

South Sudan: The Paradox of the Decentralized Governance in Multi-Ethnic State

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Abstract

Decentralization and local self-governance have become key elements of political and administrative reforms in many countries since the 1980s. Diversity in many developed, developing and transitional countries has been a compelling factor in a choice for decentralization. In that context, South Sudan, before and after it achieved independence had adopted a decentralized form of governance within the unitary framework. This decentralization scheme was designed to harness the challenge of nation-building and nurture national unity. However it did not achieve the intended objective. Delving into what is thought to be a normative debate in social science scholarship, this article seeks to explore the form of governance system that is best suited for multi-ethnic societies like South Sudan in light of the current conflict. The article argues that perceived state exclusionary policies, fragmented party system within the SPLM, ethnic distrusts and institutional domination by some ethnic groups remain the major threats to national unity in the country. As a result, the article proposed federal governance for South Sudan as this institutional arrangement promises self-rule to communities while also providing shared rule and fair representation of the political elite in national institutions.

Introduction

Decentralization and local self-governance have become key elements of political and administrative reform in many countries since the 1980s (Kathleen, 2005; Eva and Uwe, 2006; Scott, 2009; Andreas, 2013). Andreas and Scott (2013 and 2009) noted that diversity in many developed, developing and transitional countries has been a compelling factor in a choice for decentralization. A new resurgence emerged based on the belief that it can serve as an instrument for conflict transformation and for securing peace (ibid). Often decentralization is regarded as a tool for broadening public participation and improving service delivery (Kauzy, 2005; Arthur, 2011; Robison, 2007). As such, it is argued, by bringing in more actors to public institutions at the local level, the political system can build trust between groups (Scott, 2009), and be a tool for promoting national unity (ibid). Many countries such as Macedonia, Democratic Republic of Congo, Rwanda, South Africa, Mali, Mozambique, Guinea and Cape Verde adopted decentralization in order to promote peace, good governance and na

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tional unity (UN, 2010; Swiss Peace and CSS, 2010; Marysse, 2005; Meheret, 2002; Ribot, 2002). In that context, South Sudan, before and after it achieved its independence had adopted a decentralized form of governance within the unitary framework as stipulated in Articles 47 and 48 of the Transitional Constitution of the Republic of South Sudan (TCRSS) of 2011. It established ten states with the presidential system of governance and bicameral parliament as stipulated in Articles 54 (1) and 97 of the TCRSS.

Delving into what is thought to be a normative debate in social science scholarship, the article seeks to explore the form of governance system that is best suited for multi-ethnic societies like South Sudan in light of the current conflict. South Sudan is a multi-ethnic and multi-religious country. The article reflects on whether the existing governance system has addressed the realities of the country. Specifically, it attempts to assess the capacity of this form of governance in accommodating diversity, ensuring minority protection, accountably and public participation in the context of promoting peace and unity in the country.

The article is structured into eleven sections. Sections One and Two deal with the introduction and overview of South Sudan. Section Three introduces the concept of decentralization and governance. In Sections Four to Eight, I explore the existing nature of institutional design and their functions, the accommodation of diversity and the governance system, the nature of the political system and party politics in South Sudan, and finally, ethnicity, diversity and inter-ethnic relations. As a result, the article ascribes the current source of tension and conflict in the country to the incompatibility of the decentralized system of administration as spearheaded by the SPLM leadership. In this connection, Section Nine discusses the genesis and the patterns of the current conflict in South Sudan while Sections Ten and Eleven strive to analyze the relevance of federal institutions in South Sudan by drawing some lessons from Ethiopia. They also discuss the ongoing IGAD peace process. The last part includes the conclusion.

1. Overview of South Sudan

South Sudan occupies an area of 619,745 square kilometers of land. It is characterized by equatorial climate, high humidity with a lot of rain fall. The country is crossed by the River Nile and it is a home to the Sudd swamp which is the world's largest swamp making 30,000 Square kilometers. It borders the Sudan in the north, Ethiopia in the east, Kenya and Uganda in the south and Democratic Republic of Congo in the southwest, and central Africa Republic in the west (Article 1(3) of the TCRSS). It achieved its independence from the Sudan on July 9, 2011 after the people overwhelmingly voted with over 98 percent in a referendum that ended nearly half a century civil war that killed over 2.5 million of its population. Based on the 2008 population census of Sudan, it has a popula

tion of 8.2 million.

South Sudan is a multi-cultural and multi-religious country. According to the Republic of South Sudan's government official website, there are over 65 different ethnic groups in the country. These communities are broadly categorized into three linguistic groups, namely the Nilotic, Nilo-Hamitic and Southwestern Sudanic group. Christianity and Islam are two religions in the country. Nonetheless, there are also traditional beliefs that are widely practiced as well.

