



**An Analysis of the Challenges to the Implementation of the Revitalised Agreement
on the Resolution of Conflict in South Sudan from 2018 to 2022.**

A minor dissertation submitted in partial fulfilment of the requirements for the award of the
degree of Master of Social Science: International Relations

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DECLARATION

I, Lois Ewuraesi Osei, hereby declare that this thesis is my own work towards the degree of Master of Social Science in International Relations at the University of Cape Town (UCT) under the supervision of Professor John Akokpari. I further declare that I have read the research ethics guidelines of the university and, that this thesis is my own effort, conducted under the necessary conditions of the Department of Political Studies and that all chapters and quotes have not been presented in part or whole for any other degree. I thereby accept any responsibility for any shortfall and acknowledge the right and consent of all participants.

DEDICATION

I dedicate this thesis to the Almighty God, my Lord, and Saviour Jesus Christ, who Has kept me, given me life, and strengthened me to see the completion of this thesis. I am immensely grateful to Him for His provision for my life. Also, I dedicate this to myself for fighting through the difficulties of writing an academic paper and for keeping my head above water to see to the finalisation of this project.

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Lists of Acronyms.

ARCSS	Agreement on the Resolution of Conflict in South Sudan
AU	African Union
CPA	Comprehensive Peace Agreement.
CRA	Compensation Reparation Authority
CSO	Civil Society Organization.
CTRH	Commission of Truth and Reconciliation
CTSAMVM	Ceasefire and Transitional Security Arrangements Monitoring and Verification Mechanism
DDR	Disarmament Demobilization Reintegration
DPA	Darfur Peace Agreement
EU	European Union
FD	Former Detainees
GPA	Gross Domestic Product
HCSS	Hybrid Court of South Sudan
HDI	Human Development Index
HLRF	High-Level Revitalization Forum
IBC	Independent Boundaries Commission
IGAD	International Government Authority on Development
JMOC	Joint Military Ceasefire Commission
JMCTs	Joint Military Ceasefire Teams (JMCTs),
JMEC	Joint Monitoring and Evaluation Committee
MHS	Mutually Hurting Stalemate
NGO	Non-Governmental Organization
NRF	National Redemption Front
NPTC	National Pre-Transitional Committee
NSA	National Salvation Front
NUF	Necessary United Force
NCAC	National Constitutional Amendment Committee
OPP	Other Political Parties
R-ARCSS	Revitalised Agreement on the Resolution of Conflict in South Sudan
RJMEC	Revitalised Joint Monitoring and Evaluation Committee
RTGoNU	Revitalized Transitional Government of National Unity.
SAF	Sudan Armed Forces
SPLM	South Sudan Liberation Movement.
SPLM/A	South Sudan Liberation Movement/ Army
SPLMIO	South Sudan Liberation Movement in Opposition
SSOA	South Sudan Opposition Alliance
TBC	Technical Boundaries Committee
TGoNU	Transitional Government of National Unity
TSA	Transitional Security Arrangements

UN
UNDP

United Nations
United Nations Development Programme

ABSTRACT

South Sudan has signed many peace agreements to ensure law and order, peace, and freedom after many years of political unrest and conflict. The most recent and promising agreement, the Revitalised Agreement on Resolution of Conflict in South Sudan (R-ARCSS), signed in September 2018, has seen the implementation of some aspects of the peace deal. However, despite its promising content and stakeholder participation, the full implementation of the peace agreement is yet to happen on schedule. This study examined the factors that have led to the delay in implementing the R-ARCSS agreement. The study used interviews with participants across various professional fields, including academics, researchers, and Civil Society Organizations. The study outcome showed five main factors hindering the agreement's implementation: i) The history of unresolved misunderstanding between the key signatories, Reik Machar and Salva Kiir, resulting in lackadaisical attitudes in fully committing to the peace deal; ii) Unstable and inadequate state institutions in South Sudan, iii) Low regional and international support for the implementation, iv) Lack of funding, and v) an elite-centred peace process catering for high-level actors and stakeholders. Based on the study's findings, some policy recommendations were made to facilitate the implementation of the R-ARCSS peace agreement to ensure a return to law and order and economic and political stability in South Sudan.

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CHAPTER ONE

INTRODUCTION

1.1 Background of the Study

South Sudan's journey towards stability, peace, and good governance has been marred with conflicts, violence, and gross human rights abuses (Bilal, 2023). The young population, which suffered years of instability before its independence in July 2011, continues to lie in chaos as the very solution to its ordeal, its ongoing peace agreement has been beset with challenges, breaching a clear-cut road map to its future (Zambakari, 2019) The ongoing implementation of the current peace agreement, the Revitalised Agreement on the Resolution of Conflict in South Sudan (R-ARCSS), signed in Addis Ababa, Ethiopia, in September 2018, by President Salva Kiir, former vice president, Riek Machar, along with other factions from South Sudan Opposition Alliance (SSOA), Former Detainees (FDs) and Other Political Parties (OPP) has been muddled with challenges and delays, causing the peace agreement to be undermined and underutilized. Like previous agreements signed in South Sudan, including the Agreement on the Resolution of Conflict in South Sudan (ARCSS), which failed a year after signing, there is little hope among the citizens, international bodies, academicians, and researchers that the R-ARCSS agreement can provide a peaceful solution to halt the number of deaths, communal violence, gender-based violence, and instability in South Sudan (International Crisis Group, 2019).

As mentioned, the R-ARCSS agreement signed by the opposition parties in 2018 was lauded as a significant development in South Sudan's return to peace and stability (Global Conflict Tracker, 2022). The peace agreement, which encompasses both a pre-transitional and transitional period and spans a combined three-year period, focuses on crafting a united, peaceful, and prosperous society based on justice, equality, respect for human rights, and the rule of law, and a sustainable path to end the eight-year-long civil war in South Sudan. To achieve this, the agreement focuses on these provisions: Power-Sharing and Governance, Economic and Financial Reforms, Ceasefire and Security Arrangements, Transitional Justice and Reconciliation, Humanitarian Assistance, and Constitution Making (Vhumbunu, 2019).

Following its signing in 2018, there has been tranquillity among the key parties involved. Notably, violence and tension have decreased within the capital city, Juba. (Liaga, 2021). This improved atmosphere has fostered constructive engagement between opposition parties, leading to significant developments such as the establishment of the

Revitalised Transitional Government of National Unity (RTGoNU), the formation of the national assembly and state council, and the inauguration of Riek Machar as the first vice president of South Sudan in February 2020. These achievements are noteworthy milestones in the ongoing peace process (Chiwenga, 2021). Nonetheless, other important provisions of the agreement have not been implemented and this has delayed the timely implementation of the agreement. These include the formation of the transitional legislative assembly, the appointment of local state governors, the establishment of the transitional security architecture, the safe return of refugees and internally displaced, the establishment of transitional justice mechanisms like the Commission for Truth and Reconciliation and Healing (CTRH), the Hybrid Court of South Sudan (HCSS), and the Compensation and Reparation Authority [CRA] (Takpiny, 2022). The United Nations (UN) reports that the South Sudanese civil war, in the past seven years (2013-2020), has killed about 380,000 people, pushed 7.5 million in need of humanitarian assistance, generated about 1.62 million internally displaced people, with 2.7 million refugees in neighbouring countries (South Sudan Humanitarian Report 2022). These statistics show the dire need for the implementation of the remaining provisions of the peace agreement to foster a return to economic and social life for the people of South Sudan, who, for the multitude of challenges, barriers, and delays encountered during the implementation process have significantly impacted its economic and political stability.

This thesis, therefore, provides a critical analysis of both the internal and external factors, challenges, and barriers undermining the realisation of sustainable peace and stability in South Sudan. Looking at the period from 2018, when the agreement was signed, until 2022, when the full implementation of the agreement should have been completed, this study investigates the impediments to fully realising the R-ARCSS peace agreement.

1.2 Problem Statement

Four years after the signing of the R-ARCSS peace agreement, the people of South Sudan have found themselves in a state of frustration and jeopardy as the peace agreement meant to move the country towards sustainable peace, prosperity, and security is facing severe challenges of delays and uncertainties (Awolich, 2020). Signed in 2018, the R-ARCSS peace agreement boosts the defunct ARCSS peace agreement signed in August 2015, which failed because of the outbreak of war just a few months after its implementation (Liaga, 2021). Although the R-ARCSS Agreement was hailed as a beam of hope for the people of South Sudan, it continues

to experience obstacles, making optimism towards its timely, full implementation disappear. The agreement has been described as fragile, a time-ticking bomb, barely holding together, selective, and minimal due to the lazy, partial, and demanding implementation process (Vhumbunu,2019).

According to Akech (2020), the delay in the full implementation of peace agreements results from the growing presence of spoilers and the deep-seated mistrust within the population and among political groups. Within the literature, Stedman (2001) argues that delays during the implementation of peace agreements occur because of decreased international support and interest, dragging out the process. In addition, Vhumbunu (2019) asserts that the main hindrance to implementation is the insufficient political commitment of political elites, who are the proponents of the agreement.

The inconsistencies experienced in the implementation of the South Sudanese peace process have increased communal violence in some regions of the country, especially in Unity and Jonglei states. This situation has led to a worsening humanitarian crisis within the country, including the destruction and displacement of people from their homes. Although certain aspects of the peace deal have been successfully executed, key areas such as security arrangements, the creation of a national legislature, accountability and reconciliation, and transformative justice, economic reforms, have not seen much progress. These issues have put pressure on this fragile state, which has already suffered a series of political crises. Without an elaborate strategy for peacebuilding in South Sudan, there is fear of a return to protracted civil war. Therefore, the research seeks to find out why the peace agreement has been delayed and to bring out ideas and strategies to enhance the timely implementation of the peace agreement.

1.3 Research Questions

1. What are the challenges to the implementation of the R-ARCSS peace agreement from 2018 to 2022?
2. What factors will propel the implementation of the R-ARCSS peace agreement?

1.4 Research Objectives

1. To investigate the challenges that undermine implementing the R-ARCSS peace agreement in South Sudan from 2018 to 2022.

2. To identify the factors necessary for the timely implementation of the R-ARCSS peace agreement.

1.5 Significance of the Study

This study is significant because, while extensive research and discussions (Doyle & Hegele, 2021; Wakelin, 2019; Anderlini, 2004) have gone into understanding the process of pre-negotiations and the development of substantive peace agreement frameworks for states in conflict, few analytical probes have gone into finding out the challenges to the implementation of peace agreements. Therefore, this study provides the space for a well-rounded investigation into the challenges of implementing peace agreements. This would aid policymakers, international organizations, and the main parties involved to have a broader understanding of the factors hindering the full implementation of the R-ARCSS. In addition, this current study would contribute to the conflict resolution literature on peace agreements and their implementations. Through this study, the research seeks not only to understand the problem but to provide recommendations on how challenges during peace agreement implementation can be addressed. This analysis will further help researchers, academicians, and governmental and non-governmental organisations with future references in finding out why there are delays within the implementation process to inform future policies.

1.6 Scope of Study

Using South Sudan as a case study is interesting because of its years of political and economic turmoil and its fragile peace process, with delays and uncertainties. This study is limited to the years 2018 to 2022 because 2018 was when the agreement was officially signed, and 2022, according to the stipulations of the agreement, is when the agreement should have been implemented to make way for elections. The researcher draws from the years indicated to explain why there are delays in implementing the R-ARCSS peace agreement and to show how these uncertainties can be addressed. Through this thesis, the researcher will analyse the challenges to the timely implementation of this peace agreement.

1.7 Methodology

Data was collected using the qualitative data collection methodology. It involved using in-depth online interviews with nine participants over three months. Using the purposive and snowball sampling technique to target participants, the research sought to gain knowledge by speaking to individuals with years of experience in monitoring and studying the challenges to the implementation of the South Sudanese R-ARCSS agreement. After that, the interviews

were analysed along with secondary sources from articles and written papers on the crisis in South Sudan.

1.8 Limitations of the Study

This study is limited to the R-ARCSS peace agreement implementation process in South Sudan. The research was limited to nine participants; thus, the ideas and opinions of these participants are not representative of the whole of South Sudan and their sentiments and understandings of the peace agreement. Therefore, it presents a narrative from knowledgeable academicians, researchers, and non-governmental organizations on the problem and how it can be resolved. Further, the data was collected online due to the unavailability of resources, the state of security in South Sudan, and the restrictions of the COVID-19 pandemic.

1.9 Chapter Outline

Chapter one details the introduction, the problem statement, the research questions and objectives, the significance of the study, the scope of the study, the methodology and the limitations of the study. Chapter two focuses on a literature review. This section reviews the critical concept of peace agreements and the phases of their conceptualization until implementation and building peace. It looks at the factors that make a peace agreement successful and a failure, specifically, the factors that ensure that a peace deal will result in stability and the factors that truncate such stability and peace. Chapter three provides a background to the South Sudan conflict, the causes, and a trace of previous attempts made towards peace through the signing of the R-ARCSS peace agreement. The chapter further examines the R-ARCSS peace agreement and then assesses its implementation. Chapter four will explain the methodology, research design, how data was collected, and sample size used. Chapter five will present the findings and discuss the factors that have led to the slow implementation of the revitalised peace agreement. Chapter six provides a conclusion and recommendation on how South Sudan can follow a smooth implementation process.

CHAPTER TWO

CONCEPTUAL FRAMEWORK AND LITERATURE REVIEW

2.1 Introduction

This chapter presents an empirical literature review of the concept of peace agreements and its associated phases to guide an understanding of what peace agreement encompasses, how it succeeds as a resolution mechanism, and the challenges in its implementation phase.

2.2 Conceptual Framework

A conceptual framework is simply a network of interlinked concepts that provide a comprehensive understanding of phenomena. Here, multiple concepts are interconnected and linked to draw meaning on how these concepts can affect a particular event (Green, 2014). It provides coherence and outlines what the researcher tries to map out or achieve. Thus, to understand the challenges in implementing South Sudan's peace agreement, it is essential to review the concept of peace agreements and its associated phases (pre-negotiation, substantive agreement, and peace agreement implementation) and how this conflict resolution method reconstructs the political, social, and economic life of a post-conflict society.

2.3 Peace Agreement Defined

The end of the Cold War era saw increased violent conflicts occurring within state borders. From 1982 and afterwards, there was a spiralling reduction in conflict among sovereign states (interstate conflict) and an upward growth in conflict within the boundaries of a state (intrastate armed conflicts) (Kendra, 2009). With the increase in intra-state conflict worldwide, peace agreements became the means of addressing protracted social conflict within state borders. Jarstad & Nilsson (2008) revealed that in the 1990s, prolonged civil wars, such as those in Guatemala, South Africa, and Cambodia, were resolved using negotiated settlements or peace agreements. Peace agreements became how the international community could direct negotiations between the government and opposition or rebel forces. So, what are peace agreements?

