

The role of external actors in resolving the 2013 political crisis in the newly independent state of South Sudan: From 2013 to 2015.

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DECLARATION

I Mashilo Siphon Mokgola hereby declare that this Masters dissertation has not been submitted for any degree by me or examination at any other university. The research reported in this thesis is my own original. This thesis has acknowledged the sources from other persons, all references and borrowed ideas have been duly acknowledged.

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DEDICATION

I would like to dedicate this study to my sisters and brothers, and my late mother Moyahabo Mokgola and Uncle Ngwako Eric Matloba, thank you for encouraging me to be the best that you always knew I could be. My mother did not live long to see my achievement. May her soul rest in peace!

ABSTRACT

This study focuses on the politics of conflict resolution, paying special attention to the role of the international community in resolving the political crisis in South Sudan. The current political crisis in South Sudan has historical connections that date back to the time when Sudan was granted independence by the British government in 1956. These historical antecedents paved the way for the current political crisis which started on December 2013. The study is guided by the International Society Theory or the English School of Thought. The wisdom of the International Society Theory affirms international obligations bestowed on the members of the international community. According to this theory response to crisis of humanitarian nature such as the South Sudanese political crisis is part of the broader debate. Qualitative methods were used in this study because the researcher because they enabled the researcher to gain deeper insights on the research problem. All guidelines regarding ethical considerations were followed in order to avoid being biased and misinterpretation of information. Data were obtained from primary and secondary sources what sources. The study concludes that despite the involvement of many external actors, the conflict is still raging on due to a numbers of reasons such as, mistrust between the conflicting parties and lack of political will to resolve the conflict.

Key words: Humanitarian intervention, Conflict, Nation-Building, Coup d'état, Conflict resolution, Horn of Africa, State formation, Responsibility to protect (R2P)

CHAPTER ONE: INTRODUCTION AND BACKGROUND OF THE STUDY

1.1. Introduction

This chapter discusses the background of the study, the research problem, the research objectives (both the general and specific) and the research questions. The chapter also highlights the significance of the study. Theoretical framework, literature review, summary of the literature gaps and the research methodology are also contained herein.

1.2. Background of the study

This study focuses on the politics of conflict resolution paying special attention to the role of the international community in resolving the political crisis in South Sudan. The current political conflict of 2013 December in South Sudan has historical antecedents. After the Ottoman-Egyptian rule of Sudan in the late 1800, it came under British–Egyptian administration until Sudanese independence in 1956. The predicaments of seeking self-determination by South Sudan began immediately after Sudan was granted independence by Britain in 1956 (Boboya and Barnaba, 2015:1). The conflict between South Sudan and Sudan came into being when the government of Sudan was unwilling to introduce a federal political structure that would grant relative autonomy or self-determination to the country’s competing ethnic groups, namely, Sudanese Arabs/Muslim north and Sudanese African/Animist/Christian south. Yokwe (1997:2) notes that “the reasons behind the ‘demand of self-determination’ by the Africans in the South arose from conflict of interests between the North and the South. The southerners have always believed that the northerners have been subjugating them politically, exploiting them socially and economically, dominating and assimilating them culturally, racially and religiously”. The southerners in turn have always resisted such practices through parliament sessions, political conferences or through an armed struggle when necessary (Yokwe, 1997).

According to Debiel et.al (2004) the conflict between the North Sudan and South Sudan lasted for a half century can also be expressed in three major dichotomies, namely: 1. A “*conflict between Arabs and Africans*”, 2. *Conflict between Muslims and Christians* and 3. *Oppressors and oppressed*”. Between 1955 and 2005, the Sudanese People’s Liberation Army (SPLA) fought two civil wars against the government of Sudan to secure independence. These civil wars were brought to an end by the Comprehensive Peace Agreement (CPA) of August 2005 and the Addis Ababa

Agreement of 1972 respectively. The CPA also helped South Sudan realize its longtime dream of achieving independence or autonomy from Sudan on the July 2011 after over 20 years of guerilla warfare. This process was facilitated by the then President of South Africa, Thabo Mbeki.

South Sudan's struggle for secession and self-determination has a longer history compared to that of any other country in Africa. According to Bascom (1998), the roots of liberating the new state could be traced back to pre-colonial, colonial and post-colonial periods as a result of political pressure asserted on South Sudan. Bascom (1998) notes that, all these factors prompted the southern people to stage a struggle against the central government in the North. The marginalisation of the southern people began when they were denied by the north to participate in the administration of the government; the northern people were, however, given some key government positions. This led to the first civil conflict which began in 1955 and ended in 1972.