Prior to independence, the people of South Sudan had highly complex and mixed system of administration. They were generally organized into ethnic units where chiefs or village elders played significant role in the administration of the societies (Regassa, 2010; Martina, 2012). In that case, there were two systems of administration (Regassa, 2010; Dereje, 2011). Some were under the management of the council of elders or village chief such as the Murle, the Nuer, and the Dinka on the one hand and others were under kingship, such as Anyuak, Shilluk [Collo] and Zande on the other (ibid). After independence, South Sudan had adopted a decentralized unitary system of governance with a multi-party political system as stipulated in the preamble and Article 1(4) of the TCRSS.

2. Grounding the Concepts of Decentralization and Governance: Theoretical Discourses

Before embarking on the detailed analysis and discussions of the decentralized governance in South Sudan, it is vital to offer a brief picture of the decentralized governance system from the theoretical perspective. The idea is that clarifying the meaning of decentralization and governance together with its variances will help us to analyse its paradox in the context of South Sudan.

Decentralization has been understood as the process by which powers and resources are formally transferred to institutions and actors at the local level (Ribot, 2002; Linder, 2002; Arthur, 2011). In other words, it is defined as the form of government in which powers and authority are moved away from the national institutions to those at lower levels of government in the form of delegation, devolution and deconcentration (Markus, 2011). Linder (2002) posited that it is an institutional arrangement between the central and the sub-national governments geared at sharing political power, resources and competencies, and as such it is combined with self-government. Markus et al. (2007) found that decentralization is taking the government closer to people so that their participation is encouraged. This has also been equated with assigning a self-rule to the lower units of government so that they can manage certain affairs at their jurisdictions for specific purposes (Kauzy, 2005; Linder, 2002).

Governance, on other hand refers to rules, institutions, and process that form the nexus of state-society relations where government and citizens interact

(Derick, 2007). This consists of state administration and structures, politics and exercise of legitimate authority, and making policies and their implementations (ibid). For Keohane and Nye quoted in Derick, it is a process and institutions that guide and restraint the collective activities of the groups (ibid). Decentralized governance in this regard could be designed to achieve many purposes such as efficient delivery of services, nurturing national unity, promoting public participation and accountability (Kauzy, 2005).

Decentralized governance system can take many forms such as devolution, delegation and de-concentration. De-concentration implies that central government implements its policies through its agencies in the field (Markus et al. 2007; Rondinelli et al. 1984 and Rondinelli, 1989). According to Markus, devolution is the actual transfer of power and authority "to lower units whereby they exercise unrestrained functions by national government" (2007:7). Under the delegation function, decision-making and administrative responsibilities are transferred to the local units (ibid).

Distinguishing Decentralized Unitary and Federalism

In some cases, decentralized unitary government could be similar to federalism in the sense that in both systems sub-national governments are granted self-government while their representation is ensured at the national institutions, particularly through the second chamber. In this regard, in unitary states such as France, the sub-national governments are represented in the senate, and in South Sudan they are represented in the Council of States (COS). In federal countries like Ethiopia, they are represented in the House of Federation, in Germany in the Bundesrat, in Switzerland in the Council of States, and in US in the Senate. Yet, it is crucial to note that decentralized system does not often ensure representation in national institutions while it remains a necessity in federations. The power allocated to sub-state entities in decentralized units is also granted by the central government and is not necessarily entrenched in the constitution. As Markus et al. (2007) demonstrated, in unitary state sub-national governments can be created and abolished by the centre. As such, Markus (2011) posited that in the decentralized unitary governance, the central government can withdraw powers it allocates to the sub-units any time. In federalism, as argued by Watts (2008) and Markus (2011), powers and competencies of each level are provided for in the constitution and a single level of government cannot unilaterally revoke or amend those powers.

3. The Institutional Design and Functions

According to Linder (2002), decentralization is the institutional arrangement between the central and lower units designed to divide powers through devolution

of power and functions. Linked to their functions, institutional designs in this regard take the form of power sharing arrangements between levels or units and organs of the government such as executive, legislative and judiciary (ibid).

Structurally, the governance system in South Sudan is organized into three levels, namely the national, states (there are 10 states) and the local government (Article 47(1) of TCRSS). The states are governed based on decentralization (ibid). The boundaries of sub-national governments are delimited based on the size of the territory, population, economic viability, interest of the community concerned and administrative convenience (Article 166).

