



**COLLEGE OF SOCIAL SCIENCE
CENTER FOR AFRICAN AND ORIENTAL STUDIES**

**CAUSES, CONSEQUENCES AND ROLES OF EXTERNAL
ACTORS IN THE CURRENT SOUTH SUDAN CONFLICT**

**BY;
TEWODROS MEBRATU**

**ADDIS ABABA
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Dedication

To the Almighty GOD!!

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Abstract

The world's new state, South Sudan. The aggregate effects of marginalization, imposition of sharian law, denial of self-governing rights and in general, claiming that they were considered as 'secondary citizens' in Sudan, and after making a bitter struggle for three decades, in 2011 South Sudan maintained its independence by a referendum.

But unfortunately, within three years after gaining its independence a civil war broke out in South Sudan. A political power struggle between the South Sudanese president Salva Kiir and former vice president Riek Machar has resulted in violent clashes between ethnic army factions in December 2013. Since then, fighting has spread across South Sudan and claimed the lives of around 10,000 people. Taking into account the past hostility and bitterness between these two big ethnic groups. It is feared that a deadly ethnic cleansing and massacre might happen again in the continent.

Since the civil war broke out, peace talks between these sides in Juba & Addis Ababa hasn't been fruitful yet. Conflicts are erupting in different provinces of South Sudan from time to time. To this effect; children, women & elderly will continue to suffer.

Thus, this research opts to explore and find out the root causes of this conflict which broke out in 2013, with the direct and indirect involvement of the external state, and non-state actors as well. In addition; the political, economic and humanitarian consequences of the conflict will be explored in depth.

To conduct the research, primary and secondary sources were employed that gave the study a detailed explanation in a descriptive & analytical way.

Key Terms: *South Sudan, Intra-state conflict, Power struggle, Rebellion, Ethnic violence, External Actors.*

List of Acronyms

AAU	Addis Ababa University
AfDB	African Development Bank
ANC	African National Congress
ASI	African Solidarity Initiative
AU	African Union
CAR	Central Africa Republic
CPA	Comprehensive Peace Agreement
DRC	Democratic Republic of Congo
DUP	Democratic Unionist Party
ECOWAS	Economic Community of West African State
EPRDF	Ethiopian People’s Revolutionary Democratic Front
GAM	Global Acute Malnutrition
GDP	Growth Domestic Product
HRD	Human Right Division
HSM	Holly Sprit Movement
ICG	International Crisis Group
IDPs	Internally Displaced Persons
IGAD	Inter- Governmental Authority on Development
IMF	International Monetary Fund
INGOs	International Non – Governmental Organizations

IRRI	International Refugee Right Initiative
JEM	Justice and Equality Movement
KADU	Kenyan African Democratic Union
KANU	Kenyan African National Union
KCB	Kenya Commercial Bank
LAPSSET	Lamu Port and Lamu – Sothern Sudan – Ethiopia Trasport Corridor
LRA	Lord’s Resistance Army
MAM	Moderate Acute Malnutrition
MVM	Monitoring and Verification Mechanism
NATO	Northern Atlantic Treaty Organization
NCRC	National Constitution Review Commission (NCRC)
NGOs	Non – Governmental Organizations
NIF	National Islamic Front
NLA	National Assembly Committee
NRA	National Resistance Army
NRM	National Resistance Movement
NRM-A	National Resistance Movement-Army
NSS	National Security Service
OAU	Organization of African Unity
OIF	Operation Iron First
OLF	Oromo Liberation Front

PBC	Peace Building Commission
PDF	Protection and Deterrence Force
PoC	Protection of Civilization
RCI-LRA	Regional Cooperation Initiative for the Elimination of Lord Resistance Army
RENAMO	Mozambican National Resistance
SIPRI	Stockholm International Peace Research Institute
SPLA	Sudanese People Liberation Army.
SPLA-IO	Sudanese People Liberation Army in Opposition
SPLM	Sudanese People Liberation Movement
SPLM-DC-	Sudanese People Liberation Movement – Democratic Change
SRF	Sudan Revolutionary Front
SSA	Sub Saharan Africa
SSHRC	South Sudan Human Right Commission
SSIA	South Sudan Independence Army
SSIM	South Sudan Independence Movement
SSLA	South Sudan Liberation Army
SSP	South Sudan Pound
TCC	The Carter Center
TFA	Transitional Financial Arrangement
UDHR	Universal Declaration on Human Rights
UK	United Kingdoms

UN	United Nations
UNHCR	United Nations Higher Commissioner for Refugees
UNISFA	United Nations Interim Security Force for Abyei
UNITA	National Union for the Total Independence of Angola
UNRF	Uganda National Rescue Front
UPDA	Uganda People's Democratic Army
UPDF	Ugandan People's Defiance Force
USA (U.S.)	United States of America
USD	United States Dollar
USSR	Union of Soviet Socialist Republics
WNBF	West Nile Bank Front

CHAPTER ONE

1. General Frame Work of the Study

1.1. Background to the Study

Before South Sudan became an independent state in the year 2011, the Republic of Sudan used to be the largest country in Africa.

During the transition to independence in 1955, political power was concentrated within a conservative Arab ethnic group; conflict emerged when the government refused to introduce a federal political structure that would grant relative autonomy to the country's competing ethnicity (Dustan, 1973:146-147)

As like many other conflagrating African countries, Sudan has experienced many years of political unrest and civil war since its independence. The conflict in Southern Sudan that has started in early and mid 1950's and lasted for a half century; was a conflict that can be expressed by many in three major dichotomies:

- a) A conflict between Arabs and Africans,
- b) Muslims and Christians, and,
- c) Oppressors and oppressed (Debiel et.al 2004)

One of the most informative findings of most studies is that Sudan's civil war between the Northern Arabs and the Southern traditional Africans illustrated primarily an ethnic, religious, economic and class exploitation. In this atmosphere, the southern Sudan, far from the national center, remained one of the most marginalized part of the main Sudan due to the absence of modern governance structures to provide social services, economic development, and among other benefits to the citizens. Indeed, South Sudanese people were oppressed and excluded from opportunities; (Hussein Abdilahi Bulhan 1985)¹ argues that the oppressed are the primary victims of structural violence and the prevailing

¹ Cited in mulualem Getachew, *South Sudan Conflict and its implication for Ethiopia* (2014)(Unpublished, FDRE Foreign minister p,2)

mistrust and remain victims of others and of themselves. Therefore, it is the denial of their social reality that complicated the situation and raised so many questions against the central Government of Sudan.

In addition, in 1967 the Abboud² regime wants to build a nation state based on a homogenous Arab nation ideology which deliberately ignored the religious and ethnic diversity of Southern Sudan. This policy of Arabization & Islamization of South date back to the period of Egyptians and Mehadiest rules (Regassa, 2010:26). This intensification of Islamization and Arabization coupled with a heavy handed approach to security in the south led to react and embrace armed struggle. Of course, this single minded policy of the North government; led the southern a great sense of nationalism as well as desire for self-determination (Rolandsen, 2005:26)

The denial of the Northern to grant the religious right, ethnic right, federal state structure and performing autonomies right, led to civil war in the Country. Shortly, the Northern officials were not interested to the request of federalism and secular constitution of the South. At the same stance Colonel Jaffar Nimeri came to power in 1969 (Girma, 1999). But, unfortunately he refused the federal state structure and moved his idea to regional autonomy.

However, most of the early Southern politician's favored federalism as a way of protecting the Southern provinces from being completely subordinated to the Northern dominated central government (Johnsen, 2003:30)

The refusal of the concept of federation fire up the political movement in more organized way that paved the way to uprising by Southern troops and this war would last seventeen years, from 1955 to 1972 (Abel, 1990) and the war had resulted in the death of million Sudanese and escaped to refugee camps in neighboring countries (Regassa, 2010:45-49). However, despite his political difficulties, Nimeri thought he could stop the fighting and stabilize the region by granting regional self-government and undertaking economic development in the South. Hence, after

²Ibrahim Abboud, the then president of Sudan(1958-1964)

many attempt by different envoy, both North government and Southern guerrilla fighters reached in conciseness at Addis Ababa, Ethiopia in February 1972.³

But, after a decade things had been changed. President Nimeri changed his mind and announced his decision to implement Islamic law (*Sharia*) in the country. Southerner and other non-Muslims living in the north were also subject to this law. These events, and other long lasting grievances in part led to a renewal of the civil war that was held in abeyance since 1972, and the war continued until 2005(Rolandsen,2010:22)

On the other hand, In spite of internal ideological and personnel disparity as well as block among the Southern rebel leaders, on April 5, 1993, the three rebellion parties declared a coalition of their groups called Sudanese People Liberation Army(here in after SPLA)⁴ united at a press conference in Nairobi, Kenya (Fiseha, 2013)

After a long discussion the Sudan government and the SPLA signed the Comprehensive Peace Agreement (here in after CPA) on January 9, 2005. However, a complicated series of protocol that detailed an implementation process extending up to 2011. The critical events after 2010 election was a referendum in Southern Sudan on self-determination whether to remain part of united Sudan, or to become independent. As a matter of fact south Sudan preferred independence.

However, because of this lengthy and brutal war, South Sudan emerged with extremely poor infrastructure and a population with limited human capital. Therefore South Sudan is faced up to several challenges. The challenge can be seen in two dimensions, the internal and external. More importantly, the country was born with weak institutions that were not suited to the delivery of sustainable economic growth and development (John & Jessica 2012:1).

The internal problems of the country are composed of its historical, economical as well as social and political factors. The external being mainly the problem South Sudan has with its neighboring state, the Republic of Sudan and the unresolved issues of CPA such as oil, boundary and security issues (Tsegaye, 2013).

³ Carolyn Fluehr-Lobba, *Historical Dictionary of the Sudan*. (The Scarecrow Press, Inc. Metuchen, N. J. & London.)

⁴ Sudanese People Liberation Army (SPLA) and its political wing, Sudanese People Liberation Movement (SPLM) are founded under the leadership of Colonel John Garang which was fighting Nimeri's régime.

Furthermore, the country also lacks institutional capacity like the justice system since it's at its infant stage. And also lacks strong civil society organization that can assist the government gaps especially where women and children can best be served. Due to the long and expensive war, many people feel that they have been deprived of the basic governmental services such as protection, safety and security by the rule of law (Debay, 2012:4)

The long and violent conflict also left for South Sudan a legacy of civil war. Civil war usually has the legacy of leaving a society socially marginalized; economically and politically unstable. An expert such as Collier (2003) also agrees that civil war has disastrous consequences (Collier, 2003). A rebel leader might honorably accept the terrible cost incurred during war as a high but necessary price to pay for future improvements, but far from being a catalyst for beneficial change, civil war typically leaves a persistent legacy of poverty and misery.⁵

Another legacy of a long civil war is that it creates armed civilian and war minded population. This means that civilians would continue to feel insecure and less reliance on the government and the government on the other hand would continue to struggle to bring safety and security to its own people. In recent years, there have been more militia fights, ethnic conflicts as well as a threat from the Republic of Sudan that has put South Sudan to be under critical conditions.

To mention a few, inter-ethnic conflict is concentrated in Jonglei state, where the Murle, Lou and Nuer have a long history of revenge attack against each other primarily over cattle (Julius & Olumide, 2012:14).

Julius Agbore (2011:14) also observed that there is high probability of casualty of civilian death as well as escalation of the pastoral disputes into other parts of the community or villages. Furthermore, in an environment where land rights are not well-specified and a huge amount of small arms are in circulation, violent conflict over grazing rights becomes pervasive. For example, violence broke out between the Murle and Nuer ethnic groups only a month after independence (Ibid). Since gaining independence in July 2011, South Sudan has experienced many inter-ethnic conflicts over resources, underscoring the need for well-defined property rights as well as a strategy for conflict anticipation and resolution (ibid).

⁵ Ibid

In addition, as Debay(2012:4) explains how too many people, particularly the young people in villages, are in possession of small arms. The presence and uncontrolled use of fire arms by civilians remains a serious concern. The issue of protracted war has brought a culture of violence and proliferation of small arms, which in turn is perpetuating more violence (Debay, 2012:4).

As a cumulative result, in December 2013 there has been a political power struggle between the South Sudanese president Salva Kiir and former vice president Riek Machar, which resulted in violent clashes between ethnic army factions. Since then fighting has spread across South Sudan and it claimed the lives of around 10,000 people.⁶ Following the initial clash, Kiir accused Machar and other SPLM officials of attempting a coup against his government – which Machar denied.

1.2. Statement of the Problem

South Sudan is a nation of numerous ethnic groups. However, despite succeeding in independence; there has been ethnic strife in different regions, the marginalized seeking increased freedom and security from the government. Many people have died in war and which has created largest Political, Social, Cultural and Humanitarian chaos in the region. The recent history of the newest nation on the globe has been full of troubles. When the South Sudanese people voted for independence in 2011, many of them foresaw a future of freedom, peace, development, and prosperity. The international community expected progress, too.⁷

However, since South Sudan's independence in 2011, the world has mostly received bleak news from the country. Reports of ethnic violence, local insurgencies, widespread corruption, the autocratic practices of the dominant Sudan People's Liberation Movement (here in after SPLM), and border conflicts with the country's northern neighbor, Sudan, have been common in the headlines.

There is also recent news, the political conflict between President Salva Kiir and former vice president Riek Machar, both members of the SPLM, represents a new dimension of instability. The conflict could potentially result in a failed state, an outcome that could destabilize the whole

⁶ German Institute of Global and Area Studies (2014). South Sudan's Newest War: *When Two Old Men Divide a Nation*.(p,3)

⁷ Ibid.

region. South Sudan has experienced several insurgencies since gaining independence in 2011. Nevertheless, the current war has the potential to be more destructive to the country than previous ones because both parties – President Salva Kiir, an ethnic Dinka, and his opponent, former vice president Riek Machar, an ethnic Nuer – are instrumentalizing ethnic identities and pulling their communities into their personal feud.⁸

Thus, this thesis elaborates how the conflict has evolved and which major causes have contributed to it. Based on this analysis, it then discusses the Political, Economical and Humanitarian Consequences of the conflict plus the Roles of External Actors such as, Regional States Actors, Regional and International Non-State Actors and the Western & Eastern Giants as well.

1.3. Research Questions

The overall research question of this study is to find out the Root Causes of the Current Intra-State Conflict with its Political, Economical and Humanitarian Consequences in the newly born state and the Roles of External Actors as well.

Specifically, this study attempted to address the following questions:

- i. What are the Immediate and Root Causes of the Current Intra-State Conflicts in South Sudan?
- ii. Is there any role of “Ethnicity” to the Conflict?
- iii. Were there any personal contributions of the political leaders like “Rick Machar” and “Salva kirr” for escalating of the Conflict?
- iv. What are the roles of ‘External Actors’ like Regional State Actors (Sudan, Uganda, Kenya, Ethiopia, Eretria and Egypt), Regional and International Non-State Actors (UN, IGAD), US and China in escalating or de-escalating the crisis in South Sudan?
- v. What are the political, Economical and Humanitarian consequences of the conflict in south Sudan?
- vi. Does south Sudan have a probability of becoming a failed state?

⁸ Ibid

- vii. Can the Causes, Consequences and Roles of External Actors be properly addressed?

1.4. Objectives of the Study

1.4.1. General Objective

The general objective of this study is to investigate and examine the Root Causes of the Current Intra-State Conflict and its Political, Economical and Humanitarian Consequences in South Sudan and its Neighborhoods with the Roles of External Actors.

1.4.2. Specific Objective

- ✓ To Investigate the Immediate and Root Causes of the Current Intra-State Conflict.
- ✓ To Identify the Political, Economical and Humanitarian Consequences of the Conflict within the State and the surrounding.
- ✓ To Examine the Roles of External Actors like Regional state (Sudan, Uganda, Kenya, Ethiopia Eritrea and Egypt), Regional and International entities(UN ,IGAD) and the US and China
- ✓ To assess the future of South Sudan, whether it will sustain as a Nation or become a failed State?
- ✓ To put forward a possible Recommendation to any concerned body.

1.5. Significance of the Study

The study serves as a springboard for Policy makers, Politicians, Academicians, Civil Society Organizations as well as general readers about the upshot of the Root Causes of the Current Intra-State Conflict, the Roles of External Actors and also its Political, Economical and Humanitarian Consequences in the Republic of South Sudan and the Region as well.

This conflict broke out in recent years, and is still ongoing; it is essential to address the causes, consequences and the role of the external actors. Keeping in mind the consequences of the conflict will have an effect to Ethiopia due to the geographical closeness of the two countries.

1.6. Scope of the Study

The study will specifically give a general understanding of the Root Causes of the Current Intra-State conflict in South Sudan which broke out in December 2013 with a Particular emphasis on the Roles of External Actors; the Political, Economical and Humanitarian Consequences of the conflict within the State and the surrounding Regions.

1.7. Limitation of the Study

The researcher faced the following considerable challenges; first, the fact that the issue is complex and on-going, the nature of the conflict might change rapidly through time. Secondly, shortage of relevant and comprehensive books has its own effect on the depth and width of the research. Thirdly, since this study is conducted outside the place where the conflict is occurred, the researcher was highly dependent on secondary resources. Finally, time constraint on the collection and analysis of primary and first-hand information was found to be challenging for the researcher.

1.8. Research Methods and Design

1.8.1. Methodology

The methodology used in this study is qualitative. The use of qualitative research is preferable when the researcher does not know the important variable to examine; which makes it particularly appropriate when a topic is new and exploratory (Creswell, 2009:22)

The fact that qualitative approach does not have a standard measure but rather is concerned with subjective assessment of attitudes, options and behavior is that it makes it suitable for the research (Kothari, 2004: 5).

In addition, with regard to viability, this study employs the use of qualitative research. Quantitative measure and statistical analysis simply do not fit the problem under the study. In other words, the research problem has an adequate measure or it is difficult to capture with precise measure (Creswell, 2009:15).

Therefore, this study in general, is descriptive, narrative and analytical. It describes the root causes of the conflict, narrate and analyze the response of the external state and non- state actor.

1.8.2. Methods of Data Collection

Qualitative primary and secondary data is used in this study. The primary sources are mainly legal instrument, like the constitution and press statements. Data is gathered through interviews with key informants. Structured, unstructured interview and discussions are also used. In addition to face-to -face interview, E-mail correspondences are conducted and included. Furthermore, secondary sources are used to gather information. A critical and comprehensive reading is made on journal, books, news both printed and broadcast, and other documents relevant to the issue under consideration.

1.8.3. Sampling Procedure

The researcher used purposive sampling to select key informants. Purposive is known as deliberate sampling or non probability sampling. This sampling method involves purposive or deliberate selection of particular units of the social phenomena or constituting a sample which represent the study area (Kothari, 2004:17).

Therefore, the study employed convenient samples of officials who are well versed in this topic and have personal experience in working the region. Purposive sampling is considered desirable when the respondents are few and have known characteristic to the study intensively (Ibid).

1.8.4. Data Analysis and Interpretation

Data analysis involves *“working with data, organizing it, breaking in to manageable units, synthesizing it, searching for patterns, discovering what is important and what is to be learned, and deciding what you will tell other”* (West brook, 1994:245).

As pointed out previously, the data for this research is collected by employing a qualitative research methodology by incorporating document analysis and key informant interviews.

The researcher has applied general and common steps in qualitative research for analyzing and interpreting data for this study. Besides, those carrying out qualitative research sometimes make

use of direct quotations, are often very revealing.⁹ In this process of analyzing the collected information, a written description, discussion as well as direct quotations of the expert's interview is applied.

Therefore, the data that is collected from the above mentioned sources has been employed in the research paper in order to examine the Root Causes of the Current Intra-State Conflict, the Roles of External Actors and that of Political, Economical and Humanitarian Consequences and to make a valid conclusion.

1.9. Ethical Consideration

Ethics has become a cornerstone for conducting effective and meaningful research. First and for most the researcher has an obligation to respect the right needs, values and desire of the informants (Creswell, 2009:213).

Hence, to avoid the possibility of bias and miss interpretation, the researcher informed individuals who have participated in the study about the purpose and aim of the research. Accordingly, all materials quoted or cited in the study are properly acknowledged.

1.10. Structure of the Study

The main topic of the study is divided in to 6 chapters. The first chapter is about introducing what the whole research is about, i.e. the problem to be examined, the research questions, objectives, significance, scope, methodological issue and limitations of the study. The second chapter deals with the Conceptual and Theoretical frame work of the Conflict. The third chapter briefly explores about the Nature and Causes of African Conflicts. The fourth chapter identifies the Immediate and Root causes of the current Intra-State Conflict in South Sudan. The fifth chapter is about the Roles of External Actors in escalating or de escalating the conflict. The last chapter deals with the Consequences of the Conflict. In this part, the thesis focuses on the Political, Economical as well as Humanitarian Consequences of the conflict in South Sudan and in the surrounding Regions as well. This research also puts forward the Conclusion and Recommendation of the study.

⁹ Psychology press limited,(2004:2)

CHAPTER TWO

2. Conceptual and Theoretical Frameworks

2.1. Defining Conflict

There are a number of views in light of conflict among them. Conflict, which derives from Latin word, as Miller (2005) indicates refers ‘to clash or engage in fight’, or it is a confrontation between one or more parties aspiring towards incompatible goals.

Sandole and Merwe (1993) define “conflict is a situation in which at least two actors, or their representatives, try to pursue their perceptions of incompatible goals by physically damaging or destroying the property and high – value symbols of one another.”

Ramsbotham (2005) also defines it that the expression of the heterogeneity of interest, values and beliefs that arises as a new form of action generated by a social change. Further, in defining conflict, in its narrower sense, conflict can be understood as “engagement in a fight or possible confrontation between two or more parties aspiring towards incompatible or competitive means or end. These conflicts can range from individual aggression and protest to organized extreme violence” (Stavenhagen, 1991)¹⁰

The above mentioned four different definitions underscore that conflict is a competition or confrontation between individuals or groups towards the realization of their values, interests and goals which they assume it under the threat of their contenders. Resort to any available means be it physical, psychological or any, to get the upper hand; characterize the competition where destruction and damage of property and value or symbols of each other is inevitable.

On the other hand, in spite of the countless condemnation of conflicts, the British political scientist John Burton expresses conflict in a different way; he considers conflict as an inevitable, intrinsic and a constructive process of social life.

He provided that *Conflict is an essential creative element in human relationships. It is the means to, the means by which our social values of warfare, security, justice and opportunities for personal development can be achieved.....The existence of a flow of conflict is the only*

¹⁰ Cited in zemetegela (2012)

guarantee that the aspiration of society will be attained. Indeed, conflict is to be enjoyed (Burton, 1972)¹¹

This implies that how we are in two minds regarding to the nature of conflict. In one hand, a number of writers like (Miller (2005), Fisher (2000), Galtung (2002), Stevenhagen (1991) consider conflict as destructive and deadly. On the other hand, Burton (1972) and Coser (1956)¹², assume conflict as creative for better future. Due to this, there is no one universally agreed up on definition and understanding of conflict.

Therefore, from that above information, we can frame that conflict is an intrinsic and inevitable aspect of social life that humans face in a daily basis. It arises due to incompatibility or clash of interests, values, needs, wants, and goals between individual and groups. Conflict has both subjective and objective nature. Conflict could be subjective when one of the parties believe or perceive the existence of incompatibility of goals and interests. It has also objective component when both parties develop and believe incompatibility of goals and needs to exist.

2.2. The Concepts of Conflict

Conflict has many meanings in everyday life. To some it refers to behavior or action. There is conflict when two states are at war with one another and where battle field events determine their relations. The actions constitute the conflict. However, it would mean that a conflict would end once this behavior ended.

For instance, a cease-fire is not the end of a conflict. Even verbal statements, non-violent actions, the mobilization of petitions, demonstration, boycotts and sanctions may only indicate that there is an interlude in the conflict. Actions may resume at some later stage there may still be dissatisfaction. Obviously, conflict is more than the behavior of the parties alone (Wallensten (2009: 13-14).