Peace agreements are simply codified legal texts stipulating the terms of settlement by warring parties to end violence. They are binding contracts signed by conflicting parties to signify the end of a conflict. They suggest that parties have decided to try at least to move away from hostilities and violence and are ready to settle their grievances. The conceptualization of peace agreements occurs in three distinct stages and phases. These stages are pre-negotiation

agreements, substantive (peace) agreements, and peace agreement implementation (Bell, 2006).

2.3.1 Pre-negotiations Agreements

Peace negotiations are termed “talks about talks” (Bell, 2006). This stage involves getting warring parties to the negotiation table with an agenda. Here, the plan is to get warring parties involved in some type of discussion to get them to reach an agreement. This stage can be a trial-and-error phase because parties may believe they are getting more on the battlefield than at the negotiation table. This is where William Zartman’s concept of ripeness becomes true for peace processes. Ripeness of a conflict is when conflicting parties conclude on their own that coming to the negotiation table is more attractive than the impasse of a conflict. It is when parties find themselves in a Mutually Hurting Stalemate (MHS)-where they are locked up in a conflict for which they cannot see either win and, thus, mutually agree to come to the negotiation table (Zartman, 2008). Negotiations, therefore, typically should happen at the moment of the “ripeness of a conflict,” when conflicting parties have resolved to come to a halt because the cost of continuing conflict far outweighs reaching a mutual conclusion.

Negotiations typically begin with direct communication facilitated among conflict parties to win their trust and confidence and to get them to cease fighting and settle their disputes. These pre-negotiation agreements are usually intimate, between the core parties in the conflict, discussing terms of negotiations around the release of prisoners and ceasefires, and usually led by mediators or third parties, that is, outside or external forces, in the form of individual states, regional or sub-regional actors such as African Union (AU), International Government Authority on Development (IGAD) and International actors like the United Nations (UN), European Union (EU), and Non-Governmental Organizations (NGOs), accepted by political disputants to resolve tensions among them (Bell, 2006).

In this sense, sub-regional organisations are countries neighbouring the country where a civil war occurs. In contrast, international actors are actors in the global system that monitor and verify the actions of political actors in the peace agreement. Mediators are impartial, neutral actors who assist conflicting parties in reaching a mutual decision to resolve a conflict, including regional and international actors. Mediators during negotiations may use different strategies, including sanctions or threats such as travel bans, freeze on assets, import bans, cut

on aid or incentives such as side payments, and promise of financial assistance, to build trust among the parties and guide them towards designing an agreement conducive to tamping down post-agreement violence (DeRouen & Chowdhury, 2018). During these negotiations, assurances must be made to parties that engagements will not be used as an advantage against them. These deliberations and discussions usually culminate in a substantive peace agreement, including all conflict parties, and formally written to conclude violence. Negotiation produces a partial or total, perfect or imperfect settlement, or even worse, it may fail.

2.3.2 Substantive Peace Agreements

This is where peace agreements are formed, signed, and made available to the public as written records. They are signed with the recognition that the cost of continuing the conflict is too high. These peace agreement provisions may encompass provisions tailored to meet the needs of the specific conflict in context but can also be sourced from previous peace agreements to help create or establish stable peace. Usually, peace agreement provisions are structured to suit the Western-styled liberal democracy. A peace agreement may encompass the provision for constitutionalism, multi-party election, respect for human rights, and installation of a new government. In other cases, peace agreements follow the structure of creating a coalition government made up of the conflicting parties at the root of negotiation, followed by a transitional period where disarmament and demobilization of forces are ensured with supervision from international monitoring groups, followed by the establishment or creation of a permanent constitution, multi-party elections or legislation, respect for human rights and freedoms, transitional justice, and the installation of a new government. (Clapman, 1998).

2.3.3 Peace Agreement Implementation

Implementation means carrying out the provisions of the peace deal and advancing the demands of the agreement. The process of peace agreement implementation integrates a form of peacebuilding in ensuring that reconciliation, healing, transitional justice and addressing of the root cause of conflict, as well as political, economic, and social reconstruction of society, takes place. It is where all actors come on board, committed to fulfilling their end of the peace deal so that peacebuilding and, thus, creating an environment where political, social, and economic changes can be materialised (Bell, 2006). Peace agreement implementation usually involves the act of renegotiation to ensure that inconsistent and uneven actions from parties are sorted to enable a smooth implementation process. Peace agreement inculcates the daily work

of continued “negotiation, renegotiation, a sustained dialogue, and continuous dispute resolution between [...] sectors of the government and population segments affected by the implementation” (Rettberg & Bernal, 2022). It is the knowledge that misunderstanding and disagreement may be triggered by concerns of physical security, power sharing and power distribution, change to a democratic, legal system and thus, re-evaluation and constant shifting of context.

The implementation part of a peace agreement may either succeed or fail due to its long-term component and the ability of parties to renege at any point when they feel their needs or demands are not met. While some peace agreements have successfully ensured peace transition, such as the Burundi peace agreement, Belfast peace agreement, and South African Interim Constitution, others have failed in just months or days of their implementation. What, then, accounts for the success and failure of a peace agreement?

2.4 What makes a Peace Agreement Successful?

There have been several connotations of success when it comes to conflict management. Stedman (1996) argues that a peace agreement is successful when i) third parties end the specific conflict, ii) the conflict ends on a self-implementing basis, and third parties can withdraw without fearing a renewed war. Klieboer (1996), however, objects to the classification of success only as a mediative effort. He sees mediative efforts as a short-term mechanism and thus highly unsatisfactory to classify as successful.

For this study, the definition of a “successful” peace agreement is not limited to the signing of the peace agreement but to its implementation period and its post-implementation period (post-conflict environment), where long-term peace, good governance, respect for human rights and the rule of law is observed. It is where the peace agreement brings about durable, sustainable peace and transformation to people's lives, wrecked in the havoc of violence to allow for economic, political, and social reconstruction, growth, and development. Peace here is defined as both negative and positive peace. Negative peace means the absence of violence or a person's tendency to be killed, and positive peace implies the lack of structural and cultural violence and the tendency of people to receive justice and reconciliation after conflict (Gawerc, 2006). Previous literature (Badran, 2014; Walter, 2002; DeRouen & Chowdhury, 2018; and Bell, 2006) explains what leads to a successful peace agreement. The following points explore

the many discussions from these authors and draw a narrative on what factors should mediate a good agreement and the aspects that may militate against the durability of peace.

2.4.1 The design quality of an agreement

Badran (2014) asserts that a peace agreement's design quality and comprehensiveness positively impact conflict resolution and stability. A strong peace agreement should address various dimensions of the conflict, including security problems, power sharing, justice, accountability, reconciliation, human rights protection, and economic development. Badran emphasizes that provisions and mechanisms in a peace agreement interact to pave the way for peace. These provisions can be classified into structural and procedural provisions. Structural provisions deal with the core underlying issues of the conflict, such as economic recovery, security reforms, transitional justice, and human rights. In contrast, procedural provisions facilitate achieving structural goals, such as third-party guarantees and monitoring mechanisms. The absence of pertinent provisions could lead to the collapse of a peace agreement, as seen in the example of Sudan's Peace Agreement needing more third-party security guarantees.

Walter (2002) adds to the discussion, highlighting that a crucial challenge in designing a peace agreement is convincing armed groups to surrender their army and territory, making them vulnerable. To progress with a peace agreement, a good design must include third-party security guarantees to ensure safety during demobilization. Security guarantees such as peacekeeping forces reassure warring parties and offer prompt information and reassurance for their safety during the vulnerable implementation period. These guarantees increase the willingness of parties to commit to the peace deal.

Additionally, Dijkema et al. (2009) emphasize that the quality of a peace agreement lies in its ability to address the root cause of the conflict, including economic disparities, social inequalities, and political, religious, and social differences. Tackling these underlying issues leads to long-term stability and the success of a peace agreement. Clarity and resolution of roles and responsibilities of various actors involved in the agreement are essential for a successful outcome.

This shows that a well-designed and comprehensive peace agreement that addresses core conflict issues and includes third-party security guarantees can foster conflict resolution,

stability, and lasting peace. Thus, a well-designed peace agreement that addresses the root causes of a conflict and clarifies the roles of involved actors are crucial components for the success of a peace agreement.

2.4.2 Inclusivity

According to the United Nations, inclusivity in peace processes involves representing and integrating the views and needs of all stakeholders, including women, children, youth, displaced individuals, Indigenous communities, and Civil Society Organizations (CSOs). Inclusivity fosters ownership of a peace process, facilitating reconciliation, trust-building, and political accountability. It is critical to prevent conflict relapse by fostering cohesion and ensuring that the peace agreement represents not just a few elites but also the ordinary citizens most affected by the conflict (Luu & Rausch, 2017). Data suggests that the involvement of CSOs in peace agreements reduces their risk of collapse by 64% (Dumasy, 2018).

Bell & Molloy (2019) further emphasize the importance of inclusivity, suggesting that peace mediators must engage with conflicting parties, marginalized groups, and the broader affected community. Involving CSOs in peace agreements increases the agreements' durability and reduces the risk of collapse. These organizations are vital in monitoring and implementing peace agreements and help interpret and advance the provisions at the grassroots level. Their involvement fosters local buy-in, ownership, and accountability from all parties. For example, in 1996, the Sierra Leonean Abidjan accord provided for local human rights groups to monitor and observe cases of human rights. The nationally owned agreement solidified the legitimacy of the peace agreement and its possibility of succeeding. The Mindanao peace process in the Philippines also illustrated how the engagement of local CSOs could solidify the legitimacy and success of peace agreements by fostering inter-communal dialogue, raising social awareness, and addressing common challenges and concerns.

Craze (2022) critiques the traditionally elite-centred peace-making processes, highlighting the need for a more bottom-up approach. By actively including the governed and focusing on community engagement, peacebuilding can better address the needs of those directly affected by the conflict and create long-term, sustainable solutions. Hence, promoting inclusivity and involving diverse stakeholders, including CSOs and marginalized groups, in peace processes are critical steps in achieving lasting peace and stability. A bottom-up approach that includes

the voices of the governed ensures more comprehensive and sustainable solutions to address the complexities of conflicts (Maihack et al., 2019).

2.4.3 External Implementation Support

Another element visible in a successful peace agreement is an implementation support mechanism through external actors (Bell & Molloy, 2019). The implementation of peace agreements usually demands the establishment of implementation bodies and ad hoc bodies to support efforts to move peace deals from paper to practice. Implementation bodies may range from domestic, regional, and international actors to civil society organisations tasked with monitoring, verifying, and performing administrative tasks. These actors, usually guarantors of the peace deal, are crucial in ensuring accountability, transparency, and sustained commitment from those in charge of the progress of the peace deal. Without continuous renegotiation, constant adjustment, and shifting, including using incentives and sanctions, warring parties will take advantage of the peace processes to delay, drag, and collapse the peace agreement.

The sustained engagement and external support play an essential role in maintaining the momentum and pace of the peace agreement, bridging the transition from peace agreement to peace implementation, enhancing trust among parties and restoring civic confidence within society. Regional guarantors and international partners drive the peace agreements by providing for and pushing for the needed financial and material resources to rejuvenate the peace process. In some instances, international partners may not directly intervene but support the works of regional and sub-regional actors to ensure that elites build greater goodwill, mutual trust, and consensus for fulfilling the outstanding issues in the peace deal.

Studying sixteen civil wars that ended from 1980 to 1997, Downs and Stedman (2002) found that the success of a peace agreement implementation depends on the legacy of the conflict and the provision of implementation support. Karreth et al. (2023) argue that third-party support from IGOs, such as the World Bank, International Monetary Fund (IMF) and Regional Development Banks, provide high economic incentives, including foreign aid to strengthen government capacity and commitment to implement and monitor reforms. This means there should be the mobilisation of enough internal funding to support laying the foundation of peacebuilding. Additionally, Maihack & Reuss, 2019 argue that these bodies may ensure that political leaders perform tasks necessary for security sector reform by demobilising armed forces, decommissioning weapons, and respecting human rights. External parties help ensure

commitment to the peace process by restoring communication, relaying information, and enabling trust to remove all barriers to stability and peace among the parties.

2.3.4 Trust

Trust is fundamental to societal development and relationship building (Kydd, 2006). As defined by Lewicki & Tomlinson (2003) and Onapa (2019), trust represents a psychological state or willingness to accept vulnerability based on positive expectations of another party's actions or intentions, thereby acting as a binding force for cooperation and healthy relationships. In conflict resolution, trust is a critical success mechanism alongside negotiation and mediation.

Joshi & Quinn, 2015 assert that anxiety levels are high in the early stages of signing a peace agreement as trust is yet to be established and warring parties are uncertain if other groups involved in the implementation process prefer to exploit or cooperate with them. These warring parties are unsure of the other parties' plans if they are to use their vulnerability or proceed with the peace process. Thus, this uncertainty breeds suspicion and fear about the real intentions and agenda of other groups, stalling the processes, especially cease-fire agreements and power sharing. What, therefore, sets a parts successful agreement from failed ones is the establishment of open, honest communities among the warring parties to breed trust and commitment towards stability and transition to full-scale governance (Onapa, 2016).

Majhach et al. (2019) assert that building trust among a group of people who have been at loggerheads with each other for years would mean the provision of much longer avenues for negotiation and renegotiations where trust-building mechanisms like open dialogues and smooth communications can be enhanced among leaders to ensure mutual readiness for implementation, especially in the area of security. In terms of security, guarantees should be provided for political leaders to provide them with certainties and assurance that other parties will not falter on the agreement. As explained, during disarmament, political leaders may feel targeted and, thus, slow down on security arrangements until they can reach some form of confidence. Confidence building mechanisms and procedures, such as providing third party support networks in the form of temporary and neutral regional military units, could put the parties in a place where they can trust the actions of the other for a smooth transition to peace. (Awolich, 2020). Trusted relationship helps minimize the role of outside actors to guarantee compliance.

DeRouen and Chowdhury (2016) add that trust can be facilitated during the peace process through the action of mediators who can build trust and confidence among the parties, allowing for parties to live up to their promises. Mediators can help increase the sustainability of the peace process by ensuring that all misunderstandings in the peace agreement in terms of wordings, terms, and arrangements are cleared up among the parties to prevent a return to war. Through third-party guarantee of security during the implementation process, the warring parties can feel confident to share power, knowing that third parties are involved. Regarding security guarantee, trust can be incorporated into a peace process through peacekeeping missions, ensuring that all parties' security is guaranteed to prevent further delay and avoid an eventual collapse.

2.5 What are the challenges to a peace agreement?

It is crucial to understand that while the success of conflict resolution through peace agreements is evident in many countries, reality shows that peace agreements often fail, and conflicts recur (Bekoe, 2016). With the lack of political willingness and ability to implement in short supply, peace agreements become only words on paper without any action on the field. This is quite the case for so many peace agreements on the continent that have been signed and yet violated, forgotten altogether, leading to a recurrence of violence. Looking at experiences from the 1990s, such as the Rwandan, Angolan, and Sierra Leonean conflicts, it is clear that failure to get warring parties to follow through in their commitment can restart conflict and escalate violence. For example, the breakdown of the Arusha Accord of the Rwandan conflict resulted in more violence and more than 800,000 deaths, approximately five times more than recorded during the civil war from 1990-1993 (Beloff & Lakin, 2019). Although peace agreements are essential to the peace process, their implementation brings much more dynamic, embedded in uncertainty and danger of relapses.