The powers and functions for each level of government are set out in the constitution. According to the TCRSS, national government exercises exclusive, concurrent and residual powers. As such, the primary functions of the national government include inter alia maintenance of peace, defense, foreign affairs and monetary policy (ibid). Similarly, states exercise exclusive, concurrent and residual powers and functions and they have the power to make state laws and organize state police, wild life, state prison, state civil servants and intra-state public transports among others (ibid).

Based on their functions the national government has three organs, namely the legislative, executive and judiciary organs (Article 52, Schedules C& D). However, the states and the local governments have only two organs, the legislative (unicameral) and the executive (Article 163(1)). At the national level, the legislative function is vested in the bicameral National Legislature. This National Legislature is composed of two chambers, the lower chamber and the upper chamber, which are collectively called the National Legislatures and also separately referred to as the National Legislative Assembly (NLA) and the States Council (COS) respectively (Article 54).

Members of the NLA are elected from their own constituencies. There are three forms or separate constituencies from which they are elected; these include geographical, party and gender constituencies. In addition, the Transitional Constitution also gives mandate to the president to appoint some members of the NLA (Article 61). Members of the COS are elected by the State Legislative Assembly (states parliament) for a period of five years while some are appointed by the president (Article 58(1&2)).

As stated above, constitutionally the system of decentralized governance in South Sudan has three levels: national, state and local government level as stipulated in Article 47 of the TCRSS. This decentralized governance system is guided by the principle of devolution as stipulated in Article 48. To this end, the local government level exercises those functions such as promoting self-governance, enhancing participation of people and communities, ensuring accountable local government, and promoting of democracy and transparency (Article

165(5)).

Nonetheless, the rhetoric of these constitutional provisions is that there has been lack of public participation in the governance and that the local government has not been accountable to the people at the local level. For one thing, local government officials such as county commissioner are appointed by the state governor to whom they are in turn accountable, instead of accountability to the constituencies and the people they serve. It is important to point out that local government tiers include the County, the *Payam* and the *Boma* (Article 166 (5)). The *Boma* is the lowest unit of administration where participation of the citizens can be best realized. However, it has not been well integrated into the state structure and its administration remains entirely under the traditional authority (ICG, 2011). The growing demand of the citizens for the responsive and accountable governance structure that ensures effective public participation remains by far unrealized.

4. Accommodation of Diversity and the Governance System in South Sudan

Theoretical discourses revealed that decentralization can be used to mitigate conflict because it empowers ethnic communities with authorities and resources to decide their developmental priorities and also ensures their representation in national institutions (USAID, 2010; Smoke, 1999). Decentralization, therefore, is designed to promote peace and democracy, because its structures often reflect the regional differentiation of societies' interests (Kauzy, 2005; Arthur, 2011). Similarly, Tambulasi (2009) hails that decentralization has been trumpeted as an effective tool for increased peace and conflict resolution. As such, Crook (2003), Fox (2007) and Mukandala (2000) established that decentralisation can mitigate conflict mainly in a place where it increases the role of electorates and reduces centralization.

Looking back at the factors that led South Sudan to secede from the Sudan which include among others, the use of religion and ethnicity to control political and economic power by the political elite in the north [Sudan] (Jok, 2011; Regassa, 2010; Deng, 2010), one would expect that the newly founded state will learn a lesson and establish a broad-based and inclusive government. Deng (2010: 76.) succinctly accentuated the problem of Sudan and noted, "... the northern elite used Islam and Arabic language/culture as a means to forcefully assimilate other identities in Sudan and to sustain themselves in power". This view of the Sudanese political elites was against the reality of the country's diversity hence led the country to break up. While South Sudan is also diverse in terms of ethnicity and religion just like the Sudan it seceded from, the question is how the new country is going to deal with its diversity. The different communi

ties that fought against the regime in the north may have had a common ground, yet once the threat was gone and the sought independence achieved, internal differences began to surface out. The question then is: Has the political elite in power learned a lesson and has it designed an appropriate nation-building strategy that aims to politically integrate the different communities in South Sudan?

Seemingly intending to respond to the question of diversity of the country, the TCRSS stipulated that the system of governance shall be decentralized governance which was geared at "taking town to village or people" and nurturing national unity in the country (RSS, 2011). However, since the country achieved its independence from the Sudan, the notion of nation building remained 'weak' and 'undefined' (Jok, 2011).

Overstretched Centralization vis-à-vis National Unity

In unitary decentralized governance, whatever the case may be, the central government has the authority to withdraw powers it has transferred to the local units since there is no constitutional safeguard that protects local units against central tyranny (Markus et al. 2007). Unlike other political systems such as federalism, in unitary state, sub-national governments can be created and abolished by the centre (ibid). So in unitary state, the central government often uses decentralization as a tool for eroding ethnic identity and solidarity (Tambulasi, 2009). This rhetoric of decentralization demonstrates the paradox of the existing governance system vis-à-vis nation-building in South Sudan.