Conflict does exist, even if no actions are taken or demands formulated. It is internal to the system. Similar descriptions also can be found for the interstate system. For instance, sovereign states are inevitably locked into conflict with one another; states are continuously preparing to

¹¹ cited in Sandole and Merwe 1993:4

¹² Cited in schellenberg (1996)

defend themselves from possible attack in order to protect their own survival. Such preparations only confirm to others that there are real dangers, thus they do the same. There are the dynamics of the well-known security dilemma (Hertz, 1950; Waltz, 1959, 1979)¹³

This assumption suggests that the existence of one state is a danger to any other state. As long as there is unpredictability in the system; there will be fear and thus, conflict, it mean that actors or parties are fundamental to the existence of conflict. If the actors are formed and they make the analysis that what they need for survival conflicts with the need of others, then there is conflict built into the system. The actors also understand their own role and their resources are important element in conflict analysis. From this one can conclude that conflict consists of three components:

- Incompatibility
- Action
- Actors (Wallensten ,2009: 14)

And then, one can combine them and arrive to a clear concept of conflict.

Conflict as: a social situation in which a minimum of two actors (parties) strive to acquire at the same moment in time an available set of scarce resources. (Ibid)

This definition brings together essential elements from a number of commonly used definitions. It includes the ‘actors’ or ‘Parties’ in the definition which, as the basic integral element to the analysis and the definition.

The word ‘strive’ in the defining sentence requires a comment. It is a vague term, but the point is that, when the parties are acting, they are doing something to acquire the resources. ‘Strive’ may even include warfare. It covers a wide range of activities. (Ibid:14)

An additional phrase needs a comment. It is said that the parties are striving to acquire the resources ‘at the same moment in time’. For elaboration, if one actor is satisfied with having its demands met a year from now, other actors may be able to meet their goals today. There is no conflict today. But, if the party believe, it has guarantees that there will, the incompatibility is

¹³ Cited in Wallensten,2009:14

gone. It is clearly a different matter when the demands of each party for resources arise at the same moment in time. It is conventional wisdom that only one person can be prime minister or president at a time and that only one country can have formal jurisdiction over a particular piece of territory at a time. These resources are regarded as indivisible, for the time being. (Ibid: 15)

The notion of an 'available set of scarce resource' should not be taken to include only economic matters. The term 'resources' covers all kinds of positions that are interests to an actor. To be a president, control a particular piece of territory, be able to propagate a particular idea in the media all these things can be covered by the notion of 'available resources'. This definition demands that something is desired which is scarce, be it position of power, attractive land or access to the airwaves. Such resources can sometimes be estimated in terms of money, square meters or other measures, but often they are intangible. For instance, demands for recognition, acceptance of responsibility for destructive actions or psychological retribution exemplify intangible values. (Ibid)

The last but not the least point with regard to the concept of conflict is that conflicts can be resolved. For Wallensteen (2009) this is not necessarily an idealistic or optimistic position rather it is a realistic proposition. Most actors in conflicts will find themselves in need of negotiations at one time or another. Even if a conflict results in war and destruction there may have been other options and alternative paths for the conflict.

There are frequent statements on the inevitability of conflict, violence and war. Indeed, finding solutions may often be difficult. These difficulties not only rise out of political constraints but can also be due to lack of insight or imagination. However, the determined search for a solution is not only a moral question; it is also a rational one. Furthermore, if conflicts are solvable, it is also true that conflicts-sooner or later-will be solved. Clearly, once a conflict has developed into a war, the options are fewer. At that moment, the primary actors will pursue victory rather than a joint solution. The victory of one side over the other is, then, a possible outcome; even to the point of the others capitulation, dissolution and disappearance as an actor. The record shows that this is what happens in some conflicts, but by no means all. Conflicts will come to an end at some point. Whether the ending is a solution a victory or a statement has to be scrutinized. (Ibid: 12)

2.3. Theories of Conflict

No single theoretical framework can be expected to encompass all conflict. About some, such as the Rwanda genocide, the Israeli-Palestinian conflict, the Northern Ireland conflict, to name but three; dozens of books have been written and hundreds of articles in both scholarly and popular journals. Government agencies, think tanks and some International Non Governmental Organizations such as the international Crisis Group (www.icg.org) monitor and update these conflicts on a continuous basis. There are encyclopedic compilations and analyses on recent civil war and ethnic conflicts (Rudolph 2003; Balancie and Grange 2005) and in depth monographs on particular countries (Olzak 1994; Beissinger 202) testing theories of conflict. Because states are the actors in world affairs, when sub state identities and loyalties undermine the legitimacy and stability of states and insurgencies spill over from weak states to neighbors, international conflict management of the state system is at risk. Foremost among these destabilizing sub state entities are ethno-political, ethno-national and ethno-religious movements.(Oberschall,2010:180)

Five theories about new wars have been formulated. They are not mutually exclusive; all assume that in the post World War Two eras of anti-colonial, self determination and human rights discourse, ethno-national groups enjoy legitimacy for pressing claims to cultural and territorial autonomy and group rights, and that these claims inevitably clash with the principles of territorial integrity and state sovereignty in international relations. These theories also recognize that under some infrequent conditions, demographic shifts, weak state institutions, threat of external attack, disintegration of multinational states, and a domino effect of self-determination claims – conflict management between regimes, minorities, and other adversaries is vulnerable to breakdown and high risk of armed conflict.

These theories are:

2.3.1. Ancient Hatreds

Assumes ethnic group membership, boundaries and identities are rigid, long-standing, and primordial – they resist assimilation and erosion from education, secularization and modernization (Kaplan, 1994). Contentious issues and grievances are endemic in ethnic group relations because they are burdened with culturally transmitted memory of past violent conflicts,

myths, fears and hostile emotions. Even after long periods of accommodation and ethnic peace, ethnic incidents can rapidly escalate to destructive violence. The theory is pessimistic about preventing, stopping and managing these conflicts through policies and reforms. Secession, territorial separation, and separate institutions are more likely to make for ethnic peace (Kaufmann, 1996).

2.3.2. Identity Politics

It also is known as Symbolic Politics (Huntington, 1997; Kaufman, 2001) holds that in multiethnic societies, the root cause of ethnic conflict is a threatened change in the prevailing ethnic hierarchy of dominance and subordination. Skeptical of primordial ethnic identities, Identity Politics holds that social construction of group identities is explained by the social psychology of intergroup relations. There is a culture tendency toward ethnocentrism and group self defense that is evolutionarily favored, i.e. it is a normal, not a pathological aspect of group relations. Leaders create national and ethnic identities with powerful symbols and myths that have emotional appeal. Violence breaks out during ethnic rivalry over control of territory and governance amid exaggerated fears of extinction. Unless ethnic relations are properly managed, divisive ethnic myths, symbols, stereotypes, suspicions, and fears resonate in the population and get activated in ethnic cleansing, massacres, and atrocities. (Oberschall, 2010:180)

Social psychological theory about social identity and intergroup conflict (Tajfel, 1979) supports Identity Politics. Experiments find that in-group preference (ethnocentrism) drives from social categorization as such, even without competition, hostility or rejection of other groups. Self esteem, social identify, and ethnocentrism and validated in social interactions with like-minded persons. When group membership becomes salient in conflict, social boundaries sharpen, individual relations across groups become depersonalized and stereotyped, and intergroup behavior becomes more aggressive and competitive than interpersonal behavior (Hewstone and Cairns, 2001). Competitive and provocative public display of group identity symbols sets off rioting and violence as social tensions rise. To lower competition and uncertainty in ethnic relations, identity politics favors language and cultural autonomy, power sharing, diminishing the salience of ethnic identities and boundaries, and promoting a shared identity.

2.3.3. Manipulative Elites

Assumes fragility in ethnic group relations and social construction or identities, as identity politics does (Gagnon, 1994/95), but highlights top-down more than bottom-up mobilization. Elites contend for power by manipulating social divisions and blowing them out of proportion with threat, fear and hate discourse and propaganda, and with no-compromise, aggressive, crisis politics. Manipulative Elites are an opportunity centered conflict theory in as much as elites create opportunities with issues and crises to advance their interests and goals. Conciliation is difficult when rival leaders demonize their adversaries as opponents who can never be trusted and must therefore, sometimes be eliminated, dominated or ethnically cleansed. (Oberschall, 2010:181)

2.3.4. Economic Roots

(Collier et al. 2003) locates root causes in a failed economy and a weak state, typically a poor country with an unequal distribution of incomes run by an authoritarian regime. War lords and violence entrepreneurs organize unemployed youths into armed groups. They may initially be motivated by political goals, but over time they tend to resort to criminal activities for financing rebellion, which becomes entrenched as a way of life. Facilitators of rebellion are mountains and rainforests and a weak and corrupt government. The greatest prize to combatants comes from appropriating revenues from diamonds, petroleum, timber and other export commodities, which finance the civil war and stimulate demands for secession. Once started, armed fighting as a tremendous momentum based on positive feedback that the authors refer to as the “conflict trap”: “the best predictor of whether a country will be in a civil war next year is whether it is at civil war now” (Collier et al. 2003:79). Economic Roots holds that ethnic divisions have been over rated as root causes of civil wars (Fearon and Latin, 2003); they occur in developing countries with weak governments that also happen to be ethnically divided.

It builds on a decade of work on the economics of new wars and the “greed and grievance” research (Jean and Ruffin, 1996) which emphasize greed and opportunity on the supply side of conflict over grievance on the demand side. For Economic Roots, violence has to be contained, anarchy (war lord and dictatorial/totalitarian rule) prevented, and security for life and property provided before peace and reconstruction can take root.

2.3.5. Contention for Power

It is associated with Tilly, his coauthors and associates (McAdam et al. 2001; Tilly ,2003; Tilly, 2005; Tilly and Tarrow, 2007; Tarrow, 1998) who does not claim to be a comprehensive theory of large scale collective violence. Contention for power develops tools for answering some fundamental questions about group relations (Tilly 2003:225) e.g. “how and why do people who interact without doing outright damage to each other shift rapidly into collective violence, and then..... back into peaceful relations?” The core idea is contentious politics, i.e. a collective political claim that has an impact on the interests of rivals and adversaries. Groups excluded from the polity, the challengers, contend for power, equality, dignity, religious freedom, workers’ rights, and oppose corruption, exclusion, unfair taxation and oppressive government. For claim making, the challengers seize opportunities and exploit weaknesses in the regime and other adversaries.

Tilly(2003:224) refers to large collective violence as ‘coordinated destruction’. “These conflicts arise from tyrannies; large and small, those flourish in low capacity undemocratic regimes”. In contention for power, issues, ideologies, and agents take the backseat to “relational explanations” (Tilly and Tarrow 2007:215) like ‘brokerage,’ which is ‘new connections between previously unconnected or weakly connected sites,’ and ‘boundary shift,’ which is ‘changes in the persons and identities on one side or another of an existing boundary’. These changes in social relations explain the modes of collective violence (violent rituals, brawls, coordinated destruction, etc). Tilly writes (2003:20) *when examining different types of violence and regimes in which they occur we will pay some attention to variations in ideas but mainly seek explanations elsewhere.....motives, incentives, opportunities and controls receive more attention on interpersonal processes that promote, inhibit, or channel collective violence and connect it with nonviolent politics.*

The theories discussed can be faulted for neglecting a dynamic view of conflict. In the dynamic view, whatever the original causes, issues change, the cast of players and adversaries change, the strategies of confrontation change, the conflict management capability of the polity changes, as the conflict ranges from conventional politics to armed fighting and eventually to negotiations and peacemaking or to repression (Posen, 1993; Olzak , 2006; Oberschall, 2007). Because of these changes, Kaufmann observes that (1996: 137) “solutions to ethnic wars do not depend on

their causes..... Restoring civil politics in multiethnic states shattered by war is not possible because the war itself destroys the possibilities for ethnic cooperation.” Whether or not Ancient Hatred is a root cause, whether or not manipulative leaders instigate conflict, whether or not poverty and a failed state are causes, whether or not divisive myths, symbols and identities fuel violence, protracted violent conflict generates hatred, manipulative extremist leaders gain power, the economic and political underpinnings for stable life are destroyed, identity politics flowers at the expense of shared identities, and conflict management weakness. (Oberschall, 2010)

2.4. Types of Conflict

According to Sarkees et.al (2003) conflicts are divided into three categories. Namely;

- Inter-state conflict
- Intra-state conflict and
- Extra – state conflict

2.4.1. Inter - State Conflict

Inter-state conflict occurs between governments¹⁴ implying their respective two armed forces. The conflict can occur anywhere and often began with a formal declaration. (Sarkees et.al 2003)

As far as the inter-state conflict is concerned, Research has concentrated on the causes of interstate war and rich data sets document the correlates of inter-state war relatively well (Cassman, 1993; Midlarsky, 1989; Geller and Singer, 1998) consequently, much of this research assumes at least implicitly, that the decline of war has gone to the important tangential questions of whether democracy, international organizations, commerce, norms or Nuclear weapons are the lesson for the decline (or even obsolescence) in warfare.

Discussions of the decline of warfare have become more pronounced when dealing with the post world war II era. A variety of explanation has been offered, both theoretically and empirically for this trend, including a bipolar structure, economic ties and the spread of democracy. Furthermore, Waltz (1979) argued that the bipolarity of the international system during the cold war era has decreased the frequency and severity of war overall.

¹⁴ It has to be considered that the government as the entity, recognized by the international community, which is controlling the national power.

In the same vein, Muller (1989) found that the wealthy states (both Nuclear and Non- Nuclear) had stopped fighting each other in the post-1945 period. In particular the 48 richest industrial states had had no wars against each other except for the Falklands war¹⁵ in 1982 and the Soviet invasion of Hungary in 1956.

Generally, according to Mary (2007) there are reasons for decline of inter- state conflict; among them:

- ✓ Ending of colonial conflict.
- ✓ The end of the cold war, hence, no significant proxy war.
- ✓ Increased level of international activism spearheaded by UN. For instance, preventive diplomacy, peace keeping and peacemaking. Missions, friends of the secretary – general
- ✓ Increased popularity of global legal norms proscribes the use of military force.

In contrast to the optimism of the “democratic peace” proponents, other scholars perceive an increase in interstate conflict particularly after the end of the cold war. From the theoretical perspective, a number of ‘realists’ expect more warfare. Some, such as Mearsheimer (1990) predicted that the amount of war would soon return to more normal level and that the world would soon miss the dampening effect of the cold war.

2.4.2. Intra-State Conflict

According to Small and Singer (1972), Intra-state conflict involves sustained combat, involving organized armed force capable for effective resistance, resulting in a minimum of 1,000 battle record related combatant fatalities within a 12 month period However, and ‘effective resistance’ implies:

- a. Both sides are organized for violent conflict and prepared to resist the attacks or
- b. The weaker side, although initially unprepared is able to inflict up on the stronger opponents at least 5% of the number of fatalities it sustains.

¹⁵ A war between England and Argentina over claiming Falkland Island.

On the other hand, Wallensteen Sollenberg (2001) define intra – state conflict that is a conflict between government and non-government entity over contested incompatibility with the use of armed forces which results in at least 25 battle related death (per incompatibility) in one calendar year.

In addition to the above two definitions of intra-state conflict, there is also new perspective which is, intra-state conflict is the most common type of conflict and occurs between the armed force of the government and an opposing civil organized group within the state borders. These conflicts are often driven by ethnic, religious or ideological incompatible position. (Ramsbotham et al 2011: 63-93)

There is a difference between ‘classical’ intra – state conflict without foreign intervention and intra-state conflict with a foreign involvement, which involves at least one party engaged in the conflict supported by military troops of a foreign government.

Despite of interstate conflict, intra (within) state conflicts involves both state and non-state actors and comparison to inter-state conflict intra-state conflict does not end up with agreements but mostly it results with intervention of third party such as former Yugoslavia issue. These two types of conflict still occur all over the world. However, after the end of the cold war, there was a new trend which by which an intra – state conflicts have been rising.

Intra-state conflicts have mostly ideological, ethnic or religious reasons. For example, former Yugoslavia case had ethnic reasons between Albanians and Serbs. As well as, Rwanda issue as an intra-state conflict is motivated by ethnic hatred between *Hutus* and *Tutsis*. In related with rising of intra-state conflicts, non-state actors became more important. Since 1988, when almost the Cold War ended, there have been 4 inter-state conflicts but 44 intra-state conflicts has occurred. (Aclkalin, 2011:24)

2.4.2.1. Intra-State Conflict as a Security Issue:

Intra – state was defined as a major security threat instead of inter-state war. Especially after the end of the Cold War, international cooperation played a great role in reducing the prevalence of inter-state wars. In other words the main threat doesn’t come from major inter-state confrontations anymore; but from intra-state conflicts. Sources of intra-state conflict can be

described with the help of level of analysis. First of all, individual level of analysis shows that there are two important point as a sources of conflict; effective leaders such as Milosevic¹⁶ and social identity has played important role in intrastate conflict in terms of feeling ‘superiority from other groups’. Secondly, state level analysis points out economic or political gain which means unfair distribution of national welfare and political power. In addition, form of government causes intrastate conflict, in authoritarian, totalitarian, and other non-democratically constituted states which, in turn, causes high social tension, may easily escalate a conflict.(Ibid) The last level is global level of analysis claiming that intrastate wars may be a product of conflicts between states that share a transnational ethnic group or of meddling by external power. In short, the general characteristics of intra-state are motivated by religious and ethnic differences. Unfortunately, due to its characteristics, intra-state conflict became more deadly and violent. Yugoslavia or Rwanda can be good examples. So, “increasingly internal conflicts, rooted in ideas of human identity and often expressed with frightening intensity, is the major threat to stability and peace, at the individual, local and international level”.(Bloomfield & Ben,1998)

According to Rome Statue of international criminal court, murder, extermination, torture, rape, political, racial, or religious persecution and other inhumane act reach the threshold of crimes against humanity only if they are part of a widespread or systematic practice. For example, in Kosovo case, Albanians were directly targeted by Milosevic and he made an ethnic cleansing began in 1988, killing at least 10.000 Albanians (Kupchan,C.A 2005).All kinds of human violation were experienced after the fall of Yugoslavia, ‘the human costs of fighting in Croatia and Bosnia-Herzegovina included about quarter of million dead, millions of refugees, mass rapes and other atrocities, and devastation of entire cities and regions’ (Kaufman S.2001).

Secondly, the reason why internal conflicts are considered as a security issue is it threatens world peace and stability. The possibility of spillover effects makes internal conflicts as a more problematic for international community. Although an internal conflict starts and continue with in a national border, there are some possibilities to spread to the entire region and the world.

Because of the increasingly complex interdependence among states, such conflict tends not to be confined within the boundaries of the particular state for long, if at

¹⁶ Former Yugoslavian President ,Convicted by Genocide in International Criminal Court, committed suicide.

all, but rapidly diffuses. It spills over across frontiers and enmeshes other states, or parts of states, in its grip. This process of diffusion and contagion means that low-level intra-state conflicts can potentially escalate into more intense inter-state ones (Bloomfield & Ben.1998).

The fear of possible spread of such conflict raises the concern of international community. There are several factors that can trigger any possible spread especially in pursuing the self-interests of neighboring states. In order to pursue their self-interests, they support one side of the conflict. Also, Diaspora population who, immigrated to other country, belong to an ethnic identity of the conflicting sides can play an effective role. This population can send money to groups, it has a great potential to escalate the conflict. Politically, they provoke other person who belongs to the same group all around the world. Both external factors can directly cause the spread of intra-state conflicts in the whole region. Generally, intra-state conflicts can be motivated by ethnicity as mentioned above. Because of this, world community is afraid of breeding a new conflict in other multiethnic states (Aclkalin.2011:25).

Multidimensional effects of Intra-state Conflict on actors of international community: as mentioned above and due to the characteristic of intra-state conflict, its effect can be called as “multidimensional” because it influences international institutions and as well as states. Because of complexity of nature of intra-state conflicts, starting with analyzing of its effects on international institutions is more preferable. Initially, existence of intra-state as a new form of security threat, influence both structures and policies of international institutions. Rising violence threats and insoluble characteristic of internal conflict give more responsible to international community. Intra-state conflicts most likely end up with intervention of non-state actors.

The Intervention of international institutions is called ‘humanitarian intervention’ which means that a state using military force against another state. The most known example was NATO’s¹⁷ intervention in Kosovo. However, there are some problems in the case of intervention. One of the problems is ‘sovereignty’ issue which refers that intra-state conflict occurs in one state and any kind of intervention can be counted as a violation against a state sovereignty. The other problem is that states as a member of these international institutions has their own national

¹⁷ North Atlantic treaty Organization

interest. Because of this "... it is difficult to agree on a common course of action and settle for a unified response"(Caplan R.1998:745-761). This problem is experienced in every intra-state conflict; the most near example is the Libya case.

The International institutions did not only take responsibility to end the conflict, they also took responsibility of peacekeeping and peace building in the conflict area. But, because of the effect of intra-state conflicts on international institutions, some scholars called this situation 'internationalized internal conflicts' which means that the conflict is beyond the conflict area and justifying in global level. (Ackalin, 2011:25)

Afterwards, intra-state conflicts directly affect states which are the main actors of international system. When one analyzes the effect of intra-state conflict on state, it can be distinguished into two parts, effects on 'host state' and 'other states'. Obviously, the most influenced state is "host state" in terms of physical damage and political chaos. As far as physical damage is concerned, nearly all infrastructure of the state were destroyed during the intra-state conflict which included hospitals, public areas, houses, bridge and any other facilities that civilians were using. It doesn't only end in destroying physical facilities; it has also collapsed the economy of the state. Immediately after the intra-state conflicts, poverty and unemployment are experienced as a major problem in the host state.

Secondly, the political effects of intra-state conflict on host states are inevitable, in other words, conflict can cause collapse of central authority in host state and it triggers a set of political problems for the state. Collapse of central authority gives birth to another main problem, the power struggle. "All major groups desire to get a dominant position to run the country and pursue a more privileged status in comparison with other groups". (Ibid)Somalia is the best example in this regard.

Effects of intra state conflict is not only limited with host states, it is also felt by other states in international system. Existence of intra-state conflict in any region influences the state's rational policy. In this case, in trying to make peace for the conflict, they mostly prefer to take a decision under the umbrella of international organizations with other states. However, intra-state conflicts negatively affect states in three main aspects; humanitarian, economic and security issues. In order to escape violence, people concentrate in borders. National states are really concerned on

sponsoring refugee camps and internal security threat from refugees. For example, “The Kosovo crisis resulted in about 1.5 million Albanian and Kosovian refugees and internally Displaced persons” (Baldwin, 1997:5) but only 7,000 people come back to their homeland.

Furthermore, political instability and economic collapse in a state affects other neighboring states due to their investment in the host state of the conflict and creates a possible unbalancing in the international market. They have to withdraw their investment in that country which, in turn, leads to unemployment. Therefore, all of these show that intra-state conflict has a complex nature and as a result; it has multidimensional effect on state and non-state actors.

2.4.3. Extra - State Conflict

Extra-State conflict occurs between a member of the international system and a political entity (not a system member) outside of its territorial boundaries. For simple explanation, extra state is: state versus independent non-state actor (Sarkees, 2003).

The non state participants in extra-state wars can be a variety of types of actor, including, non-system member geo-political units, and non-territorial entities or non state armed groups that have no defined territorial base. Since non state entities generally have fewer resources than states, thus, it is adopted a more minimalist requirement for them to be considered as war participants. Admittedly, this lower level to qualify as a war participant may make it more complicated to identify all the participants in an extra-state war (Ibid).

In addition, non state actors may or may not wear identifying clothing so it may be more difficult for observers to distinguish combatant deaths from civilians who may have been killed. Consequently, historian frequently report fatality and causality numbers that include the deaths of both non combatants (civilians) as well as combatants. States may also have political reasons for downplaying or exaggerating the non state combatant fatalities. (Ibid)

On the other hand, the difference between interstate and extra state war is fundamentally a matter of diplomatic recognition; the opium wars, for example, are classified as extra state simply because China was at the time not diplomatically recognized by England and France (Sarkees, Wayman & Singer 2003:49-70).

Cognizant of the underling similarity obscured by this legal distinction, Singer and Small (1972, 1982) had originally designated inter-state and extra-state war as the type of international war.”