Badran (2014) establishes that implementing the peace agreement is a winding journey, full of negotiations and renegotiations, making it difficult, contentious, and tiring. Peace agreements are connected sequences of events, a chain of events. Thus, a crack in the implementation of provisions can affect others and cause a break in the implementation of provisions, causing the whole agreement to crumble. A peace agreement implementation, therefore, becomes challenging when there is a gap between concessions made by parties during the signing of a peace agreement and the little steps towards the realisation of those provisions.

Griffith & Whitfield (2010) believes that the signing of a peace agreement does not signify the end of the peace agreement. The implementation phase faces many challenges that lead to the breach, distortion, neglect, or total breakdown of peace agreements. Most of the challenges faced in the implementation phase may derive from challenges or barriers ignored in the peace-making phase, forming a barrier to further negotiations and monitoring in the post-conflict peace-building stage.

2.5.1 Unresolved Issues

London and Bogota (2019) explain that peace agreements manage rather than resolve underlying issues in a conflict. During pre-negotiations of a peace agreement, third parties are ready to compromise on specific demands so that violence against citizens can end and calm can be reached. Such eagerness to reach a political settlement among the parties leads to contentious issues in the peace agreement left unaddressed, unclarified, and ambiguous- open for different translations and interpretations. However, after the signing of the agreement, such issues spring up, especially provisions towards security arrangement and distribution of power, threatening the peace process. London and Bogota (2019) further explain that the lack of clarity, specific solutions, and unaddressed issues become problematic, delaying, and challenging the confidence and trust of the parties in the peace process. For example, during the implementation of Sudan's Comprehensive Peace Agreement, issues surrounding the violence in the Darfur area, the demarcation of borders, and the role of religion in the state were left open to various interpretations, leaving the peace process in a problematic state. The Belfast peace agreement also did not include an independent oversight body for monitoring and verification. The absence of this body led to delays as there were constant allegations among the parties that the other party did not fulfil their obligations. Such back-and-forth disagreements could have been resolved if there was an independent body in the first place to steer the parties' actions in the agreement.

2.5.2 State Capacity

In explaining the challenges that affect the implementation of peace agreements, scholars such as McBride et al. (2011), DeRouen et al. (2010) and Mason & Greg (2016) point out that a state's level of capacity influences its ability to enforce peace provisions. McBride, Milan, & Skaperdas (2011) define state capacity as a state's commitment- its ability to conform to the rudiment of governance through its control and provision of administrative function over a population and territory. DeRouen et al. (2010) find that a strong state is more likely to

implement its post-war peace agreements due to its effective state machinery. Studying fourteen peace agreements from the United Kingdom-Northern Ireland conflict and conflicts in Indonesia-Aceh, Burundi, and Somalia, DeRouen et al. (2010) find that a country's level of growth in terms of its legal and administrative functions influence its commitment to peace agreement implementations. The authors further revealed that strong states have the economic and military capacity to control the post-war peace-building processes effectively. For example, in the UK-Northern Ireland conflict, the state's economic growth and military strength contributed to the successful outcome of a peace agreement.

However, in weak states like Somalia and Burundi, De Rouen et al. 2010 found that these states were incapable of effectively implementing peace agreements because of their limited military control over certain parts of the country, thus making it difficult for the state to enforce laws or rules binding on those areas. Without adequate state machinery controlling the peace process, implementation is left unattended and at the mercy of new parties or spoilers who want to challenge power and get a piece of the new government. During the implementation period, the state's low military capacity puts the implementation process in a difficult phase as the state cannot provide adequate security for rebels. This security limitation brought about the rebellion in the first place.

In a related study, Mason & Greg (2016) argues that the lack of enough funding in weak states due to the breakdown of economic structures means that the government cannot support the financial part of the implementation process. In such instances, the incapacity of the state in economic terms fuels delays and uncertainties on the part of the government, creating a level of mutual suspicion and fear among signatories of peace agreements who may interpret poor state performance as government stalling for its selfish aims and the lack of political will in terms of intrastate conflicts.

London & Bogota (2019) equally argue that during negotiations, third parties overestimate the capacity of states and their institutions and their abilities to perform a vast array of responsibilities demanded in the peace deal. The insufficient state capacity arises from the lack of preparation to assume the new obligations in the peace deal. Thus, peace guarantors must understand the present capabilities of states and their adequacy in meeting the technical, resource-consuming, coordinated, time-demanding needs of peace deals before going into implementation processes.

2.5.3 Lack of Implementation Support

Stedman (2001) asserts that during the breakout of conflict and the lead-up to the signing of a peace agreement, there is usually an overflow of international agencies ready to provide solutions and contribute economically and militarily to achieving peace. However, after signing the agreement, there is donor fatigue- the phase or period after the signing of the peace agreement where the enthusiasm towards supporting the peace process wanes or fades, with few or no international agencies confronting the complicated, messy, and contentious political peace process. International attention is, thus, directed towards newer conflict hotspots whilst old peace implementation is left for dead. Griffith and Whitfield (2010) see the attention garnered during the peace-making phase of a peace agreement as a band-aid solution that quickly falls apart when engagement is moved to newer conflict hotspots. In explaining the importance of international support, which he terms third-party support, Mutwol (2009) looks at the role of IGOs, NGOs, states, and neighbouring regional and sub-regional states in ensuring signed peace agreements are held.

Performing mediation, peacekeeping, peace-making, peace enforcement activities, third parties, or international support provide enough support to enable the success of peace implementation. Through established relationships, third parties may employ the strategy of threats, sanctions, use of side payment, and trust to convince parties in conflict to commit to the implementation process (Hampson, 1995). However, there are situations where international support wanes and breaks down, leaving the implementation process in a compromising state and causing parties to deem the peace agreement unessential, thus causing agreements to fail. Due to the escalation of newer conflicts and hotspots within the international system and the active involvement of international agencies like the UN and the US, mediators sometimes may select which conflict is of prime importance, leaving older ones uncontrolled and ignored without much verification and monitoring mechanisms. In such situations, the fulfilment of these demands of these provisions is left in the hands of parties who may be uncommitted to the process.

2.5.4 Regional Politics and Dynamics

Regional politics and its dynamics may also delay a peace implementation process. Regional and neighbouring states, in recent times, have formed part of the negotiation and mediation process, ensuring that parties in conflict reach a compromised solution. These states can influence the decisions of states around them due to their proximity and a better understanding of problems affecting the region and the people in conflict. Usually, the conflict can spread to

other parts of the area, causing a potential threat to trade, investment, and economies and increasing refugees. Therefore, one of the primary reasons neighbouring states may become involved in the conflict is to act as guarantors of a peace process to prevent the spread of conflict into their state and the region on a broader scale (Stedman, 2001). They seek to intervene in the conflict, serving as mediators and, in other cases, negotiators or guarantors for the peace process.

Neighbouring states, therefore, intervene as third parties from a purely cost-benefit point of view- the aim is to protect its interests, people, and region from chaos and disorder. By taking up the role of guarantors, states ensure that parties adhere to the peace process by deterring warring parties from taking advantage of one another by enhancing vulnerability and a commitment to the peace process. For example, Duursma (2019) argues for African solutions to African problems. This means creating the space for mediation processes and efforts to be guided by African regional heads and leaders who understand the context of the African problem and can provide a solution better suited for conflict resolution. Neighbouring states may also use the opportunity as a mediator to increase their regional visibility and influence.

Mediation by regional states may cause mediators to form closer ties with the parties at conflicts due to their interest in the region or gain visibility on the international stage by providing support for the peace process. Although proximity to regional conflicts may present an advantage in better understanding the context of fighting and finding African solutions, proximity may also cause concern. Stedman (2001) argues that in some cases, neighbouring states tend to sponsor spoilers or take sides in conflicts by providing certain groups with guns, money, and troops. Neighbouring political states may take sides in the ongoing conflict, providing support for particular sides due to their long-term interest in the country and its ploy to advance in specific sectors of their economies upon resumption of economies. Yonekawa (2014) describes the activities of bad neighbouring states in two extremes, an invasion or intervention. To Yonekawa (2014), intervention is when neighbouring states take part in peace negotiation clearly from a self-defence angle to protect their citizens in a conflict, while the invasion is a strategy by the hostile neighbouring state in a conflict to secure its political, military, and economic interest by supporting rebel groups “while trying to maintain an innocent public façade. (Yonekawa 2014)

2.5.5 Spoilers

Spoilers contribute to the difficulty in the implementation stage of a peace agreement. Stedman (2001) analyses variables that determine the success or failure of a peace agreement. In his article, Stedman looks at the type of environment and how that can affect the successful implementation of a peace agreement. Stedman (2001) sees a hard environment as problematic for implementing a peace agreement. The author adds that variables like the number of warring parties in the conflict, the lack of stable state institutions, the existence of disposable natural resources, and the likelihood of spoilers contribute to the hardness of the environment, making it hard for successful peace agreement implementations. In shedding light on who spoilers are, (Stedman, 2001) describes them as factions or leaders that oppose and undermine the peace process. These spoilers challenge the peace agreement implementation process due to their presence and spoiling behaviour.

The author divides them into limited, greedy, and total spoilers and categorizes them as outside and inside spoilers. Inside spoilers are those that show a willingness to pursue peace implementation but fail to address peace provisions, while outside spoilers are those who, when excluded from the peace processes, use crude strategies to undermine it. Limited, greedy, or total spoilers signify the extent of a spoiler undermining efforts to the peace process. He analyses that the availability of natural resources and increased warring parties contribute to spoiling behaviours. He states that the availability of natural resources like gems, oil, and timber enables continued fighting as parties are more focused on acquiring mineral resources at the expense of maintaining a peace agreement. In Mozambique, Angola, and South Sudan, where natural resources have been a war of contention within territories, the availability of these resources enhanced the activities of spoilers whose mandate was to destabilize the country for their selfish gains. In addition, the increase in the number of warring parties enables spoiling because a peace agreement may not resolve all contentions among warring parties as specific demands by particular warring groups may be out of reach by crafters of a peace agreement, making it difficult for the many parties to sign agreements.

Reiter (2016) views spoiling as the use of overt violence in the form of kidnappings, assassination, or military operations to derail or modify the implementation of a signed peace agreement. Globally, peace guarantors have begun to give attention to the activities of spoilers and their role in bringing violence to a peace process. For example, in South Sudan, the ex-chief of Staff, Thomas Cirilo, exited the opposition group, the South Sudan Opposition Group,

to form his group, the National Salvation Front (NAS), because the international community did not meet his demands for federalism. This group has since been instigating violence in the Upper Nile areas. In 2006, the leading rebel group of the Darfur Peace Agreement (DPA) split within hours because of the terms of the agreement. These rebel splinters united with several rebel groups exempted from the peace deal to form the National Redemption Front (NRF) to spoil the DPA. In the Burundi peace process, the activities of spoilers cast doubt on the value of the peace process.

2.5.6 Power-sharing

Power-sharing is often viewed as a critical element in sustaining peace agreements, particularly in multi-ethnic societies in Africa. It aims to reduce the risk of political contestation by bringing all warring parties to the negotiation table and allowing them to share governance, territorial, economic, and military power (Simuziyya, 2021). Hardie and Hoodie (2003) also support power-sharing to ensure durable peace and strengthen peace agreements, advocating for political, territorial, and military power-sharing. However, power-sharing in African conflicts often falls short of its intended goals and reveals underlying mistrust and struggles for power among warring factions in the new government.

Mehler (2009) analyses power-sharing in Africa and finds that it tends to benefit elite actors such as rebel groups, government officials, mediators, and influential spoilers, leading to a concentration of political, military, and economic powers in the hands of these factions. The representation of local people in the negotiation process is often lacking, leading to the exploitation of state resources by elites without sufficient consideration for the needs of the broader population. DeRouen et al. (2009) reveal that power-sharing fails in Africa due to the desire of different factions to control state power and access rent-seeking opportunities.

The focus on power-sharing in peace processes can create challenges in achieving lasting peace. For example, prioritising government positions and territorial gains for warring factions may lead to a lack of commitment to disarmament, demilitarization, and reintegration efforts (Simuziyya, 2021). Armed groups may be rewarded by being included in the new government, while non-violent groups are excluded, incentivizing a path to power through conflict. When demands are unmet, the material incentives for peace implementation may stall or collapse,

with the security of local people taking a back seat to fulfil actors' individual needs (The Zambari Advisory, 2019).

2.6 Conclusion

This chapter looked at the concept of peace agreements and the various stages within which it occurs. It also looks at the literature to determine what makes a peace agreement successful and a failure. From this, we found that the presence of trust, consistent international presence and influences, and its inclusive nature in ensuring that the people are involved in reconciliation, healing, and reconstruction of society, has a way of solidifying peace, not only in the short term but on a more sustainable term. However, disagreements emerge if there are unresolved issues during negotiations, including ambiguities and lack of clarity in stipulations, and the peace deal is likely to falter. Further, too many regional and international interferences or dynamics within peace processes can threaten the peace process, especially when regional entities take sides. Also, poor governmental authority and the capacity of the state to fulfil and meet demands of the peace process make peace agreements more likely to falter or delay their attempt at peace and stability.

CHAPTER THREE

HISTORY OF THE SOUTH SUDAN CONFLICT AND THE MAKING OF THE R-ARCSS PEACE AGREEMENT

3.1 Introduction

South Sudan gained independence in July 2011. However, the history of power struggles within the South Sudan People's Liberation Movement/Army (SPLM/A), unresolved military and economic issues, ethnic rivalry, unemployment, and weak governance quickly sank the country into an intractable conflict. (Sudd Institute, 2014). 400,000 South Sudanese people have died from the conflict, leaving eight million in a high-level humanitarian crisis as food and drought hit thousands. Millions of children are out of school, and poverty and inadequate basic shelter have left many refugees in neighbouring countries. (Nyadera, 2018). This chapter presents a detailed overview of the conflict and the different processes that have been made to sign a new peace agreement.

3.2 Overview of the Demographic and Political Economy of South Sudan

Following decades of fighting the Arab-concentrated northern Sudan, the people of South Sudan gained their independence, becoming the world's youngest country on 9 July 2011. The Comprehensive Peace Agreement (CPA), which ended the war between North and South Sudan, was signed by the Government of Sudan and the SPLM, the largest political party in South Sudan. Demographically, the population of South Sudan is estimated at thirteen million people, with the youths making up the largest population. The country is ethnically diverse, with sixty-four ethnic groups emanating from the country. The Dinkas and Nuers are the largest ethnic groups, followed by the Shilluk. It comprises ten states, with Bahr el Ghazal, Equatorial, and the Greater Upper Nile as the three provinces (Kakande, 2019).

