



THE SUDD INSTITUTE

RESEARCH FOR A PEACEFUL, JUST AND PROSPEROUS SOUTH SUDAN

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WEEKLY REVIEW

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South Sudan's Crisis: A UN Trusteeship or Joint Administration is Outlandish

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Introduction

Since mid-December, 2013, when the conflict started in South Sudan, several international experts and analysts have come up with a flurry of ideas on how to end the violence and chart a way forward for the bleeding nation. Some of these suggestions are outlandish or controversial and deserve contextual reviews or responses. Although there are several ideas, we would like to focus on the suggestions of UN Trusteeship and Joint Administration as possible mechanisms to bring stability to South Sudan. For a number of explanations we outline below, we argue that the international community should not be involved in South Sudan in a manner that either constitutes trusteeship or joint administration.

The UN Trusteeship

The idea of placing South Sudan under the UN Trusteeship¹ proposed by Hank Cohen, a former US Assistant Secretary of State for African Affairs, is not helpful. His proposal has the potential to add fuel to the already burning fire. Cohen notes correctly that infrastructure, education, and private investments are significantly limited, exacerbating tensions. However, these indicators have little to do with the current violent conflict, which largely hinges upon personality politics at the center. Rather, our observations at the Sudd Institute demonstrate militant attitudes, inflated political egos, ethnic politics, and lack of peaceful political culture as being at the root of the current violence. Notably, the indicators Cohen references certainly play a fundamental role in exacerbating violence, but they often manifest themselves quite differently than the current situation of South Sudan demonstrates. The unrest in the Middle East and North Africa, for example, are better suiting circumstances adequately explained by these factors. The most differentiating feature between the two situations is that in the former, the prominent engineers of violence are disgruntled ordinary members of the population, particularly the youth. While the South Sudanese politicians are now exploiting deprivation arguments, those cannot be directly linked to the emergence of this conflict, as Cohen seems to suggest.

The examples Cohen gives as success stories for trusteeship do not provide an appropriate parallel to the context of South Sudan. He provides no compelling evidence of the effectiveness of such a model. Namibia may be stable today for different reasons, but not for being under a foreign trusteeship. There is certainly no link between trusteeship and current harmony. What would Cohen say of Namibia's neighbor,

¹ See South Sudan should be placed under UN trusteeship to aid development of viable self-government – By Hank Cohen. <http://africanarguments.org/2014/01/06/south-sudan->

Botswana, which is doing very well but was never held under a trusteeship after the colonial rule ended? When it gained independence in 1966, Botswana had only 12 kilometers of tarmacked roads and per capita income of \$70 a year (Michael Lewin, 2011). By 2007, its per capita income had risen from \$70 to \$6,100 per year and it also managed to construct about 7000 kilometers of paved road networks². Such a high feat was not attained because of trusteeship, but rather because of homespun good governance and sound policies (Lewin, 2011). How about the role of ethnic heterogeneity, which has been shown to impact upon harmony in a host of settings? As for the Congo, after the trusteeship, the country has come to embody a perfect image of a failed African state characterized by corruption and civil strife. With roughly 250 ethnic groups, Congo's experience forthrightly vexes the perceived effectiveness of trusteeship, suggesting that the Namibian experience Cohen supplies may be entirely explained by politically obscured determinants. In addition, some of the western critics believe that South Sudan's independence is the cause of its current challenges, a claim that isn't robustly ascertained. This explanation explicitly obscures the history of subjugation in the Sudan.

