



THE SUDD INSTITUTE

RESEARCH FOR A PEACEFUL, JUST AND PROSPEROUS SOUTH SUDAN

P. O. Box 34, Juba, South Sudan • Tel: +211 (0)956 305 780
Email: thesudd.institute@gmail.com • www.suddinstitute.org

POLICY BRIEF

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The Unwarranted Carnage in South Sudan

Abraham A. Awolich

Introduction

This analysis is an attempt to make sense of the current crisis in the Republic of South Sudan. The country is experiencing a catastrophic violence since its independence merely two and half years ago. The conflict, which emanates mainly from a mismanaged political discord, has caused massive loss in lives, property, and social cohesion and is threatening to degenerate into a civil war. A considerable civil population has been displaced in the Greater Upper Nile. What triggered this violence is disputed, with the government accusing political dissidents of a failed coup attempt and the rebels accusing the government of a political poly meant to purge political opponents. The debate as to what triggered the crisis is, however, petty in comparison with the damage it has caused. What is clear is that this violence resulted directly from a power struggle within the SPLM, a situation that was completely avoidable. This analysis, which is based on interviews with the political actors, therefore, attempts to augment previous analyses regarding this new wave of violence in the country, with the aim to offer recommendations for objectively ending this conflict. The rest of the analysis details the evolution of the crisis, chronology of the events, and the way forward.

The Evolution of the Crisis with the SPLM

The current crisis in the country, which some international media houses have mischaracterized as an ethnic conflict, though with admittedly an ethnic undertone, emanated from an internal struggle for political power within the Sudanese People's Liberation Movement (SPLM). It has to be recalled that the SPLM as a political movement, which fought a protracted war of liberation against various regimes in Khartoum, was never a cohesive entity. From its inception there have always been power struggle, ideological and political differences, and even strategic differences within the organization. More often than not, these differences follow ethnic or regional fault lines, leading to ethnic violence. Unfortunately, these violent differences have never been conclusively resolved. They were suppressed during the war in the interest of achieving a united front and victory against the archenemy, the then Government of Sudan. Therefore, the SPLM can best be described as a concoction of various political interest groups, armies, and tribal or ethnic leaders united against a common enemy, a union that is not grounded in any collective or shared ideological destiny. In other words, not much else seems to have united the people of South Sudan other than their desire for self-determination and opposition to Khartoum-based regimes.

Thus, after the signing of the Comprehensive Peace Agreement (CPA) in 2005, it was hoped that the movement, the SPLM, would be transformed into a political party to

champion the unity of the people of South Sudan on new basis and lead the society towards achieving full social transformation and promote peaceful coexistence, equality, justice, and prosperity. Given the circumstances under which the then Government of Southern Sudan operated, it deserves a lot of credit because it managed to a larger degree, harmonize all the military factions under the SPLA, but this also created a disjointed defense institution in the country. Much of this disjointedness is rooted mainly in the failure of the government to build a professional army that reflects the character and diversity of the nation. The integrated forces simply remained loyal to their former commanders turned politicians. Moreover, the government and the SPLM particularly, failed to articulate a new vision for an independent country and no meaningful social transformation has taken place as many citizens presently continue to wait for the elusive peace dividends. On the political front, no major transformation has taken place and instead, what has happened is now known as “a big tent policy” in which influential individuals are accommodated in the government, and the rebel leaders bribed into quitting insurgence without actually resolving the causes of revolts. No consequential redress has happened, no reconciliation has taken place, and justice was forgotten.

While the accommodation policy was a rational and a useful tool to end violence to a certain extent, it was meant to be short-lived. The “big tent” got smaller for politicians with varying egos and ambitions for political power. It became apparent, for example, that no amount of appeasement or reward would soothe the ravenous appetite of some politicians who want nothing short of the top seat, both in the party and in the government. In a zero sum situation, persuasion is rendered insignificant and reasoning is eliminated from the equation. This is the situation South Sudan has let itself into, particularly when nearly all the top leaders in the SPLM declared their intentions to run for the party chairmanship. In a bid to make sense of the violent result of the SPLM internal disputes, it is important to look at the historical evolution of the problem.

Chronology of the Current Crisis

Although many experts and political commentators rightly trace the current crisis all the way back to the 1991 SPLM/A split, it is also fair to suggest that much of it actually started in the 2008 SPLM Second National Convention, in which Riek Machar threatened to challenge Salva Kiir for the party chairmanship, provoking internal tensions within the party. The crisis was resolved when the convention decided to keep the status quo. The differences between the two leaders seemed to have been buried when Salva Kiir chose Riek Machar as his running mate in the 2010 general elections. The differences, however, emerged once again in 2011 when Dr. Machar and President Kiir were at odds over the transitional constitution. At that time, the President accused his deputy of running a parallel government and circulating his own constitutional draft. This tension grew and it seemingly worsened just before the declaration of independence.