As mentioned above this conflict was ended with the signing of the 1972 Addis Ababa agreement resulting in 11 years of peace. This agreement also granted South Sudan political autonomy. However, the major weakness of the Addis Ababa agreement was that it gave South Sudan conditional autonomy based on the false sense of self-government underscored by the northern control (Scharfer, 2007:4). This led to renewed fighting and marked the beginning of the second civil war from 1983 to 2005. This conflict came to an end with the signing of the CPA. However, the lack of substance and shallowness of the Addis Ababa agreement, the non-compliance of the Khartoum in upholding even the most basic tenets of its terms and provisions and the daunting challenges of implementation were all causes of the re-emergence of violent conflict in 1983. In July 2002, the Machako Protocol was signed. The main purpose of this protocol was to help in paving the way for the independence of South Sudan. Like the 1972 Addis Ababa agreement, this second agreement aimed at addressing the problem of independence in South Sudan. According to Article 1.3. of the Machako Protocol, "the people of South Sudan shall have the right for self-determination, inter alia, through a referendum to determine their future status" (Deng and Khalil, 2004:6).

On January 2011, the people of South Sudan voted in a historic referendum to decide the future of the then semi-autonomous region of the country known as Sudan. According to Atta-Asamoah et al., (2011:1), this referendum was aimed at fulfilling one of the major requirements of the 2005 Comprehensive Peace Agreement (CPA), also known as the Naivasha agreement signed in Kenya.

The CPA was signed by the Government of Sudan (GoS) and the Sudanese's People's Liberation Movement/Army (SPLM/A). Different actors also took part in the process that led to the signing of this agreement. These were regional actors like Kenya and Ethiopia. These countries also contributed through the Inter-Governmental Authority on Development (IGAD). The troika countries like Norway, the United States of America (USA) and the United Kingdom (UK) were also part of the negotiation process.

Atta-Asamoah et al., (2011) noted that, "about 98, 83 per cent of the Southern voters cast their votes in favour of separation from Sudan and on July, 2011 South Sudan officially became an independent in Africa". However, independence made South Sudan a landlocked nation surrounded by countries in conflict such as the Central African Republic (CAR), the Democratic Republic of Congo (DRC) or autocracies such as Ethiopia, Sudan, and Uganda. In 2013, South Sudan became involved in a civil conflict within its territory.

The conflict in South Sudan officially started on 15 December 2013 between government forces led by Salva Kiir of the Sudan People's Liberation Movement (SPLM) and opposition forces led by Riek Machar of Sudan People's Liberation Movement/Army in opposition (SPLM/A-IO). In terms of ethnicity, Riek Machar is from the Neur tribe, the second largest ethnic group in South Sudan, comprising of around 15.6% and Salva Kiir is from the Dinka tribe, the largest ethnic group in South Sudan comprising of around 35.8%. The fighting began in Juba in the form of a coup d'etat attempt (Apuuli, 2015:130). According to Shahunawaz (2014:2-3), the coup took place on the 16th December 2013 and was led by a group of Sudan People's Liberation Army soldiers who were allies of Mr Machar. Opposition forces failed to take Juba but the fighting continued in parts of the Upper Nile region, with the main city of Malakal changing hands between the government and Sudan People Liberation Movement/Army in opposition SPLM/A-IO a number of times.

Scholarly view from Zifcak (2015:53) attests that fighting or the conflict can be traced back to the internal rift in the ruling SPLM which created factional divisions between President Salva Kiir and his deputy-president Riek Machar. Zifcak (2015:53) is of the view that allegations made by Riek Machar against Salva Kiir that he was acting unilaterally and dictatorially when taking decisions within the SPLM further incited the South Sudan rebellion. The Sudd Institute Report (2014:8) notes that historical issues that remained unresolved after the signing of the CPA in 2005 significantly compounded the crisis. This, however, happened before and after the achievement of

independence in the country. The conflict in South Sudan cannot be discussed separately from the history of instability that has characterized Sudan since independence in 1955. Sudan has been characterized by blood conflicts, including those in Darfur, which started way back in 2003. It would appear that finding a solution to the greater conflict in South Sudan is a major challenge for world leaders.