In South Sudan, the impediments of unitary decentralized governance are clear as the present reality demonstrates. The president has the power to appoint and remove the State Governors even to the extent of dissolving the States' Legislative Assembly (Article 101(r) of TRCSS). The State Governors in turn appoint and remove the Counties' Commissioners who will later appoint the County Legislative Council and remove them as well (RSS, 2011). While the institutional arrangement in the constitution may look like federal, the overriding powers given to the president demonstrate that it is a unitary system and the states have no way of checking the prerogatives of the centre.

Perceptions of the state's exclusionary policies, ethnic distrusts and institutional domination by some ethnic groups clearly explain the challenges of nation-building in South Sudan. The defining feature of political order in the country is the exclusion of the mass from the power and resources by the Dinka political elites in general and from the Office of the President in particular.

This claimed institutional domination by some ethnic groups seems to be evidenced by the government formed after the president but dissolved in July, 2013. The 19-member cabinet ministers were divided as 10 (52.6%) from the Dinka, 4 (21.05%) from the Nuer and 5 (26.3%) from the rest of the ethnic

groups (Presidential decree No. 03, 2013). Obviously, this arrangement contradicts the principle of proportional power sharing arrangement geared toward peace building and national unity as identified by Linder (2002) who posited that proportional power sharing arrangement enables different groups to recognize each other as actors having equal status and right based on fair share. The national government formed in July 2013 enabled the Dinka to take the lion's share - much more than what they deserve. Accordingly, Dinka constitutes 35% of South Sudan's population (Jok, 2011). The unfair power sharing in South Sudan came about because of the way the state structure is designed. As such, Dinka dominance appears to be leveraged at the national government through their dispersed settlement patterns since they live in 7 out of the 10 states in South Sudan.

The national government, however, used the present government system mostly for building its network of political clients by recruiting ethnic elites who have little support at their own constituencies (Lam, 2012). Needless to say, the existing political order in South Sudan largely empowered its executive organs at all levels at the expense of other organs of the government (Guok, 2013). This does not ensure check and balance in the government and had created an environment of authoritarianism. Referring to this state of affairs in South Sudan, Sebit (2013) argued that without check and balance between different organs of the government, the executive will have free hand to do whatever it wants and can direct the country according to its wishes. Absence of check and balance in South Sudan is "certainty where nepotism and corruption thrive without checks" (ibid: 36). The executive dominance in South Sudan can be seen from the extensive powers of the president. For instance, as stipulated in Article 56(2) and 58(b) of TCRSS, he has the power to appoint 66 members of the NLA and 30 members of the COS. Sebit (2013:36) added "the president armed with these powers and knowing that the assembly is not independent will certainly be tempted to become a power himself". These enormous national powers given to an individual (the President) and knowing that these powers are not checked by anyone without doubt, led the president to use his powers to the detriment of the national unity of the country. The removal of his Vice President, Dr. Riek Machar, who was his "running mate" during the 2010 election led to a crisis in the party (SPLM) and eventually in the country. The president enjoys unrestrained power in much the same way as many post colonial presidents in Africa do.

Such a despondent nature of political practice leads us to wonder how a popularly elected representative of the people could be removed through individual will. This otherwise contradicts the generous Section 2 of the TCRSS which vests sovereignty of the country on people. The reality is that the state structure, which is unitary, enables the executive to relent to authoritarianism because a unitary decentralized government is characterized by the absence of

umpiring mechanism that protects the local units from the tyranny of the national government (Watts, 2008, Markus et al. 2007). Such unitary decentralized governance is always characterized by centralization of powers at the national level and/or a single organ of government (like the executive in South Sudan). This represents a paradox of the governance system for multi-ethnic country where national decision-making is basically informed by ethnic influence. Whatever powers and functions are devolved, delegated or de-concentrated to the local units, the existence of presidential appointments of sub-national officials may not render effective decentralization insofar as those appointed officials guarantee their primary loyalty only to the national government and not to their local constituencies.

In order to quash the present gloomy nature of nation-building and for South Sudan to shun Sudanese style of nation-building which was narrow-based and weak, political elites in South Sudan have to devise a governance system that broadens public participation and ensures accommodation of diversity and accountability, as well as protection of minority rights. Because political marginalization and exclusion, which previously characterized the old Sudan, is now practiced in the new state, the result was nothing but only a resentment on the part of excluded communities which was sparked by the dismissal of the Vice President from power. Challenging what is widely believed to be an unjust method of nation-building, officials in the State Department of the US Government noted that the political elites in South Sudan who were themselves victims of injustice and human rights violations under the Sudanese government have again turned to be perpetrators of human rights violation against their own people (BBC hard talk, 19/05/2014).