The economy of South Sudan is one of the worst in the world, with poverty, poor governance, a daunting humanitarian crisis, and ethnic intercommunal conflict placing it as one of the most fragile nations in the world. In 2017, the Republic of South Sudan was classified as a poor country with a Gross Domestic Product (GDP) of \$1120 and a governance score of -2.2 (Eriksen, 2021). It scores low on the United Nations Development Fund's (UNDP) Human Development Index, ranking 185th out of 189 states globally.

Although South Sudan is endowed with oil fields, the country still suffers from poverty due to corruption and political contestations over the few resources. The leadership is corrupt, prioritising personal interest over the needs of the people. Development has yet to be translated into the people's lives, as power remains at the top of the governance chain (The World Bank, 2023).

South Sudan has been subject to both internal and external stresses since 2005. The country suffers from political and ethnic rivalries, which have seen constant struggles between the Nuer and the Dinka and between political leaders in positions of power. While the 2013 civil war began as a political contestation over power, it quickly escalated into an ethnic war. In 2015, under the leadership of IGAD and the international community, it signed the ARCSS agreement, which failed to bring peace and stability. The country currently experiences some form of stability through a ceasefire made possible by signing the R-ARCSS peace agreement (Kakande, 2019).

3.3 The South Sudan Conflict

South Sudan's civil war is traced to its earlier conflict with Sudan, where religious suppressions, underdevelopment, and structural inequalities led to the intense marginalization of South Sudan by (north) Sudan. From the 1950s until the early 2000s, both parties fought in a never-ending thirty-year war, with the people of South Sudan only gaining their independence with the signing of the CPA. However, shortly after, the country fell into its crisis, which many have noted to have been caused by issues of leadership contentions, power struggles and the strained, complex, and stale relationship between vice-president Riek Machar and President Salva Kiir (Blackings, 2018). The fights over leadership and power within the government and political parties triggered an unpleasant interaction among the leaders of the SPLM and set the people of South Sudan in an unprecedented decadence in its history. (Maphasa, 2020).

The war began when the country was preparing for its first election after its independence in 2011. The country was to remain under the leadership of an interim government comprising Salva Kiir as President and Riek Machar as vice until elections were held in 2015 (Kakande, 2019). However, the election was never conducted. As time moved closer to the polls, Machar, Pagan Anum, Secretary of the SPLM, and Rebecca Nyandeng de Mabior, ex-wife of late SPLM leader John Garang de Mabior, began to criticise Kiir's government and announced

contestation over the presidency (Blackings, 2018). This revelation brought about friction within the office of the vice president against the office of the president. This friction did not ease the rivalry as tensions grew worse within the country. In July 2013, Kiir dissolved his entire cabinet, removing his vice president, Riek Machar, and party secretary, Pagan Anum, from power (Sudd Institute, 2014). This action resulted in tensions within the political and ethnic spaces of South Sudan for months and, subsequently, led to a mutiny within the national army on the night of 15 December 2013. This mutiny occurred when the president gave an alleged order to disarm all Nuers within the national army. This led to the eruption of violence within the capital city, Juba, which later spread to other parts of the country.

In the subsequent days, there were clashes and confrontations between ethnic Nuer soldiers loyal to Machar and part of this new faction, South Sudan Liberation Movement in Opposition (SPLM/IO) and ethnic Dinka soldiers loyal to Salva Kiir in the capital, Juba. Government forces went on house-to-house searches targeting Nuer citizens and murdering them. This incident resulted in the death of four hundred Nuer civilians (Rolandsen, 2015). The deaths of the Nuers saw a full-blown conflict as the Nuers regrouped and reorganized under the leadership of Riek Machar, facing government forces.

3.4 Causes of the Conflict

For this research, the cause of the fight has been simplified into three parts: the root cause, the immediate effect, and other contributing factors to the conflict. The root cause of the conflict predates the 2013 conflict, drawing back to the internal divisions within the country's first political party, the SPLM (Onapa, 2020); the immediate and triggering effect was the ethnic animosity within the different ethnic groups leading to a flair-up when the political leaders found themselves in political tensions (Nyadera, 2018). Other contributing factors include easy access to weapons (Nyadera, 2018), weak state governance or a dysfunctional political system (Afriyie et al., 2020), lack of nationalism (Nyadera, 2018), poverty, and lack of economic growth (Afriyie et al., 2020).

The conflict dates back to underlying mistrust, divisions within the SPLM and struggles overpower from 2005 to 2011, which bred emotions of bitterness, distrust, anger, unforgiveness, and revenge among the current South Sudanese political leaders (Blanchard, 2014). The SPLM as a political party was established in 1983 under the charismatic guidance

of then-leader John Garang to demand equal economic opportunities and a secularized state from Khartoum, Sudan. Calling for a New Sudan where no groups of people were marginalized or discriminated against, the SPLM became the voice of the people of the South and the few other marginalized groups of the North (Nyadera, 2018). However, throughout its fight for liberation, the party faced several internal divisions, underlined by differing ideological agendas and incompatible goals. And these differing agendas and conflicting interests have today resulted in deep mistrust, fear, and suspicion among its leaders.

In 1983, John Garang, a Dinka and then officer of the Sudan Armed Forces (SAF), founded the SPLM alongside support from the mutineers of southern Bor and the rebels of Anyanya II. While the SPLM was leading the liberation of the South, there was ongoing friction and disagreement within the political party over its leadership and the purpose of the struggle. Whilst a team led by Akuot Akem and Samuel Gai Tut, older veterans of the Anyanya rebels, demanded an independent Sudan, John Garang, William Nyuon Banyi, and Kerubino Kwanyin Bol were strong advocates for a New Sudan, one that was democratic and federal (Onapa, 2020). Contentions thus emerged over who heads the party. After disagreements over leadership, John Garang was elected chairperson of the SPLM, a position which Akuot Akem and Gai Tut dismissed. This situation brought about a strife between both parties: the Garang team and the Anyanya team. Matters became even more complicated when an attempt by Garang to reunite both forces led to the death of Samuel Gai Tut, killed by the deputy of Garang, Kerubino Kwanyin Bol. Nonetheless, in the 1990s, Garang was able to unite both parties, bringing the Anyanya rebels into the SPLM/A ranks, albeit with matters still needing to be solved or unforgiven within the party. (Onapa, 2020; Kakande, 2019).

Not too long after uniting both parties in 1991, Riek Machar, a Nuer from Unity, supported by Khartoum, joined forces with Lam Akol, a Shilluk from Upper Nile, and Gordon Korang to form a splinter group called SPLM/A Nasir Faction, and instigated a coup in 1991 against Garang on concerns for dictatorial leadership, undemocratic practices, human rights abuses, and failure to pursue an independent South Sudan. Although the attempt did not come to fruition, the coup cost the lives of thousands of South Sudanese people, Dinkas, after Nuer forces undertook a series of raids under the Machar's command in the Bor area of South Sudan (Blanchard, 2014). The Bor Massacre, later known as, set a disturbing record for Machar by the Dinka people and a dislike by Salva Kiir Mayardit, a soldier in the ranks of the SPLA, who himself was a Dinka. Underlying ethnic differences began to spring up, and these leaders

utilized them to their advantage. Even though the coup was unsuccessful, it showed the differing ideological agendas and goals within the SPLM.

In 2002, Machar returned to the party after his breakaway and was accepted by the group, with close suspicion. Machar moved to the sixth position in the hierarchy of the power structure, causing tensions between him and Kiir, who had been moved to the second position, becoming a deputy chairperson to Garang. Kiir's position was well contested by Machar, who felt he needed to be placed above Kiir. However, he eventually retired to the third position in the power structure based on his academic qualifications and doctoral degrees. Upon the death of Garang, he slid into the second position, which was why he became vice president, with Kiir placed in the topmost position, becoming the party's chair (Johnson, 2014). The "Garang boys" heavily contested this position, made up of Pagan Anum, Oyai Deng Ajak, Ger Chuang, Ayi Tang, and Deng Alor, who felt Kiir did not deserve the position. This matter was, however, resolved when it was noted that Garang had chosen Kiir as his successor before his death. This did not stop Kiir from dealing suspiciously with Machar and Pagan Anum and making plans for Machar's replacement. In 2010, after the signing of the CPA and the move to vote for a referendum, Salva Kiir picked Machar as a running mate to show his vision for a peaceful South Sudan. All this while, mistrust and suspicion existed within the group that had been suppressed and masked to present a united front against the common enemy, Sudan. (Sorbo, 2014).

In 2013, Machar made known his plans to contest the leadership of the SPLM and to run against Kiir in the 2015 elections. The SPLM presented the only means political parties could gain access to power. As such, the contest to control the party apparatus ahead of the planned 2015 general elections was a key trigger of the December 2013 conflict (Githigaro, 2016). Machar began to show his frustration over the leadership of Kiir, demanding a fair and free representation within the party. He received support from the "Garang boys," including the Secretary-General, Pagan Anum, and Rebeca Nyandeng de Mabior, who believed the legacies of Garang were under threat in Kiir's administration (Onapa, 2020). Kiir found these statements threatening to his party leadership and over the country, with Kiir's prior suspicion of Machar's behaviour due to their estranged relationship and deep-seated distrust and revenge fuelling their plans. Due to this history of "betrayal," Salva Kiir dismissed Machar, his entire cabinet, Pagan Anum, and Taban Deng, accusing them of planning a coup against the government, which Machar denied. This clearly shows the struggle for power within the party; the power struggles

over who sits at the top, commanding power and controlling resources. Dr Angelina Mattijo-Bazugba, Director of the Institute of Transformational Leadership at the University of Juba, explains the South Sudan conflict in these words, “In the past, there was one common enemy, which was the regime in Khartoum that enabled the SPLM to bring the people together. However, after the liberation, cracks started developing in the SPLM, and the war in 2013 was the culmination of the fracture of the party” (Nyadera 2018, p.20).

The issues of the 1991 unsuccessful coup by Machar and the unaddressed structural power struggles cumulated into the 2013 December conflict that has since killed thousands of South Sudanese people. This power struggle has resulted in actions that have bred mistrust, bitterness, suspicion, and revenge, making it difficult for these two political leaders, Riek Machar and Kiir Salva, to collaborate. Leadership fallout, rivalries, and power struggles within the SPLM-the first political party in South Sudan- broke the trust among the prominent political leaders, leading to the outbreak of violence in 2013. The personal feud between Kiir, an ethnic Dinka and Machar, and ethnic Nuer instrumentalized an already present ethnic hatred among the ethnic groups to bring about the conflict in South Sudan and continues to sustain the bitter relationship between the parties.

While the conflict was politically driven, the violence that erupted in December 2013 followed ethnic lines with a series of Dinka-on-Nuer violence reported in Juba and Nuer-on-Dinka violence reported in Jonglei, Unity, and Upper Nile states. The political rifts created an ethnic divide, exploited by South Sudanese politicians to settle their political and ideological differences. The historical, ethnic rivalry and hatred between the Nuers and Dinkas were mobilized and used by political figures to gain and resolve their political and ideological differences. (Agwanda & Asal, 2020; Nyadera, 2018).

During the fight for independence in South Sudan, the primary focus was paid to the conflict between the north and South Sudan, leaving out the cold and frozen relationship that has long existed between two of the largest ethnic groups, the Dinkas and the Nuers (Nyadera, 2018; Nyarko-Sefa, 2016). This hostile relationship among the ethnic groups dates back to when they competed over pasture and cattle accumulation. Tensions within the ethnic groups resurfaced, taking the forefront after their independence from the north (Nyarko-Sefa, 2016). However, these ethnic tensions became more politically institutionalized with the creation of the SPLM. When the SPLM was formed, elites in the South filled major political positions. Due to the

large populations of both Dinkas and Nuers, the leadership positions were occupied by people from those ethnic groups. With that, it became easier for ethnic groups to associate political figures with their ethnic groups. For example, during the 1990s of contestations over the objectives of the SPLM, Riek Machar and Akuot Akem, Nuers demanded an independent Sudan. They were supported massively by the Nuer ethnic group.

In contrast, Garang was supported heavily by the Dinka due to his belonging to the Dinka. This brought about a strict categorization and ethnicization of these leaders based on their ethnic identifications. Thus, the Nuers were ready to support Nuer's political leaders, much like the Dinkas. In the 1991 Bor Massacre, for example, Machar garnered support from the Nuer White Army (the militant group of Nuers), who showed the group's loyalty by fighting and killing on behalf of Machar, who signified the values and hopes of their ethnic group. The Bor Massacre led to the death of about 2,000 Dinkas, and although Machar apologized for this event, it left an indelible mark of unforgiveness and revenge in the hearts of the Dinkas.

Thus, when conflict broke out in 2013, and the presidential guard was broken down, it was easy for soldiers loyal to Kiir and who were Dinkas to go about house to house searching for Nuers to kill. This led to the death of hundreds of Nuers within Juba. Moka et al. (2013) further explain that ethnic animosity between the ethnic groups was fuelled by the marginalization and grievance faced by the Nuers during Kiir's administration. They explain that ethnic hatred and grievances were exacerbated during Kiir's administration by the economic and political inequalities and marginalization faced by other groups. South Sudan politics can be best described as winner takes. This means that executive, judiciary, and legislative power have been put into the hands of the president, making him powerful in decision-making. During Kiir's administration, he practiced the neo-patrimonial system of government- the kind of government favouring the election and appointment of people from one's ethnic group or family. The constant use of patronage practices in selecting individuals continued in governance to neglect other ethnic groups, fuelling hate and anger among the diverse groups. In Kiir's government, a Dinka was more likely to be appointed to a political or public position, and these practices became commonly known as 'Dinkracy.' Suppose politics refers to who gets what, when, and how; then, the distribution of resources in government can determine the extent of fairness, equality, and justice within a country. Conflict is likely to arise when sectors of society feel deprived of the distribution of resources. These inequalities exacerbated the tensions and hatred within the groups. Therefore, when Machar, who signed the hope, values,

and beliefs of the Nuers, was dismissed, the Nuers faced the dilemma of waging war against the Dinkas.

Other contributing factors to the conflict include the lack of professionalism within the national army. During South Sudan's first and second civil wars against Khartoum, the national army was created based on ethnic lines. For example, local militias like the Dinka's Titweng and the Nuer's Nuer White Army, among other local groups, were called on to fight for South Sudan's independence. They thus made up the country's military unit. After independence, these militias became institutionalized within the political landscape. The former chief of the army created the Mathiang Anyoor, a purely Dinka military group to fight on behalf of the president. Most of these militias, however, owe their allegiance and loyalty to their local traditional ethnic groups, individual commanders, and warlords rather than to the state (Blackings, 2018). Thus, when conflict broke out on 15th December, these groups immediately mobilized themselves based on their ethnic biases and fought for their ethnic groups. It was an easy fragmentation for these security forces based on ethnic lines when the conflict started. The Nuer White Army was immediately mobilized by Machar and fought in retaliation to the Nuer Massacre in Juba. Rather than a single, organized, neutral unit loyal to the government, the South Sudanese national army was organised on ethnically based militias (World Vision, 2020).