Around mid-2012, the SPLM organized a thanksgiving tour, during which prominent SPLM leaders and members of the Political Bureau went to the ten states and counties to thank the people of South Sudan for their support of the movement throughout the years of struggle and during the CPA. These consultations revealed a growing discontent at the grassroots with both the SPLM party and the government. This seemingly an unexpected finding dismayed the party leadership and seems to have elicited finger pointing within the party. Dr. Machar apparently saw this as an opportunity to present himself as the next leader and apportioned the blame for the alleged party failures on the sitting party chairman, who is also the president, with the intent to discredit his leadership. The chairman and his supporters obviously did not take this challenge lightly.

In March 2013, a meeting of the political bureau, the SPLM's highest political organ, was reportedly convened and it went seemingly chaotic after Dr. Machar, Pagan Amum and Madam Nyandeng openly declared their intention to challenge the President for party chairmanship and subsequently the presidency. The meeting apparently ended in discordance and the President was reportedly angry and feeling betrayed and abandoned. In April 2013, the President withdrew delegated powers from his Vice President, citing the fact that these powers were delegated to the second chair when he was serving as the First Vice President of the Sudan, and that he could not carry out all his duties in Southern Sudan and in Khartoum at the time. After independence, the President was now serving fulltime and so he allegedly needed his powers back. Dr. Machar would of course dispute this account claiming that political differences were the primary motivation behind the move.

The party officials reportedly attempted severally to convene meetings of the Political Bureau and the National Liberation Council to address these differences, but they were repeatedly postponed, perhaps as a result of the political tensions that had emerged within the Political Bureau. Besides, a purported lack of strategic communication within the party led to a growing discontent and created a rift within its ranks and the internal contradictions came to the open. By July 2013, in the days leading to the second anniversary of the independence of South Sudan, party leaders were speaking publicly about internal party crises. On Independence Day, Pagan Amum was conspicuously missing in the celebration, and was presumably speaking to the media on the sidelines, uttering some sharp criticisms against the President and the government. In the same event, the President failed to acknowledge the presence of his deputy in the celebration and a sense of institutional indiscipline within the top echelon of the party became even more apparent.

After the anniversary celebrations and weeks of speculations and rumors, the President, on July 23, 2013, took a shocking decision by dissolving his entire cabinet and removing his long serving Vice President, Riek Machar, and suspended the SPLM Secretary General, Pagan Amum. The reshuffle of the government saw a large number of prominent SPLM leaders lose power. The removal of Dr. Machar particularly created a sense of fear among the citizens who showed concern of any negative reactions from Machar and his supporters. With a great sense of relief however, Dr. Machar and his supporters kept their cool and reassured the public about their intention to fight this through peaceful and political means. This reassurance created a false sense of security among the citizens and equally relaxed the international community. There was little thought about an emerging violence as a result of political differences in the SPLM.

After the formation of the new government, the President toured the Greater Bahr el Ghazal region to shore up support for his new government. In that tour, the President purportedly told the citizens that his new government would deliver basic services and that those he had removed are thieves and incompetent. This was, of course, in response to the six points that Dr. Machar outlined as the President's failures. An already tense situation in the party apparently worsened during the President's tour and his labeling of his opponents as corrupt and incompetent bunch angered by loss of power. This regional campaign seemingly drove a number of the President's supporters to a purported growing opposition to his leadership within the party, particularly among those he reshuffled out.

These growing divisions within the party coupled with the failure of the party leadership to use party structures to address internal issues meant that there was no direct communication within the party and so members resorted to small groups that met and discussed party matters in private settings. This is how the dissident members of the party consolidated their alliances.

In mid-November, 2013, the President, who is also the leader of the SPLM gave a speech at the inauguration of the SPLM House in which he allegedly called for the dissolution of the party structures save for the office of the chairman and the secretariat, citing primarily the fact that the terms of the party structures have elapsed since May 2013 (Sudan Tribune, November 15, 2013)¹. The President later recanted his statement and called instead for the meeting of the National Liberation Council (NLC), which is the legislative organ of the party to pass party foundational documents. Although retracted, the President's statement on the dissolution of the party organs stirred some level of fear among the party leaders, particularly among those who had been excluded in the new government. They saw it as an attempt by the President to squeeze them out of the party and eventually out of the political space.