In fact, the independence of South Sudan is a result of the failures of various Sudanese administrations to govern the Sudanese society in a way that could promote socio-economic integration and development among citizens and regions of the country regardless of race, ethnicity and religion. We like to think that the independence of South Sudan was a solution to Sudanese failures. To be sure, many South Sudanese do not regret having chosen independence despite how badly things have recently turned out. There is still optimism that the South Sudanese society can be put on the right track towards sustainable peace and development, especially if and when contextual solutions are devised and adequately enlisted. A reference to context is important in light of the UN trusteeship suggestion, a cut and paste model. From an international perspective, South Sudan's current crisis is one of the many hiccups transitional nations must overcome before they realize stability and economic prosperity. No country on earth would claim to have gone through its transition smoothly, including the United States and Great Britain. More specifically, nearly after 90 years of independence, the US fell for a destructive internal violence, which claimed over 300,000 lives in only 4 years. The USA fell to violence because of failing to address the issues of slavery soon after gaining independence. South Sudan's situation is akin to that of the US, necessitating internally concerted self-correction as a panacea for an effective transition.

And even more disconcerting is the glaring evidence that the UN has not proven to be an effective system that manages national politics and affairs of any particular nation. It has not even proven to effectively manage its peacekeeping operations around the world. The failure of the UN Mission in South Sudan to build and maintain peace in South Sudan is the case in point.

Even if the UN proved to be an effective manager of divided nations, trusteeship would be an unacceptable solution to the current conflict. This is because such an arrangement goes against the ideals of South Sudanese liberation struggle, and particularly in the absence of sound justifications for such an arrangement. Furthermore, many African nations are dealing with rebellions, including the devastating conflicts in DRC, Somalia, Sudan, CAR, and Egypt, but such ideas are never considered. South Sudan is not any different, and like Rwanda, it can actually emerge out of this conflict stronger.

Joint South Sudanese—International Administration

² See Botswana's Success: Good Governance, Good Policies, and Good Luck an article written by Michael Lewin as a chapter in the book: Yes, Africa Can: Success Stories from a Dynamic Continent edited by Punam Chuhan-Pole and Manka Angwafo.

Princeton Lyman, Former US Special Envoy to Sudan and South Sudan and his colleagues at the United States Institute of Peace (USIP), have suggested three principles to be the basis for the peace talks. These principles include (1) No return to the status quo, (2) Involvement of civil society members, state level officials, national parliamentarians, media groups, women and youth in the peace process instead of restricting it to the national political elites and those bearing arms, and (3) Involvement of the international community to play a role, including a role in a joint International community- South Sudanese administration for the interim period until the next elections (Princeton Lyman, Jon Temin, and Susan Stigant, 2014).³

We at the Sudd Institute see the merits of two of Lyman's suggestions namely: no return to status quo and the consideration of fundamental change in the constitution review process with expanded participation beyond the confine of the political elites. In our understanding, a status quo would be for the SPLM in Opposition and the government to reach a power sharing arrangement that only favors elitist politics at the expense of the ordinary South Sudanese. This is essentially what South Sudan had in place till the conflict, and the return to it only perpetuates instability. Any new arrangement must be radically different to transform not only politics but also the life of ordinary South Sudanese in a positive way. On the second issue, an inclusive political process, it is not just having representatives of the mentioned sectors of the South Sudanese society that is important; rather, it is important to have an inclusive political process that allows different groups to have meaningful contributions towards a more robust and durable settlement. These two points add a great value to the negotiation process and must be given due consideration. Of course, there is no compelling reason to think that creating an inclusive political environment in South Sudan requires the UN trusteeship or joint administration.

To this, the third point Lyman and colleagues propose, that of a joint administration, has no appropriate place in the settlement of this conflict. In essence, the suggestion implies inability of the South Sudanese society to manage their own affairs, and that its capacity needs shoring up via the international community's efforts. Although the suggestion is slightly different from trusteeship, they come from the same family tree. This suggestion glosses over the fact that the international community has had its finger prints all over South Sudan's political processes in the last nine years, including the presence of a robust UN military force under chapter seven, with little to show for in terms of maintaining peace and building cohesive political institutions in the country. Such arrangement would perpetuate unnecessary dependency and importation of impractical institutional arrangements that have proven ineffective in South Sudan. Instead, we suggest that South Sudanese should look inward for solutions.

