leadership are aging, and each of them eyes an opportunity to ascend to the top, the wait in the superficially long line is becoming unbearable. Arguably, the growing number of factions and tensions within the party can be partly attributed to this rigid structure. A potential break-up of the party along these lines could fatally weaken the popular movement. When access to the top of party leadership is determined hierarchically, it seems to go contrary to the democratic ideals championed and popularized by the party itself. This poses a clear danger to the life expectancy of the party, especially if it deprives itself of youth and new ideas. One would expect a party so entrenched in the fight against injustices and misrule from successive regimes in Khartoum to have loosened its grip on old dysfunctional party structures that were meant for war and adopt a new party structure that corresponds to the democratic aspirations and expectations of the populace.

Looking at the current political crisis, it is apparent that the party has no mechanisms for restraining individual powers. The President, the Vice President, and the Secretary General of the party have come out publicly against each other and it appears there is no mechanism within the party to reprimand and restrain these individuals from taking an internal dispute to the streets. This public airing of grievances seems to be deeply rooted in ill-defined communication loops and channels of accountability within the party. The formal platforms through which the party can debate and address critical issues of governance seem at the very least, minimal. Confronted with this ostensible lack of avenues to channel redress, officials are sometimes forced to go public on matters that could otherwise be handled internally.

Related to this is a lack of adherence to party constitution, rules and regulations. The current fight over the four foundational documents of the party shows that the senior party officials are playing outside the structures that they have created, with little interest in playing by the books. A rumor that has been confirmed by a number of party officials the Institute interviewed for this policy brief has it that the Chairperson and the First Deputy Chairperson are making their own calculations regarding the pending party convention. In an attempt to increase his chances of getting elected as the party leader, the Vice President, Dr. Riek Machar has been advocating for the creation of new states and counties, which he hopes would change the delegation map perhaps in his favor. This calculation seems to neglect some political factors and most importantly, some economic consequences that are likely to increase public spending. He has allegedly garnered a number of supporters in the political bureau and the national liberation council. So his

main fear remaining is the composition of the national convention, the Sudd Institute learned. He took his criticism of the chairperson up a notch in his highly publicized six points to portray himself as the potential next leader.

On his part, the party chairperson is accused of possibly using his existing powers as President to change the ratio and the map of national convention delegates. One of his strategies appears to be replacing governors that are politically aligned to his Vice President and replacing them with his loyalists. This plan is ostensibly underway with officials citing the removal of Lakes State Governor as a case in point. According to some party officials, the removal of Unity State Governor is seen within the party as a positive move because the Governor is said to have become very unpopular and was becoming a liability to the party and the President in particular. Still some members of the party believe that the move was politically motivated, as Gov. Taban seems to have switched his allegiance from the President to the Vice President. The state governors are critical political agents as they are most likely to influence the selection of convention delegates that will determine the outcome of the party's next elections.

The dismissal of governors undermines the states' authority in a federal system and disenfranchises the voters. What's more, the bigger issue is how it is possible in a democratic system to guarantee electoral success before the playing field is open for business. One thing that seems clear in this political game is that some players double both as players and referees; a special privilege that allows them to change the rules in the middle of the game. They can even refuse without consequence to play in a game they are not assured to win and so the play happens only when winning is certain.

The fractures outlined above appear to go all the way down through the lower ranks of membership in the party. A number of sources within the party confided that the institution is fractured and there are a number of factions and power centers that have emerged. These include the group collectively known as the Garang Boys, which is allegedly led by the SG. The second group is the Nassir faction dating back to the 1991 split and this group aligned behind the Vice President. The third group aligned with the President including some of the most senior SPLM veterans and his 2004 backers, plus a number of recent converts from NCP to SPLM, with the current acting governor of Unity as an example. Although the NCP group is purportedly aligned with the President, they are viewed as remaining a formidable faction of their own within the SPLM, and potentially a political liability due to their historical alliance with the northern regime.

In fact, the majority of the SPLM officials interviewed for this piece expressed that they are deeply concerned about the alleged growing influence of the recently "baptized" NCP converts in the office of the President. Some have gone as far as suggesting that these "new converts" intend to destroy the party so they can pick up the pieces. This fear is fueled by a circulating rumor that the President is contemplating sacking the Vice President and intends to replace him with Dr. Riek Gai, a former fervent supporter of the NCP who converted to the SPLM just in time for the declaration of independence. The logic being that Gai is a Lou Nuer, which is believed to be the majority section of the Nuer community and such replacement, could placate the Nuers and calm ethnic tensions while maintaining a majority of the vote. Dr. Riek's relationship with the President is said

to have improved significantly following the Presidential Decree removing some powers from the Vice President. If this replacement were to happen, there are a number of variables that would need to be considered including the reality check against the claimed popularity of Gai and his acceptance as the leader of the Nuer community, the same way they see Dr. Riek Machar. It is also critical to take the pulse of party members to gauge their support of a late arrival jumping a dogmatic party hierarchy. The fear of Gai's perceived unfettered access to the President is aggravated by the presence of Tor Deng Mawien, the former Deputy Speaker in the legislative assembly on the NCP ticket, who became an SPLM and Governor of Warrap State just recently. Tor, who is believed to be very influential, is the President's adviser on decentralization. The President's gravitation towards the NCP converts emanates from the purported loss of support among some top SPLM veterans, particularly the self-proclaimed Garang Boys and those of the Nassir faction.