Generally; ‘the war against terrorism (or against al-Qaida or the Taliban)’ represents one of the several trends of this kind. Before September 11th, 2001 there was an intra-state war in Afghanistan in the 1990s, between the Taliban and the northern Alliance. After September 11th around mid-October, the U.S. intervened and there was an inter-state war, the U.S and its allies attacking the Taliban government of Afghanistan, and succeeding in overthrowing the Taliban from power. Mean while, the US and its allies were engaged in an armed combat against an extra non- state actor, Al Qaeda. The combat not only took place in Afghanistan, but also in Pakistan and perhaps in other countries. But it remains to be classified whether this combat that has involved substantial battle death can be coded as an extra state war.

CHAPTER THREE

3. Understanding the Nature of African Conflicts

Over the last 40, years nearly 20 countries (or about 40% of Sub-Saharan Africa (here in After SSA) have experienced at least one period of civil war. It is estimated that 20% of SSA's population now lives in countries which are formally at war and low-intensity conflict has become endemic to many other African states. (Elbadawi and Sambanis, 2000:1)

Violent conflicts of one type or another have afflicted Africa and exacted a heavy toll on the continents societies, politics and economies, robbing them of their development potential and democratic possibilities. (Zezeza, 2008:1)

Thus, in order to understand African conflicts briefly, this chapter is divided in to two parts. The first part is the classification of African conflict in chronological order and. Secondly; enumerate the structural causes of African conflicts.

To begin with classification, one can classify African conflict as Pre-Colonial, Colonial and Post-colonial period.

3.1. The Pre-Colonial Era

The contemporary history of Africa shows that conflicts of various types and scales have existed in pre-colonial Africa (contrary to the idealist folk history of a peaceful African past). These past conflicts were of many types, wars of conquests between powerful state/kingdoms, internal rebellious in such kingdoms, interventions of slave raiders, conflict between ethnic group over pasture, over cattle, over fertile land, and reciprocal killings over murdered kin (Bujira,2002:29)

However, the pre-colonial history is not simply a 'bloody history'. There were long peaceful periods in different kingdoms, societies and regions during which important developments and progress at all levels were achieved. However, despite the peaceful periods, there were many unresolved conflicts everywhere which were dormant and which were carried over into the colonial period (Ibid).

3.2. The Colonial Era

Conflicts during the colonial period sub-divided in to two groups. To begin with, there were wars waged against the colonial conquest itself and that were later followed by wars of liberation from colonial rule.

The first set of wars involved both conventional and guerrilla wars against invading imperial armies that often contained African troops from other territories or communities within the territory already brought to colonial heel. On the whole, strong centralized states tended to wage conventional wars and after their defeat embark on guerrilla war, while smaller and weaker states or a cephalous society resorted to guerrilla warfare from the beginning.

Examples of this abound across the continent and are well illustrated in the case of West Africa and Southern Africa where colonial conquest lasted for decades (Crowder 1978; Ranger 1967; Isaaccman 1976; Boahen 1990)¹⁸. As is well known, only Ethiopia managed to win decisively against the European invaders to retain its independence.

The wars of conquest - pacification they were called in the self-serving and sanitized rhetoric of empire-exacted a heavy demographic price, which when combined with the predations of primitive colonial accumulation. Most graphically and grimly illustrated in king Leopold's genocidal 'red rubber' tyranny in the Congo that slaughtered 10 million people (Hochschild 1998), led to the death of many millions of people and spawned such vast dislocations that some medical historians have called the years between 1890 and 1930 the unhealthiest period in all African history (Patterson and Hortwing 1978:4)

The wars of liberation, often triggered by the obduracy of settler minority regimes supported by the Western powers in defense of global wealth and whiteness, against appeals of common sense and decades of peaceful protests by the colonized, also exacted horrendous costs. The brutal story and statistics from Algeria are well known – more than a million dead (Horne 198; Talbott 1980; Shepard 200; Alexander et al. 2002; Maran 1989).¹⁹ Angola and Mozambique have their own tragic tales to tell about the dreadful liberation wars and atrocities perpetrated by fascist Portugal aided by NATO (Marcum 199-78; Harsch and Thomas 19; Davidson 1972;

¹⁸ Cited in Zeleza(2008)

¹⁹ Ibid.

Birmingham 1992; Cann 1997).²⁰ So do Zimbabwe where a protracted guerrilla war was fought under the delusionary obstinacy of Ian Smith's regime (Ranger 1985) and Namibia under the illegal usurpation of apartheid South Africa (Herbstein and Evenson 1989) and that beloved country itself. South Africa, trapped longer than any in murderous racial fantasies, was rendered increasingly ungovernable by civil unrest and guerrilla attacks that led to the demise of apartheid in 1994(3). Even Kenya's war of national liberation – dubbed Mau Mau by the colonialists – that was once since as less ferocious than the liberation wars of Southern Africa, now appears to have been waged with a staggering level of imperial viciousness; some 1.5 million people were detained, a far cry from the official figure of 80,000 (Elkins 2005).

The anti - colonial wars were protracted and brutal; in some cases hardly a generation passed before wars against colonization turned into wars from colonialism. These were defensive, unavoidable wars, waged at enormous cost in African lives and livelihoods, driven by the desire to maintain or regain political autonomy, the precondition for establishing the social contract of democracy, the political culture of human rights, and the economic possibilities of development.

While these struggles liberated African societies from colonialism, in many cases they left a lasting legacy of conflict that, sooner or later, festered and erupted into vicious post-colonial conflicts, as happened in Algeria in the 1990s (Martinez 2000; Volpi 2003) and in postcolonial Angola and Mozambique, where UNITA and RENAMO served as 'apartheid's contras', as William Minter (1994) calls them.

Indeed, the unfinished business of liberation is at the heart of the current crisis and conflict in Zimbabwe (Hammar et al. 2003) not to mention other countries in the region, including South Africa where high levels of violence persist and struggles are ranging for the future of the country and the soul of the ruling ANC (Gordon, 2006). It is also important to remember that Africa's anti – colonial wars, which helped to bring to an end the 'age of empire' transformed European and world history. For example, the crisis endangered by the Algerian war ushered in the Fifth Republic in France. And decolonization in Mozambique and Angola liberated Portugal itself from four decades of fascism.

²⁰ Ibid

Thus, by dismantling the colonial empires and undermining the architecture of imperial racism, Africa's liberation wars encouraged Europe to 're-humanize itself', in Ali Mazrui's (2003: 21) memorable phrase.

3.3. The Post -Colonial Era

After the collapse of the Berlin wall in 1989, some previously frozen conflicts in Africa reignited violently. Including, those in Liberia, Sierra Leone, Rwanda and the Democratic Republic of Congo (DRC). After this pent-up conflict pressure was released, a steady decline ensued.

In a number of instances, insurgencies that had been externally funded had benefited financially from the cold war, turned inward for resources. They used diamonds (UNITA in Angola), the civil war in Sierra Leone, Colton (Various factions in the eastern DRC), Coffee and Cacao (in Cote d'ivoire) and even Charcoal (in Somalia) as alternative sources of revenue. For this reason, conflicts in Post-colonial era have been rampant and more brutal than ever.

Generally, one can explain the post-independence African conflicts as an Inter and Intra-stat conflicts in terms of its prevalence and characteristics.

3.3.1. Inter- State Conflicts

Post-colonial Africa has experienced inter-state wars, although on a far lesser scale than other regions and in comparison with the prevalence of intra-state conflicts. This is perhaps a lingering tribute to the inviolability of national borders in the collective African political imaginary that was sanctified by the charter of the Organization of African Unity (OAU), the predecessor of the African Union inaugurated in 2001.

One can distinguish, in terms of the combatants involved, between bilateral wars and multilateral wars. Bilateral include the Somali-Ethiopian war of 1978-9 the Tanzania – Uganda war of 1978 – 9, and the Eritrea – Ethiopian war of 1998 – 2000, and the multilateral wars are illustrated by the multinational war over the DRC that started in 1998. The war between Tanzania and Uganda was prompted by Uganda's invasion of northern Tanzania, and Tanzania was only too keen to rid the region of the detested Idi Amin regime (Avirgan and Honey 1982; Kiwanuka 1979).

The rather senseless war between the two impoverished neighbors and erstwhile allies, Ethiopia and Eritrea, was provoked by border, currency and trade disputes and characterized by mass deportations and mobilization, and trench warfare reminiscent of the First World War (Tekeste and Tronvoll 2000). The DRC war, bred and superimposed on an already ferocious civil war, was fueled by a mad scramble from the country's vast mineral, forestry and agricultural resources, and involved Angola, Namibia and Zimbabwe on the side of the DRC government and Rwanda and Uganda on the side of the rebels (Zezeza 2008:9).

3.3.2. Intra-state Conflicts

As indicated earlier, intra-state conflict in Africa has been rampant and larger scale than any other kinds. There are several types of internal conflicts and these are presently the majority of conflict in Africa, especially since the end of the post cold war period. According to different literatures one can divide these conflicts in to five broad categories: namely; secessionist rebellion, coup d'état, irredentist war, cold war sustained conflict, war of devolution and so on.

3.4. Few Causes of African Conflict

This Research has started the discussion of African conflicts by classifying the various types of the conflict through chronology. i.e. the pre-colonial, colonial and post-colonial. The researcher has also tried to indicate some of the social, economic and political conditions in which these conflicts take place. In this section, the researcher looks briefly at the various, explanation given by some writers and organizations on the root causes of conflict in Africa.

3.4.1. Resources

Localized violence over access to livelihood resources, such as land and water, is also on the increase and this includes farmer-herder conflicts (Straus, 2010)²¹. There is evidence that resource competition at community level is relatively prone to violence (Hilk, 2011). In 2010 and 2011, conflicts over resources accounted for approximately 35% of all conflicts in Sub-Saharan Africa (Ibid).

²¹ Cited in (Cilliers and Schünemann 2013)

In cases of resources and/or raw materials, and the profits derived from them were determining factors in the conflicts. Globally, in this period, almost half of the resource conflicts were violent. In contrast, only 14% of the conflicts over territory or international power turned violent (Ibid).

There is an ongoing debate on the potential of competition over scarce natural resource (particularly food, water, energy and earth metal) to become a major source of future inter-state, regional and even international conflict. (Straus 2010)²²

3.4.2. Religion

The role of religion as source of conflict, in objective and subjective terms, institutionally and ideologically, and at local and transitional levels and the many points in between, cannot be overemphasized (Panitch and leys, 2002).

Throughout history religion has provided a powerful vehicle for instigating war, giving meaning and legitimating to war, and in facilitating postwar reconciliation and reconstruction.²³

As Niels Kastfelt (2005:1) argues forcefully and convincingly, “many African civil wars have religious dimensions which are sufficiently important to deserve to be studied in their own right without, of course, there by ignoring their social, economic and political context.”

In the post-colonial era one can point to Uganda’s civil strife in which Alice Lakwena’s Holy Spirit Movement and Joseph Kony’s Lord’s Resistance Army(LRA) have played a key role, not to mention the conflicts fomented among and between Christians and Muslims that are increasingly amplified by the so-called ‘war on terror’ (Zezeza, 2008:25)

In addition, Algeria is also afflicted by arguably the worst conflict in North Africa. The conflict is between Islamists and the military Secularist, and religion however politicized is at its root. (Mazrui, 2008:38). It is among the ugliest and most intractable armed conflicts in the world (Mortimer, 1996). Religion is also the root of the conflict in Egypt (Ansari, 1984).

²² libid

²³ For example, in the epic struggle against apartheid in South Africa Christian ideas inspired not only the protagonists in the conflict, but also the formation and work of the Truth and Reconciliation Commission.

Generally, Africa is the most religious continent internationally and there is an ever-present potential for both Islam and Christianity to be used to politicize deprivation. Currently the conflict most illustrative of these trends is that in Northern Nigeria, where the fight between the Nigerian Military and *Bokoharam* has been steadily intensifying since its inception in 2009. (Cilliers and Schünemann, 2013).

3.4.3. Ethnicity

While the worst conflicts in some part of Northern Africa are religious, the worst conflicts in Black Africa are ethnic²⁴. (Mazrui, 2008:38)

According to Toure (1999), He provided that in Nigeria, the Southern Kaduna Zone has occupied a violate position in the twenty century history of inter-group conflicts and tensions in Northern Nigeria. It has experienced complex conflicts, occasionally violent. Mostly assuming ethnic form Linked with these have been questions of social equality, citizenship, community rights and democracy.

The other person, named Ogachi (1999) stipulated the case of Ethnic conflict in Kenya as follows:

The independent Kenyan government was largely formed from Kenya's two major ethnic groups: the Luo and the kikuyu. These two communities constitute the greater part of the overall population of Kenya. Their areas were the most penetrated by capital during the colonial period and therefore the Luos and kikuyu people were the most influenced by the colonial economy and culture. These two groups had formed an alliance in the dominant nationalist party, KANU, which become the ruling party.

The remaining ethnic groups were much smaller and they feared the domination which began to happen at independence. They formed KADU, which began to happen at independence. They formed KADU, which stood for regionalism – devolution of power to the regions as opposed to a strong centralized and unitary government as a way of protecting their interest. The first president of Kenya,

²⁴ The word ethnic in this case is used in the sense of the older word *tribal*.

Jomo Kenyatta, was also the leader of KANU. In 1964, he convinced KADU to merge with KANU and the leader of KADU, Daniel Arap Moip become the vice-president of Kenya.

However, very soon after independence the dominance of government and political arena by the kikuyu-Luo alliance became clear and over whelming. Immediately after seizing state power, Kenyatta started implementing his agenda of looking after the needs of his basic community the Agikuyu. By 1978, he had secured for them the state government a vast homeland in the Rift valley and along the Kenya coast, put commerce in their hands, in appropriate alliance with Asian and European bourgeoisies, and underwritten their security by manning the police, the military, intelligence and the brutalizing apparatuses such as the general service unit.

At the end, in these lands the Rift Valley and the coastal region that serious ethnic violence took place in the decade of the 1990s

Generally, the worst outbreaks of violence in Black Africa in the 1990s occurred as a result of the conflict between the Hutu and Tutsi. The genocides in Rwanda and Burundi in the 1999 were ethnic. The conflict in Somalia was likewise ethnic or, at any rate, sub-ethnic (between clans rather than between tribes). The civil war between northern and Southern Sudan straddles the Arab and the African world (Mazrui 2008).

3.4.4. Lack of Democracy

Lack of democratization can be cited as one of the root causes of conflicts. Conflicts in Africa can be minimized in an environment that encourages substantive participation in the economic, political and social realms. Any attempt to exclude the ordinary citizen from such participation creates a rift between the rulers and the governed. Open political systems that safeguard basic civil liberties, basic needs and freedom of expression are less likely to be confronted by depleting conflicts. In those countries where democratic freedoms are denied, very often citizen of which have retarded socio-economic development and progress (Nhema 2004)

3.4.5. Election

Conflict directly associated with election, has increased in line with the rise in political contestation before, during and after polls (Straus, 2010). This is particularly common in a state where democracy has not been entrenched, such as during the election in Zimbabwe in 2005, or where the government has been actively factional in benefitting one ethnic group above others. In Kenya, in December 2007, this culminated in post-election violence. A fate avoided during the more recent election in 2013. In Zimbabwe's 2008 presidential elections, more than 250 people died, at least 10,000 were injured and tens of thousands were internally displaced due to election – related violence. Other elections that were accompanied by varying levels of violence include those in Nigeria (2011), Cote d'Ivoire (2011) and Ethiopia (2005) (Colliers and Schiinemann, 2013).

As democracy continues to deepen and spread in Africa, in the aftermath of the so-called Arab Spring, election processes can turn violent to contexts characterized by latent conflict and tensions surrounding. Political competition and power-sharing arrangements in post-conflict situations, elections are crucial for deciding who will control state institutional and may either affirm existing patterns of power or bring in new elites. There by transforming state-society relations (Sisk, 2008)

On this subject, Bekoe (2010) light up the fact that electoral violence seems to be related to more widespread systemic grievances and tensions, including land rights, employment and ethnic marginalization. Of course, more research is needed to explore these issues as well as the role of external stakeholders in electoral process and their potential contribution to building resilient and legitimate states.

Sisk also asserts that the way in which elections are conducted is critical. He argues that sequencing, design and the extent of international monitoring of elections is the key variables that determine whether electoral processes contribute to capable, responsive state or reinforce captured, fragmented and weak states (Sisk, 2008)

On the other hand, it must be noted that the seeds of the post-colonial war themselves lie in the sociological mess which 'white' colonialism created in Africa. The colonial powers destroyed old methods of conflict resolution and traditional African political institutions, and failed to

create effective substitute ones in their place. In the west, effective states are widely perceived to be one of the major tools societies have invented for the preservation of internal stability and order. In Africa, the states founded by Europeans were not effective. They were developed in newly fashioned countries and built on fragile bases. (Mazrui 2008)

The African who had inherited these states from the Europeans had however, little experience in governing themselves. Hence, failing states have been one of the major sources of conflict in post colonial Africa (Ibid).

3.4.6. External Actors

For Nhema (2008) the role of external powers has been cited as one of the causes of African conflicts. For much of the cold war period, the rivalry between the superpowers fueled much of the conflict in Africa, where in such countries as Mozambique, Angola and Ethiopia, African proxy's wars, have been fought for or against the USSR or USA. But since the demise of the Soviet Union, the nature of warfare in Africa has shifted to mostly Intra-state and Inter-state conflict. (Nhema 2008:3)

Concurrently, with this change has been a lowering factor of the geo-strategic importance given to Africa by the western powers. Hence, in the presence of conflict and failing states, the west has either failed to respond, or responded with some reluctance, as exemplified in the situations prevailing in such counties as Somalia, Rwanda, Burundi and the DRC (Ibid).

CHAPTER FOUR

This chapter and the next two chapters are main parts and the analysis of the study. The previous parts, the concepts and theories of conflict and the nature of African conflict have paved the way to the next main chapters in the research.

In these chapters, the immediate triggers and genesis of the conflicts, the involvements of external state and non- state actors and the consequences of the conflict forwarded in a Descriptive method.

4.1. Immediate Causes of the Conflict

4.1.1. From Internal Power Struggle to Intra-State Conflict

Despite the differences over the 2010 elections and many others, the SPLM leaders stood together and steered the country towards the referendum and subsequently the independence. The people of South Sudan were more united during the referendum than any other time before. It was hoped that the leaders would capitalize on this unity to build a new state that was accommodating for all.

However, these hopes were dashed just weeks before the independence when reports emerged that the president and the vice president were at odds over some articles in the transitional constitution. The president had accused the vice president of an attempt to run a parallel government.²⁵ The crisis was addressed and the two leaders seemingly buried their differences.

The genesis of the current intra-party power struggle is said to have re-emerged in late 2012 when high-level SPLM members of the Political Bureau visited 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 view of the grassroots, the ruling party had

²⁵ SPLM's Internal Politics: A Catalyst to the Dissolution of Government, The Sudd Institute, October 2013.

lost vision and direction, as it had not been able to deliver the badly needed essential services such as road networks, health facilities, security, and education, among others.

In light of the 2015 scheduled general elections, which, owing to the current violent conflict, are seemingly postponed now, the grassroots' message disapproving of the SPLM stewardship sent an alarming effect within the party leadership. In March 2013, after the return of the dispatched SPLM leaders from the field, a meeting of the political bureau was supposedly convened to share the reproaches from the grassroots and an argument seemed to have ensued prompting the top party leaders to trade accusations over who was to blame for this apparent failure. In that meeting, Pagan Amum, the SPLM Secretary General and the First Deputy of the SPLM, Riek Machar, are 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, claiming to be a viable replacement. Riek Machar specifically raised six²⁶ points outlining the key areas in which he thinks the SPLM Chairman, Salva Kiir, had failed.

This confrontation within the political bureau could also have been fueled by unconfirmed reports within the party, which placed the trigger of the crisis 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 after his term ends in 2015.²⁷ According to Sudd Institute, some SPLM party leaders were apparently present at the Kiir-Mbeki meeting and might have leaked to members of the political bureau the purported news of Kiir's intention to exit from power.²⁸ Consequently, party leaders who heard the possible departure of the party chairman sought to position themselves as next in line. The president, who is also the chairman of the SPLM, obviously seemed to have changed his mind and wants to continue after 2015. This revelation was surely disappointing to those who had hoped to replace him and the seemingly contentious meeting of the political bureau was likely a result of such disappointment.

²⁶The SPLM Leadership Contest: An Opportunity for Change or a Crisis of Governance? The Sudd Institute, July 2013

²⁷ Ibid

²⁸ Ibid

At the end of the aforesaid meeting, the political bureau was reportedly divided and people were astringent. The president is described as having been particularly outraged by the challenges presented against him and he took such challenges as an attack on his personality and his character. In April 2013, a month after the said meeting, the president withdrew delegated powers from Riek Machar to demonstrate his apparent displeasure. Rumors of government reshuffle followed thereafter.

By July 2013, especially on the occasion of South Sudan's 2nd Independence Anniversary, the rift within the party was vivid. Pagan Amum, the SPLM Secretary General, who normally ran the ceremony of such events, was conspicuously absent. What was more poignant about the anniversary commemoration was the fact that the president, likely deliberately, refused to acknowledge the presence of Riek Machar, his deputy in the ceremony.

After the independence anniversary, the party officials were talking publicly about the internal party politics, a situation that led to more rifts. While the situation in the party was growing out of control, the president decided to dissolve the entire cabinet, removing Riek Machar, who was the vice president and Pagan Amum, who was the SPLM Secretary General in that process. The motivating factor for the dissolution of the government was evidently the party politics that had created nearly a paralysis both within the party and government structures.

The president created a new government that excluded all those who disagreed with him politically, and potentially added salt to injury when he gave very senior cabinet positions to people from outside the party, and those formerly in the Sudan's ruling party, National Congress Party who had just recently joined the SPLM merely on political necessity.

Following the dissolution of the government, President Kiir, in an attempt to gain support for his new cabinet, took a regional tour to the Bahr el Ghazal based 4 states where he reportedly told crowds that the people he had removed from the government are corrupt and that they have failed the country. As if the exclusion of many SPLM leaders in the new government was not enough, the president pronounced the SPLM party structures dissolved in November 2013, a move that clearly threatened the political future of a number of SPLM leaders.

Although the president take back the statement later, a lot of damage was already done and out of desperation, a number of excluded party leaders were frantically trying to figure out a way to

ensure their leadership relevance and political careers. So the tour and the dissolution of the party structures essentially angered those who were removed and seemingly consolidated the two factions under Riek Machar and Pagan Amum against the president.

This unity was exhibited on December 6, 2013 when these groups held a joint press conference under the leadership of Riek Machar. The group sharply criticized the president and his new government and blamed him for dragging the country purportedly into chaos. The language of the press conference included thinly veiled threats of violence²⁹ should the president not respond to their demand for dialogue. This press conference seriously heightened the internal party crises and provoked fears among citizens. The government, led by the Vice President James Wani Igga, reacted to the press conference angrily and it was obvious that the country was in deep crisis. Only a week after the press conference the violent events of December 15th, 2013 ensued.

At 10:00 p.m. on 16 December 2013, fighting erupted among the presidential guards in Juba. According to military sources³⁰, the fighting started when unexpected changes were made to the guards' deployment. Other reports say that fighting broke out after President Kiir ordered the arrest of dissident politicians. Following the initial clash, Kiir accused Machar and other SPLM officials of attempting a coup against his government– which Machar denied.

On December 16, President Kiir appeared in military fatigues for a press conference in which he publicly accused Machar of orchestrating a coup attempt, drawing criticism from some observers that this posture may have raised tensions.³¹ Machar, speaking to the press on December 18, denied the charges, suggesting that the fighting was a misunderstanding among the presidential guard and that Kiir, whom he claimed was “no longer a legal president,” had condoned targeted attacks on Nuer in Juba.³² Reports of a mutiny by Nuer soldiers in Bor and ethnic clashes in Unity emerged the same day. By December 21, Machar had openly declared rebellion, stating

²⁹ SPLM's Internal Politics: A Catalyst to the Dissolution of Government, The Sudd Institute, October 2013.

³⁰ South Sudan's Newest War: When Two Old Men Divide a Nation, German Institute of Global and Area Studies, 2 November 2014.