Baah (2014:35) states that, in terms of human security costs or humanitarian ramifications or implications, the civil war in South Sudan has claimed the lives of at least 10,000 people, resulting in more than 1, 5 million South Sudanese people being displaced (Baah:2014:35). Baah further argues that, between 2013 and 2015, the refugee flows into neighboring countries generated by the conflict increased. For example, aid agencies estimated that, from March 2014, more than 140,000 South Sudan refugees entered Ethiopia alone. According to Baah (2014:35), this figure does not take into account those that have fled to other neighboring countries.

The crisis in South Sudan has also been deepened by the outbreak of famine. This is well- reported by the United Nations (UN) and IGAD (cited in Baah, 2014:35) which point out that the hunger crisis is the worst in the world. Baah (2014:35) projected that close to four million people are facing dangerous levels of hunger. Baah (2014) further stated that, with regard to food security, about one million children under the age of five need food deliveries to fight acute malnutrition while 50,000 children face death from malnutrition.

The South Sudan conflict has attracted attention from numerous global actors, both state and non-state actors. In terms of reporting, the conflict has dominated the agenda of several media platforms. The most prominent examples are regional and continental countries such as, South Africa, and IGAD member-states such as Uganda, Ethiopia, Kenya Tanzania, Sudan, and Eritrea among others. On the international front, western countries, such as the United States of America, China, the United Kingdom, Norway, Russia as well as international organisations such as the African Union (AU), the UN and the European Union (EU) also became entangled in the resolution of the political crisis in South Sudan.

As a result of this intervention, various efforts made by regional and international actors, such as the IGAD, helped to bring the warring parties to the negotiating table and at least five peace agreements were signed. However, the conflicting parties have not lived up to the signed peace

agreements. On January 23, 2014, two landmark agreements were signed by the government under the leadership of President Salva Kiir and the leader of the rebel forces, Riek Machar. These agreements were the Agreement on Cessation of Hostilities between the Government of the Republic of South Sudan and Sudan Peoples' Liberation Movement/Army in Opposition and the Agreement on the Status of Detainees between the Government of the Republic of South Sudan and the Sudan People's Liberation Movement/Army in Opposition. Apuuli (2015:130) points out that, the Cessation of Hostilities Agreement included the redeployment and or progressive withdrawal of allied forces invited by either side, while the latter agreement addressed the issue of political detainees who were taken into custody by the government of Kiir because that they participated in the attempted coup d' etat. These agreements were all facilitated under the supervision of the IGAD.

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

Regehr (2011:7-8) also states that, "in Africa there are currently armed conflicts in 11 states. In six of these countries: Algeria, Burundi, Chad, the Democratic Republic of Congo (DRC), Somalia, and Sudan, fighting is about control of the state, or part of it. This, however, is rooted in the state's lack of capacity to maintain order and mediate local disputes, particularly in countries such as Chad, DRC, Ethiopia, Kenya, Nigeria, Somalia, Sudan, and Uganda. It is further stated that, only three of Africa's current wars are about state formation. The conflict in Somalia is a good example which includes state formation elements" (Regehr, 2011:7-8).

South Sudan is located in the Horn of Africa which is most fragile and conflict ridden parts of the world. Many political commentators argue that the region is "the hot-bed of the world" (Kinfе, 2006). It is further stated that, the Horn of Africa continues to be the venue of most intense inter-state and intra-state conflicts in post-colonial Africa. Memar (2014:249) states that "lack of democratic political institutions, which allow people to participate in decision making, triggered civil war and political mayhem in the region. The region has become a place where political chaos and civil war are prompted and backed by external powers". For instance, the involvement of

western and eastern states, such as China and the USA in the post-cold war period has redefined the patterns of conflict in the region.

The conflict in South Sudan is part of the ongoing turmoil in the Horn of Africa, which has attracted the attention of the international community. The fundamental aim of this study is to examine how the international community responded to the crisis. The wisdom of the international society theory affirms international obligations bestowed on members of the international community. Humanitarian responses to the crisis of humanitarian nature, such as the South Sudan political crisis, is part of the broader debate. This, is well covered by the new international norm of the responsibility to protect, which states that each state has a responsibility to protect its citizens from large scale ethnic cleansing, mass killings and other conscience-shocking. The principle of responsibility to protect attests that, if a state is unable or unwilling to exercise that responsibility or is a perpetrator of mass atrocities; its sovereignty is abrogated while the responsibility to protect devolves to the international community of states.