This probably prompted Dr. Riek Machar and his supporters to call the press conference at the SPLM House on December 6, 2013. The press conference was seemingly a calculated act by the group to completely discredit the party chairman and prove to the citizens and the world why he deserves not to continue as the SPLM leader. The defiant act of Dr. Machar and his group triggered a series of negative reactions within the party, including the counter press conference led by James Wani Igga, the Second Deputy Chairman of the party. Dr. Machar's press conference and Vice President Wani's counter press conference aroused a great deal of fear among the citizens². Dr. Machar and his group's press statement labeled serious charges against the President and a number of points suggest that the group was indeed frustrated with the system. This makes it plausible that some of the group members were convinced that change must happen by all means necessary.

Four important points are worth quoting here. First, the group charged the President of dictatorial tendencies, and that he was driving the country into chaos.

The deep-seated divisions within the SPLM leadership, exacerbated by dictatorial tendencies of the SPLM Chairman, and the dysfunctional SPLM structures from national to local levels are likely to create instability in the party and in the country. For these reasons, and out of our sincere concern about future of our people, we the SPLM members of the Political Bureau and the Leadership of the party are obliged to inform the public about the true state of affairs in the SPLM and how General Salva Kiir is driving our beloved Republic of South Sudan into chaos and disorder.

Second, the group incited the SPLA against the President by claiming that the President was raising his own army and marginalizing seasoned SPLA leaders.

In the Army, General Salva Kiir Mayardit has demobilized the seasoned SPLA commanders and made them redundant. This action amounts to erasing the historical legacy of the SPLM suggesting that comrade Salva Kiir is on trek to form his personal army, in the guise of Presidential Guards. General Salva Kiir intends to form his own political party linked to the NCP and has nothing to do with the historic struggle of our people. This point can be interpreted as a call for the army to withdraw its loyalty from the commander in chief—a condition that can encourage subversive activities.

Thirdly, the following quote says it all. “*We want to bring to the attention of the masses of our people that General Salva Kiir has surrendered the SPLM power to opportunists and foreign agents. These actions undermine the hard won independence and sovereignty of the Republic of South Sudan.*” This can easily be understood as the justification for change.

¹ <http://allafrica.com/stories/201311151554.html>

² Citizen Newspaper December 9, 2013 Vol. 8. Issue 630

The last point is what the group suggested as the way forward.

In order to resolve this crisis, we call on the SPLM Chairman to convene the Political Bureau to set the agenda for the National Liberation Council so as to correct the deviation from the SPLM vision and direction. And address the present challenges within the SPLM with the view of revitalizing and restoring the SPLM to the driving seat. The SPLM should hold the steering wheel of the two historical processes of nation building and state building.

If the demand was simply a call for the meeting of the Political Bureau to set NLC meeting agenda as reflected in the statement above, why did the group take such an expensive route and discredit the very person they want to call the meeting? One explanation could be that the statement was basically intended to conceal the real intentions of the group and present the group as willing to find a peaceful means out of the party crisis. The seriousness of the allegations labeled against the party chairman should not have simply ended in a call for a Political Bureau meeting only to set an agenda for the NLC meeting; it should have also called for much more. It could be that the group actually hid their real demand for fear of being arrested.

In light of the above statements, it is clear that the political process within the SPLM had reached a dead-end and approaching a critical crossroads. With the conduct of two bellicose press conferences and lack of meaningful dialogue, violence became one of the ends to the political stalemate within the party. However, there were a number of options that could have saved the country from this catastrophe.

- One of the remedial options was for the National Liberation Council to adjourn its deliberative processes on the party documents and attend to the issues that were raised by those in opposition.
- Second, the President should have remained above the internal confrontation within the party, taking leadership position and lived up to his commitment not to take this country to war by calling upon Riek Machar and his cohorts to sit and talk through the issues they have raised, even if that meant inviting an external mediator.
- The third option that could have prevented this bloodbath was for Riek Machar and his group to take nationalistic stand by using civil means to make their political satisfactions and other peaceful measures to communicate the fact that they needed nothing short of the implementation of the SPLM processes and structures which they felt were abandoned, but which would have led to radical political reforms.
- Lastly, in the African tradition, if you hear your neighbors quarrelling and they start to utter insults at each other publicly, you know that they are going to fight and so you must intervene. The international community—including the UN, the US, IGAD countries and the AU—has failed to intervene at the right time. Allowing this crisis to drag on and to burst led to this unwarranted carnage. Citizens had hoped that our international friends and mentors were there to intervene at a critical time in order to avert calamity. The fact that the international community was as surprised as the regular citizens shows that there was some degree of disconnect in their relationship with the government, and their reading of the political situation was erroneously complacent.