³¹ Akshaya Kumar of the Enough Project, “South Sudan's Salva Kiir Needs to Put His Black Hat Back On,” *Al Jazeera America*, December 20, 2013.

³² “South Sudan Ex-VP Denies Coup Attempt, Labels Kiir ‘Illegal President,’” *Sudan Tribune*, December 18, 2013.

that the forces that had mutinied in Jonglei and Unity, purportedly in response to the attacks on Nuer, were now loyal to him.³³

Failed Cease-fires

After fighting broke out in December 2013, the Intergovernmental Authority on Development (IGAD), a regional association of states including Ethiopia, Kenya, South Sudan, and Uganda, quickly mandated three envoys to bring a peace deal between Kiir and Machar. Under the auspices of IGAD, the conflicting parties signed a cease-fire deal on 23 January 2014. This deal has, however, been violated on several occasions since.

The main obstacle in the process of the peace talks and cease fire is the ideas of Salva Kiir ,who claims that he was a legally elected leader who should not step down by a violence or by any other illegal ways³⁴ and Rick Machar's question to create a democratic system that encompasses every one by avoiding bad governance; and mainly asking to stop '*dinka*'s superiority and dominance³⁵.due to this, it even seems to hamper the peace processes in the future.

To explain this, Rick Machar's question and pre requisite cannot be answered immediately as the democratization process is a gradual phenomenon that can give equal opportunity to all ethnic groups of South Sudan based on their skill and knowledge to help them serve their country. This can never be achieved within a day.

³³ BBC Correspondent James Copnall interview with Machar, reported on December 21, 2013.

³⁴ Discussion with Dr. Ksaashun

³⁵ GIGA(

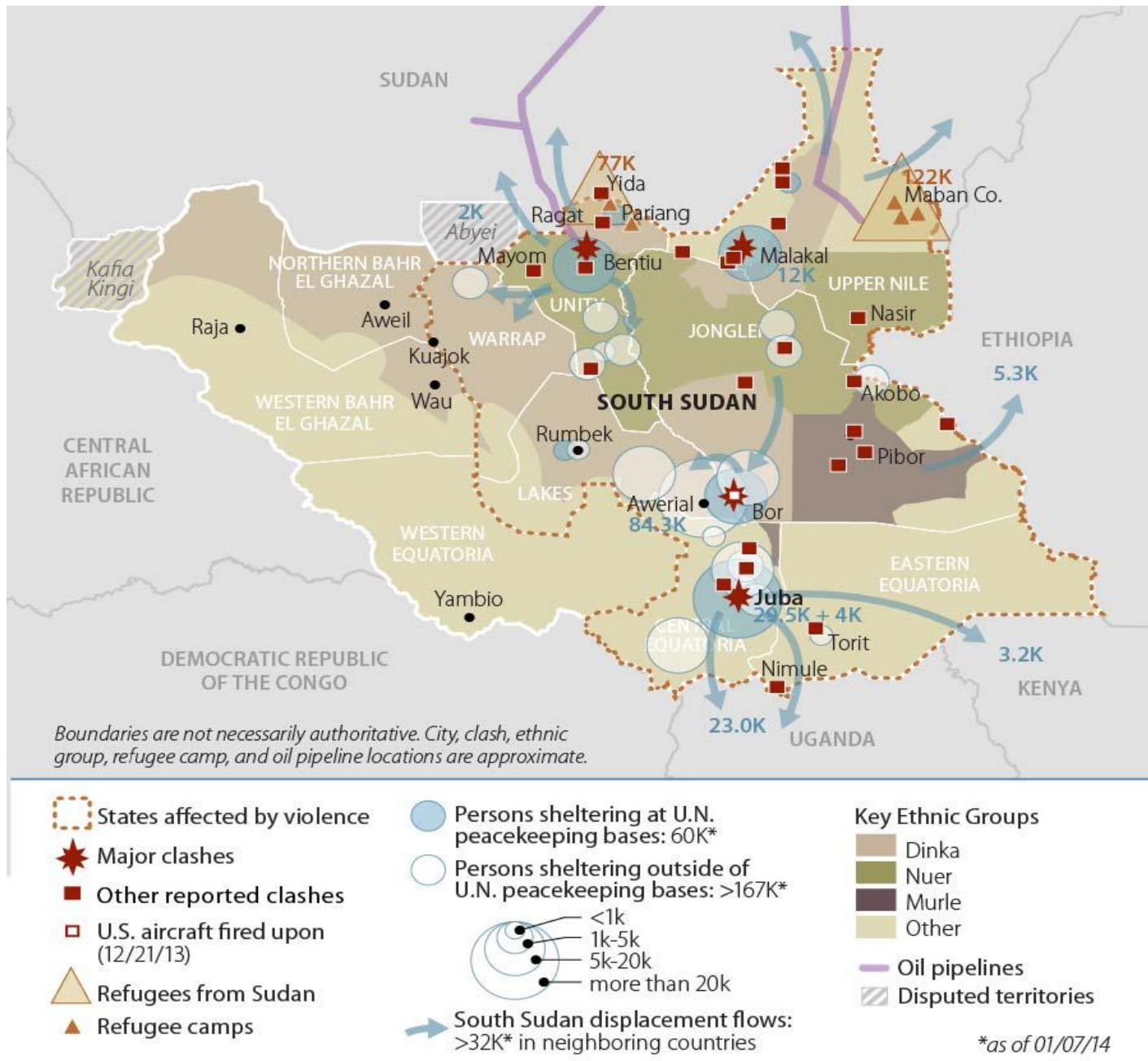


Fig.1 Conflicting Areas

(Source: CRS)

4.2. Root Causes of the Conflict

It is not a surprise to say that South Sudan has almost the size of Kenya, Rwanda, and Burundi combined, but a protracted war with the northern Arabs made it to have one of the worst human development indicators in the world (Jok, 2011). This newly independent South Sudanese republic is a home to around 64 ethnic groups on various demographic sizes with varying degrees of political participation, those ethnic groups include: Dinka, Nuer, Shilluk, Latuka, Acholi, Toposa, Murle, Bondo, and Ondo, to name a few (Nasir, 2014). This makes it necessary to analyze the situation from the lens of presence of diverse ethnic groups that in turn determines the peace and stability of the nation. Having said so, analyses of the root causes of the South Sudanese conflict as in Political, Ethical and Socio-Economic dimensions will follow.

4.2.1. Political Dimensions

4.2.1.1. Contention for Power

Even though there are a number of additional factors that have contributed to the current civil war that go beyond these two actors' individual contention, the current political crisis and the armed conflict between the government and rebel forces loyal to Machar can be partly explained by the personal motives of and struggle between Kiir and Machar.³⁶

Long before the outbreak of violence in December 2013, political stability in South Sudan was threatened by the unresolved and protracted rivalries between President Kiir and former Vice President Machar, which date back to the 1990s. After being a major in Sudan's national army, Kiir joined the SPLM led by John Garang in 1983, and helped him to form the Sudan People's Liberation Army (SPLA). By contrast, Machar entered the SPLM and SPLA in 1984 after having completed a doctorate in the UK. Disapproving Garang's objective of a united Sudan with recognition of the South, and fighting instead for South Sudan's secession, Machar broke away and formed the SPLM/A Nasir dissident group in 1991. His movement evolved, and became the 'South Sudan Independence Movement/Army' (SSIM/A) in 1995. As a result of internal tensions within his group, Machar finally agreed to merge back into Garang's SPLA in January 2002.

³⁶ Discussion with Mr. Malith Kur, he is South Sudanese Scholar lives in London ,he has been written a number of articles on South Sudan.(via e-mail , 25 may 2015)

After Garang's death in 2005, Kiir became SPLM's leader and Machar, Vice-President. After independence, in July 2011, Kiir became President and kept Machar as Vice-President, largely to appease ethnic tensions and launch a process of reconciliation and national cohesion. However, political rivalries between the two men remained. Kiir and Machar have significant disagreements on fundamental aspects of the party and country's leadership, governance and directions. They believe in two different kinds of relations with Sudan. Contrary to Machar, Kiir is willing to keep good relations with Sudan and cooperate with Khartoum regarding their respective insurgents. Machar also disagrees with Kiir's way of running the country and has criticized his dictatorial tendencies. Article 101 of South Sudan's Transitional Constitution by itself, concentrates numerous powers on the President, who can run state affairs with very limited consultation, including removal of elected officials.

President Kiir overused these powers, notably after Machar declared in March 2013 his intention to contest for the party chairmanship. The numerous dismissals of SPLM officials from any executive positions consequently express the result of a long-term struggle for power between Kiir and Machar.

Some ascribed the escalation in conflict to careful planning and political strategy: As one of the Refugee said,

To me it was caused by selfish motives because all our leaders have an army and want power and they want power in order to control resources³⁷

The other man also points out;

This conflict is about politics. It is about greed for power. Riek Machar was trying to become the Chairman of the SPLM as a stepping stone to the Presidency in 2015. I knew about the potential violent conflict before it happened³⁸.

On the other side, several people compared the current leadership to that of former SPLM/A leader, John Garang:

³⁷ Interview with refugee women, Nyumanzi Reception Center, 18 February 2014 (Conducted by IRR1)

³⁸ Interview with refugee women, Borolere Camp, 22 February 2014 (Conducted by IRR1)

*As far as Garang was concerned, he had a vision that would have taken us to greater heights. But after his death I really do not know whether Salva Kiir is focused on that vision or if his vision is only for the promotion of himself. Independence has shown us how selfish our own people can be.*³⁹

4.2.1.2. Impaired Political System and the New Challenges for Leadership.

Formally, the South Sudanese state is well designed. It features a classic division of powers (legislative, executive, and judicial branch), and the federal design takes into account the cultural and regional differences within South Sudan and in theory delegates substantial decision-making power to the federal states. The fact is, however, that the South Sudanese central state is largely under the control of the former rebel movement, the SPLM.

Former SPLM officers or persons loyal to the group occupy most senior positions in all branches of the state, including the sub national levels. Formal qualifications have rarely been the key criteria for obtaining a specific government position, and the state's performance has suffered as a result. The SPLM's informal networks have sidelined the formal democratic institutions and processes provided through the South Sudanese constitution, which has reduced the population's confidence in the state. The result is a weak state with limited institutional capacity, a lack of legitimacy, and an unhealthy symbiosis between the armed forces, the government, and the state (Koos, 2014).

On the other hand, President Kiir and former vice president Machar were decorated generals during the civil war with the central government of Sudan. Under their leadership, rebels controlled most of the South Sudanese territory apart from Garrison towns and strategic oil fields. These experiences deeply shaped these men's leadership style and the way they deal with conflict. The challenges faced by South Sudan following the signing of the Comprehensive Peace Agreement (CPA) in 2005 demanded fundamentally different skills. The political leaders were given the task of building a state, with the assistance of the international community. This involved not only creating state institutions but also developing a national identity and reconciling a divided population. In a nation with dozens of ethnic groups and deep-seated ethnic

³⁹ Interview with refugee women, Nyumanzi Reception Center, 18 February 2014 (Conducted by IIRRI)

identities, this required that the leaders bring these groups together and facilitate the creation of a South Sudanese identity that transcended ethnic boundaries.

4.2.1.3. Supremacy of One Party System

Adding from the aforementioned Political factors, which might have possibly drove the current violence gripping the South Sudanese state, there are also Supremacy of SPLM/A that could explain the eruption of the conflict. Politically speaking, it is not an exaggeration to state that South Sudan is practically a one-party state. Following the appointment of the post-independence government in August 2011, the SPLM controlled 26 of the 29 ministries, 94% of the seats in parliament and 9 of the 10 governorships.⁴⁰

Given this SPLM dominance, it has not been possible for any other political party to pose a strong challenge to South Sudan's ruling party, according to research paper from the organization of Stiftung Wissenschaft und Politik, there are no rival centers of power in President Kirr's regime and

if more factions were to follow the SPLM- Democratic change (DC) in splitting from the SPLM ,or new opposition parties were to emerge, these would in all likelihood recruit from particular ethnic or clan base. There is no sign of emerging opposition parties based on political programs.⁴¹

Freedom house further explains that

Five opposition parties are represented in the National Assembly Committee (NLA), but they lack both recourses to operate effectively and the necessary experience to formulate policy and set party platforms. The SPLM is intolerant of opposition. In July 2011, two leading members of the largest opposition party, SPLM-DC, said they were arrested and tortured by SPLM security agent ⁴²

This implies that SPLM top leaders vying for the top seat in the party could afford to vigorously compete with each other internally as there is no significant external competition.

⁴⁰ ICG,2011

⁴¹ Stiftung Wissenschaft und Politik,International State Building and its limits, February 2012,The Emerging Regim: One Party System, military Junta or clintelist network?

⁴² Freedom House, Freedom in the World 2012-South Sudan,2 August 2012.

In other words, lack of a strong opposition to the SPLM from without ensured that power contest among SPLM leaders intensified, as getting the party chairmanship automatically guarantees one's aspiration to occupying the highest office in the land, that of the president. Since the signing of the CPA in 2005, economic and political power have been concentrated in the hands of the ruling class, and this undoubtedly by and large left the public susceptible and vulnerable to the whims and maneuverings of some political entrepreneurs who would do anything to get to or remain in power.

4.2.1.4. Challenges of Corruption

Corruption in South Sudan remains one of the biggest fears for development in the nation and has become the norm in South Sudan.⁴³ Most of South Sudan's government officials who have been in power since from 2005 were using the nation's resources for their personal benefit and still they are using the nation's resources for their personal benefit and still they are using it. As a result South Sudan has remained as one of the poorest state in Africa due to corruption. According to Freedom House:

Corruption is a series problem and a major source of public frustration. Government appointments are typically handed out to SPLM loyalist or potential spoilers with little regard to merit, and corrupt officials take advantage of inadequate budget monitoring to divert public funds....⁴⁴

Corruption is present in all sectors of the economy and at all levels of the new state apparatus. Corruption is manifested in various forms, including financial and political corruption, patronage, pervasive tribalism and misuse of power. Both petty and grand forms of corruption are prevalent in South Sudan. To name a few examples;

4.2.1.4.1. Bureaucratic corruption

Citizens commonly face demands for bribes in their dealings with government institutions to access basic public services. The latest Transparency International Global Corruption Barometer found that those respondents who have had contact with nine public institutions (police,

⁴³ Discussion with Dr. Kassahun Birhanu.

⁴⁴ Freedom House, Freedom in the World 2012-South Sudan, 2 August 2012

education, judiciary, medical services, land services, tax revenue, customs, registry/permit), 66% reported paying bribes in the past 12 months. The citizens' experience with corruption is significantly high in dealing with the police (where 47% of those in contact with the police reported paying bribes), registry/ permit services (46%), the judiciary (43%), and land services (41%). Coming to the reasons for paying bribes, the majority of Southern Sudanese have reported "to avoid a problem with the authorities" (40%) or "to speed things up" (33%)⁴⁵.

4.2.1.4.2. Patronage

The new state is dominated by the military elite which is strongly fragmented and marked by competing clientelist networks along tribal and ethnic lines. The diverging interests are kept in balance around the President Salva Kiir which makes the regime susceptible to the demands of the many competing groups and thus open to corruption and clientelism (Lacher, 2012). Since the CPA in 2005, the government of South Sudan has put efforts into integrating potential rebels and rewarding allies by appointing them to senior lucrative or symbolic posts. These appointments often consume large proportions of the state budget with ministries, agencies and commissions growing in number. National and State Parliaments, serve above all as instruments of patronage (Ibid). Many complaints have been voiced about governors appointing members of their own clan without visible functions. According to the same author political accommodation, as a strategy for stability, is favoring the patronage system. Another report finds that South Sudan's state has become the private property of its dominant political class, putting the business of governance and the wealth it generates well beyond citizens reach (Hemmer, 2012).

It is possible to take a refugee man experience, as an example;

*In every office, they are the ones who are there even when they are not educated as long as the relative is heading that office. My husband's brother works at the airport. Their boss is a Dinka who cannot read or write and it is my brother-in-law who does everything for him except receiving and signing for money which the Dinka does and he just pays my brother in law. He cannot even get leave of station because the 'boss' (Dinka) wants him around all the time.*⁴⁶

⁴⁵ Transparency International, 2011. Global Corruption Barometer.

⁴⁶ Interview with refugee man, Barotuku Camp, 20 February 2014 (conducted by IRRI)

4.2.1.4.3. Embezzlement

Grand corruption is a serious problem in South Sudan as officials take advantage of inadequate budget monitoring to divert public funds. The Head of the UN Mission to South Sudan called on the international community to help trace and repatriate funds that have been deposited abroad by Government of South Sudan officials.⁴⁷

President Salva Kiir has accused at least 75 current and ex-government officials of embezzling US\$4bn of public funds. In an extraordinary letter to the 75 senior staff, he demanded the funds to be returned anonymously to a bank account in Kenya. He also declares that “most of these funds have been taken out of the country and deposited in foreign accounts”⁴⁸. Some have purchased properties, often paid in cash. Since the letters were written, about US\$60m of the money that was used in various ministries has been recovered but the parliament suspended the suspected officials until they are convicted or acquitted⁴⁹. Another prominent scandal is the grain scandal. In 2008 the Ministry of Finance and Economic Planning initiated a huge project of purchasing and delivering grain throughout the country as well as building 132 emergency grain stores at a cost of US\$34m. According to the US State Department only 46 of the 132 stores were built and grains never reached their recipients and the rest of the money was either misappropriated or embezzled.⁵⁰

4.2.2. Ethnic Dimension

The internal crises within the SPLM/A are as old as the institution itself⁵¹. At the inception of the movement in 1983, there were disagreements over the vision as well as the leadership, leading to an internal fight between two factions. One faction was made up of ‘separatists’ who purportedly expressed an outright independence of South Sudan to be the primary objective of the movement and the other faction was led by ‘unionists’ who wanted to fight for the transformation of the old

⁴⁷ Freedom House, 2012. South Sudanese Authorities Must Release Detained Journalist.

⁴⁸The Guardian, 2012. South Sudan President Accuses Officials of Stealing \$4bn of Public Money.

⁴⁹ BBC News, 2012. South Sudan MPs suspend officials in corruption probe.

⁵⁰ US States Department , 2011. Human Rights Reports on South Sudan.

⁵¹Discussion with Mr.Malith Kurr.

Sudan into a 'New Sudan' (Nyaba, 1996). Although the differences were basically tactical and ideological, the fight that ensued between these two factions pitted the Nuer against the Dinka in the end, and this was the beginning of the political rivalry. The SPLM unionists won eventually and the leaders of the separatist faction were either killed or absorbed into the SPLM/A. Many of the militia problems that confronted the SPLA throughout the liberation course, particularly in Upper Nile, were rooted in this history and are linked to the current crisis.

In August 1991, Riek Machar of Nuer and Lam Akol of Shilluk, along with others, announced a coup, claiming to have overthrown the then leader of the movement, Dr. John Garang De Mabior. The attempted coup failed, but it created, for the first time a major split in the movement. The breakaway group formed the Nasir faction, after a little town located in eastern Upper Nile where the group was based. The split was a major setback for the SPLM/A, which gave the Khartoum government an upper hand in the conflict.

Although it is difficult to quantify, it is safe to suggest that the majority of the Nuer appeared to have supported the breakaway group while the Dinka backed the mainstream. As time progressed, the SPLM Nasir faction was weakened militarily and so Riek Machar, its leader, decided to pursue a peace agreement with the Sudanese government, eventually negotiated and signed what was known as the Khartoum Peace Agreement in 1997.⁵² Part of what seemed to have pushed Riek Machar to reach a deal with Khartoum was a sense of frustration he felt after his alleged coup produced no tangible results and his faction splintered into over ten groups.

Khartoum embraced Riek's decision to join the government in a bid to use him in what had been a relatively successful counter-insurgency tactic against the SPLA, the arming of South Sudanese to fight one another. The split led to serious internal conflicts between the Nuers and Dinka, culminating in massive displacement and deaths in the two communities.

In 2002 however, Riek Machar realized that the Khartoum Peace Agreement was a farce as the government successfully stifled any chance for its meaningful implementation, and so he started channels of communication with John Garang, then leader of the SPLM/A. Also at this time the peace talks between the SPLA and the Khartoum government were beginning to show promise, especially after the signing of the Machakos Protocol, and Riek began to realize that he could

⁵² The Sudd Institute, South Sudan's Crises: It's Diverse, Key Players, and Post-Conflict Prospects, August 3, 2014.

lose even further if a deal is reached without him in South Sudan.⁵³ A reunion between the two protagonists occurred in Nairobi the same year. Riek was welcomed back to the SPLM mainstream and was made the third man in the SPLM's power structure. The return of Riek Machar and Lam Akol to the SPLM helped unite the people of South Sudan just before the signing of the Comprehensive Peace Agreement in 2005.

As discussed in the above, the SPLM right after its founding experienced many internal tensions, including the split between the unionists and separatists and the 1991 split. These splits have in one form or another pitted the Dinka community against that of the Nuer and this political rivalry had gotten worse over the years. Deadly wars have been fought between these two communities and planted bitterness and hatred. The 1991 split more than any other incident drove the two communities apart, especially after the well-known "Bor Massacre" as of Amnesty International estimation in which 2, thousands⁵⁴ of Dinka civilians were killed allegedly on orders from Riek. These political feuds were turned ethnic and became a duel of superiority of one ethnic group over the other.

Even though this happened almost a quarter of a century ago, the event remains present in the collective memory of the Dinka and the Nuer and has the potential to fuel resentment in the current struggle.

On the other hand, SPLA the national army absorbed former ethnic militias in 2005 following the CPA and subsequently continued to absorb more tribally based armed groups. The process of absorbing the large number of ethnic armed groups basically resulted into Nuer-led armed groups constituting a tribal majority in the SPLA. Some of these troops continued to maintain loyalty to their ethnic Nuer Commanders including Riek Machar. Conversely, the SPLA also consists of professional soldiers mainly from Dinka tribe and other tribes including also Nuer who are loyal to Salva Kiir as the legitimate Head of State and Commander-in-Chief of the SPLA. Therefore, when the political dispute within the SPLM translated into fighting , consciously or unconsciously, the two groups found themselves in opposite sides fighting each other and trading accusations and counter-accusations mainly that the Dinka massacred Nuer in Juba and more precisely in Munuki 107 residential Area and that the Dinka were massacred in

⁵³ Discussion with Dr.Kassahun Birehanu.

⁵⁴ Amnesty International, Sudan: A continuing Human Rights Crises. April 15, 1992.

Bor, Akobo, Bentiu, and Malakal⁵⁵. Initial reports of ethnic massacres seem to have been the reason why at the early stage the conflict quickly assumed an ethnic dimension although the two fighting forces deny this. It is this ethnic dimension of the conflict which is most worrying and if not resolved could lead to national calamity with genocide a possibility given the fact that both the Nuer and Dinka are large groups and heavily armed.

However, those many South Sudanese emphasised the extent to which ethnic division was a consequence rather than a cause of conflict. For instance, as one refugee man described the way in which ethnicity was manipulated by those in power is that:

*The political problem is manifested in ethnic terms. Dinka started killing Nuer without knowing who they were supporting and Nuer did the same. Defections to the rebel side of Riek Machar were also manifested in ethnic terms. So ethnicity is the manifestation of a power and leadership struggle... power is the leading factor and ethnicity is the identity of those struggling for power.*⁵⁶

As another refugee man said,

*Those who are saying that it is an ethnic issue do not understand the politics and are mixing things up. Salva Kiir's military Chief of Staff up to now is a Nuer by tribe and that is a very big position. Not all the Nuer soldiers joined Riek Machar. In fact he found that he did not have enough soldiers so he mobilized soldiers in Nuer communities and that is how many Nuer people joined him. So it appears ethnic but it is political.*⁵⁷

4.2.3. Socio-Economic Dimensions

4.2.3.1. Natural Resource and Poor Social Service

South Sudan has an abundance of natural resource, and a relatively small but growing population. Despite this abundance, controversies regarding ownership, control, management and benefits of resources have led to dispute and conflict and will continue to do so even in the future influence by both local and external demand (Lacher, 2013). Conflict over access to

⁵⁵ SSHRC, Interim Report on South Sudan Internal Conflict, December 15, 2013-March 15, 2014.