1.3. Problem Statement of the study

Since the outbreak of the 2013 political crisis in South Sudan, it has received wide international attention both from media and attention from the civic society organisations. This attention was a result of the human security ramifications or impact of the crisis. In terms of these human security costs, about 1, 67 million people remained internally displaced, while over a million had fled to neighbouring countries while 201 997 sought United Nations (UN) shelter. An estimated 4.8 million people are in emergency or crisis level food insecurity. The food crisis and displacement of the populations are expected to worsen if insecurity continues. Other factors such as death, rape of women and recruitment of child soldiers are among other ills, committed during the war.

The fact that the political crisis in South Sudan was still ongoing or raging on suggests that finding a lasting solution locally and regional solutions such as those by IGAD and continental solutions such as those by the AU and international solutions by the UN were all tried with varying degrees of success and had failed. The South Sudan did not slide into further chaos because of the local solutions which are holding the different tribes and political interests together. The violated peace agreement of August 2015 signed by the conflicting parties is a good example of this failure. The involvement of the international community could have been motivated by the imperative to

achieve economic interests or is driven by humanitarian justifications. These are some of the issues that this study endeavours to unpack.

As indicated earlier, the severity or the humanitarian nature of the 2013 political crisis in South Sudan has attracted a lot of attention from the international community. The role of the international community particularly the effectiveness of their interventions is questionable. In some conflict situations, the international community intervenes and the conflict stops. The escalation and widening of the 2013 political conflict in South Sudan is a clear indication of the ineffectiveness of the international community in resolving the political crisis. It is against this background that, this study seeks to investigate the extent to which the international community, both state and non-state parties have intervened politically to try and resolve the crisis.

1.4. Aim of the Study.

This study aims to examine the role played by the international community in resolving the 2013 political crisis in South Sudan by interrogating the effectiveness of the intervention or mechanisms that have been implemented to resolve the crisis in South Sudan.

1.5. Objectives of the study

- i. To examine the root causes of the 2013 political crisis in South Sudan
- ii To determine the extent of the involvement of the international community in the
Political crisis in South Sudan
- iii To establish the humanitarian implications of the political crisis in South Sudan

1.6. Research Questions:

- i What are the root causes of the 2013 political crisis in South Sudan?
- ii What is the extent of the international involvement in the political crisis of South
Sudan?
- iii What are the humanitarian implications of the political crisis in South Sudan?

1.7. Significance of the Study.

The contribution of USA, IGAD, UN, AU and neighboring states in the South Sudan crisis is significant in showing that external agencies or governments have come to play an essential role in domestic conflicts. This is significant in that the notion of African problems versus African solutions is being tested. The collective roles of these external agencies have the potential to bring about a lasting solution to the continent's hotspot areas. This will have policy implications. The study will shed light on the South Sudan conflict. It will add value to the existing body of knowledge in the relevant field. This study would also be important for similar studies.

1.8. Research Assumption of the study

The general assumption of the study is that, in view of the escalation and widening of the political crisis in South Sudan, the international community is not willing or has been too slow in intervening to save humanity at risk.

1.9. Theoretical Framework of the study

This section reviews literature on the international society theory by examining its argument. It is very important to apply this theory in this study as a tool of analysis of conflict in order to understand the importance of intervention for humanitarian reasons and the responsibility of the international community in conflicts such as the South Sudan.

1.9.1. The International Society Theory or the English School of thought

The International society theory, also known as the English school of International Relations was not coined until Roy Jones (1981) used it to call for its closure. It became a label accepted by both those within and outside the school (Suganami, 2003:253-7). In the traditional context, the international society theory was coined to refer to relations among European states. This theory began in 1959, in London, when the British Committee on the theory of International politics first met.

Several of the leading founding figures of the English School of thought were not English or even from the United Kingdom (UK). They were from Australia, Canada and South Africa. For example, Hedley Bull was Australian, and Charles Manning was South African. Other contemporary

scholars who are closely associated with the school include Martin Wight, Barry Buzan, Richard Little, R.J. Vincent, Tim Dunre and Hidemi Suganami.