Also, the conflict became widespread due to the easy access to arms. After successfully carrying out wars against the Arab North, international and local donors or actors failed to recognize and completely disarm or reincorporate citizens after independence. According to Sefa-Nyarko (2016), the existence of weapons and arms from long decades of armed conflict made it an easy alternative for armed groups opposed to the government to mobilize themselves along ethnic lines within the population. Thus, when the conflict began, it was not only state or government agencies that had ready access to weapons or arms. Ordinary citizens still had weapons stored from the time of independence. The proliferation of firearms within South Sudan was a massive problem as international actors had to plead for sanctions on arms to prevent the fuelling of deaths and destruction.

Other factors, such as the lack of nationalism, the struggle to control the flow of natural resources (crude oil) in states like Jonglei, Unity, and Upper Nile, and poverty have been identified as contributing factors to the conflict in South Sudan (De Waal, 2014). The conflict continued for over 20 months as IGAD struggled to progress in negotiations between the

warring parties. Without a binding commitment from both parties, the devastating effects of the conflict, including the displacement and killing of civilians, persisted (Agwanda & Asal, 2020)

3.5 The Making of the R-ARCSS Agreement

Mediation efforts under the auspices of the sub-regional organisation IGAD led to the signing of several peace agreements and cessation of hostilities agreements from 2013 to 2018, which collapsed hours from implementation. The inefficiency of these peace agreements has been attributed to many factors, including failures of the regional body to address root issues, external interferences, regional interest, mistrust, and low political will among the leaders. Earlier peace agreements signed among the parties did not bring about positive outcomes until the recent signing of the R-ARCSS agreement, which is equally struggling to keep afloat amidst delays.

In 2014, the IGAD-led mediative efforts through Kenya, Ethiopia, and Sudan resulted in ceasefires and sustaining calm in Juba, the epicentre of the civil war. This negotiation effort resulted in the signing of the ARCSS agreement in 2015, with support from international partners such as the Troika countries, AU, EU, and China, in the form of “IGAD PLUS” (Bereketeab, 2015). Salva Kiir, Riek Machar, and members of the FDs signed the ARCSS peace agreement. This agreement was signed amidst reservations from the main leaders. Salva signed the agreement recounting sixteen reservations, and Machar claimed he signed the deal despite his reservation. With trust and political will on the low reservations, the non-inclusive nature of the deal, and inadequate monitoring of the agreement, the agreement collapsed in July 2016. With Machar narrowly escaping from the crisis and transported to South Africa on house arrest, violence sparked more conflict in areas of South Sudan that had earlier not been affected by the war, in places like the Equatoria region. After realising that the ARCSS peace agreement had failed, Troika countries, the EU, and other stakeholders began to pressure IGAD to instigate a new peace agreement.

In June 2017, the IGAD Head of State agreed to the Joint Monitoring and Evaluation Committee’s (JMEC) recommendation to set up a High-Level Revitalisation Forum (HLRF) to discuss measures to “restore a permanent ceasefire, fully implement the ARCSS and revise its implementation schedule” (Maphasa 2020, pp. 6). Raila Odinga, on behalf of IGAD, made a trip to South Africa to get Machar involved in the new peace deal. This was because the

progressions for a new peace agreement were impossible without Machar. After many negotiations, both Kiir and Machar decided to meet face-to-face in 2018, the first meeting since the 2016 confrontation. Ethiopia's prime minister, Ahmed Abiy, facilitated peace talks and asked Sudan's Omar Al Bashir and Uganda's Yoweri Museveni to facilitate face-to-face discussions with both parties. Formerly parties to the agreement, Yoweri Museveni and Omar Al-Bashir, were instituted as mediators because of their long history and friendship with both parties and their tendency to get their sides to agree to the new agreement. This process focused on the strategy of trust and communication and ensuring that the constant flow of messages was strengthened between the parties to enable a smooth transition to sign the agreement (International Crisis Group Report, 2021).

In September 2018, the R-ARCSS peace agreement was signed in Addis Ababa, Ethiopia, after 15 months of negotiations, with Sudan and Uganda as guarantors of the agreement. The R-ARCSS peace agreement, however, according to Vhumbunu (2019), was preceded by five other peace agreements, namely, the Agreement on Cessation of Hostilities and Protection of Civilians, and Humanitarian Access, Addendum to the Agreement on Cessation of Hostilities and Protection of Civilians, and Humanitarian Access, Khartoum Declaration of Agreement between Parties to the Conflict in South Sudan, and the Agreement on Outstanding Issues of Security Agreements, Agreement on Outstanding Issues on Governance (Vhumbunu 2016, pp.3). The R-ARCSS peace agreement remains the binding agreement in the Republic of South Sudan and is regarded as the agreement to bring stability to the country.

The agreement was signed by both parties on the same day. Signatories to the agreement comprised the incumbent Transitional Government of National Unity (TGoNU) comprising Salva Kiir as head of the Government of South Sudan, former SPLM/IO under Taban Deng Gai, Riek Machar of the SPLM-IO, Deng Alor Kuol of the SSOA, and OPP. It was signed by stakeholders in the form of 16 CSOs, guarantors, the IGAD mediation team, the AU, EU, Troika, and other international partners. The peace agreement covers seven chapters comprising categories: the pre-transitional period and the Revitalised Transitional Government of National Unity, Truth, Healing, and Reconciliation; Humanitarian Assistance, Economic and Financial Management, Ceasefires, and Security Arrangement, Permanent Constitution Making Process; and activities of the RJMEC.

3.6 Details of the R-ARCSS Peace Agreement

The R-ARCSS peace agreement builds upon many of the provisions of the ARCSS agreement, calling for a transitional power-sharing mechanism among parties to the conflict. It makes room for a pre-transitional period, an 8-month period where security sector reforms need to be established to stabilize the military situation for the unity government to be formed. After the pre-transition period, there is the transitional period, comprising a 36-month period where they formed government; the RTGoNU has to ensure the implementation of all reforms to the agreement, including the establishment of a new constitution, CTRH, and the conduct of an election, 60 days before the end of the transition period (Hauenstein et al., 2019). The agreement has seven main chapters, which are explained in the subsequent paragraphs.

3.6.1 Revitalized- Transitional Government of National Unity (RTGoNU)

The first chapter of the peace agreement for South Sudan focuses on power-sharing and the formation of the Revitalised Transitional Government of National Unity (RTGoNU). The RTGoNU serves as the executive branch of the government and is responsible for overseeing the implementation process to return the country to democracy, peace, and stability. The national unity government for the peace agreement includes various signatory groups, such as SPLM/IG, SPLM/IO, SSOA, FD, and OPP. Its executive during the transitional period consists of the presidency, with Salva Kiir as president and Riek Machar as the first vice president, along with four other vice presidents, two from TGoNU, one from FD, and one from SSOA, with at least one of them being female. The RTGoNU will also comprise a council of ministers and legislative assembly members. The government's tasks include national healing and reconciliation, returning and reintegrating internally displaced people and refugees, and conducting democratic elections 60 days before the peace agreement's expiration. To ensure free and fair elections, the National Election Commission will be established, representing the will and views of the electorate.

Before forming the new government, the incumbent government will be responsible for supporting the Technical Boundaries Committee (TBC) and Independent Boundaries Commission (IBC) in defining and demarcating tribal areas and boundaries in South Sudan. This addresses the issue of contention regarding the number of states in the previous peace agreement's implementation. The incumbent government will also establish the National Pre-Transitional Committee (NPTC) to oversee the peace agreement's implementation and work alongside RJMEC in evaluating and monitoring the process.

3.6.2 Ceasefire And Security Arrangement

This chapter of the R-ARCSS peace agreement is centred on the ceasefire mechanism and security sector reforms. Political leaders are to remain committed to the transitional process by upholding the Permanent Ceasefire Declaration signed in Khartoum on 27 June 2018. This means there must be no violation, revenge, vengeance, or contradiction to the provision of a permanent ceasefire agreed to by the warring parties. This provision encompasses the Disarmament, Demobilization, and Reintegration (DDR) steps. This provision means a withdrawal and disengagement from all forces aligned with them. The provision of the ceasefire and reformation of security commences during the pre-transitional period with the release of detained prisoners of war. It continues with the evacuation of all non-South Sudanese armed groups to allow for stability and the reintegration of those displaced within the country.

The ceasefire and transitional security arrangement continues with screening, registering, and training soldiers in cantonment sites to reintegrate them into national armies. This was to be done 30 days after signing the peace agreement. During those times, armed forces were to be provided food, shelter, and medicine for their health and then deployed into the national army. During this training phase, warring parties would be expected to refrain from recruiting child soldiers or armed forces into their groups and allow for the complete transformation of the groups into Necessary United Forces (NUF) holding solidarity with the nation or government rather than with individual military leaders. During the period, demilitarization of civilian areas such as schools, social centres, churches, mosques, and livelihood areas will have to be done. These processes will have to be embarked on throughout the pre-transitional period and the transitional period. Training military personnel and deploying forces into the national security units, command structures, and services will have to be executed throughout both periods. However, most of the provision of the security arrangement needed to be done during the eight-month pre-transitional period.

3.6.3 Humanitarian Assistance and Reconstruction

Chapter three of the agreement focuses on providing humanitarian assistance and reconstruction. This step occurs throughout the pre-transitional and transition periods. The humanitarian assistance provision encompasses the safe return of refugees and internally displaced people back into their homes, communities, and societies and the provision of relief,

protection, and reintegration of all who have been affected by the crisis since 2011, 2016, and thus in need of basic social reconstruction such as food, clothing, and shelter. The R-ARCSS agreement ensures that militarized areas are demilitarized and safe for the voluntary return of those displaced. It calls for the rewiring, restructuring, reintegration, and revival of the social, political, and economic fibre of communities in South Sudan.

3.6.4 Financial Resource Management

This chapter deals with the fiscal management of economic resources in South Sudan. This chapter ensures transparency, openness, and accountability among political leaders and other stakeholders regarding the management and administration of national resources. The government is, thus, tasked with controlling revenue collection and distribution to enable sustainable paths to development. Here, leaders are to uphold the principles of honesty and integrity, shunning all practices that may lead to corrupt activities in the governance sector. Any leaders, therefore, found to be involved in these activities will be exposed and banned from their respective positions. The provision advocates for transparency and accountability within the oil and non-oil industry to ensure that resource wealth is equitably distributed to the benefit of all people and is sustainable for development.

3.6.5 Transitional Justice, Reconciliation, And Healing

This chapter focuses on transitional justice, accountability, reconciliation, and healing for the people of South Sudan through the mechanisms of three institutions: the HCSS to be formed by the African Union Commission, the CTRH, and the CRA. The CTRH will be set up three months after the formation of the RTGoNU and will investigate issues of human rights abuse and violations and the excessive use of power by the state and non-state agencies and allies. These institutions ensure that all crimes committed by people in positions of power are well investigated and those perpetuated by those crimes are brought to justice.

In addition, the institutions will probe the causes of the conflict and its origin to prevent a reoccurrence. The HCSS, independent of the national judiciary, will investigate and try all persons who have participated in war crimes, genocide, sexual and gender violence, and crimes against humanity. These persons will be prosecuted before the African Union Court, and justice will be served to victims and families of victims who have lost loved ones since the start of the

conflict, from the 15th of December 2013 until the transitional period. The Compensation and Reparation Authority will financially support those who lost properties during the conflict. A compensation fund will be set up to provide material assistance to those affected by the war. An essential part of transitional justice is that those found guilty of war crimes will be banned from partaking in the RTGoNU, and those already in the RTGoNU and found guilty will lose their position in government.

3.6.6 Permanent Constitution Making

This chapter focuses on making a permanent constitution for the people of South Sudan. The permanent constitution must be established before the end of the transitional period to guide the electoral process. The constitution should thus embrace the principles and ideals of democratic governance, i.e., the respect for human rights and dignity, the rule of law, gender equality, constitutionalism, and people participation in governance. The constitution must remain the binding law in South Sudan, promoting national peace and stability, national unity, and equitable distribution of wealth for all people. The constitution-making process must be inclusive and owned by the people of South Sudan, reflecting the hopes, aspirations, and needs of the people to whom leaders and state agencies are to serve.

3.6.7 Reconstituted Joint Monitoring and Evaluation

This chapter espouses the role of the Reconstituted Joint Monitoring and Evaluation Committee (RJMEC). The commission will comprise the parties to the agreement, the regional guarantors, stakeholders, and regional and international communities to ensure effective peace process monitoring. This commission must be established 15 days after the signing of the agreement and perform an oversight role to the process's implementation process, ensuring that the RTGoNU follows the timeline and deadlines of the process and presents corrective action in the event of a violation of the provision.

3.7 What provisions have been implemented thus far?

To analyse the R-ARCSS agreement and draw on its success or delay, the RJMEC quarterly reports from 2018 to 2021 are relied upon to present a detailed outlook. This section concludes that there have been some successes in implementing a part of the agreement; however, crucial sessions of the agreement regarding Transitional Security Arrangement, the establishment of

Transitional Justice Mechanisms and reparations, and the establishment of the Transitional Legislative Assembly have remained stagnant or incomplete.

One of the most successful aspects of the current revitalised agreement has been forming various transitional and pre-transitional mechanisms. For example, the establishment of the National Pre-Transitional Committee (NPTC), National Constitutional Amendment Committee (NCAC) and other security mechanisms like the Joint Military Ceasefire Commission (JMOC), Joint Military Ceasefire Teams (JMCTs), Ceasefire and Transitional Security Arrangements Monitoring and Verification Mechanism (CTSAMVM) has ensured that the ceasefire agreement has held among the signatories despite occasional violations. In terms of DDR and training of forces into a single unified army, significant steps, discussions, engagement, and preparations have gone into finding cantonment sites and drawing budgets. However, little progress has been made outside these schemes.

Further, opposition groups have returned and the collective formation of an active unity government by all parties involved in the peace process. On the 22nd of February, the RTGoNU was formed, comprising Salva Kiir as president, Dr Riek Machar as first vice president, Taban Deng Gai, Rebecca Nyandeng de Mabior, James Wani Igga, and Hussein Akol Agany as the four vice presidents. On 12th March 2020, President Salva Kiir appointed thirty-five council of ministers with ten deputy ministers. Nine members were appointed to the state legislative assembly in 2021 (RJMEC Report October-December 2021).