⁵⁶ Interview with refugee man, Barotuku Camp, 21 February 2014. (Conducted by IRRRI)

⁵⁷ Interview with refugee man, Nyamanzi Reception Center, 20 February 2014. (Conducted by IRRRI)

resource at the community level pursuit in South Sudan today increased by a growing population, the impact of climate change, and environmental degradation. The livelihood of rural people largely depend on their access to and control over land and natural resource, lack of water during the dry season as a root cause of local conflicts and insecurity. Pressure on grazing area has always been an issue of tensions.⁵⁸

Furthermore, governments that depend largely on income from natural resource extraction often face a dilemma, popularly known as the “resource curse.”⁵⁹ This applies by and large to South Sudan, which has the most oil-dependent budget in the world. Governments that do not depend on their citizens’ taxes and by extension on their citizens’ goodwill tend to do a poor job at policy making, the provision of public goods, and development policy.

This has been true in South Sudan. The government has largely failed to improve the population’s living conditions and appears to be much more concerned with internal competitions about rent-seeking and access to resources and power⁶⁰. The government’s poor performance and it’s under provision of public goods is particularly critical in the federal states of Jonglei, Unity, and Upper Nile. Chronic insecurity in recent years has also hampered development efforts in these areas and increased the population’s dissatisfaction with the government.

Other localised tensions were also quickly exploited. One such area of tension is that of issue of land – which, by definition, was specific to the different locations in which people were from. When asked if it was easy to get land in South Sudan, one man replied:

Yes, it is very easy because it is our land. In town it can be difficult but in the villages it is very easy. However, those in government have influence in land distribution so this can be another indirect reason for the conflict⁶¹

Although issues of national governance are clearly important with regards to the distribution of land, it was clear that many of the tensions over land are strongly localised.

⁵⁸ Fiseha Moreda, (2013). Challenge of State Formation in Southern Sudan, MA thesis, Addis Ababa University(Unpublished)

⁵⁹German Institute of Global and Area Studies, “South Sudan Newest War: When Two Old Man Divide a Nation,” 2 November 2014.

⁶⁰ Discussion With Mr.Malith Kur

⁶¹ Interview with refugee Women, Nyamanzi Reception Center ,23 February 2014.(Conducted by IRRI)

As a refugee woman said,

*Our village in Torit was affected because the Dinka went there and started claiming land and yet there was a problem between the Acholi and the Madi in that same place. The Madi were claiming land in Torit yet Magwi should be their county. So in Torit we had land but we can no longer go there because the Dinka can kill you for land there.*⁶²

Another interviewee when asked the same question replied,

*I think that land is also a problem because the Dinka and the Nuer want to push the Murle away from their own land.*⁶³

Several referred to tensions over grazing rights among various pastoralist groups, and the ways in which this had led to tensions within and between communities. In particular, those who identified themselves as being from minority groups emphasised strongly the ways in which they felt they had been discriminated against with regards to access to land.

On the other hand, as far as social service is concerned, despite a number of massacres, for instance the Bor Massacres, the thing that was most damaging to the social glue between the two communities was the fact that the whole area of Upper Nile region covering the three states of Jonglei, Unity and Upper was completely isolated from the rest of the country. Over 30 militia groups carved out territories within the Nuer nation and kept those territories isolated. As a result, the region did not benefit from any central administration over those years and the citizens grew divergent views from the rest of the country. Even after the CPA almost all the rebellions came from Upper Nile region.⁶⁴

Ethnic rivalry and poor provision of social services⁶⁵ make for a deadly combination. Many areas in the Upper Nile region are inaccessible because they are remote and vast, further isolating communities. The government did little in the rural areas to demonstrate its seriousness in improving people's lives. Many young people, who essentially became the white army, had not had access to formal education or jobs, and it became very easy to arouse their frustrations with the government and provided a fighting force for the rebellions. Had there been jobs and schools and good living conditions, ethnic rivalry would not have engulfed the whole population as quickly as it has been the case throughout this crisis. So it is fair to say that while political rivalries started the conflict, they may have only functioned as a trigger to social and economic issues that had built up over many years.

⁶² Interview with refugee Women, Nyamanzi Reception Center ,19 February 2014.(Conducted by IRR)

⁶³ Interview with refugee Women, Barotuku Camp ,22 February 2014.(Conducted by IRR)

⁶⁴ The Sudd Institute, South Sudan's Crises: It's Diverse, Key Players, and Post-Conflict Prospects, August 3, 2014.

⁶⁵ Discussion With Mr. Malith Kur.

CHAPTER FIVE

5. Roles of External Actors

Given the conflict's economic impacts and the security and stability risks resulting from the proliferation of small arms in South Sudan's neighbor countries, many external political actors are very interested in securing a cease-fire and settling the conflict. However, these actors are proceeding in very different manners. Hence, the researcher classified these actors as Regional State Actors, Regional and International Non-State Actors and the Western and Eastern giants in order to assessing escalate or deescalate the internal conflict of South Sudan.

5.1. Regional State Actors

5.1.1. Sudan

The Comprehensive Peace Agreement (CPA) created the semi-autonomous South Sudan and the Government of National Unity in Khartoum on 9 January 2005. However, it failed to last attractive which led to the referendum of 9 January 2011 for the people of South Sudan to decide their fate either to be part of the Republic of Sudan or opt for a new separate state of their own. As it was increasingly predicted, South Sudanese voted overwhelmingly 98.83% in favor of independent South Sudan. Khartoum immediately responded by being the first country to officially recognize the independence of South Sudan in an official ceremony in Juba. At the same time, Khartoum promised to work together for the newly born state on 09 July 2011(Kumelachew, 2014).

However, the successful ending of the referendum, the official declaration of independence and its recognition first by Khartoum (accepting the outcome of the referendum) does not mean the CPA is fully implemented if they want to lead peaceful neighborly relations in the future. There are some key issues in the CPA that the two countries failed to implement that will become major impediments to security and cooperation in their future relations. The future of Abyei, the border demarcation, citizenship and how to share the oil revenue are some of the key issues left out for future negotiation.

The African Union team mediated for some time and succeeded in reaching an agreement for the states who are pressing on war of words and military threats. Both states agreed and signed a Non-Aggression Pact under the African Union mediation team on 10 February 2012. The pact states that the two states will "respect for each other's sovereignty and territorial integrity" and to "refrain from launching any attack, including bombardment"⁶⁶. However, with so many remaining issues unsolved in the CPA and on issues that developed latter such additional deals may not be respected as problems may sustain for the future.

As far as the present involvement of Sudan is concerned, as stated in the above Oil revenue is critical to both Juba and Khartoum, and control over South Sudan's oil fields will be pivotal in Sudan's calculations as the conflict evolves.⁶⁷ South Sudan's oil-producing areas have experienced decades of violent conflict, involving many of the same actors as today, though relationships have changed substantially. In particular, since mid-2013, relations between Sudan's President Bashir and President Kiir have improved, as part of the process of post-secession negotiations and Khartoum's gradual switch to economic and security cooperation with its neighbours.⁶⁸ When the conflict spread to Unity state, with the defection of 4th Division Commander General James Koang Chuol, oil-producing areas became battlegrounds, and production was halted as workers fled. The government, reportedly with the assistance of forces associated with Justice and Equality Movement (JEM), retook most of those fields in January.⁶⁹

The SPLM/A in Opposition's (SPLM/A-IO) offensive that began with the taking of Malakal in late February now targets the Upper Nile oil fields. With the shutdown of production in Unity, these are the economic lifeline for both Juba and Khartoum.⁷⁰ Aware of the stakes for Sudan, the SPLM/A in Opposition has said it would negotiate with Khartoum over sharing oil revenues, if the oil fields can be secured.⁷¹

⁶⁶ Sudan Tribune, 11 February 2012

⁶⁷ "Government of Southern Sudan. Revenue, Transparency and Pro-Poor Spending", Sudan Consortium, Paris, March 2006.

⁶⁸ Interviews, government officials, Juba, November 2013; Information Minister Michael Makuei, Addis Ababa, January 2014; diplomats, Pretoria, January 2014. (Conducted by ICG)

⁶⁹ "China's oil fears over South Sudan fighting", BBC (Chinese service), 8 January 2014.

⁷⁰ "South Sudan president sacks Upper Nile oil minister", *Sudan Tribune*, 26 February 2014.

⁷¹ "South Sudan's Machar to keep oil flowing after fields captured", *Bloomberg*, 24 December 2013.

Many are wary that Sudan may publicly support the government, while aiding the SPLA in Opposition. For instance a man who is a refugee in Nyumanzi reception center in Uganda told that

*Not surprisingly, we are convinced that the Sudan government has been fomenting violence. [Sudan] have helped Riek Machar before and it would be easy to help him again. Maybe now they are more subtle about it.*⁷²

As another man said,

*History has it that Bashir and Machar were colleagues and Bashir assisted Machar to fight SPLM/A one time. One may ask who is supplying Machar with arms? and Museveni knows that there is a connection between Machar and Bashir and that Kony will be helped to proceed to Uganda by the two once Machar succeeds*⁷³

Given continued hostility between Khartoum and Kampala, Ugandan and some Sudanese opposition groups' support to Juba risks pushing Khartoum to side with Machar.

In addition to the southern armed groups, South Sudan's border with Sudan hosts nearly 200 thousands Sudanese refugees, as well as Sudanese rebel groups, in particular JEM and SPLM-N, that are united under the banner of the Sudan Revolutionary Front (SRF).⁷⁴ Already, JEM has fought alongside the South Sudanese government, another illustration of the increasingly regional nature of the conflict.⁷⁵ A Sudanese official said,

*We have been very neutral so far, but there is no guarantee it will last. If the government of South Sudan supports the SRF, we might have to intervene directly.*⁷⁶

⁷² Interview with refugee woman, Nyumanzi Reception Centre, 18 February 2014.

⁷³ Interview with refugee woman, Nyumanzi Reception Centre, 20 February 2014.(Conducted by IRR)

⁷⁴“South Sudan Situation”, UNHCR, 16 March 2014.

⁷⁵ This raises concerns for violence against Sudanese, particularly Darfuri, refugees and traders in other parts of South Sudan who have already been subject to violence from host communities and opposition elements. (Crisis Group interview, UN official, Nairobi, January 2014.)

⁷⁶ Interview with Sudanese Official, March 2014.(Conducted by Crisis Group)

Sudanese involvements in South Sudan's internal conflict could mean that Khartoum and Kampala would play out their differences through the war in South Sudan.

5.1.2. Uganda

It has been argued that Uganda has strong links to the SPLM/A, including decades of joint military deployments.⁷⁷ By the time the National Resistance Army/Movement (NRA/M) came to power in Uganda in 1986, the conflict between the Khartoum government and the SPLA/M had been raging for close to three years. The outbreak of a new civil war in the south and the formation of the SPLA/M was precipitated by President Gaafar Nimeiri abrogating the 1972 Addis Ababa Agreement by dividing the south into three regions and imposing Islamic law on the whole country, including Southern Sudan (Deng, 2010:396). When the NRM government came to power, it faced an insurgency in northern Uganda. The remnants of the defeated Ugandan army, which had taken refuge in Sudan, subsequently launched attacks on Uganda from their bases in Sudan. While the NRA was able to defeat a number of these militia groups using military and peace-talk strategies, including the Uganda People's Democratic Army (UPDA) and the Holy Spirit Movement (HSM) I and II, the most virulent insurgent group was the Lord's Resistance Army (LRA) led by Joseph Kony, which took root in northern Uganda.⁷⁸

Following the collapse of the peace talks between the LRA and the Ugandan government around 1993–4, the LRA started getting military assistance from the Khartoum government.

According to Andrew Natsios, the Khartoum government 'armed and equipped the LRA' and allowed it to maintain 'a permanent military base in the Kit Valley' (Natsios, 2012:79). Kevin Dunn notes that the Sudanese government was instrumental in 'transforming [the] rag-tag group of rebels [of the LRA] into a coherent, well supplied military force, largely through training, sharing of logistics and the introduction of more powerful and sophisticated weaponry such as land mines and rocket propelled grenades (Dunn, 2010:49).' What prompted Khartoum's support of the LRA was the support that the NRM government had extended to the SPLA/M. Paul Omach has noted that the NRM government was sympathetic to the SPLA/M, (Omach,

⁷⁷International Crisis Group (ICG), South Sudan: a civil war by any other name (Africa Report no. 217), Addis Ababa:ICG, 2014, 22

⁷⁸ African Security Review, Explaining the (il)legality of Uganda's intervention in the Current South Sudan Conflict, 23 September 2014

2010:294) and Mari Tripp states that on 29 March 1989, a secret military cooperation agreement was signed between Uganda and Garang committing Uganda to provide equipment and training to the SPLA, as well as passports for travel abroad (Tripp, 2010:158). Uganda also committed to provide the SPLA with free passage through the country while conducting its operations.

Coming to the current intervention, when conflict broke out in December 2013, the Ugandan People's Defence Force (UPDF) was deployed beside the SPLA as part of a regional force to counter the Lord's Resistance Army (LRA), the one-time Ugandan insurgency that is causing chaos in the Central African Republic (CAR), Democratic Republic of Congo (DRC) and South Sudan⁷⁹. Additional UPDF forces, including an air wing, were deployed to Juba on 20 December and were critical in securing it and recapturing Bor.

As the Ugandan ambassador to South Sudan said,

*If it weren't for the UPDF deployment, there wouldn't be talks in Addis; there would be urban warfare for control of Juba.*⁸⁰

However, their actions have been criticised; the alleged use of cluster bombs is particularly controversial, and in another incident in December, the UPDF reportedly bombed a peace meeting between Dinka and Nuer groups in Jonglei⁸¹. In February 2014, Defence Minister Kuol Manyang Juuk publicly stated that the South Sudan government was "footing the bill" for UPDF operations, but this was refuted in Kampala, where parliament passed a supplementary budget for the deployment⁸². Uganda may have also played a role in mobilising forces associated with JEM in support of the government⁸³. As was the case with earlier UPDF deployments in South Sudan, the current operation has been criticised for its alleged economic motivation and its treatment of civilians.

As the conflict intensified and Ugandan troops became more and more involved in the combat alongside government forces, a number of voices have emerged, both locally and internationally,

⁷⁹ Interview, Ambassador (Maj. General) Robert Rusoke, Juba, March 2014. (Conducted by Crises group)

⁸⁰ Ibid

⁸¹ "South Sudan: Investigate New Cluster Bomb Use", Human Rights Watch, 15 February 2014.

⁸² "Cabinet Approves Shs120b for UPDF in South Sudan", *Daily Monitor* (Kampala), 21 February 2014.

⁸³ Interviews, SPLA officials, diplomats and UN officials, Juba, February 2014. (Conducted by Crisis Group)

calling for the withdrawal of Ugandan troops for fear of igniting a regional war. The rebels wisely saw this as an opportunity to strengthen their position and so the withdrawal of Ugandan forces is now one of their many pre-conditions for the continuation of talks in Addis Ababa, Ethiopia.

But principally, Uganda has the moral responsibility, security, and economic interests in South Sudan, so it had to ensure peace and stability for the good of its citizens. This is on top of the IGAD mandate enshrined in Article 6A (d) of the agreement establishing the regional organization, which stipulates that member states are committed to the principle of maintenance of regional peace, stability and security.⁸⁴ These, collectively, are exactly the obligations Uganda responded to.

Moreover, many of those interviewed by IRRI, not surprisingly given the location to which they had fled, believed that the Uganda People's Defence Force (UPDF), who went in to South Sudan allegedly to stop the conflict, had prevented further violence:

*If it wasn't for Uganda, Salva Kiir would already have been overthrown. Uganda also opened the road and refugees were able to move to Uganda.”⁸⁵
“The UPDF controlled the situation because there were already indiscriminate killings in Juba that would have spared nobody. The UPDF really helped⁸⁶*

Many were under no illusion as to why Uganda had intervened in this way:

[The Government of Uganda] want South Sudan to be stable for the sake of business and so there will not be a refugee influx into Uganda. They tried their best to restore stability militarily but a political solution is better. To Uganda's credit, the UPDF helped the situation for the refugees to come here. Many would have been killed. The SPLA infantry is strong but Uganda did a lot in the air.⁸⁷

And there was also recognition that their involvement was highly controversial:

⁸⁴ <http://www.igad.org/en/documents/charter/chapter1.shtml>

⁸⁵ Interview with refugee man, Borole Camp, 22 February 2014.

⁸⁶ Interview with refugee man, Nyumanzi Reception Center, 18 February 2014.

⁸⁷ Ibid. 20 February 2014.

I know that many people are not happy that Uganda is there. Some people want Uganda to come out.”⁸⁸

Understandably, those in opposition see the intervention as one-sided, but that does not take away the fact that the relative stability seen in Juba and other parts of the country is in large part a direct result of Uganda’s intervention. Above and beyond its regional obligation to keep peace and stability, Uganda allegedly was instructed by the UN to intervene in order to stop the bloodshed⁸⁹. Whether Uganda was actually requested to intervene by IGAD or foreign powers makes no much difference because it also has a lot of stake in the stability of South Sudan as aforementioned.

It is important to note that South Sudan is the largest trading partner of Uganda in the region, especially for its manufactured and agricultural goods. Second, South Sudan employs a significant number of Ugandans, particularly in the service sector providing essential revenue for Uganda. South Sudan supports the Ugandan economy largely through the transfer of hard currency for the upkeep of South Sudanese families living in Uganda, including students. This is in addition to cash transfers from Ugandan nationals working in South Sudan. The revenue that accrues from real estate rents, school fees, visas and other related transactions directly pay for the running of Ugandan Government. Security wise, the SPLA is a key ally in Uganda’s fight against the Lord’s Resistance Army (LRA), which is an internationally recognized terrorist organization.

Above all, Uganda does not want to live in the neighborhoods of the Democratic Republic of Congo and South Sudan that are both unstable with deleterious spillover effects. Uganda’s quick response could also have been prompted by historical experiences in the region particularly from Rwanda and Burundi where mass violence and genocide have occurred. These factors are important and could all have persuaded Uganda to respond militarily. Perhaps the last and by any measure not the least, is the relationship between President Museveni and President Kiir. The

⁸⁸ Ibid.

⁸⁹ http://www.observer.ug/index.php?option=com_content&task=view&id=29239&Itemid=116

two men have grown close over the last few years and Museveni was not going to allow his friend and ally to fall.⁹⁰

These are definitely legitimate concerns that should be given due consideration on their validity and sincerity. Just to clear any lingering thoughts on the question of whether it is legal for the Government of South Sudan to enter into a military cooperation with another government; it is covered under the UN Charter, Chapter 1 Article 2 (2).⁹¹ It is also covered under the Declaration of Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations.⁹² Essentially, the UN Charter is all about friendly relations among states in order to keep international peace. Thus, South Sudan, like all sovereign nations in the world, can legally cooperate in all areas including the military, economic, scientifically and socially with friendly nations as long as the resultant cooperation contributes to international peace.

The government also acted in accordance with Article 4 of the Transitional Constitution of South Sudan, which grants the people and the government the power to defend the constitution.⁹³ The government specifically, under article 53 (1(a, d and e)) read together with Schedule A (2 &3) of the Transitional Constitution, has the mandate to protect the people of South Sudan. Article 101 (a, and p) gives the President the powers to preserve the security, protect territorial integrity, and sign international treaties. The government thus, has legal rights under various national and international laws to invite foreign troops to help maintain law and order, including the presence of UN peacekeepers.

5.1.3. Ethiopia

Although Ethiopia saw how different governments in Khartoum were unable to control the South, *Derg*⁹⁴ (Former government) was not willing to accept a secession of the South, since Ethiopia itself was struggling with a rebellion in its northern Tigray province as well as a war with Eritrea, which at that time was still an Ethiopian province. In 1986, John Garang presented

⁹⁰ THE SUDD INSTITUTE, The Question of Uganda Troops in South Sudan, 2 March 2014

⁹¹ <http://www.un.org/en/documents/charter/chapter1>. (Accesed 2 May 2015)

⁹² <http://legal.un.org/avl/ha/dpilfrscun/dpilfrscun>.(Accesed 2 May 2015)

⁹³ The Transitional Constitution of South Sudan, 2011, page 3.

⁹⁴ Meaning the Committee.

in Addis Ababa the *Koka Dam Declaration: A Proposed Programme for National Action*. This document, which was strongly influenced by the Ethiopians, made the case for a ‘new’, secular and most definitely ‘one’ Sudan.⁹⁵ The strategic goal for Ethiopia was to help create a unified, secular Sudan, reflecting its own constitutional set-up. In addition to the political support, the SPLA also received weapons, training and other military support from Ethiopia.

Ethiopian borders were open for SPLA rebels, who hid out in its borderlands away from the Sudanese Armed Forces (SAF). In November 1987, the Ethiopian army supported the SPLA when they captured Kurmuk in Sudan’s Blue Nile state⁹⁶. In exchange for their support, the Derg stipulated that the SPLA not only had to fight the SAF, but also the Gaajak Nuer militia, the Anuak Gambella People’s Liberation Front and the Oromo Liberation Front (OLF), groups all of whom received support from Khartoum. The Ethiopian military, providing arms and training to the SPLA, made it impossible for Khartoum to vanquish the SPLA in the North–South war.

As the battlefield got increasingly crowded with various militias and displaced communities, Sadig Al-Mahdi was cornered into talks with the SPLA in Addis Ababa, where they reached the 1988 Democratic Unionist Party (DUP)-SPLM agreement. In 1989, only a year later, the agreement unraveled and the National Islamic Front (NIF) removed Prime Minister Sadig Al-Mahdi through a military coup, which ushered in Omar Hassan Al-Bashir. This coincided with the rise of the Islamists. If the NIF wanted to win the war against the SPLA, it recognized that through supplying the Derg’s enemies in Tigray and Eritrea the backbone of the SPLA’s operations would be seriously weakened. Therefore, when the Derg regime collapsed in 1991, the SPLA was immediately forced to close down its operations in Ethiopia as it had lost its main political and military backer. The Cold War had come to an end, and allegiances were quickly turning.

The Ethiopian People’s Revolutionary Democratic Front (EPRDF), the coalition of armed opposition groups under the leadership of Meles Zenawi took power in Addis Ababa. As the former rebel leader in Tigray, he was grateful to Khartoum for the support he had received in the last years of the struggle against the Derg. On the other hand, Ethiopia under Meles knew that if

⁹⁵ UNISC Discussion Papers, N° 33, October 2013

(Available in: <http://www.redalyc.org/articulo.oa?id=76728723009>)

⁹⁶ How to Handle Your Neighbors Conflict: Ethiopia’s Relationship with Sudan and South Sudan, 2013

Khartoum kept fighting the south as it had done over the last decades, it posed a threat to peace inside Ethiopia. He needed to reconcile with the SPLA and prevent the Sudanese borderlands from becoming an unstable area bordering the Ethiopian regions of Benishangul Gumuz and Gambella⁹⁷.

However, as Islamic policies intensified in Sudan after 1992, it created tensions between Sudan and many countries, including both Ethiopia and Egypt. From Ethiopia's perspective, an Islamist regime in Sudan was not likely to be a long-term strategic partner for the secular and multiethnic Ethiopia. Under the political guidance of Hassan El-Turabi, a long-time influential Islamist politician, Sudan increasingly supported Islamic armed groups inside Ethiopia. As a result, both Northern and Southern Sudan began posing a threat to the security of Ethiopia.

Hence, Ethiopia was already well placed to take up a role in resolving the issues in Sudan diplomatically. One could say that Ethiopia under Meles Zenawi continued the earlier role as mediator started by the emperor who had negotiated the 1972 Addis Ababa agreement. As far as the Ethiopia's role under late prime Minister Meles was concerned, the US Permanent Representative to the UN Susan Rice at the State Funeral of the Ethiopia's late Prime Minister Ato Meles Zenawi sounded that Prime Minister Meles was the midwife of the South Sudanese Republic and sought to nurse this fragile progeny to strength.⁹⁸

Ethiopia's active mediation role in the current crisis is commendable and justified. While IGAD under the leadership of Ethiopia provides the best vehicle for dialogue, Ethiopia has a very high stake in this crisis due to a number of factors. A peaceful region, the two Sudans at peace with each other and at peace within themselves would benefit Ethiopia's peace and development efforts enormously.