Jackson and Sorenson (2010) assert that, “the international society tradition is a middle way in classical IR scholarship” According to these scholars, the main reason is that it occupies a position between classical realism and classical liberalism and has developed that into a separate and distinctive IR approach. International society theory regards international relations as a ‘society’ of state in which the principal actors are statecraft (Ibid). According to the international society tradition or theory, statecraft is “a very important human activity that encompasses foreign policy, military policy, trade policy, diplomatic communication, intelligence-gathering and spying” (Ibid).

Deverak et al. (2012::244) note that, “the international society is a central term and a major focus of the English School”. The international society refers to “both an influential concept and an actual society of states that are fundamental to world politics” (Deverak et al. 2012).The international society, as an actual entity in world politics involves two stories, one of which is familiar and the other rejected (Deverak et al., 2012:44). Deverak et al. (2012) argue that the ‘familiar story’ presents the international society as having its origins in the newly formed sovereign European states and recognises the need to regulate their mutual relations. The second, which is the ‘rejected story’ of international society, concerns the adverse and lasting impact of European expansion on non-European and non-state actors (Ibid).

In the words of Baylis et al (2011:568) “the concept international society is used to describe a group of sovereign states that recognize, maintain and develop common norms, rules and practices that enables states to coexist and cooperate” (Baylis et al (2011:568),. According to Bull, international society is “a group of states which is conscious of certain common interest and common values, and which accordingly sees itself as bound by a common set of rules and as sharing in the working of common institutions” (cited in Devetak et al., 2012:247). It is known that there is an international society because states behave as if there is one.

In theory, sovereign states are independent and principal actors in world politics, and in international law states, have equal rights with all the other states (Devetak et al. (2012:246). This view is also shared by the realist school of thought which argues that the state is the main actor in international politics. Devetak et al. (2012) further argue that, sovereign states are supposedly

independent from other states and have no higher authority standing above them. Devetak et al. (2012:246) adds that there are two fundamental points to note, the international society of mutual recognition and the maintenance of order and rule of law by institutions of the state such as courts, police, and various administrative bodies. The international society has no government which maintains law and order except for the UN (Devetak et al., 2012:246).

The main focus of the international society theory always has been on history and theory for the global level of the international relations. For Wight, (1991) international politics “is a realm of human experience” with its own distinctive characteristics, problems and language. Jackson and Sorensen (2010:128), argues that the main substantive point of this approach is that international relations ought to be understood as a ‘society’ of sovereign states. In order to understand the society of states, it is important to consider the question of becoming familiar with the history of international relations as it is experienced by the people involved (Jackson and Sorensen, 2010:128). These people are or could be leaders of governments such as, presidents, prime ministers, foreign ministers, defence ministers, envoys, military leaders, foreign affairs officials, chancellors and numerous representatives of independent states, including people who act on behalf of states in foreign affairs (Ibid).

Jackson and Sorenson (2010), summarise the main assumptions of the international society tradition thus : (1) “a claim that international relations is a branch of human relations at the heart of which are basic values such as independence, security, order and justice, (2). a human-focused approach: the IR scholar is called to interpret the thoughts and actions of the people involved in international relations, and (3). acceptance of the promise of international anarchy but not to the exclusion of alternative ideas of world politics” (Ibid). In the words of Mclean and Mcmillan (2009:269-270), the central idea of the international society or the English school of thought is that “states can form a society by agreeing amongst themselves to establish common rules and institutions for the conduct of their relations and by recognising their common interests in maintaining these arrangements”. This idea goes back to Hugo Grotius.

Hedley Bull (1969:20) argues that the international society approach derives from philosophy, history and law. Hedley Bull’s starting point is that, states exist in a condition of international anarchy (the absence of government). Bull (1969) further asserts that, the international society approach is characterised by an explicit reliance upon the exercise of judgement. According to

Bull (1969), this means that IR scholars should fully understand that foreign policy presents difficult moral choices to the state and people involved. Those choices are about conflict political values and goals. The Realist school of thought argues that, the international order is attained through the balance of power mechanism, a view that Hedley Bull (1977) does not share. Hedley Bull (1977) believes that order in international relations it is possible for states to exist as a family of nations or international society. Bull identifies four goals necessary for international order, namely: “preserving international society, upholding the independence of member states, maintaining peace, and adhering to norms governing war, diplomacy and sovereignty” (Jackson and Sorensen, 2010:302). Historical examples of such international societies had a common culture, which encompassed linguistic, ethical, religious and artistic elements (Bull, 1977).