Consequences

If the current power struggle within the SPLM continues unabated, it is certainly bound to have far reaching consequences. This could include a possible party split; state failure and only a remote chance of emergence of a genuine multi-party democracy. While the talk of a split is not guaranteed, it is possible to think of the SPLM breaking into three groups – each being led by the President, Vice President and the Secretary General. Assuming that there is some level of political maturity, the divorce may take a peaceful political trajectory that could see the creation of new parties or distinct factions of the SPLM. The possibility of a peaceful break up excites some party members because they believe such a move would herald the arrival of a truly multi-party democracy as a break off faction of the SPLM may become a real opposition to the government. On the other hand, God forbid, the divorce may take a violent form, which may further divide the country along ethnic lines. If the cracks take ethnic lines and violence ensues as a result, the state may become dysfunctional, giving way to a large-scale ethnic violence. Moreover, if the 2010 elections serve as an example, a violent split in the party may lead to spontaneous rebellions and possibly a civil war, which will certainly arrest development and undermine peace and stability in an-already economically fragile environment. The possibility of the later scenario sends chills down the spines of many citizens, hence a fierce longing for a solution that maintains tranquility and national unity.

What is the Way Forward?

Discussions with some senior government and party officials point to the need to find an amicable solution. However, these individuals could not agree on what the exact course of action to take should be. Given the fact that the differences among the President, Vice President and Secretary General might be difficult to repair, some of the individuals interviewed think that the President is justified to remove the officials in question. The argument follows that the marriage between the President, his deputy and the Secretary General has been a bad marriage from the start and it has stymied progress within the party. Many party officials interviewed in fact accuse the Vice President of insubordination and behaving not like a vice president but like an opposition leader. The Vice President's behavior seems to have triggered many bad memories of his infamous break away in 1991. To those who hold this view, the ultimate solution is inevitably a

split. Reconciliation at this point is less meaningful. They justify their position pointing to the fact that this situation will continue to haunt the party year in and year out and so it must be ended now so people can go forward.

On the other hand, there are voices that urge caution and reason. Taking a drastic decision such as the said removal, they maintain, is bound to have far reaching repercussions, and this should not be taken lightly. Those who espouse such cautious approach seemingly agree with the idea that a divorce is ultimately the long-term solution, but to them, a divorce can only happen through a democratic process within the party. They reject the notion that one person within the party should command powers to dismiss high-ranking party officials. The best and most peaceful way out of this standoff, they argue, is to reach some sort of intermediate reconciliation that will enable the party to go ahead with the review of the basic documents and move forward with an open election exercise through party primaries. Those who will suffer defeat in this exercise will have no one but themselves to blame for not garnering enough popular support in an open and credible democracy. Anything short of this will be exploited potentially as some politicians may cry fault and play victims, a situation that has a potential to spark civil unrest.

Asked to suggest ways in which such an intermediate solution could be reached, those officials interviewed conceded that as things stand, the party will find it difficult to internally address this dispute. People are so polarized and bitter and most of the avenues of communication between the leaders are closed. The remedy suggested is that national elders, mostly former vice presidents of Sudan including Abel Alier, Joseph Lagu, Moses Machar, George Konggoor, church and/or civil society leaders should intervene and bring the parties on the table. Another suggestion is the intervention of the international community and friends of South Sudan. Lastly, they appeal to the President to take a moral high ground and allow a room for dialogue and discussion, an essential way of ensuring democracy. These officials believe the President is the only person within the party with the power to calm the current tensions with leadership and guidance.

Recommendations

As enumerated above, what is justifiably an internal SPLM issue is also a matter of national concern, and as such needs an immediate solution. To start this road, the following steps are strongly recommended:

- The SPLM leadership should immediately stop making statements that seem unnecessarily divisive and instead open up appropriate communication channels within the relevant party structures to re-establish dialogue.
- Establishing this dialogue may require intervention from the national elders, such as former vice presidents of Sudan, church and civil society leaders, or from the international community and friends of South Sudan.
- The SPLM should reconsider disentangling the election of the chairmanship of the party from the position of the president of the Republic of South Sudan to ensure this pre-election posturing through non-democratic mechanisms does not repeat itself.

- In the event that it is not possible for SPLM to hold together as a united party, any split or break of the party should be done in a mature, peaceful manner that keeps intact national integrity, peace and security.

About Sudd Institute

The Sudd Institute is an independent research organization that conducts and facilitates policy relevant research and training to inform public policy and practice, to create opportunities for discussion and debate, and to improve analytical capacity in South Sudan. The Sudd Institute's intention is to significantly improve the quality, impact, and accountability of local, national, and international policy- and decision-making in South Sudan in order to promote a more peaceful, just and prosperous society.

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