First there is the issue related to the refugee flow from South Sudan to the bordering Ethiopian regions of Gambella and Benshangul-Gumuz. Currently close to 40,000 refugees are registered in Ethiopia while there are more than 50,000 internally displaced persons. Apart from Ethiopia's humanitarian responsibility to grant asylum to so many refugees, insurgent rebel groups may use

⁹⁷ Young, John: "Ethiopia's Western Frontier: Gambella and Benishangul in Transition", *The Journal of Modern African Studies*, vol. 37, n^o 2 (June 1999), pp. 321-346.

⁹⁸ Remarks by Ambassador Susan Rice, the US Permanent Representative to the United Nations, at the Funeral of Prime Minister Meles Zenawi of Ethiopia.

the resultant instability to destabilise the border regions. The spillover effect of the crisis may also extend beyond refugee flows to the destabilization of Ethiopia's peripheral areas where kin communities such as the Nuer reside. With the vulnerability of porous borders, and the natural mobility of the Nuer in gaining access to the neighboring regions of Ethiopia, the consequences the crisis will not be limited to South Sudan.

The long-term effect on Ethiopia's federal structures that rely on a delicate balance between numbers and power could be significant given previous historical experiences. In 2003, refugee camps in Ethiopia were at the centre of violent conflict due to the impact of large-scale migration on the regional state of Gambella with a population of about 160, 000.

However, though not confirmed yet, Ethiopia has been blamed by many for giving support for the opposition in the recent conflict⁹⁹. Therefore, one may regard this as one of the reasons that the Salva Kiir's government has agreed to give a military base to the Egyptians under the pretext of the failed "*coup attempt*". It seems obvious that IGAD in its extraordinary meeting agreed to send troops from different countries, namely, Kenya, Ethiopia, Rwanda and Burundi, and possibly Djibouti to counterbalance Egyptians attempt to engage the crisis (Neamin, 2014a). Apart from these allegations against Ethiopia, in the current conflict, its role remains neutral and it is the principal mediator of the current conflict working to foster negotiations between the two sides to reach a political solution to the crisis.

5.1.4. Kenya

Kenya and South Sudan are keen on a relationship geared towards developing their respective nations. There are many areas of cooperation between the two countries and on the table there have been joint ventures between the two countries. Several interactions reveal that the two states will explore more avenues to boost relations both at the political and economic levels. The delegations from each country visiting their capitals point towards more negotiations in this regard.

A consistent argument often presented is that the emerging ties merely affirm existing ties between the two countries. The ties between the two countries go beyond the new investments.

⁹⁹ Discussion with Dr. Kassahun Birhanu

For instance, as several observers posit that South Sudan has invested efforts and determination, through regional support from Kenya to review its interim constitution so as to make the region more investor-friendly¹⁰⁰. Further it continues to seek for close co-operation with relevant authorities in Kenya to enhance co-operation and potential investment. This is mainly because Kenya is widely accepted as a bridge between the East African community and the rest of the world.¹⁰¹

Furthermore, the Lamu Port and Lamu-Southern Sudan-Ethiopia Transport Corridor (LAPSSET) is a huge project that involves development of airports, railways, roads and notably, an oil pipeline between Lamu (where a new refinery will be built) and South Sudan (Gabriel,2012). The transport links are meant to join cities in Kenya, Ethiopia and South Sudan. Indicatively, the current Rift Valley transport corridor links Mombasa and Uganda, leaving Sudan an important absentee from Kenya's infrastructural venture aimed at promoting regional trade. As a key player and host of the regional Intergovernmental Authority on Development (IGAD) peace process that founded the CPA, Kenya has a specific great interest in ensuring that it is effectively implemented. As the economic giant within the region¹⁰², it stands to benefit from the growth of a considerable market and major infrastructure in the South, including as a conduit for oil.

Despite the strains the country further allowed SPLA to set up their operations in Kenya after their eviction from Ethiopia. Thus, Kenya became home to what is today the ruling class in South Sudan, and as social commentators observe Kenyans consciousness and relationship with South Sudan was best seen in the mourning of the Dr. John Garang (Obala,2012). The death became a significant issue in Kenya and so is the general feeling and concern with happenings in South Sudan to date.

On the other hand, horn of Africa remains a fragile neighborhood with South Sudan resting in a war-torn neighborhood and Somalia perpetually at war with itself. Evidence from studies in the region confirms the popular argument that such conflicts have detrimental effects on neighboring countries. A clear case is the effect of the Somali war on Kenya. After many years of hijacking

¹⁰⁰ South Sudan and Kenya: The Relationships. Aljazeera Center For Studies, 29 March 2012.

¹⁰¹ Ibid

¹⁰² South Sudan and Kenya: The Relationships. Aljazeera Center for Studies, 29 March 2012.

ships on Somalia waters and intensified patrol by international community limiting their capacity to hijack ships, the pirates thought they would be soft target (Ibid).

And for some times, it remained so and they kidnapped tourists from Kenyan beaches and hotels. In the end, Kenya had to enter Somali and the results remain significant – deaths and commitment of resources to a war that could have been avoided¹⁰³. The relationship between Kenya and South Sudan should therefore be seen in this perspective.

Therefore, as far as the current conflict in South Sudan is concerned, Kenya, although it has not contributed any troops in support of the government, is seemingly in support of the president but it is also playing a mediating role much more.

5.1.5. Eritrea

Former Sudanese President Jafaar Nimeiri played a critical role in arming and supporting Eritrean and Tigrayan fighters against Emperor Haile Selassie's Ethiopian government as early as the 1960s, and subsequent Sudanese regimes continued that support to the rebellion against the government of Mengistu through the 1980s. However, as noted above, those ties quickly faded, as Khartoum's support for Islamic groups, including Eritrean jihadists, increased in the 1990s. Asmara soon broke diplomatic ties, and President Issaias declared in 1994 that "President Omer al-Bashir will be overthrown within a year".¹⁰⁴

The Eritrean government faces a dilemma. On the one hand, it played an important role in supporting the SPLA and Sudan's opposition groups more broadly. It also was critical in enshrining the principles of secular governance and self-determination during the early days of the IGAD peace talks. Likewise, its own hard-fought independence struggle is not forgotten. Eritrean private business has expanded noticeably since 2005, and the country would like to continue to build its relationship with South Sudan. On the other hand, regional circumstances have changed, and the warming of relations with Khartoum and recent actions suggest that the Eritrean president's policy may be driven more by self-preservation than principle, a fact not lost on the SPLM. On 5 March 2010, just days before the IGAD summit, Bashir made a one-day visit

¹⁰³ Kenya roots for cordial relations between Sudan and South Sudan. Retrieved on 2 May, 2015 from <http://www.kbc.co.ke/news.asp?nid=75421>

¹⁰⁴ Crisis Group interview, SPLM official, Nairobi, March 2010.

to Asmara, undoubtedly bringing incentives, including his formal rejection of the “unjust sanctions” of Security Council Resolution 1907 against Eritrea.¹⁰⁵ Immediately afterwards, Issaias publicly proposed postponing the referendum.

As he had previously affirmed his support to the SPLM, Southern officials were both surprised and unhappy; one called his comments “absolutely unacceptable”.¹⁰⁶ Eritrea needs Khartoum for a variety of reasons. After years of hostile posturing, it began a discreet rapprochement with Khartoum in 2005-2006, sending delegations to seek economic assistance and discuss trade, border issues and the flight to Sudan of Eritrean youth hoping to escape a repressive atmosphere and mandatory military conscription. At the same time, Asmara attempted to play a more constructive role with rebels in both Darfur and the East.

Despite his questionable credentials, President Issaias publicly criticised the government of South Sudan in May 2009 for corruption and mismanagement and lamented that it seemed to lack a clear plan for the future¹⁰⁷. Some see this as a response to increasing government of South Sudan investment in its relationship with Ethiopia, others as pandering to Khartoum. In fact it may have been genuine criticism in light of the growing secessionist tone in Juba. John Garang developed close relations with Issaias and convinced him of the “New Sudan” ideal. With this vision, adequate natural resources and human capital, Issaias believed in the SPLM and saw it as a partner against the Islamists in Khartoum. In the mean time, Eritrea suspended its participation in IGAD in 2007, following Ethiopia’s invasion of Somalia and what it saw as “the moral failure of IGAD to condemn the acts of aggression against a fellow Member State”¹⁰⁸. The push for the sanctions the Security Council eventually imposed on Eritrea first developed in IGAD, further

¹⁰⁵ A press release from the Eritrean information ministry noted Sudan’s stance against sanctions would further enhance bilateral ties. “People and Government of Sudan Reject Resolution 1907: President Omer Hassen Al Beshir”, www.shabait.com, 5 March 2010. Weeks later, Sudan angered fellow Arab League states at a summit in Sirte, by actively opposing a resolution condemning Eritrea’s occupation of Djibouti.(ICG)

¹⁰⁶ Crisis Group interview, senior SPLM official, Nairobi, March 2010.

¹⁰⁷ Ibid.

¹⁰⁸ “IGAD: A communiqué devoid of any legality”, Eritrean Ministry of Foreign Affairs (www.shabait.com), 3 February 2010.

angered Asmara¹⁰⁹. Despite these disputes with regional actors and its descent to pariah status internationally, Eritrea remains important, at least as a potential spoiler, a role at which it has frequently exhibited both willingness and considerable skill. But with its international standing diminished, its support may prove less important for an independent South Sudan.¹¹⁰

When come to the current situation in South Sudan, Eritrea, have been accused of being maneuvered the crises in South Sudan. In fact, Eritrea's involvement in regional conflicts and crises has been the case for long and is not a new phenomenon, for instance, Eritrea has been accused with tangible evidences of being involving the Somalia's deteriorating situation as well as other countries in the region (Jon, 2008; Neamin, 2014).

The Ethiopian spokesperson also explained that "due to the belligerent nature of the Eritrean government, the country is participating in such conflicts clandestinely to destabilize the region." He further added, "The government of Ethiopia strongly believes that Eritrea has played a role in the ongoing conflict in South Sudan."¹¹¹

Since 2005, elements within Eritrea have provided substantial support to the southern armed groups¹¹². This history and Sudanese President Bashir's visit to Asmara in January are offered as support for allegations of Eritrean support to the SPLA in Opposition that Asmara vehemently denies.¹¹³

¹⁰⁹ IGAD members Ethiopia and Kenya drove this effort; the AU PSC ultimately decided it would be best for the Security Council to impose sanctions, thus providing political cover. Crisis Group interview, senior AU official, Addis Ababa, March 2010.

¹¹⁰As permitted in the Interim National Constitution, the Government of South Sudan has conducted diplomacy across the continent, and has built up its representation via liaison offices in Egypt, Ethiopia, Eritrea, Uganda, Kenya, Congo, South Africa and Zimbabwe; another will soon open in Nigeria

¹¹¹ Ethiopia admonishes Eritrea over South Sudan's conflict. *The Reporter*, 29 March 2014.

¹¹² It is not clear whether this is official Eritrean government policy or the independent actions of military and intelligence officials involved in arms trafficking and other illicit activities. "South Sudan army accuses unnamed foreign force of aiding rebels", *Sudan Tribune*, 17 February 2014

¹¹³ "Eritrea denies supporting South Sudan rebels", *Sudan Tribune*, 20 March 2014

5.1.6. Egypt

Egyptians came to Sudan in the early 19th century and maintained an occupying presence until a brief period of self-rule following the Mahdi revolution.¹¹⁴ Immediately thereafter, Egypt formed a special partnership with Britain and together exercised sovereignty over Sudan in a condominium for half a century until the country gained its independence in 1956. Throughout that period, Egypt worked – often with little consent from the Sudanese – to maintain control of, and unity with, Sudan. Today, it in many ways sees Sudan as a “lost province” has a sometimes paternalistic attitude toward the country and approaches its policy accordingly.¹¹⁵ As a result of this shared history, Egyptian influence – particularly in the North – is unmistakable. Sudanese read Egyptian writers and political analysis and enjoy Egyptian film and music, while Egyptian commodities are prominent in Khartoum markets.

During Sudan’s peace talks, Egypt was adamantly opposed to any agreement that included possible Southern secession. It feared an unstable entity in the South would, among other things, pose a threat to its supply of Nile water. Unhappy with Khartoum’s willingness to entertain negotiations that espoused what it saw as a separatist agenda, Egypt actively opposed the IGAD process and promoted competing initiatives that prioritized unity.¹¹⁶ However, dealing with matters in a practical point of view, Egypt made all its efforts to make the unity an attractive option; nevertheless, though it was not easy, it has been possible that the separation was an imminent and inevitable. Its primary strategic concern was then, and remains, its access to Nile water.

¹¹⁴ The Mahadiya revolution began in 1881, led by Mohamed Ahmed ibn Abdalla, who proclaimed himself to be the chosen Mahdi (guided one). Almahdi and his “al ansar” troops stormed Khartoum in January 1885, killed the famous British general, Gordon, and captured the city. Following Almahdi’s death only six months later, the Khalifa Abdallahi took the lead and transformed the theocracy of Almahdi into an Islamic state with a centralised administration. November 1899 marked the end of the Mahdist state and the beginning of the Anglo-Egyptian condominium. Robert O. Collins, *A History of Modern Sudan* (Cambridge 2008).

¹¹⁵ Alex de Waal, “Sudan: international dimensions to the state and its crisis”, Crisis States Research Center, LSE, April 2007.

¹¹⁶ These included the Joint Egyptian-Libyan Initiative and the Sudan Peace Commission – a grouping of nine Arab League states. Both were predicated on the preservation of unity and desired a place at the table for Northern opposition parties.

The most important point to note is the Egypt's position in regards to the recent South Sudanese conflict, though Egypt is in transition and deep crisis, there was seems Egyptian absence from the scene . However, the Egyptian president after the meeting with South Sudan's Foreign Affairs Minister said that his country is preparing to send troops to South Sudan in order to help protect the country from the chaos that resulted after the failed coup attempts staged by the former vice president Riek Machar (Neamin, 2014a). All these efforts were aimed to secure the flow of the Nile water which passes through the two Sudanese republics.

5.2. Regional and International Non-State Actors

5.2.1. IGAD

Regional leaders were quick to launch IGAD-led mediation efforts, focusing on a cessation of hostilities and the release of the 11 political detainees¹¹⁷. Negotiations continued for more than 3 weeks, with the SPLM/A in Opposition (SPLM/A-IO) demanding the detainees' release first, and the government demanding a stop to the fighting before discussing political issues, including the detainees¹¹⁸. Under strong regional and Western pressure, the parties relented, and agreements for a cessation of hostilities and for "every effort" to release the detainees were signed on 23 January 2014. Neither the government nor the SPLM/A in Opposition have complied with the cessation of hostilities, and the monitoring and verification mission is not yet operational¹¹⁹.

Seven detainees were released into Kenyan custody and eventually permitted to join the talks in Addis in early February. 4 remain in custody, and are being tried for treason. A second round of talks in February and March was inconclusive and the current round of mediation is adjourned until 22 April 2014¹²⁰. A declaration of principles was discussed without result, as the parties traded accusations of ceasefire violations. Uganda's ongoing combat role has complicated

¹¹⁷ "South Sudan detainees join mediation team", *New Vision*, 8 February 2014.

¹¹⁸ Interview with Information Minister Michael Makuei and SPLM in Opposition delegate Hussein Maar, Addis Ababa, January 2014.(Conducted by ICG)

¹¹⁹ Interview with UN officials, Juba, Jonglei, February 2014.(Conducted by ICG)

¹²⁰ South Sudan: A Civil War by Any Other Name, ICG, 10 April 2014.

IGAD's task and been a stalling point for the SPLM in Opposition, which demands that Kampala withdraw the troops prior to further dialogue¹²¹.

Despite divisions over how best to resolve the civil war, IGAD recently announced its intention to send a Protection and Deterrence Force (PDF) as part of the ceasefire Monitoring and Verification mechanism (MVM)¹²². Discussions surrounding its mandate reportedly include: enforcing the cessation of hostilities; protecting MVM members; securing the oil fields; and ensuring IGAD member states do not push one objective in Addis while supporting others on the battlefield¹²³. IGAD's struggle to operationalise the small, proposed force and the modestly-sized MVM observer teams, as well as the lack of clarity over the former's mandate leave many questioning whether an IGAD force is feasible or is more likely to be used as cover for national armies to pursue divergent interests¹²⁴.

Rwanda, Burundi and Egypt have volunteered to contribute troops – none are IGAD member states – highlighting the increasingly wide regional dimensions of the conflict¹²⁵. Some suggest a key rationale for the PDF is to guarantee the security of Juba and oil installations, enabling the Ugandans to withdraw as called for in the cessation of hostilities agreement or to re-hat and join the PDF.¹²⁶ However, Ugandan participation in the PDF would undermine perceptions of its neutrality among the warring parties¹²⁷. It is critical for the proposed force to have a clear

¹²¹ The cessation of hostilities agreement calls for redeployment and/or progressive withdrawal of forces; however, Ugandan officials have suggested they are unlikely to withdraw meaningfully in the near future. There are also opposition calls for the withdrawal of JEM forces from Unity state. "Uganda to withdraw from South Sudan in two months", *Daily Nation*, 18 February 2014

¹²² "Communique of the 25th Extraordinary Session of the IGAD Assembly of Heads of State and Government on the Situation in South Sudan", Addis Ababa, 13 March 2014

¹²³ "South Sudan: Juba denies requesting IGAD troops to protect oil fields", *Sudan Tribune*, 7 March 2014.

¹²⁴ Crisis Group interviews, UN officials and diplomats, Juba, February 2014; EU officials, Brussels, March 2014. Funding has not yet been secured for the PDF. The EU, often asked to support such operations, has allocated the bulk of its African Peace Facility funding to the AU Somalia and Central African Republic missions. IGAD's ability and willingness to self-fund the PDF will be indicative of the importance it places on regional unity and resolving the conflict in Juba.

¹²⁵ Ambassador Seyum Mesfin has indicated Ethiopia, Djibouti, Kenya, Rwanda and Burundi have volunteered forces. This raises additional questions about Rwandan involvement following the reported deployment of M23 forces alongside the SPLA. "Egypt to position troops in South Sudan", *The Reporter* (Ethiopia), 15 March 2014.

¹²⁶ Interview with Ugandan Ambassador (Maj. General) Robert Rusoke, Juba, March 2014. (Conducted by ICG)

¹²⁷ Interviews with SPLM in Opposition, Nairobi, March 2014. (Conducted by ICG)

mandate – before deployment – that directly supports political resolution of the conflict and adequate troops and funding to accomplish its mandate.

The current intervention of regional forces, including but not limited to the Ugandan and Sudanese armed groups, puts Kampala and Khartoum on a collision course in South Sudan. Indeed, broader regional intervention opens a Pandora's Box of possible proxy conflict. Egypt's offer to send troops in the midst of its dispute with Ethiopia over Nile water is just one example of regional rivalries that could find their outlet on South Sudanese territory. At best, the PDF may contain escalating regional rivalries, but deployment of so many regional forces would put at risk some of South Sudan's hard-fought sovereignty. At worst, it could exacerbate and prolong conflict, as it did in Sudan's second civil war. Calls for the regional intervention force indicate frustration with the slow progress in Addis Ababa and how little faith national, regional and other international actors have in UNMISS to fill its role¹²⁸. Yet with UNMISS protecting civilians in theatres of active combat, the Security Council should be cautious in establishing the relationship between the two forces. While members of both delegations have expressed need for an inclusive, substantive dialogue on national political issues, modalities have not been agreed, nor has the deeply contentious question of the composition and formation of an interim political structure been resolved. The role of regional actors has been a further impediment, as enmities and balance of power questions are increasingly motivating positions¹²⁹. South Sudan factions that seek to ally with regional patrons should be wary of the trade-offs they are making for short term benefits. The PDF may be a temporary fix, but ending the war requires a South Sudanese commitment to the peace process that has been lacking.

Beside all things the South Sudanese emigrants are concerned about the ability of IGAD to negotiate a settlement, for instance, a man said that:

There are controversies about [IGAD's] involvements. For peaceful talks it is doing very well but about Uganda's position, they are supporting only one side,

¹²⁸ The significant civilian protection responsibilities UNMISS has make it an even less desirable candidate. Crisis Group interviews, Addis Ababa, January 2014, Juba, February 2014.

¹²⁹ Discussion with Dr. Kassahun Birhanu.

*that of Salva Kiir, meaning that they are not neutral. So they feel they cannot be listened to by Museveni or Uganda since they do not support their course.*¹³⁰

“[IGAD] is doing its best... but it is not neutral. Uganda is on the government’s side, Ethiopia and Eritrea and maybe Sudan are with the rebels so how can they mediate effectively?”¹³¹ Another man was more unequivocal in his lack of support for IGAD: “IGAD cannot help. Who is IGAD? It is Museveni?, Salva Kiir?, Bashir?”¹³²

5.2.2. United Nations

The U.N. Secretary-General warned on December 24, 2013 “the world is watching all sides in South Sudan,” announcing that the U.N. was bolstering efforts to investigate reports of human rights violations and crimes against humanity and declaring that “those responsible at the senior level will be held personally accountable and face the consequences—even if they claim they had no knowledge of the attacks.”¹³³ He stated, “Now is the time for South Sudan’s leaders to show their people and the world that they are, above all, committed to preserving the unity of the nation.”¹³⁴

The U.N. Security Council unanimously adopted Resolution 2132 (2013) on December 24 in response to the crisis.¹³⁵ The resolution, which calls for an immediate cessation of hostilities and the opening of political dialogue, supports an increase in the military component of UNMISS from an authorized 7,000 to 12,500 troops and in the police component from 900 to 1,323 personnel. It additionally authorizes the Secretary-General to facilitate inter-mission cooperation and, “if needed and subject to further Council consideration,” complementary force and asset

¹³⁰ Interview with refugee man, Borole camp, 22 February 2014. (Conducted by IIRRI)

¹³¹ Interview with refugee man, Nyumanzi Reception Centre, 20 February 2014. (Conducted by IIRRI).

¹³² Ibid.

¹³³ United Nations, Secretary-General’s Press Conference at U.N. Headquarters, New York, December 23, 2013.

¹³⁴ Ibid

¹³⁵ Ibid.

¹³⁵ Draft resolution S/2013/760 was co-sponsored by eight Council members: Australia, France, Luxembourg, the Republic of Korea, Rwanda, the United Kingdom, the United States, and Togo. Its unanimous adoption responded to the request of the U.N. Secretary-General on December 23, 2014.

generation, including through the possible transfer of troops and force enablers from other U.N. missions.¹³⁶

U.N. efforts to mobilize these resources are underway, although it remains unclear how quickly new forces can be deployed, and how any potential transfer from other missions might affect competing needs elsewhere on the continent, including for the crisis currently underway in the Central African Republic.

However, as noted above the UN through the UNMISS has been marred in the local conflict. Both warring sides accused the UN of supporting the other. The Government of South Sudan particularly has been very critical of the UN and its motives and that has created an unhealthy relationship between the two institutions. Particularly, the former UNMISS head of mission's close relationship with the rebel leader, Riek Machar prior to the crisis, has perhaps fueled local suspicions against the UNMISS¹³⁷.

In the mean time, recently, the government of South Sudan has decided to expel Tobey Lanzer, who was the UN humanitarian coordinator. According to Aljazeera news, secretary General Ban Ki-moon condemned the move by the Juba government to expel the UK's Toby Lanzer, deputy head of the UN mission in South Sudan as well as its humanitarian coordinator.¹³⁸

The UN said in a statement, "...The Secretary General calls on the government of South Sudan to reverse its decision immediately"¹³⁹ even though, South Sudan remain silent.

As far as Lanzer expulsion is concerned, Aljazeera's Diplomatic Editor James Bays, said "It's understood that the South Sudanese government decided to expel Lanzer because it claimed he had made a series of untruthful statements on social media"¹⁴⁰

The UN body, however, has been doing a very difficult job protecting civilians on its bases and catering for their needs. The visit of the UN Secretary General, Ban Ki Moon, seemingly resolved the tensions.