According Jackson and Sorenson (2010:130), for international society theorists, IR is “a study of war and peace, of declaring war, making peace and rejecting or accepting peace offers of giving assurance, forming and entering into secrets pacts, of sabre-rattling and appeasing, of negotiating and breaking off negotiations, of establishing and severing diplomatic communications, of attacking and defending ,of intervening, liberating, isolating, terrorizing, ethnic cleansing, offering humanitarian assistance etc”.

International society theorists take the importance of individual into consideration (Jackson and Sorensen, 2010:46). They argue that individuals are way more important than states. This view does not complement the view of contemporary liberals who put their total support on the importance of intergovernmental and non-governmental organisations (IGOs and NGOs). For the international society theorists, IGOs and NGOs are marginal rather than central features of world politics. The importance of IGOs and NGOs is supported by the idealist school of thought which contends that IGOs and NGOs such, as multinational corporations, are powerful participants in the international political system. These theorists also consider as important the relationship among states and down play the importance of transnational relations (Ibid).

Two international values are given special attention by Vincent (1986), namely order and justice, which give details on state sovereignty and human rights. Vincent (1986) contends that, states are supposed to respect each other’s independence. This is the value of state sovereignty and non-intervention. Jonh Vincent also states that, international relations not only involves states, but also involves human beings who, according to Vincent possess human rights regardless of which state

they belong to the state to .Vincent (1986) adds that, there can be and sometimes there is a conflict between the right of non-intervention and human rights.

However, whether non-intervention or human rights take precedence is debatable. The key questions are: Which of these values (non-intervention and human rights) should have priority? If human rights are being massively violated from within a state, does the government retain its rights of non-intervention? In such circumstances, is there room for humanitarian intervention to rescue people? How should the two rights be balanced? (Jackson and Sorenson, 2010:131).

Pluralist and solidarist perspectives have tried to answer these questions. While Pluralists stress the importance of state sovereignty and try to accommodate varying norms, values and standards of justice in different states within a framework of coexistence based on respect for sovereignty (Garner et al., 2009:359).For pluralist the, rights and duties in the international society are conferred upon sovereign states. Individuals have only rights given to them by their own states or those recognised by the society of states. This, means that the principles of respect for sovereignty and non-intervention always come first (Jackson and Sorenson, 2010:133).

The solidarist perspective stresses the importance of the individual as the ultimate member of the international society. Human rights take precedence over the rights of sovereign states (Jackson and Sorenson, 2010:133). In this situation, it is the duty of the sates to conduct intervention, in order to mitigate extreme cases of human suffering (Ibid).

Scholars, who support the theory of the international society, have distinguished between an international system and an international society. A system of states (or international system),on one hand is “formed when two or more states have sufficient contact between them, and have sufficient impact on one another’s decisions to make the behaviour of each a necessary element in the calculations of the other” (Bull ,1995:9-13) . On the other hand, “a society of states (or international society) exists when a group of states, conscious of certain common interests and common values, form a society in the sense that they conceive themselves to be bound by a common set of rules in their relations with one another and share in the working of common institutions” (Bull, 1977:13).

The international society approach leads to a study of moral choices in foreign policy that responsible states are confronted with. There are at least three distinct levels of responsibility,

namely national responsibility, international responsibility and humanitarian responsibility (Jackson, 2000). The conception of national responsibility, states that people are responsible for the well-being of their citizens (Jackson and Sorenson (2010:144). What these states have to do is to adhere to the fundamental standard of national self-interest in their foreign policies. While they are doing so, they will be protecting the fundamental value of national security as they are duty-bound to do so (Ibid). This view is taken from Nicolle Machiavelli's precept says always put your nation and its citizens first and avoid taking unnecessary risks with their welfare. This means that leaders of countries should work together in harmony while avoiding involving their citizens in unnecessary wars unless this is done for purposes of self-help. The reason given for this is that, citizens of countries have positive rights such as, civil and political rights by virtue of the fact that they are citizens of those states.

When it comes to the second conception, that is international responsibility, Jackson and Sorenson (2010:145) argue that, states have foreign obligations deriving from membership of the international society. This involves rights and duties as defined by international law (Ibid). In the third conception, which is humanitarian intervention, states are perceived as human beings because, they have a fundamental obligation to respect human rights both in their own countries and in all the other countries around the world.