5. Political System and Party Politics in South Sudan

As noted in earlier discussions, South Sudan is characterized by presidential political system with multi-party democracy. There are about 23 political parties in South Sudan. However, the Sudan People's Liberation Movement (SPLM) is the only dominant political party in the country that controls both legislative and executive (ICG, 2011) powers. The only opposition party that has representation, but only in the NLA, is the Sudan People's Liberation Movement for Democratic Change (SPLM-DC) that won less than one percent of the seats from its ethnically built constituency of the Shullik Ethnic group in the Upper State in the 2010 Presidential and Parliamentary Election.

Despite the existence of multi-partism in South Sudan, opposition political parties are rather weak and unable to challenge SPLM and utilize its policy gap. As a result, political party competition is characterized by intra-party competition, mainly within the SPLM (ICG, 2011). This in-party competition has

always been based on ethnic dimension. So far, political realities indicate that members of SPLM have been mobilizing their ethnic groups to support them in their power struggle against members of other ethnic groups with whom they engage in the game. A further complicating factor is the fact that higher level leadership within the SPLM is dominated by the Dinka and that the party has not been able to conduct regular party meetings to assess its own internal decision-making process. The leadership is fragmented lacking central command and the SPLM has not transformed itself from a liberation army to a post-conflict political party. When the President accused his rival of a coup and appeared in public, he was seen in military uniform, not civilian suits, symbolizing the lack of transformation and failure to distinguish between military and civilian administration. It is a fact that many of the institutions are headed by military generals.

Opposition political parties other than the SPLM-DC have representation in the NLA only through presidential appointment. This appointment of members of other political parties to the government (legislative and executive) has always been driven by individual links to top members of the SPLM combined with their ethnic background.

6. Ethnicity, Diversity and Inter-Ethnic Relations

Inter-ethnic relations among South Sudanese were characterized by historical ethnic rivalries and inter-ethnic violence (Jok, 2011; Wassara, 2007; Gray and Roos, 2012). The violence had its roots in competitions for resources such as grazing land and water (Wassara, 2007; ICG, 2009; Gray and Roos, 2012). Although, this was the case for past ethnic conflicts, presently trends are changing in the dimensions of traditional conflicts. The present ethnic conflicts are ignited mainly by ethnic claims and counter-claims against perceived state exclusion and/or marginalization and unfair distribution of resources and political powers (Jok, 2011; Wassara, 2007; ICG, 2009).

These exclusionary perceptions led to resentments and distrusts on the state, its machinery and the perceived dominant ethnic group. The state machineries are often blamed for bias in favor of dominant ethnic communities (ICG, 2009; Wassara, 2007; Jok, 2011). Thus the political dynamics, resentments and distrust in South Sudan provoked some ethnic groups such as the Murle in Jonglei State (JS), who believed they had been politically marginalized by the national government and the Jonglei State Government, to seek for state of their own (Guok, 2013). Consequently, the Murle, under their leader David Yau Yau, have been fighting with the national government for nearly four years (2010-2014). As a result, based on the Addis Ababa Peace Agreement signed in March, 2014 between the government and the rebel group led by Yau Yau, the national government upgraded the two counties of Pochalla and Pibor to an administra

tive area known as the "Greater Pibor Administrative Area" (GPAA).

Ethnic communities in South Sudan have historical bonds of relations that united them for many years. One of these was their historical struggle against the governments in Khartoum. What united them together, that is, ending the political and economic domination by the northern political elite and establishing a new state has been achieved. As Gray and Roos (2012) rightly pointed out, the always tenuous unity of South Sudanese was tested after the united cause of southern emancipation from northern oppression was achieved. However the reality in South Sudan is that there is now a new form of dominance and the political elite in power has failed to design appropriate nation-building policy that is broad-based and inclusive. As Jok (2011) posited, in South Sudan national decision making, access to resources and job markets are mostly determined by ethnic calculus.

Perceptions of state exclusion and domination of state institutions by some ethnic groups in the young nation account for strained ethnic relationships. These are also exacerbated by the failure of the SPLM to equally deliver its liberation and independence promises to the people. Now it appears that the nation-building enmesh of Sudan which was created by poor governance system that led it to civil wars for many years (1955-1972 and 1983-2005) has replicated itself in South Sudan. Unless the governance system is reformed, achieving peace will remain unthinkable. Having in mind that all the people of South Sudan collectively fought for freedom of the country, it is unrealistic for the political elite to relent to a traditional style of governance of African countries and endorse exclusionary policy practices. That is why the Dinka ethnic group, where top members of party elites come from, has always been blamed to have hijacked the people's hard won freedom.