¹³⁶ U.N. Security Council, Resolution 2132 (2013), December 24, 2013.

¹³⁷ South Sudan's Crises: Its Drivers, Key Players, and Post-conflict Prospects, The Sudd Institute, 3 August 2014

¹³⁸ South Sudan expels UN humanitarian coordinator, Aljazeera English, 02 June 2015(01:01 GMT)

¹³⁹ Ibid.

¹⁴⁰ Lanzer is an active Twitter user, often posting message about the dire situation in South Sudan to his nearly 12,000 followers.(Aljazeera English 02 June 2015).

5.2.3. The Western vs. Eastern Giants

In terms of what is fueling the conflict, there are no clearly identified international actors that are fueling the conflict. However, China and the United States are allegedly competing for influence over the government of South Sudan.

5.2.3.1. U.S.

Top U.S. officials have engaged both South Sudanese leaders and key figures in Africa and the international community to seek a mediated solution to the current crisis. Obama Administration officials have referred to the U.S.-South Sudan relationship as one based on “deep ties” and an “affinity” cast in the context of American public sentiment toward the South Sudanese that developed during the civil war.¹⁴¹ Despite increasing strains in recent years, Secretary of State John Kerry and others, including National Security Advisor Susan Rice, have acknowledged a “personal stake” in finding a resolution to the crisis.¹⁴²

In addition to private calls made by Secretary Kerry and Susan Rice and public comments made by President Obama, U.S. Special Envoy to Sudan and South Sudan Donald Booth and U.S. Ambassador Susan Page are engaging both sides in the region. The envoy, who previously served as Ambassador to Ethiopia, has offered U.S. support to the regional mediation effort in Addis Ababa.

The State Department has underscored that “there can be no military solution to this conflict. Forcing a durable and lasting peace depends on resolving the underlying political causes of the conflict.”¹⁴³ The State Department has urged the immediate release of the “political detainees,” whose presence U.S. officials describe as key to discussions of political issues, while at the same time urging that the status of detainees not be used as a precondition for a cessation of hostilities.

¹⁴¹ “The United States and South Sudan: A Relationship under Pressure,” *The Ambassadors Review*, June 2013, available at <http://www.americanambassadors.org>.

¹⁴² Remarks by Secretary of State John Kerry during a Solo Press Availability in Jerusalem, January 5, 2014.

¹⁴³ State Department Spokesperson Maria Harf, *Beginning of Direct Talks on South Sudan*, January 4, 2014.

The White House has stated that the United States will hold leaders responsible for the conduct of their forces and will withhold U.S. support to any elements that use force to seize power.¹⁴⁴

On the other hand, although the United States is conspicuously the main player in terms of its influence over the government and the SPLM factions, there is fear that South Sudan was getting drawn more towards China because of its oil investments in the country and that worries the United States. Recently, both the president and the government spokesperson accused the United States of having backed the rebels and the coup in an attempt to get a new government that will renegotiate oil deals. President Salva Kiir specifically accused the US of having proposed an interim government that does not include him.¹⁴⁵

5.2.3.1. China

Although China is the most important investor in the South Sudanese oil industry and the largest buyer of its oil, South Sudan is a rather small investment and oil source for China. The Chinese foreign minister, Wang Yi who attended the cease-fire talks in Addis Ababa, is an unusually active stance for Chinese standards, since China normally pursues a strategy of noninterference in other countries' internal affairs. China's approach indicates that the current crisis threatens its interests in South Sudan.

Furthermore, China has seemingly remained silent, but it is doing a lot of diplomatic work behind the scenes to ensure that its interest in the region and the country remains protected. Reports emerged recently of China supplying weapons to the South Sudanese government.¹⁴⁶

However, with regard to External actors; there was almost equal ambivalence regarding the involvement of actors from outside the region: here it is important to note that the refugee man comments;

I don't think the international community has been helpful. Maybe on the side of refugees... Through the media and other channels the international community has been fuelling the problem. For example, they have presented this mainly as a Dinka-Nuer problem but that is not the main issue. The international communities

¹⁴⁴ The White House, Statement by NSC Spokesperson Caitlin Hayden on South Sudan, December 31, 2013.

¹⁴⁵ South Sudan's Crises: Its Drivers, Key Players, and Post-conflict Prospects, The Sudd Institute, 3 August 2014

¹⁴⁶ Ibid.

*are selling guns on credit but these guns are mainly killing women and children, not soldiers.*¹⁴⁷

Regardless of the accuracy of such theories – many of which draw on historical precedent – it was clear that there is a strong regional dynamic to the conflict, in which there are no neutral parties.

¹⁴⁷ Interview with refugee man, Nyumanzi Reception Centre, 20 February 2014.(Conducted by IRRI)

CHAPTER SIX

6. Consequences of South Sudanese Conflict

The eruption of this unconscionable military confrontation, which has clearly inflicted countless suffering and destruction on innocent citizenry in terms of lives lost, their way of life, individual and social relations, and certainly not to mention damage to property, showcases in great measure the inexcusable failure of collective leadership on the part of those entrusted, top-leveled stewards. Instead of managing their differences in a constructive manner, the country's political elites unwisely allowed carnage to freely roam the streets, and this has far greater consequences in political, economical and humanitarian terms.

In conventional wisdom, one of the unpleasant realities of any war situation is that it divides communities, and this is exactly what is happening in South Sudan following the outbreak of the current war. Now more than ever in the history of the South Sudanese people, the level of distrust and hatred is simply unimaginable, and this situation in part, explains the unwarranted, cruel and indiscriminate killings of innocent, unarmed civilians that both sides to the conflict meted out on those suspected of supporting the other side.

If this state of affairs continues unabated immediately, it would certainly help entrench an already intolerable social mistrust and hatred making any conciliatory work extremely difficult. Judging from the reported ethnic-driven targeted killings, that have taken place across South Sudan since the outbreak of violence, the damage done to societal foundation and communal relations thus far, although it is not easy at present to completely quantify, seems significantly higher.

6.1. Political Consequences

In this heightened, polarized war, there are a number of potential political impacts that the South Sudanese society would have to grapple with. There is a possibility that some South Sudanese may find themselves most likely to identify politically along ethnic lines, and if this happens, the consequences in terms of instability – political and otherwise, are great.

6.1.1. The Violation of Human Rights, Democracy and Fundamental Freedoms

States are responsible under international human rights law to guarantee the protection and preservation of human rights and fundamental freedoms at all times, in war and peace alike. South Sudan has not yet ratified any core international or regional human rights treaty.¹⁴⁸ However, South Sudan is bound by provisions of international human rights law which have attained customary status in international law and include many if not all of the rights set out in the Universal Declaration of Human Rights (UDHR).

The most basic human rights obligations, in particular those emanating from peremptory international law (*Jus cogens*)¹⁴⁹ bind both the State and armed opposition groups in times of peace and during armed conflict. In particular, international human rights law requires States, armed groups and others to respect the prohibitions of extrajudicial killing, maiming, torture, cruel inhuman or degrading treatment or punishment, enforced disappearance, rape, other conflict related sexual violence, sexual and other forms of slavery, the recruitment and use of children in hostilities, arbitrary detention as well as of any violations that amount to war crimes, crimes against humanity, or genocide.

The obligation of the Government to respect, uphold, and promote human rights is primarily enshrined in the Bill of Rights of the Transitional Constitution of Republic of South Sudan (Constitution). The Bill of Rights protects several fundamental human rights, including the right to life and human dignity; the right to liberty and security of the person, including the right to be

¹⁴⁸ In May 2013, the Council of Ministers approved a 'human rights package' of the following international and regional treaties: International Covenant on Civil and Political Rights, 1966; International Covenant on Economic, Social and Cultural Rights, 1966; African Charter on Human and Peoples' Rights, 1981; Convention Governing the Specific Aspects of Refugee Problems in Africa, 1969; International Convention on Elimination of All Forms of Discrimination against Women and Optional Protocols, 1979; International Convention on All Forms of Racial Discrimination, 1979; Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment, 1984. The National Legislative Assembly has since approved ratification of the Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment and the Convention on the Rights of the Child, which are pending ascent by the President.(UNMISS,2014 Report on human right)

¹⁴⁹ *Jus cogens* norms are absolute rules of international law that can never be derogated or violated at any context. For example, International law rules that prohibit slavery or genocide cannot be derogated no matter how the state may be under national security threat or emergency.

free from arbitrary arrest and detention; the right to a fair trial; and the right to equal protection of the law.

The Constitution also contains provisions on states of emergency, declaring that while part of the Bill of Rights may be suspended, the protections of the right to life, prohibition on torture, right of non-discrimination, the right to litigation, and right to a fair trial may not be limited. For other rights, derogations are permitted only if they are clearly proclaimed in accordance with the law, limited to what is strictly required by the situation, and not discriminatory. However, the declaration of a state of emergency for Jonglei, Unity, and Upper Nile States issued by the President do not specify which provision of the Bill of Rights declared to suspend.

The rights to life and physical integrity are also protected by South Sudan's criminal law in several provisions of the Penal Code Act, 2008. Ordinary criminal provisions prohibit murder; bodily injury and intimidation; kidnapping, abduction and violations of personal liberty; offences related to rape and other sexual offences; armed robbery; and damage to or destruction of property, among others.

The Sudan People's Liberation Army Act, 2009, provides for the establishment, governance, and discipline of the SPLA¹⁵⁰. It establishes a system of military justice for both criminal and disciplinary offences and provides that criminal offences are adjudicated by military courts. However, it also provides for exclusive civilian jurisdiction over crimes committed by SPLA members against civilians.

Furthermore, in a democratic society, political parties are one of the actors instrumental in fostering the democratic process in a given country. They represent various views, opinions and aspirations within the society. It is to be noted herein that the war has totally interrupted if not put to a halt the democratic process in the country. For example the election programmed for the general elections in 2015 is now in jeopardy despite the establishment of the Elections Commission and appointment of the Commissioners thereto. The South Sudan political parties so far have not been registered despite enactment of Political Parties Act. With ongoing violent conflict and ethnic divide and tensions the democratic process in South Sudan is at stake, given the fact that; (a) the Census scheduled for 2014 was not conducted owing also to the current

¹⁵⁰ SSHRC,2014

political situation in the country, (b) financial crisis that has hit the country for more than one and half years, (c) insecurity in the larger areas of greater Upper Nile which will hinder civic education activities and (d) a slow constitution making process due to financial constraints being encountered by the National Constitution Review Commission (NCRC).¹⁵¹ In addition, the development of the democratic process is being undermined by the closure of the political institutions such as State parliaments thus affecting development programs and national reconciliation and healing processes. Even at national level, some of the members of the National Legislature joined the rebellion adding to a lack of representation in their respective constituencies in the National Legislature.

6.1.2. Political Detainees and Judicial Proceedings; as a Manifestation of the Absence of Rule of law

Following the December 15, 2013 Juba fighting that divided public opinion as to whether this was a coup D'état or a mutiny or both, some military officers and 11 SPLM political figures were arrested and detained by the Government on the reasons that they had planned, organized and perpetrated a failed coup. However contrary to the constitutional provisions the suspects were detained for a very long time and were not brought to court until 11th March 2014 since their arrest on the 16th of December 2013.¹⁵² The investigation process took quite long with government justifying the delay as necessary given the complexity of the alleged offences. In the mean time, intervention of Kenya and release of 7 out of 11 detainees who were taken out of the country by President Kenyatta was unprecedented and very unusual which was considered as undermining the authority of South Sudan in conducting its judicial process.

On March 11, 2014, the remaining 4 detainees namely: Pagan Amum former SPLM Secretary General, Oyai Deng Ajak former National Security Minister in the Office of the President, Majak D' Agot former Deputy Defence Minister and Ambassador Ezekiel Lol were produced before Juba High Court,¹⁵³ Central Equatoria state under heavy security deployment. The four accused are charged under Chapter V of the Penal Code Act 2008 on offences of treason, concealing treason, subverting constitutional government, insurgency, publishing and or communicating

¹⁵¹ SSHRC, 2014

¹⁵² Human Right watch, 2014

¹⁵³ Sudan tribune, 11 January 2014

false statements prejudicial to South Sudan and undermining authority of or insulting president among others¹⁵⁴. It is to be noted that this is the first trial that court of independent South Sudan is hearing. Needed therefore is a conducive environment provided to both the presiding judge and defense lawyers far away from any kind of intimidation or interference that would defeat purpose of justice.

6.1.3. Violations of Freedom of Expression and Censorship of the Press

In the months prior to the outbreak of conflict, the climate for freedom of expression in South Sudan had progressively worsened. With the outbreak of violence on 15 December, a sharp deterioration was evident. In mid-January, the HRD was informed of dozens of incidents involving the illegal arrest, detention, intimidation, harassment, and expulsion of national and foreign journalists, as well as the surveillance and censorship of media houses. Dozens of human rights defenders and local human rights organizations also reported that they were being threatened and that their property had been looted.

The *Juba Monitor's* distribution was temporarily suspended in February and copies of the newspaper were confiscated by National Security Service (NSS) personnel several times. On 16 January, for example, copies were reportedly confiscated after the publication of an article referring to the 2015 elections. On 24 March, copies were reportedly confiscated at the Juba airport after arriving from Khartoum where they had been printed, reportedly because the newspaper was believed to contain statements critical of the Government. A staff member was ordered to follow NSS personnel to their offices, where the papers were held for about three hours before being released after review. The next day, the HRD was informed that the NSS had told media houses that newspapers would be closed if they published articles that were condemnatory of the Government or written by 4 identified opinion writers who are considered to be critical.

By mid-February, sources reported that only 2 radio stations in Juba were broadcasting their usual programming due to surveillance and intimidation by NSS personnel. On 3 March, the Arabic-language newspaper *Al-Maghar Asiysia* was reportedly suspended by the Ministry of Information indefinitely on the grounds that it had published false information, failed to comply

¹⁵⁴ Ibid.

with Government policy, and covered stories on the rebels. Legal efforts to revoke the suspension have apparently not been successful to date¹⁵⁵.

On 11 March, numerous media outlets reported that the Minister of Information had warned journalists in a telephone conversation not to broadcast or publish interviews with armed opposition leaders in South Sudanese media. He added that this constituted ‘subversive activity’ and ‘an offence’, although he did not cite a specific legal provision to substantiate the assertion¹⁵⁶. The measure seems to have been applied retroactively. On 13 March, an international correspondent was questioned and briefly detained by NSS for an interview he had conducted with Dr.Riek Machar on 9 February. He was released after a few hours following pressure from the embassy of the country of his nationality.

On the other hand as far as Media freedoms and freedom of speech have been scaled down, For example, talks-show programs on Miraya FM on issues connected to human rights, governance and Rule of Law and other social issues were voluntarily suspended.¹⁵⁷ The relationship between the government and some local media houses has also deteriorated with the Government accusing them of incitement and promoting the image of the rebels in their broadcasts. Children’s rights to education in war affected areas is deprived, rights to free movement are limited, livelihood has been disrupted and in many places people have been reduced to absolute dependence undermining their pride and dignity.

6.2. Economic Impacts of the Conflict

In economic terms, the conflict has had a pronounced effect on South Sudan. Projections by the International Monetary Fund (IMF) suggest that real Growth Domestic Product (GDP)¹⁵⁸ will decline by around 15% in 2015.¹⁵⁹ Because much of South Sudan’s economic activity is informal, and therefore not (or imperfectly) captured in formal national accounts, the true costs incurred to date are likely to be considerably greater.

¹⁵⁵ Human Right Watch, 2014

¹⁵⁶ SSHRC,2014

¹⁵⁸ “Real GDP” mean GDP (the value of goods and services produced in any year) adjusted for inflation.

¹⁵⁹ IMF (2014), World Economic outlook database.

The conflict has also imposed economic costs on neighboring countries, notably Sudan, Uganda, Kenya and Ethiopia .For instance, in Uganda, the society, as remittances from Ugandans working in South Sudan are an important source of income for their families back home. Since 2006, South Sudan has bought 20%¹⁶⁰ of Uganda’s export goods, making it Uganda’s largest customer. The increased insecurity and instability in South Sudan has thus had a devastating impact on the Ugandan economy.

The conflict has also impacted regional economic and political integration. For instance, it has eroded South Sudan’s previously slim chance of being admitted to the East African Community in 2014. It has also jeopardized the 20 billion USD Lamu Port-South Sudan-Ethiopia Transport Corridor (LAPSSSET) project between Kenya, Ethiopia, and South Sudan, which is to develop a new port in Lamu, Kenya and an oil pipeline from South Sudan. Fighting has already delayed the signing of the agreement on the oil pipeline, which was scheduled for December 2013. If South Sudan drops out entirely, this will impact the project’s potential profitability since South Sudan has the major share of oil deposits.

6.2.1. The Effects of the Conflict in South Sudan’s Informal Economy and Regional Ties.

The estimates above are based on formal estimates of economic growth and trade between South -Sudan and its regional partners. However, with 76% of South Sudan’s households surviving on subsistence activities, informal trade is predominate and large amounts of economic activity will go unrecorded.¹⁶¹ Available data indicates that trade between South Sudan and its 4 most important regional trading partners – Ethiopia, Kenya, Sudan and Uganda – has grown significantly in recent years, with exports from Uganda to South Sudan alone estimated to have increased from \$US 60 million to \$US 635 million between 2005 and 2008.¹⁶²

The current South Sudan civil war has had a particularly large negative impact on investment and trade between Uganda and South Sudan with trade between the countries stagnating in 2009

¹⁶⁰ African Development Bank (AfDB) (2013) “South Sudan: A study on Comparativeness and Cross Border Trade With Neighboring Countries.”

¹⁶¹ African Development Bank (AfDB) (2013) “South Sudan: A study on Comparativeness and Cross Border Trade With Neighboring Countries.”

¹⁶² Ibid

before declining in 2010 “due to the increased insecurity faced by Ugandan traders.”¹⁶³ Trade fell further in the run up to the referendum due to growing instability and is likely to have dropped further since the onset of civil war in light of the sensitivity of cross border trade to changes in local security conditions.¹⁶⁴ According to Ngungi (2010), 77% of traders in South Sudan are from female headed households that are dependent on cross border trade for their primary source of income, meaning the fall in trade between South Sudan and Uganda is likely to affect the most vulnerable in South Sudan.(Ngungi, G., 2010).

These observations suggest that the simulations based on formal national accounts are likely to understate the true costs of conflict. They also do not take into account distributional impacts (as illustrated by the gender dimensions of informal trade).

Furthermore, with both Uganda and South Sudan land locked, the significance of trade between these countries is vast for both economies, particularly as ongoing tensions and violence between Sudan and South Sudan restrict the latter’s trade to the north. And with South Sudan bordering on the Central Africa Republic(CAR) and the Democratic Republic of Congo(DRC), who have the lowest and second lowest GDP per capita in the world (IMF’s, 2014), trade with Uganda takes on even greater importance. According to Paul Collier and Steven O’Connell (2007), the average landlocked African country will grow by an extra 0.2% when one of its neighbors grows by 1%, while a fall in growth can have a similarly large but negative effect on the country’s neighbors. This effect may be even greater for South Sudan and Uganda given the importance of both countries to the other’s economy. (Collier, P. and S. O’Connell, 2007)

6.2.2. Direct Financial Costs to South Sudan

Although it is difficult to quantify the decline in South Sudan’s output that has resulted from the conflict, severe economic effects have become increasingly apparent, and the country’s fiscal position has deteriorated as government revenues have decreased. This has resulted in budgetary constraints and the abandonment of government plans to increase investment.

¹⁶³International Alert, (2014), ‘Trading with neighbors: understanding Uganda-South Sudan business community trade relations’.

¹⁶⁴ AfDB (2013)

The disruption of oil production due to the violence has had the largest economic impact, as 98% of the government's income stems from the oil industry.¹⁶⁵ When fighting spread to the oil rich states of Jonglei, Unity, and Upper Nile, the already-reduced oil output decreased by a further 40% since oil-field technicians were either evacuated or fled the troubled areas.

Production in the Upper Nile and Unity states particularly, declined steeply with the latter recording a loss of output of about 50,000 barrels per day (b/d) as oil fields were shut down in January 2014. While this drop represented approximately half of Unity State's usual capacity, production in Upper Nile was not as heavily affected. Nevertheless, the output from Upper Nile's blocks 3 and 7, the two most productive blocks in South Sudan, decreased from about 200,000 b/d to approximately 160,000 b/d.¹⁶⁶

At the same time as the country's oil income has declined, the costs incurred by the conflict have eroded the small funding reserves accumulated since oil exports were resumed in summer 2013. For instance, in February 2014 the country's legislative assembly approved a supplementary budget of 749 million SSP¹⁶⁷ (254 million USD) to cover the costs generated by the conflict.¹⁶⁸ The impact of the drop in oil production has not been limited to South Sudan: Oil transit fees and money from a transitional financial arrangement constitute an important source of income for Sudan.

China, the biggest investor in South Sudan's oil fields and the main purchaser of its crude oil, also felt the fallout from the crisis as oil companies such as the state-owned China National Petroleum Corporation and *Sinopec* were forced to evacuate their workers from fields in Unity State.¹⁶⁹

The violence has also made subsistence farming impossible or considerably more difficult for large parts of the population, thus leading to famine. Furthermore, day-to-day commercial activity in South Sudan has been disrupted, and thousands of foreign workers from neighboring countries have returned home. Several thousand Ugandans working in South Sudan's construction and service sector have left.

¹⁶⁵ *Transformation Index BTI (2014)*, South Sudan Country Report.

¹⁶⁶ Ibid

¹⁶⁷ South Sudanese Pound

¹⁶⁸ Ibid

¹⁶⁹ Sudan tribun,2014

On the other hand, the conflict has a two-pronged effect on South Sudan's public finances. On the expenditure side, the conflict will increase spending on defence and security relative to a peace scenario. There are also likely to be costs relating to humanitarian needs and rebuilding infrastructure post-conflict. In projecting the incremental military spending associated with the conflict, we have taken into account that prior to conflict, military expenditure accounted for a significant proportion of total spending – as high as 28% in the 2012/2013 fiscal year.¹⁷⁰ These reflect concerns relating to security in the post independence environment. In order to ascertain the impact of the current conflict, we begin by observing that the outturn for military spending in the 2013/2014 budget was around 3.6 billion SSP+ (relative to an initial budget of 3.1 billion SSP), and the budgeted amount for 2014/2015 was just under 4.0 billion SSP. These figures amounted to around 8% of nominal GDP in 2013 and 11% in 2014¹⁷¹ (the latter reflecting both the increase in military spending and the drop in GDP). These are high shares when compared to averages reported for other conflict countries: around 5.2% in countries during civil wars, 4.7% post-conflict, and 3.3% in times of peace. (Collier & Hoeffler, 2007:2)

One simple way of estimating the incremental impact of the conflict on military spending is to treat this as equivalent to the differential between the figure of 3.1 billion SSP budgeted for the financial year 2013/2014 (i.e. prior to the eruption of conflict) and the figure of 4 billion SSP for 2014/2015 (i.e. during the current conflict) – around 900 million SSP.

The conflict also has serious implications for South Sudan's revenue base. This is because of the country's heavy dependence on oil revenues, which will be affected by disruptions to oil production. Shocks to the resource base, coupled with pressures on expenditures stemming from defence requirements, will constrain the allocation of resources to sectors such as education, health and infrastructure, all of which are essential in meeting human development needs, both directly and via their effect on stimulating long run economic growth. Budget data reveal that allocations to expenditure on education has varied between just under 4% and 7% of total public spending, which is far lower than the 20% recommended by the international community.¹⁷²

¹⁷⁰ Frontier Economics(2014) "*SOUTH SUDAN: THE COST OF WAR*"

¹⁷¹ Frontier Economics(2014) "*SOUTH SUDAN: THE COST OF WAR*"

¹⁷²The Addis Ababa declaration on education for all. <http://unesdoc.unesco.org/images/0018/001871/187149E.pdf>

Finally, it needs to be emphasized that resource shocks exacerbate existing fragilities affecting prudent fiscal management. The government has recognized that poor fiscal discipline has led to an accumulation of domestic debt, including a large stock of domestic amount overdue that has yet to be precisely quantified. In his budget speech, the Minister of Finance acknowledged that defense requirements would be financed through borrowings from the China National Petroleum Corporation against future oil earnings.¹⁷³ He also stated planned contributions to the Oil Revenue Stabilization Fund and the Future Generations Fund, which under the terms of the Petroleum Management Act were to account for 25% of gross oil earnings, would be deferred in order to release funds for current needs.¹⁷⁴ These developments further illustrate how conflict diverts resources to less socially productive uses and undermines improvements to economic governance.