Hence, the debate on whether there was a coup or not, does not only delude the issue, but it also makes it difficult to find the way out of the crisis. Given the political developments leading to the violence, it is highly probable that Riek Machar and his military supporters had contemplated the change of political order militarily as a last resort given the impasse on the political front. It was essentially an option on the table given that dialogue was not going anywhere within the party. Based on the interviews we conducted few days before the violence, both sides had resigned in their efforts to find a peaceful means and they both had resorted to zero sum calculations. The timing of violence explains it all. Violence occurred on the last day of the National Liberation Council meeting after those of Dr. Riek and Madam Nyandeng were reportedly out voted on every issue they raised at the NLC meeting. The speech of the President was also confrontational and offered no reconciliatory recourse.

It seems logical, therefore, to assume that when the former warlords failed to reason politically, the best negotiation tools within their reach were political intimidation and violence, and this is presumably what took place here in South Sudan. In addition, it is so naïve to expect the rebels to admit having orchestrated a failed coup attempt, especially since the leader claims to be a democrat and some of his purported accomplices remain in custody. Although the government has of course not done enough in terms of providing evidence to support the attempted coup narrative, the claim that the government initiated the violence to get rid of the political opponents is utterly shallow.

Regardless of whose claim holds water; the underlying truth is that both parties have failed the country by refusing to embark on serious and substantive political dialogues, and instead resorted to violence and political intimidation to settle political differences. The opposition had not exhausted all peaceful means to warrant violence that has completely derailed this country from full realization of nationhood. Those who have remained in the government also contributed to this carnage by politically pushing their opponents to the wall or limits. In light of this failure, it remains the responsibility of both parties to resolve this crisis and bring an end to the conflict exigently.

Way Forward

A number of ideas regarding the way in which the conflict could be resolved have been floated around. We intend to add our voices by offering the following possible solutions.

- The first order in finding a solution is the recognition of its root causes. The President and his supporters should admit the fact that they mismanaged the SPLM crises by attempting to squeeze their opponents out of the political space and by so doing allowed a situation that was totally avoidable to degenerate into a deadly conflict. On the flip side of this, Riek Machar and his supporters must admit the fact that they instigated the violence in an attempt to overthrow an elected government after he and his group failed to get what they wanted in the SPLM—a democratic process.
- Since the conflict is an intra-SPLM issue, a solution must look at reforming and democratizing the SPLM so as to improve internal party competition. This can be augmented by an inclusive constitutional review process and a reform of the political parties' council and its mandate broadened to include a framework for internal party elections as a condition for registration. As a last resort, the warring

parties might consider dissolving the SPLM if the fight over its leadership and legacy persists.

- A political settlement that ensures a pathway to democracy needs to be reached and should not involve a power sharing arrangement because such arrangement was informally instituted during the CPA and it didn't seem to work well. Besides, this arrangement encourages reckless power seeking and promotes impunity and undemocratic political recourses.
- A long-term political settlement must focus on both political parties' reform and constitutional making process that culminates in a referendum.
- To avoid future fracture within the national army, the military needs to be overhauled both in terms of retiring the old guards while ensuring that the rebellion is not rewarded by promoting warlords and returning them to command a national army that fought against them. This creates resentments in the chain of command as well as dissatisfaction among those who have remained loyal. The army must reflect national character and diversity and that it is downsized to allow for professionalization. It may also be necessary to retire the SPLA name in the national archive and historical books and South Sudan army should be renamed and rebranded. This will delink it from the SPLM and rehabilitate its torn image.
- To achieve stability and sustainable peace and development, South Sudan must embark on a robust national reconciliation and healing process. This process should not be rushed or left to spiritual leaders alone. Spiritual leaders have played a significant role in resolving a number of conflicts in the country, but the magnitude of this crisis plus previous atrocities will need a comprehensive political and economic strategy to tackle them. This process must involve research, mapping of issues, and development of the framework for addressing them, backed by an act of parliament. The act must answer the question of whether punitive or restorative justice or both will be used in the process.
- It is not enough to reach a political settlement and embark on national unity and reconciliation process. The most fundamental stage in stabilizing this nation is to anchor everything on social transformation. The way this society is set up and the conditions in which our people live must change—service delivery must be an important way of achieving peace. We can build wonderful institutions, we can frame a beautiful and enticing political program, and we can hug and embrace each other in peace and love, however, until individual citizens are transformed and life of those in the fringes is improved, South Sudan will always find itself in this state of affair. Social transformation can occur through mass education, employment, health, trade and improved communication and transport systems. South Sudan state or government must prove it exists for the purpose of transforming society and any government that fails to meet this basic function, deserves not be in power.

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.

About the Author

Abraham Awolich is a founding member of the Sudd Institute and currently runs administration and finance department. Awolich is a policy analyst and his research interests are in public administration, development, decentralization, NGO and public management, budgeting and public finance, community development, organizational justice and all poverty related issues.