7. The Genesis and Patterns of Current Conflict in South Sudan

The Comprehensive Peace Agreement (CPA) brokered in 2005 by Inter-Governmental Authority on Development (IGAD) and signed between the government of South Sudan and the Sudan People's Liberation Movement/Army (SPLM/A) did not deliver comprehensive peace to the people of South Sudan. As Gray and Roos (2012) stated, while casualties inflicted by their traditional enemy, the north, declined rapidly following the agreement, the number of lives lost due to conflicts between the southerners has risen steadily. These conflicts are historically ethnic-based, i.e., rivalries over resources and grazing land (Jok, 2011; ICG, 2009). These historical rivalries were unearthened by the increased public apathy to the government's failure to deliver services combined with entrenched inequality across the ethnic lines, gender and youth, and an unfair distribution of resources and political power after South Sudan achieved its inde

pendence from the Sudan (ICG, 2014; Jok, 2011). Therefore, the present conflict is the reflection of the historical tensions and mistrust among the different ethnic groups and political elites (Blanchard, 2014). The mistrust began to bloat when President Kiir decided to dissolve the whole cabinet that saw off most of the SPLM cadres who were also members of the party's higher echelon - the political bureau.

As the conflict heightened in the party, President Kiir invoked his executive powers and dissolved all the party structures. The quest for party's internal reform soured the relationship between the President, who is also the chairman of the party, and his colleagues. The insistence of President Kiir to approve the party's manifesto by showing up of hands voting system and his demand of 5 percent quota of the delegates to be appointed by him led to the abandoning of the meeting of the political bureau to be held before the meeting of the National Liberation Council (NLC) of SPLM (ICG, 2014). This view of the president was, however, rejected by majority members of the party who saw it as manifestation of dictatorship in the party. In her interview with UN sponsored radio Miraya FM, the Presidential advisor and wife of late Dr. John Garang, de Mabior Rebecca Nyandeng, describes this as "redline" provision in the party constitution designed by the President to intimidate voters.

At the NLC meeting of 15 December 2013, things began to fall apart and the leading figures of SPLM tried to air their grievances (Blanchard, 2014). On the night of the same day, members of the presidential guards, popularly known as the Tiger Battalion, were divided along the Dinka and Nuer ethnic groups and fought with each other claiming loyalty to President Kiir and Dr. Machar respectively (ibid). Appearing on the national television in military attire, President Kiir declared the incident as a coup attempt by Dr. Machar (ICG, 2014; Blanchard, 2014). As conflict continued, Machar openly declared that he wanted to remove Kiir from power by force as the government in Juba thwarted democratic institutional reform in the country. As a result, both the government and the rebels continued to mobilise fighters from their ethnic communities (ibid). The trend made the conflict exceedingly ethnic as evidenced by the massacre of the Nuer civilians in Juba by President Kiir's loyalists.

Narratives of the Conflict in South Sudan

There are divergences in narratives on what exactly caused the current conflict in South Sudan. The government maintained that Dr. Riek Machar, who was the former vice president of South Sudan, attempted to take power by force (ICG, 2014). Nonetheless, according to the opposition, Kiir and his small groups of hardliners used the conflict as an excuse to purge rivals and silence opposition in

order to allow Dinka and his small Bahr al Ghazel to control power (Kagwanja, 2014). The government narrative has, however, been dismissed by the international community. Accordingly, the United States (US) dismissed the government's assertion of a coup attempt by Dr. Machar and his group as a cause to the crisis and ascribed it to the institutional weakness in the country. The former US envoy to Sudan, Princeton Lyman, said that the conflict was related to weakness in the political institutions - the overlap of the party and the government. However, the United Nations contended that the conflict in South Sudan has its roots in power struggle within the SPLM (UNMISS, 2014). Generally, the present conflict in the country is unplugged by the accumulated public lethargy and discontent toward the political order amalgamated with the historical mistrusts among the different ethnic groups. This is further aggravated by lack of proper governance structure in the party and the inability to transform the SPLM leadership from a military to a civilian post-conflict institution. As such, there is lack of civilian administration responsible for delivery of the much needed services.