Thirdly, there has been the establishment of RJMEC with the oversight responsibility of reporting and monitoring events about the peace agreement. Reports by the RJMEC are directed to the RTGoNU, the AU Peace and Security Council, the IGAD Council of Ministers Chairperson, and the UN Mission in South Sudan. Other commendable outcomes of the current peace agreement have been the reinstatement of the ten South Sudan states with the creation of three administrative areas in Pibor, Ruweng, and Abyei (Machol, 2020). There has also been the successful release of detainees and prisoners of war, with less recorded tension, violence, and death in the capital Juba.

3.8 What part of the peace agreement is lagging?

RJMEC reports from 2018 to 2022 show that the implementation process in South Sudan has been slow. This has been because important peace agreement provisions, which should have been implemented during the pre-transitional phase in 2018, are still pending. The provision of a ceasefire and transitional security arrangement is still pending. This has contributed to tensions and inter-communal violence in areas and communities where reintegration and return of refugee programs should have happened. The issues centred around state sharing at both local and government levels still need to be solved. Thus, the creation of the Transitional National Legislature Assembly remains contested among the signatories.

Although the ceasefire has lasted between the parties, there have not been many improvements in the execution of the transitional security arrangement task. This has resulted from logistical deficiencies and the inability of parties to cooperate and form a consensus on vital parts of the transitional security process. Phase one of the Transitional Security Arrangement (TSA), which includes screening, registering, training, graduation, and deployment of soldiers into a joint force, has been incomplete and stagnant, creating the risk of a return to a full-blown conflict. Due to inadequate logistics such as food and water supply, medicine, and personal hygiene materials in allocated cantonment sites, soldiers are left unsupervised and left the risk of recruitment from political leaders eager to expand their rebel factions to gain more power in the peace process. The delay in security arrangement has also been caused by disagreements among key parties on the ratio of sharing forces and the structure of command within the NUF. The failure of leaders or government to address the security arrangement has left the country open to a number of inter-communal violence within the Upper Nile, Jonglei, and Unity states, where tension has resulted in the death and displacement of more people. The slow unification of the army has led to the formation of new rebel groups who want a place in the peace process. (RJMEC Report, July to September 2021). The failure of urban and rural demilitarization has increased South Sudanese citizens' insecurity.

The humanitarian situation in South Sudan keeps rising. According to a 2022 report by the United Nations Office for Coordination of Humanitarian Affairs, about 835000 South Sudanese people desperately need food, water, and shelter. Most citizens have been affected by the prolonged intercommunal fighting within their communities, especially in areas like Jonglei, Unity, and Upper Nile state, leaving them in dire need of assistance. These people have their houses destroyed, looted, and families destroyed due to conflicts, flooding, and food

scarcity, and the COVID-19 pandemic has recently worsened this. Local people face extreme hunger and food scarcity due to flooding in counties like Akobo, Ayuk, and Duk, leaving 20,000 in extreme hunger. The COVID-19 pandemic limited the return of refugees who have been quarantined at borders and sometimes, altogether, prevented from travelling. These impediments have been a significant barrier to refugees' safe and voluntary return from South Sudan. There were prevalent killings of humanitarian aid workers throughout 2018-2020.

There has been limited progress in transitional justice and reconciliation provisions. There continues to be the perpetuation of grave human rights abuses, including targeting children for armed conflict, sexual gender-based violence, rape, and looting of property. The lack of accountability and justice against these perpetrators has ensured that such crimes and impunity continue in communities. (RJMEC Report, 2018). These perpetrators, identified by the Amnesty International group in South Sudan as government soldiers, soldiers from the opposition SPLM-IO, and the NAS rebel groups, have contributed to gang rape, defilement, and other gender-based violence against women (Amnesty International, 2022). Because these perpetrators belong to powerful groups within the country, their crimes go without criminalisation, an exemption from punishment and consequences. The HCSS, an independent African Union Commission, has not yet been established. Reparations to citizens have been stagnant due to insufficient funds. The constitution-making process has been slow, with minimal effort put in place to draft a binding document for the people of South Sudan.

In terms of economic and fiscal improvement, the country is in a state of decline. High inflation and deteriorating exchange rates have affected the financial weight of the South Sudanese pounds on the international exchange market. This has worsened the government's funding of peace expenditures and the state budget. In 2018, RJMEC reported the government's inability to pay off arrears to government workers and the military due to the persistence of economic decline (RJMEC, 2018). The decline in oil prices has further worsened South Sudan's economy. According to the January to March report of RJMEC, the price of a barrel of oil reduced from US 55 dollars to US 23 dollars in March. The low cost of oil has affected the revenue of the government and increased consumer prices. Economic reforms and fiscal management are delayed, leading to increased poverty and low economic growth in South Sudan.

3.9 Conclusion

This chapter provided context to the history of the conflict in South Sudan, including the diverse views from the literature on how the conflict began. The chapter explored the conflict's root cause, immediate cause, and other contributing factors. Further within the chapter, we looked at the many attempts at peace initiated by regional and international actors to bring stability to South Sudan. The chapter also looked at the R-ARCSS peace agreement's stipulation, exposing its successes and limitations, the various stipulations that have been implemented and those lacking thus far. The discussed limitations draw us into thinking about internal or external factors that may have slowed and undermined the peace process.

CHAPTER FOUR

RESEARCH METHODOLOGY

4.1 Introduction

This chapter presents the research methodology used throughout the project. It provides information about the research design, collected data, sample size, sampling technique, ethical concerns, and how data was analysed.

4.2 Research Aim.

As indicated earlier, the research sought to answer two questions about South Sudan's R-ARCSS peace agreement. First, the challenges to the implementation of the R-ARCSS peace agreement from 2018 to 2022 and second, the measures that will propel the timely implementation of the R-ARCSS peace agreement.

4.3 Research Design

To provide an answer to the questions, the research employed a qualitative research design. The qualitative research design is a crucial design used by researchers interested in gaining knowledge about a phenomenon, understanding the challenges of phenomena, and achieving detailed information about an issue (Birhanu & Ahadu, 2019). Fossey (2002) explains that it allows the researcher to interpret and investigate human experiences from a humanistic or idealistic perspective. It will enable the researcher to understand the beliefs, experiences, and attitudes of a group of people or context (Fossey, 2002). For this research, the qualitative approach enabled the researcher to understand the South Sudanese peace process, its dynamics, and why there have been challenges and stagnancy in its implementation.

4.4 Sample Size

The research covered a sample size of nine participants. The participants were limited to nine because this study is a master's dissertation with a word limit of 20,000-25,000 and to allow for in-depth analysis within the scope.

4.5 Sampling Technique

The participants were selected using the purposive and snowball sampling techniques. This sampling method was chosen for information richness and to identify participants who are

appropriate and able to provide the best information for the study adequately. Singleton defines the purposive sampling technique as “based entirely on the researcher's judgment” (Singleton, 1998).

Purposive sampling is a non-random technique that allows the researcher to target individuals with specific knowledge and experience about a particular issue to inform a phenomenon of interest. It is a qualitative method of data gathering where the researcher uses their judgment to select an individual with vital information or experiences that are willing and ready to participate for the benefit of the study. Thus, in the selection, the researcher purposively selected academicians, researchers, and actors from the non-governmental and governmental space to speak honestly, with their decades and years of research and presence in South Sudan, on why the peace agreement implementation is delaying or stagnating. Further, choosing the purposive sampling allowed the researcher to have real-time ideas and current news on the happenings in South Sudan instead of relying on secondary data, which may not reflect such a progressive peace deal. In addition, the Snowball technique was employed. This is a non-random technique intended to select a sample based on accessibility. Alkassim & Tan (2016: p.2) explain that the snowball technique is “particularly suitable when the population of interest is hard to reach and compiling a list of the population poses difficulties for the researcher”. Here, the base for getting participants is through a chain of networks or links, where one participant refers to one participant and another until the required number of participants is gained (Ahadu & Birhanu, 2019). Considering the security crisis in South Sudan, resource constraints, and the limitations imposed by the COVID-19 pandemic, the purposive and snowball techniques are the best options for the researcher to carefully select individuals who know the state of the R-ARCSS peace agreement.

4.6 Ethical Concerns

Ethics was approved by the Head of the Department of Politics at the University of Cape Town. Written consent forms were presented to and signed by all participating study respondents. This form was sent via email and answered by the respondents.

4.7 Data Collection

For this research, data was collected through primary and secondary sources. Primary sources present a fresh, original take on issues. Hence, the preliminary data was collected through in-

depth, semi-structured interviews with the selected individuals and organisations with quality information and expertise on the state of the R-ACRSS peace agreement in South Sudan. These participant scholars were chosen for the research due to their insight into the situation in South Sudan, having studied and followed the political history of South Sudan for decades. The approach to include these participants was cold- emails; others were through telephone calls and word-of-mouth links from mutual contacts. After the participants were selected, the interviews began over three months, from July 2022 to October 2022, based on the schedule and availability of the participants. Interviews were conducted purely online using the video conferencing platform called Zoom. According to Irani (2019), video conferencing resembles the traditional modes of in-person qualitative interviewing and can serve as an alternative to in-person interviews in terms of logistical convenience and practical advantages. Irani (2019) further adds that video conferencing may help bridge geographical constraints and reach geographically dispersed participants by allowing “real-time, online synchronous conversation to occur while offering the many features available digitally in an in-person interview”.

During the interviews, the cameras of both the researcher and participants were switched on to enable the discussion to feel as physical as possible so the expression of participants could be recorded for analysis and discussion. The interview was about 45 minutes to an hour and was recorded on Zoom. Before the interview, the participants were briefed on the interview's purpose. The protocol for engagement was also followed accordingly, with the distribution of information sheets and consent forms for audio recording and ethics consideration.

4.8 Data Analysis

Data was analysed thematically and through data triangulation. The recorded data was uploaded onto Otter.ai, a transcription tool that transcribes audio recordings into text. All nine audios were uploaded and then downloaded. After this, the researcher did a read-through of all documents downloaded, making sure to correct spelling, the flow of sentences, errors, or miscommunication transcribed by the tool. This is an essential step in ensuring the correct data has been captured. After this, the transcribed data from a participant was uploaded to the NVivo Software Analysis tool, where recurring themes, patterns, and explanations were organised into major themes. Using thematic analysis helped the researcher identify essential and emerging themes within the data collected. Thematic analysis was employed to evaluate the validity of the information from multiple sources to create a balanced understanding and description of

the critical question (Noble & Heale, 2019; Liaga, 2021). Triangulation was also used to provide credibility by gathering multiple sources of information from the participants and developing a comprehensive understanding and narrative concerning the phenomena. Triangulation of data sources and methods thus permits comparison and convergence of perspectives to identify corroborating and dissenting accounts and examine as many aspects of the research issue as possible. The primary data from the interview conducted was then augmented with secondary sources from already published research papers, peer-reviewed articles, thesis, agreement and report documents, and journal articles that speak on the challenges of the R-ARCSS peace agreement implementation process.

4.9 Conclusion

This chapter highlighted the steps towards the research methodology, including research design, data collection method, sampling method, study's limitations, and analysis.

CHAPTER FIVE

RESEARCH FINDINGS AND DISCUSSION

5.1 Introduction

As indicated in earlier chapters, this study aimed to understand the challenges to implementing the R-ARCSS peace agreement and the measures that can be undertaken to propel the full implementation of the peace deal. This chapter will present and discuss the main findings from online interviews with nine participants.

5.2 Research Findings

In the analysis of the data gathered, some significant themes emerged, explaining the reasons for the challenges in the implementation of the R-ARCSS peace agreement, including the crisis within the region, low trust among the main political leaders, waning implementation support from regional and international actors, lack of strong state institutions, elitist peace agreements.

5.3 Challenges to the Implementation of the R-ARCSS peace agreement in South Sudan

5.3.1 Trust Deficiency

Participants explained that the lack of trust between the main political actors of the conflict, President Salva Kiir and his vice president, Reik Machar, was partly responsible for the lack of cohesion and unity in the formation of critical aspects of the peace deal, including provisions about security formation.

“These are some of the things and the two parties. Because these two guys were at the same party, when they break out, they don't have trust among themselves, especially the leader of the main opposition. Since he came to Juba, he have never been allowed to travel to go anywhere to represent the government. He'd been in Juba for the past three years now. So, he is Juba in not moving anywhere. And at this one, it gives a clear indication that lack of political will, in this transitional government is the one hindering everything for the unification of the forces and the dilemma for the upcoming election.”

Another participant mentioned the issue of trust,

“And also, don't forget that the people who already signed these things distrust each other, the non-signatories, the signatories, the armed movements, the government, they all intricately distrust each other.”

A respondent also explained that,

“So, in a way, they get into this agreement still in that state of distrust, and that is why, when the agreement was signed in September 2018, it was until almost a year and a half later, in February 2020, that they were able to form a government because of the level of distrust, so yes, the slow implementation is because of the lack of trust amongst the parties”.

5.3.2 Low Implementation Support

Regarding the implementation support, some respondents explained that the low implementation support from regional and international communities in the form of monitoring and financial support has contributed to delays and the timely implementation of the R-ARCSS agreement. Respondent mentioned that from the international community, there had been inconsistent technical and financial support since the signing of the peace agreement, as the peace process has been left to the politicians to lead with little monitoring and verification. Regarding regional support, one participant explained that the guarantors of the peace deal, Sudan and Uganda, were facing internal issues and, therefore were less involved in monitoring and evaluating the peace deal. Such regional instability has reduced the attention and focus on the ongoing resolution attempt in South Sudan. This finding supports the empirical evidence from (Stedman, 2001), who explains that inconsistent support from the international community can lead to the failure of peace agreement implementations.

One respondent explained that.

“One of the reasons why South Sudan and many other countries are, again, facing problems is that the so-called custodians of this peace agreements, are also the international community, who are very much interested in the cessation of hostilities, in many cases, they will do everything, there a lot of activities going on, up to the point where the two parties decide to put down their arms and join a coalition government. After that, if you do your research, well, you will find that, for example, the resources reduced significantly. So, the kind of resources that

will be contributed is no longer there. And that can hinder the implementation of some of these projects.”

Regarding international support, one respondent explained that.

“.... parties also talk of financials, you know, challenges, economics, meltdowns ongoing. Also, donors to the peace agreement seem to be withdrawing their funding, due to the lack of political will from political parties, lack of cooperation at some point. So, meaning the revitalised peace agreement may be at risk.”

When asked about how effective the role of regional guarantors such as Ethiopia, Uganda, and Sudan have been throughout the implementation process of the R-ARCSS agreement, a respondent said that.

“Uganda is dealing with its own internal issues. Well, Museveni, and he's passed on to his son. There's politics around Sudan. Yes, that has an impact, but it's not as much as it was before. Partly because Bashir is not there. And actually because Sudan is in a mess itself. So, there is that North-South influence, but I don't think it's what it was when I wrote that piece, when I wrote the piece about Uganda having a say, in particular, because it was aligned to Salva. Yes, that is still there. But again, it's not as prominent as it once was, partly, as I said, because things have moved on Sudan is a mess at the moment. So, everyone is sort of focused on that. The guarantors again, because there were only two and again, the key levers there's one not there. It's mostly in Uganda's hand now. Regionally, Ethiopia is focused on its own issues, its own focuses in some Tigray issues on development and trying to move things forward.”