6.3. Humanitarian Crisis

According to the United Nations, the consequences of the conflict of South Sudanese for the civilian population have been devastating. There have been attacks on hospitals, churches, mosques, and United Nations bases. There are reasonable grounds to believe that violations of international human rights and humanitarian law have been committed by both parties to the conflict. These include extrajudicial killings, enforced disappearances, rape and other acts of sexual violence, arbitrary arrests and detention¹⁷⁵.

Almost 2 million people have been displaced by the violence. About a quarter of these people have fled to neighboring; Ethiopia, Kenya, Sudan and Uganda. About 100,000 people¹⁷⁶ have sought refuge inside UN bases and do not feel safe to return home. Although there is no official death toll, the International Crisis Group estimates the figure could be between 50,000 and 100,000 people.¹⁷⁷ Within South Sudan most acute needs are found in the three states that have seen the most active hostilities: Jonglei, Unity and Upper Nile.

¹⁷³ Government of the Republic of South Sudan (2014), Budget Speech 2014/.15, para. 18

¹⁷⁴ Ibid, para. 45

¹⁷⁵ UNMISS (2014), Conflict in South Sudan: A human rights report.

¹⁷⁶ '50,000 and not counting: South Sudan's war dead, AFP, 15 November 2015.

¹⁷⁷ Ibid

The crisis has disrupted an already weak service delivery system, particularly in those three states most affected by conflict. Lakes State has witnessed persistent inter-communal fighting. Many of the 1,200 schools¹⁷⁸ in Jonglei, Unity and Upper Nile are closed due to the conflict. Water supply in towns, including major hubs such as Bentiu and Malakal, is no longer functioning or accessible to civilians. An estimated 184 health facilities¹⁷⁹ in the three conflict states have been either destroyed, are occupied, or are no longer functioning.

The combination of South Sudan's low level of agricultural productivity, human displacement through conflict, and poor transport infrastructure has increased the likelihood of a humanitarian crisis. Reports by aid agencies suggest that as many as 4 million people, or close to a third of the population, face serious food shortages and the risk of famine.

The conflict that began in December 2013 in South Sudan continues to affect the lives of millions of people. It has been marked by brutal violence against civilians and deepening suffering across the country. Insecurity and active hostilities constrain civilians' freedom of movement. The major humanitarian consequences are widespread displacement due to the violence; high rates of death, disease, and injuries, severe food insecurity and disrupted livelihoods, and major malnutrition crisis.

While political negotiations continue, and are needed to end the suffering, they are unlikely to yield rapid improvements on the ground. As of the writing of this research, the Cessation of hostilities agreement in January, a recommitment to the Cessation in May, the intra-SPLM dialogue of 20 October, and the rededication to the January agreement on 9 November have yet to stop fighting on the ground. Even when fighting does stop, the humanitarian impact of what has already happened will continue to be felt throughout 2015 and beyond.

South Sudan has been already fragile before the current crisis, and other parts of the country continue to be affected by food insecurity, disease outbreaks, malnutrition and other threats to lives, livelihoods and well-being. Central and Eastern Equatoria states, for example, have been heavily affected by an unprecedented cholera outbreak. Women, young boys and girls and

¹⁷⁸ Education cluster, Humanitarian Needs Overview (2015)

¹⁷⁹ Health cluster, Humanitarian Needs Overview (2015)

elderly men and women are particularly vulnerable, as are people who have had to flee their homes due to the conflict.

6.4. Wider Implications of the Conflict

While the preceding sections have explained various costs that resulting from the conflict, it is also the case that the effects of the conflict go well beyond the analysis presented. For example, a key issue is the extent to which conflict will increase internal fragmentation within South Sudan. Wide regional disparities in poverty and other social indicators were present prior to the conflict. A further entrenchment of these disparities is likely to lead to increase instabilities and thus further undermine the long term development potential of the country.

Another key issue not dealt with in the analysis presented is the social cost of the conflict for this young nation. According to Dr. Kassahun Birehanu,¹⁸⁰ it is unfortunate for South Sudan just emerging from nearly two decades of brutal war with Sudan.

The political Violence unleashed in December 2013 has been especially damaging because it has targeted the most vulnerable groups: women, children, the elderly and disabled. The pervasive use of sexual and gender-based violence against women and girls is one manifestation of the unraveling of social norms and values that has characterized this conflict.

Others include the weakening of traditional social safety nets, the adverse impact on people's sense of dignity and pride, and the flagrant sense of mistrust amongst people who only months ago were neighbors. They indicate that South Sudan will need ongoing support and assistance from its neighbors and the international community to develop ways of reconnecting people with their sense of belonging in society.

This reconnecting need to happen at the individual level, but it is also critical to ensure the country as a whole which can undergo the kind of social, psychological and economic transformation necessary to achieve lasting peace and reconciliation.

According to Dr. Kasahun, South Sudan has been going in a direction to be a *failed state*. Because there were a Militia that can established its own provinces and cannot be bounded by

¹⁸⁰ Discussion With Dr. Kassahun Birehanu,

the government. On the other hand, the Government is also unable to administer its territories effectively, unable to make a foreign diplomacy. That, unless and otherwise have a breakthrough solution, becoming a failed state is an inevitable.

The risk that South Sudan might become a “failed state” has obvious implications for South Sudan itself, but also the wider region in the first instance, these costs take the form of foregone opportunities for regional development. These foregone opportunities include lost opportunities for strengthened regional integration and linkages.

There are also likely to be significant concerns in the international community of the security risk of second failed state in the region, in light of recent experiences in Somalia. The economic cost to neighbors is difficult to quantify, though the costs associated with intervention in Somalia can provide some guidance to the possible impacts were a similar situation to be replicated in South Sudan.

Conclusion

In December 2013, growing political tensions among key leaders in South Sudan erupted in violence, just three years after the country gained independence from Sudan in an internationally supported public referendum¹⁸¹. While the political dispute that triggered this crisis was not clearly based on ethnic identity, it overlapped with preexisting ethnic and political grievances that sparked armed clashes and targeted ethnic killings in the capital, Juba, and then beyond. The fighting, which has occurred between forces loyal to President Salva Kiir and forces loyal to former Vice President Riek Machar, and among armed civilians, has caused a security and humanitarian emergency that may be drawing the world's newest country into another civil war.

The current crisis began in July 2013 when President Kiir sacked his entire cabinet, including his chief rival, Vice President Riek Machar, without giving any reasons. Analysts agree that Kiir's move exposed a power struggle that had been taking place within South Sudan's ruling party, the SPLM. A number of senior SPLM members, including Machar and the SPLM's secretary-general, Pagan Amum, had increasingly viewed Kiir's leadership as autocratic. Kiir's decision was apparently also further driven by Machar's aspirations to run as the SPLM's presidential candidate in the upcoming elections in 2015.

Even though the immediate causes of the south Sudan conflict were the aforementioned reasons; there are some basic factors which are not properly addressed and solved. These reasons can be categorized into three groups. The political, ethnical and socio-economic dimensions.

When one mean the political dimension, it is to mention that the leaders struggle for power, the prevalence of unconstitutional government structure, inability or lack of leadership quality of the leaders when South Sudan become an independent state due to the fact that they spent most of their time being a leader of an opposition armed group, the existence of a solo political party and/or the absence of a multi-party political system that left the people of south Sudan with no other potions and the cruel acts of the government will take the lion's share for the prevalence of the crisis.

¹⁸¹ Congressional Research Service, *The Crisis in South Sudan* (January 9, 2014)

The major point raised in the Ethnic dimension is that the current opposition group leader Rick Machar's act of genocide in 1991 at 'Bor Massacres' killed more than 2000 'Dinka' ethnic group which planted hatred and hostility between the two big ethnic groups of Nuer & Dinka.

To this effect, a lot of people belonging to 'Nuer' ethnic groups have been killed by 'Dinka' ethnic groups around Juba. Immediately, at states like upper Nile, Jonglie & Unity quite a lot of peoples belonging 'Dinka' ethnic group were massacred by 'Nuer'. In relation to this, the soldiers inside SPLA do not consider themselves as a South Sudan army but instead they consider themselves as the protectors of their respective ethnic group. This attitude paves the way for the emergence of an ethnic based groupings and hostilities inside the Army.

Analyzing from the perspective of socio-economic dimension, since 98% of South Sudan income is generated from oil export, rival groups demanding the ownership of these oil fields has created the largest negative economic impact, unfair and unequal distributions of the grazing lands and farm land as well as in adequate or a total absence of infrastructure in most parts of the country has worsened the situation in south Sudan.

The other point to be mentioned here is the role of external actors. The regional states and the international non-state actor have reacted immediately after the breakout of the conflict. One can classify the role of these actors into three major categories as neighboring states actors, regional and international organization and that of the Easter and western supreme states.

The regional states are; Sudan, Uganda, Kenya, Ethiopia, Eritrea and Egypt. Uganda justifies its decision to intervene by arguing that it has to protect its citizen, limit the access and confine the main armed opposition 'LRA' to a limited area. Mosoveni and Salva kiir's personal friendship has its own impact as pointed out by some commentators and scholars. Even though Sudan, Ethiopia and Eritrea haven't officially commented about it, it seems that they are supporters of the opposition armed group.

Taking into account of the Sudanese continuous accusations of the South Sudan government for helping its opposition like SRF, it is very natural to suspect Sudan that it might help the south Sudan opposition groups.

Apart from this, concerned by its own wide spread and unsolved problems, Sudan doesn't seem to be concerned by south Sudan unrest and turmoil. Eritrea; in other case, relates and weighs its political action from its conflict with Ethiopia. I.e. Eritrea supports the South Sudan opposition with an ambition to disrupt Ethiopian and South Sudan relations. One can easily identify that the turmoil in the South Sudan is a high concern for Ethiopia considering the availability of the 'Nuer' ethnic groups in both countries and especially Ethiopia doesn't want that South Sudan give an additional base for the Ethiopian opposition group who are now based in Eritrea. But still, it is really difficult to tell why Ethiopia is helping the South Sudan rebel groups. In addition, the decision Salva kiir reached to change the place of the IGAD peace agreement from Ethiopia to other countries confirms their suspicion.

There is a lot of wide ranging idea concerning IGAD. The success of the South Sudan referendum and ending the war with Sudan by organizing a peace treaty to sign the 'CPA' agreement are by far the results of IGAD that needs to be acknowledged. IGAD is still active concerning the crisis around Sudan and South Sudan. To the contrary, not having the same approach and different political interests of the member states is the major obstacle IGAD is facing. As it is mentioned before, the different interests of some of the member states, especially Uganda officially sent troops to help the government of South Sudan and accused Sudan and Ethiopia are helping the rebels doesn't actually help to conclude that IGAD will successfully bring a sustained peace.

The United Nations are making a quick response by acting through 'UNMISS'. And the Secretary-General, Ban ki moon, has addressed the fighting sides to cease-fire and makes a peace treaty which forces them to obey and respect international agreements. He has also addressed that UN will take a serious action against the side that is breaking the cease-fire and breaching any customary international law principles.

The U.S. has helped South Sudan during the peace process by a successful referendum to succeed from Sudan. To this effect, there is uneasy relationship between Sudan and U.S. But the involvement of U.S. in the oil fields of South Sudan after independence is very limited. It is easy to conclude that China has taken the upper hand, considering the involvement in the oil business. Due to this fact; America wants to take its own share from the oil by helping the rebel groups to come to power in order to renegotiate another oil deal. The accusation president of the South

Sudan and other information sources confirms the allegation of this story. Beside the oil deal, America' concern is that South Sudan might become a failed state like Somalia and is closely observing the situation in an effort of avoiding this country to become a home for terrorists.

On the other side, china is the major country to be benefited from oil in South Sudan. Therefore; China has been trying to mediate the conflicting sides. China's foreign minister is closely monitoring the peace talks and is doing a lot of diplomatic activities.

The consequences of the South Sudan conflict are by far unimaginable. Among the many factors, three major ones like the political, economic and humanitarian consequences are the very important ones. It will not be very hard to guess the extent to which the country is affected from these major factors.

One of the political consequences that this crisis accomplished had, is that, the 2015 election would not take place and is therefore postponed. The legislative, executive, judiciary and other institutions were crippled, the rule of law has vanished, mass killings, human and democratic rights were suppressed. One can take these negative factors as another political consequence. When one see this conflict from the economic perspective, IMF and other analysts has described that the economy of south Sudan has been badly hurt by the conflict. South Sudan could not export oil properly to the international market due to the existence of the war. It is also impossible for south Sudan to continue the informal trade with the neighboring countries. This in turn makes life very difficult for the population on South Sudan that lives by the income generated from this trades. Besides, even if the conflict ends now, the cost for rehabilitation and reconstruction would be massive.

Among humanitarian consequences, the biggest crisis here to be mentioned is the destruction of lives and humanitarian crisis. Women, children and elderly are the most affected people. A lot of people have been displaced, people are affected by hunger, diseases and any hopes of education are vanished.

Moreover, considering the destruction of schools and educational institutions, the number of students who have stopped going to schools due to the instability has a major negative implications in the future of south Sudan. It will create a huge generation gap, uneducated and backward society will not help to transform south Sudan to a better developed and conflict free

society. The deadly nature of the conflict, and the transformation of the war to ethnic based lines with the unwillingness of the leaders to stop war, helps to conclude that South Sudan might become a failed state like that of Somalia.

If this happens, it would be a great loss to Africa in general and the AU in particular.

Recommendation

On the course of conducting this study /research; from the books that the researcher has read and the information's gathered, the researcher has learnt that African conflicts in general arise from the following three essential factors. If these factors are corrected, the researcher is convinced that Africa can be able to effectively avoid deadly conflicts that are erupting from time to time.

These three factors are the following

1st Solving the Leadership Problem

The leadership problem has been the source of conflict in many African countries which has resulted in the tremendous negative outcomes of political, social and economic crisis.

Dictatorship, an addiction to power, cruel and inhumane acts of the rulers that signify the personal behaviors of the leaders which resulted in economical backwardness, which resulted that Africa widely known by crisis, full of conflict, famine and war torn continent.

When one observe the recent conflicts, especially after 2010, all were created by their own African leaders. For instance the so called 'The Arab uprising' hasn't happened if not for the dictators of the region who were unwilling to step down. The Tunisian Ben Ali, the Egyptian Hosni Mubarak and the Libyan Gadaffi have stayed in power for more than 3 decades.

In the same way, the likes of Alassana Outara of Cot de' ivory, Biles Compware of Burkinafaso and currently Pier Nugunzusa of Burundi find it very inappropriate to step down from power after losing an election or lapse their terms . Their actions have equaled the deaths, and migrations of thousands of Africans.

The reason why the researcher mentioned the above African dictators is because their respective population has stood together to end their dictatorial rule. Apart from the very few African leaders, most leaders are still engaged in a totalitarian rule and in a fierce power struggle.

The leadership problem is therefore, the main reason for the recent/actual South Sudan conflict.

Therefore; African political elites has to solve their leadership problem to use power to serve the population like other developed and democratic countries, unless otherwise they avoid their illegitimate and undemocratic rule, which always lead to abuse the political power; Africa, like yesterday and today, will not escape from being destabilized by conflict, war and an economic breakdown in the future and remain always as a weak continent.

2nd Building effective institutions

The major difference between the developed countries from the developing ones is the availability of established and effective institutions. Without the existence of properly built institutions; bad governance, dictatorship, the emergence of few favored groups over others, corruption will prevail. For example, when one take the justice system of South Sudan, if it was effective and the respect for the rule of law was there, the conflict would not have developed in to a big war that has created a big humanitarian crisis.

The party (SPLM) by itself lacks its own established institutions to resolve differences and conflicts. If there were a free and an organized justice system which is essential to people remind everyone to be under the law, the conflict would have stopped in its early days.

Concerning the legislative body; for instance, if the legislative body of Burkinafaso's government (the parliament) were strong, Bless kompawore wouldn't put an agenda to extend the terms of his power.

To this effect, the legislative, Judiciary and Executive bodies in Africa should have a strong base of institution and have to function by Democratic system not by an individual will. If the rule of law and a democratically elected government can't be achieved, the future of Africa will not be different from yesterday and today.

3rd Being able to form one political community

Any country that follows any kind of government structure be it parliamentary or presidential, unitary or federal, its final goal is to create one political community¹⁸². It is a situation where, the population in a country has different culture, language and identity, but intertwined together like one nation.

Forming one political community means; keeping the culture, religions, and beliefs of the society untouched and unchanged but living with integrated under one umbrella. It doesn't necessarily mean everyone should have assimilated in culture, language and identity.

One of the major aims of the Ethiopian constitution is to create one political and economic society¹⁸³ if this cannot be achieved; the hostility, conflicts and wars would continue giving problems for the country.

If we again refer back to South Sudan, Salva kiir and Rick Machar's power struggle was conducted through their own ethnic groups of 'Nuer' and 'Dinka' to participate in the conflict. This happened due to the fact that they were not living under the umbrellas of one economic and political society. But instead, they were living under their own conflict-prone umbrella¹⁸⁴. For them, the state South Sudan is below 'Dinka' or 'Nuer'. They resembled to their own ethnic group by not willing to consider their country in big picture. They easily mobilized to the notion of 'ethnicity' and are still leading the way for their country to be a failed state.

As mentioned above; had it been one political and economical united society formed in south Sudan, the two big elephants wouldn't get followers that turned South Sudan in to a battle field.

In other countries like Rwanda, Burundi, Congo, and Somalia; considering the nature of their varying differences, not forming a united economic and political entity has resulted in genocide, and many other consequences which has become the characteristics of Africa.

¹⁸² Discussion with Dr. Gedion Timotiwos, Assistant Professor at AAU, College of Law and Governance.

¹⁸³ Dr Fasil Nahom, who served as a member of a committee that drafts the constitution, a member of constitutional enquiry and chief legal advisor to the prime minister.(paper presentation for the anniversary of Nation, Nationality and Peoples at Addis Ababa University , Eshatu Chole hall, 27 November,2013 E.C) also the term enshrined in the preamble of the FDRE constitution.

¹⁸⁴ Discussion with Dr.Solomon Mebrie, Associate Professor in Political Science & International relation at AAU.

Therefore, the diversified African community, detaching itself from poisonous ethnic based consequences of the colonization and organizing itself in a merit based tribal and ethnic groups under one political and ethnic community, will end the forth coming ethnic based conflicts and crisis.

So, as a researcher, any concerned body weather an academician or politician has to enrich and develop these three ideas by conducting a deeper analysis and find a solution. If this can be achieved, the Researcher is convinced that, African image of conflict in the global community will change significantly.

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Appendix A

Research Questions

First, I appreciate your willingness and cooperation to answer these questions!

1. What are the Root causes of the current intra-state conflicts in South Sudan?
2. What is the role of “Ethnicity” to the conflict?
3. Were there any personal contributions of the political leaders like “Rick Machar” and “Salva kirr” for escalating of the conflict?
4. What is the role of ‘External Actores’ like neighboring countries, UN, AU, IGAD, EU and US in escalating or de-escalating the crisis in South Sudan?
5. What are the political consequences of the conflict in south Sudan?
i.e. to what extent does democratic values, rule of law and Human and Democratic Rights are being abused?
6. What are the Economic and Humanitarian consequences of the conflict?
7. Does south Sudan have a probability of becoming a failed state?

Thank you very much!

Appendix C

Facts about South Sudan

The Republic of South Sudan is bordered by Sudan in the North, Ethiopia in the East, Kenya and Uganda in the South, the Democratic Republic of Congo in the Southwest and the Central African Republic in the West.

South Sudan is governed on the basis of decentralized 'democratic' system. It is also a multi-Ethnic, Multi-cultural, Multi-lingual, multi-religious and Multi-racial society (Debay, 2012:1).The Republic of South Sudan is comprised of three provinces of Bahl el Ghazal, Equatoria and Greater Upper Nile, which are subdivided into 10 States: Northern Bahl el Ghazal, Western Bahl el Ghazal,Warrap, Lakes (Bahl el Ghazal) Unity, UpperNile, Jonglei (Greater Upper Nile); and Western Equatoria, Central Equatoria (which contains Juba, the state capital) and the Eastern Equatoria (Kimenyi,2011:16)

According to the 5th Sudan Population and Housing Census (2008), currently, South Sudan has a population of 8.3 million, of which 1.4 million live in urban areas. (83%) of the population are therefore predominantly rural and dependent on subsistence agriculture. South Sudan is a young country with half (51%) the population under the age of eighteen and 72% under age of thirty¹⁸⁵.Most South Sudanese are engaged in agriculture and grazing activates while oil and the public sector dominate the formal economy (Debay,2012:1)

¹⁸⁵ Southern Sudan Center for Census, Statics and Evaluation,2008)

Appendix D



President Salva Kiir (Dinka)
President of the Republic of South Sudan and Chairman of the SPLM



Riek Machar (Nuer)
former Vice President of South Sudan (2011-July 2013) and Vice Chairman of the SPLM. Machar has publicly denied plotting a coup against President Kiir, but told journalists on December 21 that he is now in rebellion against Kiir.¹



Defense Minister Kuol Manyang (Dinka)
Defense Minister (July 2013-present), former Governor of Jonglei State (2010-July 2013). Remains loyal to President Kiir.



Chief of Defense James Hoth Mai (Nuer)
SPLA General Chief of Defense (2009-present). Remains loyal to President Kiir.



General Peter Gadet (Nuer)
Commander of the SPLA's 8th Division in Jonglei State, Gadet had defected from, and reconciled with, the SPLM multiple times prior to the current crisis.² He previously led an SPLM splinter faction known as the Sudan Liberation Movement/Army (SSLM). Machar referred to Gadet in media interviews on December 21 as the "military governor" of Jonglei State.



Taban Deng Gai (Nuer)
Former Governor of Unity State (elected 2010, removed by President Kiir in July 2013). During the 1990s, Gai led a faction of the South Sudan Defense Forces (SSDF), an umbrella of armed groups opposed to the SPLM. He reconciled with the SPLM in 2001. Gai now leads Machar's negotiating team in Addis Ababa.



Gen. James Koang Chuol (Nuer)
Commander of the SPLA 4th Division, in Unity State, Koang declared on December 21 that he had deposed the caretaker governor (in place since Taban Deng Gai was removed by Kiir) and that his forces were no longer loyal to Kiir. He is now aligned with Machar.



David YauYau (Murle)
A militia leader in Jonglei State, YauYau has been a major actor in the instability there since 2012. Unlike others in the current conflict, he was a civilian during Sudan's civil war; he launched his rebellion against the SPLA in 2010 after losing a parliamentary election. He briefly reconciled with the government and joined the army in 2011 before restarting his revolt. What role, if any, he plays in the current crisis is unclear—he was initially rumored to have aligned with Machar, but on January 7 government officials suggested that they had reached a ceasefire with YauYau.

¹"South Sudan: Unity State's Fourth Division Commander Defects, Assumes Governorship," Sudan Tribune, December 21, 2013.

² For more information on Gadet, see, e.g., "SSLM/A," an Internet resource prepared by The Small Arms Survey Human Security Baseline Assessment for Sudan and South Sudan at www.smallarmssurveysudan.org.

Source: CRS.

Actors in the Current South Sudan Conflict

Declaration

I, the undersigned, declare that this thesis is my original work and has not been presented for a degree in any other university and that all sources of materials used for the thesis have been duly acknowledged.

Name: Tewodross Mebratu

Signature: _____

Date: _____

This thesis has been submitted for examination with my approval as a university advisor.

Name: Mohammed Hassen (Ph.D)

Signature: _____

Date: _____