It is very important to understand the normative basis of the international community's involvement in the political crisis in South Sudan. This is because it helps us get insight or wisdom from the international society theory or the English school of thought. According to the international society theory members of the international community are supposed to intervene to protect human rights. By virtue of them being members of the international community they uphold national and international responsibilities. This also augurs well with the new framework of the responsibility to protect (R2P). This is because the R2P tries to answer some normative contestations when it comes to intervening in political conflicts. The R2P also tries to address the question on what ought to be done and what ought to be. In this case, the international community's involvement in the political conflict in South Sudan derives justification from the international society theory or the English school of thought.

1.10. Definition of key concepts:

1.10.1. Conflict-“competition between opposing forces reflecting a diversity of opinions, preferences, needs or interests” (Heywood, 2002:421).

1.10.2. Conflict resolution- “multidisciplinary, analytical, problem-solving approach to conflict that seeks to enable the participants to work collaboratively towards its resolution” (Tillett and French, 2006:308). It can also be defined as “a situation where the conflicting parties enter into an agreement that solves their central incompatibilities, accept each other’s continued existence as parties and cease all violent action against each other” (Demake, 2014:249).

1.10.3. Humanitarian intervention- “military intervention that is carried out in pursuit of humanitarian rather than strategic objectives” (Heywood, 2002:424).

1.10.4. Coup d e’tat- This is a French word which means “a stroke of states”. It can broadly be defined as “a forcible seizure of power through illegal and unconstitutional action carried out (unlike in revolution or rebellion) by a small group” (Heywood, 2002).

1.10.5. Peace agreement- can be defined as a “situation in which the fighting parties accepts each other also as parties in the future dealing with one another” (Demake, 2014:250).

1.11. Literature Review of the study

Literature review can be defined as “an integrated summary of all available literature relevant to a particular research problem” (Bless et al.2006:183). Literature review on the South Sudan conflict mainly focuses on conflict profile reports, journal articles, and published and unpublished conference papers, thesis and dissertations. It seems that there is a general agreement by many scholars that the South Sudanese conflict is rooted around political factors. In this study, literature review mainly focuses on the causes of conflict, nation-building and the Horn of Africa.

1.11.1. Literature review on the causes of the conflict

According to Baah (2014:33), the conflict in South Sudan can be categorized as having caused by “political” factors. However, it has fast spiraled into an ethnic conflict so often seen in African wars.

Several scholars such, as Lukhele (2016), Omeje and Minde (2015) and Zifcak (2015), agree that what led to the armed conflict on 15 December 2013 was President Salva Kiir's allegation that his deputy Machar was orchestrating a military *coup de tat* against the government. This claim was made by Kiir at a press conference in which he accused his deputy and his supporters of having engaged in an attempted coup, an allegation that Machar denied.

According to the Unicef Report of 2015 titled "*Situation Assessment of Children and Women in South Sudan*", there are five drivers of the conflict in South Sudan. The first has for a long time been "the manipulation of ethnic identities and loyalties for political and economic ends". The report further states that maintaining social cohesion among the more than 60 ethnic groups in South Sudan has been a huge challenge. Another conflict trigger in South Sudan, according to the report, is competition over resources. The report cited oil as one resources at the centre of the conflict, especially in the oil-rich Greater Upper Nile region.

The Unicef Report (2015:39) also cited the impact of poor governance and inequalities as drivers of conflict in South Sudan. The report argued that these resulted in preferential treatment for some communities and tribes against others According to this report, service provision can also be a conflict trigger. The report argues that failure to provide services in sectors such as education, health, welfare, protection services as well as infrastructure, are significant drivers of conflict. The availability of small arms has led to the militarisation of some communities (The UNICEF Report, 2015:40).The availability of weapons continues to facilitate the rapid escalation of community disputes, and this leaves young men with no choice but to be dragged into the conflict.

According to the Sudd Institute Special Report (2014:1), the crisis in South Sudan can be categorised into three forms, namely political, social and economic forms. The report also agrees with other scholars that the conflict was also motivated by political factors. The crisis was precipitated by a political disagreement within the SPLM (The Sudd Institute Special Report, 2014) .The report further indicates that historical issues that remained unresolved after CPA significantly compounded the crisis. It also affirms that factors such as illiteracy, maladministration and the undemocratic nature of the SPLM, lack of employment, as well as weak, institutions contributed to this unconscionable state of affairs.