8. Federalism Making Sense in South Sudan: Some Lessons from Ethiopia

In order to present empirical and epistemological analyses of whether federalism could make sense as an institutional solution to the conflict in South Sudan, let us first try to present a brief conceptual understanding of federalism. According to Watts (2008) federalism is the system of government that combines self-rule with shared-rule within a single political system. This rests on the desire to make government institutions closer to the complex and multi-culturally distinct communities (Watts, 2008; Meles, 2010). Wheare (1963) revealed that among the factors that led to adoption of federation include, among others, creation of strong sense of loyalty to common government for certain purpose and the need to maintain distinctive identities at sub-state level. Similarly, Burgess (2006) asserted that federalism is a political arrangement that accommodates constituent units into the national decisions making process. This helps to reduce conflict by addressing the problem of marginalization because it addresses the system of self-rule and shared-rule (Asnake, 2012). This provides citizens with the opportunity to participate in political and economic life of a country (Meles, 2010).

As noted earlier in this article, the present conflict in South Sudan is mainly caused by institutional weakness and centralization and dominance of power by some ethnic groups. As the arrangement is entrenched constitutionally, it enables various communities to enjoy some level of autonomy while at the same time ensuring representation in national institutions. Given that centralization of power and dominance by few political elites is a major challenge in South

Sudan, it is believed that federalism is a better option for a country with such diversity. As the late Prime Minister of Ethiopia Meles (2010) argued, federalism is the "bedrock" and "glue" that binds nations together, mainly in divided societies. Thus, federalism is regarded as the highest form of government for accommodating diversity, particularly when the groups are territorially delineated and politically mobilized (Assefa, 2013).

The desirability of federal system for the Ethiopian political order was driven by the need to respond to the question of diversity (Andreas, 2013; Assefa, 2013). As such, federalism was adopted in Ethiopia because the unitary system of the old Ethiopian state was characterized by Ethnic domination of power and resources (ibid). As Assefa (2013) posited, centralization of power of the Ethiopian political order led to an unprecedented state crisis. Nerveless, the adoption of the federal arrangement gave nations, nationalities and the people self-governance at state level and at the same time representation at the national government through the House of Federation (HOF) and the executive as stipulated in Articles 39 and 61 of the Ethiopian constitution. The federal set up has reshaped the Ethiopian political landscape. As a result, minorities and historically marginalized communities have been duly granted political and institutional recognition (Assefa, 2013; Dereje, 2013). Turton (2006) pointed out that the federal experiment in Ethiopia has thus led to peace and stability in the country. Because of this, peace and stability helped Ethiopia boost its economic growth up to 10 percent per annum making it the fastest growing economy in Africa (Assefa, 2013). In Ethiopia poverty decreased from 62 percent in 1991 to 29 percent in 2011 (ibid). Moreover, from the infrastructural front, road network increased from 18, 560 kilometres to 100, 000 kilometres since 1991 (ibid). In addition to this, health care and education have drastically improved (Tekleberhan, 2010). Since Ethiopia demonstrates success of the federal experiments in a multi-ethnic society, this study suggests that a lesson be taken from the country.

9. The IGAD Peace Process: Unpacking the Unitarianism in South Sudan?

Earlier, we noted that the present conflict in South Sudan is partly due to institutional weakness. We also argued that federalism seems to be an institutional solution for post-conflict South Sudan since it has the capacity to accommodate diversity.

After the crisis in South Sudan unlocked itself in the mid of December 2013 and as the conflict continued further, on 11 February 2014 IGAD called for a dialogue between the government and the opposition. So far IGAD countries appear less united in their approach to deal with the conflict in this very young nation. Ethiopia on one hand wanted the conflict to be peacefully resolved in

order to resuscitate peace in the country and the region. And in this regard, an Ethiopian Ambassador, Seyoum Mesfin, was given the role of Chief mediator deputized by a Kenyan and a Sudanese. Uganda however, intervened militarily by supporting the incumbent government.

The IGAD mediated peace for South Sudan is important for many reasons. First, the peace will ease sufferings and displacements of civilians. Second, as it is widely believed that the present conflict in South Sudan is caused mainly by institutional weakness necessitating institutional reforms, such proposed reforms should make possible the establishment of an accommodative system of governance that will pave way for peace and stability in South Sudan and the region. Interestingly, the "Draft agenda" [Road Map] signed on April 28, 2014 by both parties under the IGAD auspice show that the issue for negotiation was the "Formation of Transitional Government and Interim Arrangements". The agenda include, inter alia, negotiating the (1) Transitional Charter, (2) Formation of inclusive government and the, (3) Transitional National Legislatures (IGAD, 2014).