In terms of human resources, there are more educated South Sudanese to efficiently and effectively run South Sudan compared to the time when most African countries gained independence in the 1950s, 60s and 70s. The claim that South Sudan lacks seasoned human resources to effectively and efficiently manage its affairs is rather perceived than real, and subsidizes western economic hit men policies. Literacy rates are lower, but a focus on national level literacy rates does not take into account the many educated and literate South Sudanese who are either redundant in Juba or in the diaspora and can be called upon to help with the national development. In terms of capacity development in GoSS, South Sudanese have been trained and prepared during the six years of interim period. Unfortunately, this effort has been ineffective, in part because it lacks context. Almost every single institution of the government of South Sudan has had a foreign

³ See Crisis and Opportunity in South Sudan By Princeton N. Lyman, Jon Temin, Susan Stigant: <http://www.usip.org/publications/crisis-and-opportunity-in-south-sudan>.

advisor to give technical support on how to run a government. Instead of training the South Sudanese in anticipation of long-term transitions, many consultants took on the role of government employees, directing government departments/institutions, writing institutional reports, legislating, and managing the country's finances. This paradigm led to a non-transfer of necessary skills to South Sudanese. Part of the reason the UN and other partners came to South Sudan was to provide humanitarian services and to facilitate the development of South Sudan into nationhood. Ironically, the international partners do not see themselves as equally responsible for the failures. A failure in this joint endeavor, in our opinion, necessitates a criticism of shared responsibility between the government and its international partners.

Conclusion and Recommendations

The direct political role of the international community in any future administration, interim or otherwise, should be avoided. The international community's role should, instead, be restricted to helping with mediation processes, protection of civilians, provision of humanitarian services, and exertion of positive pressure on the parties to end the violence and reach a comprehensive, homespun political settlement. Once a political settlement is reached, the international community should review its intervention model in South Sudan in terms of support for institutional development at the national and state levels. In addition, the international community should consider providing unconditional humanitarian and development assistance at the grassroots level. However, the humanitarian support should not be an open-ended affair; it must be timed and phased out and much of the responsibility transferred to the government within a specified period of time. The South Sudanese government should come in with a strategic national development policy as it happened in Rwanda.

Any technical assistance must be timed also with assurances or guarantees for knowledge transfer to South Sudanese within a reasonable time. Poorly coordinated, endless capacity building programs are counterproductive and seem to make the government reluctant to shoulder the responsibility to prepare its workforce. Any multilateral or bilateral financial assistance should be delivered in terms of goods, for example, roads, hospitals, or schools and not necessarily as cash, except for special cases such as paying salaries for teachers, doctors and nurses. But those exceptions can be built into the development agenda through the conditional cash transfer (CCT) program based on altering institutional or individual behavior to achieve development. To ensure proper use of funds, the government and its partners should set up a system of accountability that compels both parties to make transparent decisions and spending. This kind of a system should be in the form of a bilateral memorandum of understanding or agreement that incorporates accountability and transparency reporting mechanisms without undermining the authority of South Sudanese to govern themselves.

The bottom line is that any assistance, humanitarian, bilateral or multilateral, must aim at graduating South Sudanese institutions to assume full responsibility and complete its journey towards a stable nationhood. A perpetual humanitarian cushioning of the state is a recipe for the elite to milk the state (through rent seeking) and displace their responsibilities to foreign agencies.

In summary:

- a. The idea of placing South Sudan under UN Trusteeship is outlandish. Notably, the UN has not proven to be an effective system to manage national politics and affairs of any particular nation. Particularly, it has

little to show in terms of ensuring national stability in the last 9 years of its presence in South Sudan.

- b. The role of the international community in any future administration, interim or otherwise, should be avoided.
- c. The international community's role should, instead, be restricted to helping with the mediation processes, protection of civilians, provision of humanitarian services, and placement of positive pressure on the parties to end the violence and reach a sound political settlement.
- d. Any international assistance—humanitarian and capacity building and development—should be aimed at speedily enabling South Sudanese to take full responsibility and complete their journey towards a stable nationhood. Any external assistance that displaces South Sudanese from this process is irresponsible and must be avoided.

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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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