5.3.3 Lack of strong state institutions

Another important explanation for the delay in the implementation of the R-ARCSS peace agreement was provided by the respondents relating to the history of poor, non-existent state institutions in South Sudan. Simply, the respondents were of the view that the South Sudanese peace deal was struggling because state institutions are non-existent in South Sudan, making political leaders the face of governance, with so much power, capable of going against the

demands of the peace deal without any punitive measures from the given law or instruments of governance.

A respondent stated that.

“The institutional structures. I think that there's been that South Sudan never had strong, strong institutional structures, and the ones that it did have were eroded or non-existent or the traditional ones were replaced by the SPLA. I think the SPLA holds a monopoly over everything in South Sudan and that is key, because in essence, what it means is that a political group that is militarised will never deliver.”

Another respondent explained that.

“You know, the fact is that in South Sudan, we had the state that is forming like another state that is coming out of conflict, including the superpowers, that has always had a number of challenges of the state institution building. In South Sudan here, you know, every country has got institutions that at the policy that guides how that institution does a thing. And it becomes the institutional norms and culture. In South Sudan, we don't have institutional norms and culture. What we have is we have powerful intellectuals, and powerful leaders who are more powerful than the institution themselves. So, if I'm the Minister, it is what I said that matters, not what is there, not what the policy of the ministry said, if, like, for example, President Kiir, it is executive orders that are more powerful than the Constitution.”

5.3.4 Elitist Peace Process

Another reason for the challenges in the peace deal, as explained by participants, is that the peace deal has been personalised and centred on the political elites. Most of the demands of the peace deal have been put in the hands of the political leaders through power sharing to ensure their implementation without support from the people. Such structures have given so much power to political leaders only interested in securing their political positions for the long term. This current finding supports the empirical evidence from (Simuziya, 2021; Mehler 2009 & DeRouen et al., 2001), which states that the structure of peace deals in the form of power sharing gives power to politicians and then expects them to fulfil their demands. Most leaders

are only interested in the benefits of power, and since the power has already been granted to them, they treat the peace agreement with contempt and lackadaisical attitudes.

“Yeah, that peace agreement is personalised, it's about the actors than it is about the South Sudanese state. And what that means is that, in essence, it hinges on these two people to drive the thing. And if they're gonna drive it, nothing's gonna happen. Now, that's why I said it's difficult because most agreements, peace agreements don't actually have stipulations of the leaders as part of the key thing.”

Another explained that,

“The next thing is that the problem with peace agreements, generally is that they are military space. So, you will normally have key parties represented by Riek Machar joining different groups of people, the President's party, and stuff like that, their own meeting their own military, they never really have representation of civilian leadership. So, what they're talking about is their conceptualization of peace and security is solely a military thing, to find that these peace processes are not enough to help the local people, because they are just military processes, but they're not talking about civil civilian ideas, basic day to day needs of civilian ideas? But you don't again have civilian leadership where there is political freedom, then it means that the demands of the civilians or the demands of the citizens are never really met, then that document actually has no relevance to the day-to-day needs of the people. And it only serves army people until they are not only their militaries, their crazy militaries until the next fight. That's why it's easy for them to quickly sign something, you have signatories who have signed and then they easily walk away again.”

5.3.5 Funding Problems

Respondents believe that the delays in the implementation of the R-ARCSS peace agreement result from the lack of funding to spearhead projects linked to the establishment of stipulations stated in the peace deal. This finding finds the empirical evidence from (Mason &Greg, 2016; DeRouen et al., 2010; London & Bogota, 2019) that the low state capacity of South Sudan as a country that has long suffered decades of political conflict puts her in a position where fulfilling the financial demands of peace agreement are not possible.

One respondent stated that.

“the agreement creates a government that does not have a parallel anywhere. I mean, I stand to be corrected, but I have not seen a government anywhere with six vice presidents and 550 MPs, you know, Commissions, and you know, at the national level, go to the States and a country of 15 million, most of whom are living outside and have no food. So, you wonder, why would it be priority to have five vice presidents and then we have the obsession with a certain type of vehicle called V eight, Toyota. So clearly, you know, the agreement, depleted the resources there, nothing was left to run social services. And as a result, they are fighting over what, you know, what is there? And that further created tensions in the cabinet and that, you know, unity government. So, to me, those are the challenges, why there's no progress.”

5.4 Discussion

The main question addressed by this study was to find out what challenges are affecting the implementation of the R-ARCSS peace agreement. The five themes generated from data analysis were trust deficit, inconsistent implementation support from regional and international actors, elitist peace agreement, lack of strong state institutions within South Sudan, and funding problems. The section discusses in detail, with support from other secondary sources, to stress the points generated from the research findings.

5.4.1 Trust Deficiency

The data findings state a level of trust deficit among the signatories of the peace deal, particularly its main political actors, Salva Kiir and Riek Machar, has resulted in delays in the implementation of the peace agreement. The legacy of conflict in South Sudan, explained in chapter three of the research, and the strained relationship between the key actors has reduced their willingness to work with each other. Vhumbunu (2019) argues that the dynamics of their past relationship and the cold attitude between the leaders have made it impossible for the actors to stand each other physically. (International Crisis Group, 2019).

The literature also supports this argument with Awolich (2019) revealing that signing the R-ARCSS peace agreement did not do away with the unpleasant, negative emotion surrounding the Kiir-Machar relationship. The distrust and disdain between both leaders have created

suspicion and fear that have dominated the peace process and enhanced the reservation among the parties to commit to the timely implementation of the peace deal fully. Awolich (2019) further explains that the lack of trust has led to a deadlock in the implementation of security sector reforms. There have been disagreements over ratios and representations in the formation of the national army. The timely formation of the NUF has derailed because of the low sense of trust and vulnerability among the top leadership of the SPLM-IO, SPLM-IG, and SSOA. Awolich asserts that the opposition forces under Machar are opposed to disarming and unifying their troops because they did not trust in the power of the government to provide enough security guarantees and safety valves to hold the government forces accountable in any case of defaulting in the agreement. Machar viewed the current armed forces as operating in the interest of Kiir and believed it could compromise his security in the event of a breach of the agreement. Drawing from experiences in the 2016 Juba crisis, Machar worries for his safety and fears a repeat of the security dilemma. He sees coming into the agreement without security as a trap. He demands a dismantling of the current forces and a formation of new troops with their forces.

On the other hand, Kiir has a level of distrust when working with Machar again. Kiir sees working with Machar as a worst-case scenario, considering the relationship between the two. Because Machar has plans and ambitions for the high office, it threatens Kiir, who wants to remain in the top position. The security architecture, therefore, presents a vulnerable situation to him, increasing his security dilemma stakes, as weakened governments can be taken advantage of and overthrown by the opposition (Awolich, 2019). The low sense of vulnerability and fear over security has affected various parts of the security arrangement as uncertainties over who disarms first and when that should happen have delayed the security arrangement (Radio Tamazuj, 2021). Years after the signing, the army is not fully functional, with armed groups remaining outside cantonment areas and disagreements among actors about the nature of the command structure and the ratio of forces of the united forces. Armed groups are unregistered, unscreened, and negligent in facilitating militias' recruitment into an army. These delays have triggered armed groups to desert camps due to poor conditions and a lack of consciousness in forming the South Sudan Defence Forces. The failure of these actors to reach a compromise and a consensus on the security composition has hindered and challenged the implementation of the security sector architecture (R-ARCSS Report, 2021).

It is worth mentioning that the distrust and rivalry among the political actors within the peace process have disintegrated into society, breeding distrust among the various ethnic groups. As

discussed in chapter three, politics in South Sudan was used as a weapon for recruitment to draw young people to fight. Such politicization and the continuing rivalry among the main leaders have led to conflict and tension among groups who pledge strong allegiance to political leaders and ethnic groups over the state or nation. Usually, conflict arise among ethnic groups who have had no history of ethnic violence.

5.4.2 Low Implementation Support

The findings suggest that one of the challenges in implementing the R-ARCSS peace agreement is the inconsistent regional and external support for the peace process. The participants explain that generally, across African conflict, what has become true for internationally and regionally brokered deals is, during the signing and drafting of peace agreements, there is a heavy diplomatic, international, and regional presence to facilitate an agreement among conflicting parties. However, after a peace deal is signed, the attention and momentum reduce, leaving the politicians in charge of the implementation process. This dilemma, they explain, holds for South Sudan, which has for decades suffered violence and subsequent global attention for its reconstruction. However, due to leaders' lack of political will and failure to commit, the flow of resources and attention to the ongoing crisis has significantly reduced.

The International Crisis Group (2021) explain that partners of the South Sudan peace process have shied away from investing both logistical and financial assistance to the peace process due to the lack of political will of the leaders and lack of government transparency on the management of disbursed funds towards the peace process. The level of neglect demonstrated by the elites in South Sudan towards the implementation amid vast sums of money devoted to humanitarian aid has led to donors withdrawing their resources and technical assistance to the South Sudanese state. According to the International Crisis Group, the US, who call themselves the mid-wife of the SPLM, has suspended peacebuilding and state-building projects in South Sudan because they believe funds to the country only go to strengthen the hands of the elite against the poor people. Such limited support has led to the near breakdown of administration and service delivery across South Sudan, especially in rural areas where humanitarian assistance is needed, particularly in South Sudan, where 75% of the population faces famine and malnutrition.

In local communities such as Jonglei and Upper Nile, where incidences of violence are taking place, the absence of UN agencies to monitor the effectiveness of security reforms and report human rights abuses has led to more displaced people, deaths, and people in need of humanitarian assistance. The withdrawal of the global community and guarantors have reduced the funding and technical assistance and the level of attention towards the peace-building process, creating a situation where parties no longer fear the cost of renegeing. Reducing the level of support and monitoring reduces the cost of non-compliance, leading to a situation where parties or political leaders are not afraid of being punished, penalised, or sanctioned by international communities. This has left the peace process in the hands of the RTGoNU, who have proved incapable of steering the nation towards good governance.

Moreover, regionally, actors have reduced the pace of implementation. Speaking on regional actors and their role in the peace deal, one participant explains that Sudan's political climate has destabilised since the overthrow of President Omar Bashir in 2019, leading to episodes of violence, killings, and deaths. Thus, Sudan has become preoccupied with its internal challenges, limiting its engagement in the ongoing peace deal. In Ethiopia, its civil war with the Tigray people caused several casualties and deaths, causing such developments and political happenings to put the region in a deep crisis; thus, the attention and support needed to implement the peace deal was lost.

The literature supports this finding, with Awolich (2020) asserting that Bashir's dropout introduced fear in Machar's commitment to the peace process, as Bashir is believed to significantly influenced Machar's signing of the peace process. Thus, his absence changed the power dynamics between Machar and Kiir, Kirr, who still had support and friendship in Yoweri Museveni. In addition, Kenya, one of the regional heads in East Africa, and Uganda had been focused on political developments within their respective countries, minimising their active role in monitoring and performing oversight duties from 2021 to 2022 (Awolich, 2019). In a broader sense, the AU was also occupied with resolving newer conflict hotspots in Ethiopia and other parts of the region, especially West Africa, with Burkina Faso and Guinea's political overthrow shifting the focus from South Sudan. For example, the AU, responsible for guiding the HCSS establishment, failed to move ahead with the court or coerce South Sudanese to establish the court alongside the AU commission (Human Rights Watch, 2021).

Such inconsistent regional support has delayed the establishment of transitional justice systems like the CTRH, HCSS, and CRA to initiate healing and reconciliation processes for dealing with past traumas and ensuring complete forgiveness to scale down revenge attacks and put society in a place of violence and tension. More disturbing is that the perpetrators still serve in various government capacities, acquiring political wealth from keeping the status quo. South Sudan has become a haven for perpetrators who continue to kill, rape, and maim others due to the non-establishment of these institutions to serve justice and halt the killings. (United Nations Human Rights Office of the High Commissioner, 2022). In general, regional meltdown and restructuring are taking the attention off of South Sudan and positioning the peace deal in a place where support is rallied “when it feels that the underlying Kiir-Machar truce is under dire threat”. (International Crisis Group, 2021)

5.4.3 Lack of Strong State Institutions

The participants also explained that the slow implementation of the R-ARCSS peace agreement is because of the lack of strong state institutions in South Sudan. This lack of clearly defined institutional norms and culture creates a culture where politicians with power can control the rudiments of governance without checks from any authority. The leaders become the face of politics, having a monopoly over how government and society are governed.

Addressing how the lack of state institutions has led to the slow implementation of the R-ARCSS peace deal, the participants explain that although South Sudan has been recognized as a country or state with a president and vice president, it has never held an election or had its leaders constitutionally elected by its people due to its many years of conflict and violence. Although the elections of 2010, where the referendum was decided, placed the SPLM in charge of the people of South Sudan, the people of South Sudan never got to choose their leaders and the form of governance they needed. The years after the referendum have been years of violence and war, leading the nation to develop an improvised system, an artificially created one, built due to the power vacuum in the political scheme of things. This artificial state does not follow the principles of good governance, such as the rule of law, human rights, and proper accountability and transparency in government. This governance system is a mixture of military and political systems, which has failed to deliver and live up to the expectations of the peace deal.

In 2022, the Bertelsmann Transformation Index (BTI) reported that South Sudan as a country has never left the transition period, with the SPLM and its leaders cementing their dominant position as faces and figures of legitimacy whose command and authority outweigh that of existing, weak governance structures. Such overriding power on institutions has created a system where the president and vice president can unilaterally flout basic principles like separation of powers. To such individuals, the nation bids their loyalty and reverence, overriding good governance, respect for human rights, and the rule of law, among others. It is with such political powers that Kiir, in 2011, 2015, and 2020, re-shuffled the legislative assembly and executive without the consent of any system.

The literature also espouses this issue by explaining that democratic state institutions do not exist in South Sudan, and even when they live, they do not function properly. Politicians or ministers hold more power than the constitution or the rule of law. This has translated into misuse of authority and power, and a spike in corrupt activities.

The use of power created this “God Complex” in the minds of these leaders and among the people who think they cannot work or progress without the “leadership” of these political leaders. The 2022 BTI Report showed that political and military elites exploit the broken-down system. For example, concerning justice and reports of human rights, the RJMEC reports from 2021 reported that senior government officials and leaders of factions violated the ceasefire provisions multiple times and hindered the access of humanitarian actors (UNMISS) from operating and reporting on gender-based violence and sexual assault ongoing in local communities. In Unity State, RJMEC reports show that political leaders shielded armed soldiers found guilty of heinous crimes from facing the law and justice for their crimes. (RJMEC Report, 2021). This happened amidst the death of humanitarian workers in parts of the country. Such incidences have undermined the work of transitional mechanisms in reporting the issues at hand fairly and preventing the documentation and reporting of events.