As has been provided in the IGAD road map for peace in South Sudan, institutional reform is very important. This is because, although many believe that the conflict has flecked around ethnic dimension, it cannot be delinked from ideological impulse. Its ideological whim has been on the question of system of governance that best suits South Sudan. While the opposition led by Dr. Riek demanded federal system of governance for the post-conflict South Sudan (SPLM/SPLA, 2014), the government, however, rejected federalism and wanted South Sudan to be governed on the basis of unitary system. In this regard, according to President Kiir, federalism is used by the opposition as a technique to "divide our internal front" (Manyang, 2014). Nevertheless, it now appears that majority of the citizens in the former greater Upper Nile and Equatoria regions demanded federalism for South Sudan's post-conflict environment. In fact, federalism has been endorsed by the state parliament of Western Equatoria.

Nonetheless, there are still scepticisms on the success of the IGAD-mediated peace. The question has been on the nature of the interim government and who will head that interim government. Will that be a grand coalition similar to the one used in Kenya and Zimbabwe to solve post-election violence? Of course, there is one important difference. In Kenya and Zimbabwe the conflicts were between different political parties but in South Sudan the conflict is within the same party - that is SPLM. In addition, there is lack of trust and difference in vision on the future of South Sudan. Given that both leaders are less willing to concede, a dilemma is emerging as to whether it is possible to establish a coalition without them. This seems to be farfetched given that both command

an armed wing in their respective territories. The failure to have a united front/common stand by the IGAD member countries is another challenge to the peace process. For example, while most of the members are trying to intervene through the IGAD, Uganda has unilaterally decided to intervene in the conflict taking side with the President of South Sudan.

Generally, interim power sharing scheme for the post-conflict South Sudan rests on one of the following propositions. The first proposition is the grand coalition where Kiir and Machar serve as the president and vice president respectively with the executive shared among the rival groups. The second proposition is where both step aside and nominate people from their parties to head the interim government. Under these two propositions, their armed groups will either merge or remain separate throughout the interim period. The angst is that if their armed groups remain separate, the success in building national unity will be slim and possibility for peace to breakdown is very likely. The third proposition is to have collegial government of three-man presidency. The three presidents could be nominated from the three former southern provinces of the Bahr El Ghazel, Equatoria and Upper Nile State. The collegial arrangement could also extend even to the security sectors.

10. Conclusion

In many countries, decentralization had gained currency and this was adopted to achieve many purposes among which the main one was basically driven by the need to reduce centralization of power and to address issues related to accommodation of diversity. This is meant to achieve democratic governance geared at promoting public participation and accountably, efficient delivery of public service, and sharing of political power and resources. As a result, decentralization was seen as vehicle for creating national unity and solidarity.

In that context, South Sudan had adopted a decentralized governance system after independence. This was meant to nurture national unity and quick delivery of services. The decentralized governance system was framed under the banner of taking town to people or village.

However the decentralized governance in South Sudan has not achieved its intended objectives but rather led to a paradox. The paradox is that it has led to weak nation-building and national unity due to exclusionary practices, unfair distribution of resources and domination of the state institutions by some ethnic groups. In addition, this governance system empowered the executive organ with no check and balance between different organs of the government. This induced centralization of powers that resulted in authoritarianism.

The political party system is that so far, there is a single party dominance. Despite existence of many political parties in the country, political competition

has been only within the ruling party, the SPLM. This single political party dominance is also characterized by ethnic competitions that led to ethnic conflict in the country.

As such, the political enmesh that had characterized the Sudan and led to civil wars for many years continued to replicate itself in South Sudan. South Sudan's political elite did not make any departure from the Sudanese style of nation-building. The ruling party has snatched the people's hard won victory and the independence promises which are believed to have been unfairly distributed. There are claims that some ethnic groups ripped more than others.

It should not also be forgotten that the country suffered from major governance deficit because the present unitary decentralized governance system of South Sudan has failed to address the realities of nations, particularly its diversity question. This in a sense is that the decentralized governance has not addressed in anyway the question of nation-building and national unity. Thus this article suggests that the political elite need to rethink the existing governance system. Specifically, it proposes a federal governance system for South Sudan on the empirical understanding that federalism has the capacity for accommodating diversity.

In this connection, the IGAD peace process is expected to bring about institutional reforms and help to set up accommodative governance system. Nonetheless, there are still scepticisms on the success of the IGAD-mediated peace in South Sudan. The scepticism is on the nature of the interim government and who should head that interim government. Moreover, lack of common stand among IGAD countries on South Sudan conflict may lead to regionalization of the conflict. However, from these many complex underpinnings, it remains to be seen whether or not the ongoing peace process spearheaded by IGAD will achieve its intended objective and help to unpack the existing unitary governance in South Sudan and finally install a federal system of governance.

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