This has instigated a culture of impunity where anyone can do anything without dealing with the repercussions, thus increasing crimes and killings. The culture of impunity gives political parties the leeway to continue various forms of violation, knowing that accountability and the cost of compliance are non-existent. Individuals hold more power than the institutions they occupy. The rhetoric on accountability and lack of transparency has given rise to corruption, patronage practices and abuse of office. In South Sudan, corruption has taken over state funds

as there are no efficient systems in place to monitor the use of funds, leaving billions of dollars missing.

5.4.4 Elitist Peace Process

Another explanation for the delay in the implementation of the R-ARCSS peace agreement is connected to the issue of political elitism. The contents and structure of modern-day peace-making, peace implementation, and peace-building processes exclude the people, who should be key stakeholders in the peace processes. This is the same in South Sudan, where the politicians are made the proponents of peace, excluding or limiting the participation of the people, who can demand accountability and transparency for their leaders are out of critical processes, leaving power centred on leaders who are only interested in consolidating at the risk of instability and insecurity.

The participants explained that the making and implementing of the R-ARCSS peace deal focused too much on elites, sidelining the people and what they wanted. At the same time, their needs, grievances, and perspectives are unconsidered. For example, faction leaders like Thomas Cirilo who terrorize the people, intentionally fail to sign the agreement, and are however drafted into the peace process. This feeds into the problem of power-sharing, which rewards the gun class while ignoring the non-violent. Such focus and power given to the political elites will incite other groups or factions who believe that war and violence reward, and thus will take up guns to sit at the negotiation table. The spike in the cases of communal conflicts in South Sudan is a testament to rewarding factions who terrorize society with a piece at the negotiation table and onto the new peace deal. Such invitations incite violence and bring on board individuals not committed to the agreement other than the power and wealth that come with government positions.

5.4.5 Funding Problems

The participants also revealed that the need for more government funding to support the implementation had instigated delays in the smooth implementation of the R-ARCSS peace deal. The participants explain that the state's low financial capacity and resources to invest in the enormous demands of the current peace deal have contributed to the delays in setting up activities to speed up critical issues, including security arrangements or administrative systems.

Addressing the case of the number of government ministers and legislative, the participants explain that an exceptionally large or bloated government structure has led to a financial nightmare as the government spends enormous amounts of money in paying salaries for politicians. The current R-ARCSS agreement proposes a president, five deputy vice presidents, fifty-five ministers, ten deputy ministers, and five hundred and fifty legislature members. A bloated government structure means there will be no money for socio-economic development as South Sudan is already facing low levels of socio-economic development, ranking 180th out of 189 countries according to the 2019 Human Development Index (HDI) report.

This finding ties in with several pieces of evidence from the RJMEC reports from 2018 to 2021, which have mentioned that the lack of adequate funding to support the peace deal has been detrimental to implementing the R-ARCSS peace agreement. According to the RJMEC report from 2018 to 2019, the economic resources of South Sudan reported an all-time low due to the reduction in oil prices commodity. With its economy centred on oil production, a glitch in the sale of oil prices on the international market put a severe strain on the financial state of South Sudan (RJMEC Report, 2021). Time (2021) maintained that South Sudan's economy relies exceptionally on oil exports, accounting for 90% of its revenue and all of its exports. Such a high export concentration on oil exposes it to oil price fluctuations in the international system, especially during the COVID-19 pandemic in 2020 when oil production in South Sudan reached a downturn, leading to the depreciation of the South Sudanese Pound and increased inflation. In March 2020, oil production in South Sudan dropped from 250,000 barrels to 170,000 per day. In October 2020, the country's oil production fell to 165,000 barrels per day, affecting the country's ability to invest money into implementing some sessions of the peace agreement.

In 2019, during the period of the hundred days extension of the pre-transitional period, the RJMEC report indicated that the amount of 15.1 million dollars given to the security sector for the completion of the process of registration, selection, training, and subsequent deployment of troops into the national army was insufficient for the chosen purpose. Thus, the security mechanism was given less than expected, making the delayed provision an impossible task to be completed. (RJMEC Report October-December 2019). Security reformation is an expensive undertaking; thus, insufficient funding and resources will mean a derailment in the unification of the army and could lead to more cases of inter-communal violence and breach of ceasefire provision. (RJMEC, 2020).

According to Mednick (2021), insufficient funding from donors has led to the death of soldiers in cantonment sites and training centres as they wait to be incorporated into the national army. Mednick further asserts that peace officials have been ejected from their hotels in Juba due to the unavailability of resources to pay for their rent. It is reported that the government owes US\$10 million to nine hotels for failure to pay for accommodation and services offered in hosting government officials during peace talks. For example, according to the July to September 2019 RJMEC report, the presence of funding led to its utilisation in moving the peace agreement forward. The 6.5 million US dollars received during the initiation of the first phase of training and screening of soldiers proved the importance of proper funding. Thus, without adequate funding, the peace process can unravel. Cantonment sites and training grounds face insufficient food, water supplies, and medicines due to the low funds available to transition rebel soldiers into military soldiers. To add to this, most soldiers who are in training centres go unpaid for months. Akile's (2021) reports showed that soldiers stayed for six months without pay and others for 12 months. Soldiers are paid US\$2 a month, making it challenging to cater to their families. This section of security training for the peace deal has thus been delayed, with cantonment sites becoming potential sites for rebel groups to recruit more soldiers into their groups. Training and deploying soldiers involve so much economic investment, and the country is handicapped in advancing these critical responsibilities.

These observations tie in with the question of state capacity and how crucial a country's financial strength in the peace process can determine its ability to implement provisions of the peace agreement fully. Since the renewed conflict in 2016, the economy of South Sudan has been faced with severe economic decline and a deteriorating financial state. This predicament has resulted from the cessation of businesses and investments out of the country due to instability and a halt in business.

5.5 Conclusion

This chapter presented the findings on the data and discussed what factors are undermining the implementation of the R-ARCSS peace agreement. From this discussion, the trust deficit between the two leaders, low funding and implementation support, political elitism and state incapacity emerged as barriers to various aspects of the peace deal, which has delayed the timely implementation of the peace deal. When studied critically, these factors show an

interconnected loop, one which shows that one factor can degenerate into another reason for delays in the peace deal. For example, the lack of funding and regional/ international support incapacitates the government, placing the peace process at a point where certain crucial aspects of the peace deal cannot be implemented. Also, the inconsistent backing of regional actors and the fact that the peace deal is not adequately monitored put political actors or elite in a position where they falter on the agreement without any sanction or accountability measure. Further, the history of mistrust among the party leaders still has a toll on how committed leaders are to the peace deal. Thus, until such critical parts of these complicated phases in South Sudan are resolved, the peace deal may crumble.

CHAPTER SIX

CONCLUSION AND RECOMMENDATION

6.1 Conclusion

In July 2011, the people of South Sudan seceded from Sudan after an overwhelming vote in favour of independence. However, shortly after this landmark victory, they descended into conflict. The leaders of the SPLM, the main political party in South Sudan, conflicted over the party's direction and the country's vision. This disagreement soon degenerated into the army and society, leading to the first civil war, which killed and displaced hundreds of South Sudanese people. Since then, various attempts at peace have been made to resolve the leaders' differences and break down the barriers towards stability in the world's youngest country. Such attempts by both regional and international peace mediators like the UN, IGAD, Troika, and AU resulted in the signing of twelve peace agreements, all of which failed within days and years of their signing. The current peace agreement, the R-ARCCS peace deal, is also facing some challenges, and this study sought to understand the obstacles undermining its full implementation from when it was signed in 2018 until 2022. Using qualitative research methods in the form of thematic data analysis from nine participant online interviews with researchers, academicians, non-governmental actors, and citizens, the study aimed to explain why implementing The South Sudanese revitalised peace deal faces challenges.

The study revealed that there are a number of factors contributing to the slow and delayed implementation of the peace deal. Low regional and international implementation support, trust deficiency, lack of strong state institutions in South Sudan, elitist peace process, and insufficient funding are the challenges to the smooth, timely implementation of the peace deal. Based on the results of the study conducted, some recommendations are provided.

6.2 Recommendation for a durable, sustainable peace process in South Sudan

The recommendations are drawn from the interviews and opinions of the participants included in this study. This section also draws from secondary materials such as journals and articles published to explain how the peace deal in South Sudan can be sustained and implemented promptly.

i. Implementing a peace agreement goes beyond mere checkboxes and requires a critical plan to ensure that proper governance is interwoven into society to prevent a relapse into conflict. To engage this form of permanence in the South Sudanese community, peace guarantors must understand that the peace-building mechanism takes time, and profit may usually be marginal. Thus, considering the current timeframe to the end of the duration of the R-ARCSS peace deal, there has to be an extension of the timeline in place to ensure that critical parts of the peace deal, like unification of the armed forces, demobilization, disarmament can happen and be permanently resolved. Those provisions are crucial; thus, there must be consensus and unity in making it happen.

This proposed extension of the transitional period should factor in a well-coordinated, thought-out plan with active engagement and assistance from international and regional bodies to ensure that the most pertinent aspect of the peace deal, including the security arrangement, appointment of ministerial leaders, and establishment of legal and justice system, is established. Why the route to an extension? An extension of a peace deal is not wrong; it shows that a peace agreement is still holding, albeit the need for more time to get pending issues straightened out. Also, previous evidence from the past peace agreement extensions in South Sudan, especially of the pre-transitional period of the R-ARCSs peace deal, resulted in the formation of the Transitional Unity Government, a deal that proved favourable and relevant in getting the capital calm and safe and demobilization and disarmament started. Extending the transitional period over a few years can help provide more time for advancing critical aspects of the peace deal.

ii. Extension of the peace deal must come with proper support from regional governments and leaders. The regional leaders, IGAD and its guarantors must speak critically and publicly about the actions of leaders and let go of their biases, knowing that there has to be a responsibility to protect the region from wars and conflict, an area that South Sudan is a part of. The regional leaders should also keep track of the peace process and not delegate activities to the Western powers. The African Union should also be involved by sending high-level delegations to look out, keep track, and call people who undermine and sabotage implementation efforts. The high-level delegation must build a repertoire with the leaders and the people of South Sudan and fulfil their aspect of the peace agreement about the establishment of a legal system to help the society heal, reconcile, and move on from the pain, grudges, and hurt which can spark local conflicts and return communities to full blown out, protracted conflicts.

iii. As the peace deal is still ongoing, the onus lies on the current batch of leaders to ensure that the peace implementation process moves on smoothly. Thus, for any substantial change to be observed, there should be a demonstration of good leadership and friendship from the leaders. This demonstration of goodwill should not only be targeted at the principal leaders, Salva Kiir and Reik Machar, but other factions and groups, who, in desperate need of power and resources, intentionally spoil and cause instability across the country. Also, historical grievances and competition for power must be set aside, particularly for the key signatories, and the people of South Sudan put their differences above their differences. The leaders must show selfless commitment by putting aside selfish political and personal ambitions and see to the greatness of the nation of South Sudan. The responsibility and ownership of the agreement should be held up high by its leaders, opposition included, to make significant steps towards sustained peacebuilding. South Sudan is greater than the political and ethnic ambitions of a few people or societies. Thus, those in power must strive to put the needs of the people above any fight for personal interest. Political elites should let go of the relentless zero-sum game politics and the scramble for power, which gives rise to corruption and kleptocracy. Instead, they should collaborate on policies to transform the people and move the country out of its impoverished state. It is crucial that they put in the necessary work to restore public confidence and trust at all state, local, and assembly levels. Enhancing this political will means building trust, open communication, and dialogue to clear all ambiguities and wording to ensure mutual readiness, certainties, and assurance for implementing the peace agreement.

iv. Although top-down approaches to peace have contributed to South Sudan's stability, it has yet to bring about sustainable peace to an extent. South Sudan now needs a more integrated, robust, bottom-up approach to peacebuilding that is inclusive of the people, centred on them, and hears and listens to them as proponents of peace. People-to-people dialogue in South Sudan, where communities including the youth, women, and older people can speak freely and openly about the conflict and discuss their differences and grievances, can help bring reconciliation and repair broken relationships among the various ethnic groups and communities. Through the people-to-people dialogue, the young and women, seen as the perpetrators or victims of war, can voice their struggles and propose solutions to the ongoing misunderstanding. Women are known to be instrumental in conflict; thus, involving women through local community peace processes ensures that they can preach peace and reconciliation for all affected groups and people.

Inclusivity also means involving CSOs, including local community-based organization, religious bodies like the church, mosques, and other traditional forms of conflict resolution to enhance peace in the grassroots areas. In South Sudan, the church and other Islamic bodies have played crucial roles in fostering peace among the people. The church can speak to its members of diverse groups to come together and resolve issues. Further, these bodies, including CSOs, can create local community groups where the people are made to address their problems. Traditional forms of conflict resolution can also be enhanced, especially in South Sudan, where the legal system is corrupt and compromised. The traditional justice system, such as Puk/Pug among the Dinka and “dia,” are local resolution practises local leaders use to deal with past trauma. For example, the Puk/Pug practise among the Dinka ensures that the offender compensates the victim in a dispute. Also, “dia,” the blood wealth payment, works on restoring relationships by providing that the offender duly pays those victimised to reduce revenge violence. These local justice proceedings are essential because they give victims justice and send a strong signal of deterrence to others.

v. There should be a long-term goal to strengthen the existing state institutions to prepare the country for the transitional period of elections and constitution-making. This goal can be achieved through support and collaboration with CSOs, providing financial resources, technical training, and expertise to the government to shape their governance structures. Strengthening these institutions will ensure accountability and transparency in governance, as politicians will no longer have unchecked power over state structures. Further, this will also be for participatory politics and translate into extensive scale development.

As the state’s capacity is strengthened, various bodies, including the judiciary, will be equipped to take on significant roles embedded in the peace deal regarding resources, preparation for elections, establishing the constitutions and ensuring a smooth transition for the people of South Sudan. These institutions will be capable of operating independently without coercion from higher political leaders.

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UNIVERSITY OF CAPE TOWN
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Faculty of Humanities
Department of Political Studies
INTERVIEW QUESTIONS FOR PARTICIPANTS

1. How long have you been following or contributing to South Sudan?
2. Share your personal experience or thoughts on the beginning of the South Sudan conflict.
3. Can you tell me about the R-ARCSS peace agreement?
4. Do you know think the R-ARCSS agreement is facing challenges in terms of delays, uncertainties, and commitment issues?
5. Why do you think the peace agreement implementation process faces these challenges? What are the factors militating against the full implementation of the peace agreement?
6. What role do you think spoilers, international communities, trust, and regional politics play in contributing to the slow pace of the peace agreement implementation?
7. Do you think the R-ARCSS peace agreement will hold? Do you think it will lead to the attainment of peace and stability in South Sudan?
8. What measures can facilitate a smooth peace agreement implementation process?
9. Per the provisions of the peace agreement, South Sudan must go to the polls in 2023, do you think this is the best option considering their situation?