Three main social factors have been attributed for escalating what was a political dispute into an open war (The Sudd Institute Special Report, 2014:7). These include the history of the liberation process, induced ethnic, disequilibrium in the army and poor social indicators. The report further argues that “had there been jobs and schools and good living conditions, ethnic rivalry would not have engulfed the population throughout this crisis”. Another key issue that could have contributed to the violence is the issue of disproportionately higher representation of the ethnic Nuers in the army (The Sudd Institute Special Report, 2014:8).

Mebratu (2015) also concurs with other scholars that, the reason for the conflict in South Sudan is political. For Mebratu (2015:43), “long before the outbreak of violence in December 2013, political stability in South Sudan was threatened by unresolved and protracted rivalries between President Kiir and former Vice President Machar, and this dates back to the 1990s. Another political factor which might have possibly driven the current violence gripping the South Sudanese state, is the supremacy of SPLM/A” (Mebratu, 2015:46). Mebratu (2015) argues that South Sudan is practically a one-party state and that it has not been possible for any other political party to pose a strong challenge to South Sudan’s ruling party.

In a paper entitled “*Macro Analysis of Conflict in South Sudan*”, the South Sudan Protection Cluster (2014), argued that the current crisis was precipitated by a political dispute within the ruling party and the internal crisis within the SPLM was longstanding, unresolved and existed along personal, ethnic, regional and historical lines. Jok Maduk Jok (2015:16), concurs that the crisis in South Sudan is political. In his own words “the ongoing conflict was triggered by a disagreement within the presidential guard unit of the country’s security forces”.

Lukhele also argues that tensions erupted because President Kiir had shown signs of positioning himself for perpetual power. Bekela (2015:70), indicates that it was unsettled issues in the previous cyclical conflicts that allowed political disagreements within the leadership of the Sudan People’s Liberation Movement/Army (SPLM/A) about the future to escalate into armed conflict.

In a paper titled “*The Crisis in South Sudan*”, Blanchard (2014) pointed out that it was growing political tensions between key political leaders, such as Riek Machar and Salva Kiir which led to the conflict. He indicated that it was only later that the conflict became ethnic in nature. Blanchard

also cites the atmosphere of mistrust among South Sudan leaders and ethnic groups that date back to Sudan's civil war (1983-2005).

In an article titled, "*The real reasons behind South Sudan crisis*", written by Maru in 2013, an attempted coup was cited as one of the main drivers of the 2013 crisis in South Sudan. He further mentioned that the root causes of the crisis lay in the lack of willingness to democractise and low levels of service delivery to the public. Maru also recommended that, since the SPLM was no longer a liberation movement, but a ruling party, it needed to conduct itself in a democratic manner, in order to allow the South Sudanese people to exercise all the rights for which they fought. The SPLM also needed to discharge its responsibilities on behalf of all the functions of the state.

Radon and Logan (2014) argue that patronage and the access to resources that patronage brings are undoubtedly significant underlying causes of the violence. They did not see ethnicity as one of the causes of the conflict in South Sudan. Instead, they pointed out that the fault lay with political leaders who used ethnic patronage to build their bases, or who included their ethnic kin to carve out a geographic or political niche.

Radon and Logan (2014) further pointed out that, there were a number of other issues that appear to have contributed to the outbreak of this violence, for example frictions between various groups of the army. They also stated that long-simmering leadership struggles within the ruling party, the (SPLM) between Kiir and Machar, had created cleavages and uncertainty within the ruling party and the national government.

There are several underlying governance features that are connected to the above mentioned factors which helped set the stage for conflict to erupt. These features include: the concentration of power provided for in the 2011 Transitional Constitution which negated decentralisation efforts (Radon and Logan (2014)). The presidential system of government, which all too often lends itself to constitutional collapse, particularly in countries with limited histories of democracy, and the fragility of the new country's institutions, which were too weak to control individual South Sudanese leaders.

1.11.2. Literature review on the Horn of Africa

“The Horn of Africa is the north-eastern part of the African continent which faces the Red Sea to the east, the Indian Ocean to the south-east and Nile Basin to the west” (Berouk et al, 2011: 3). For scholars such as Sintayehu (2014: 141), the term “Horn of Africa” is not only a geographical expression, but it is rather a geopolitical concept. According to Sintayehu (2014), the proper Horn of Africa consists of Ethiopia, Eritrea, Djibouti, Somalia, the Sudan and South Sudan. It also includes Kenya and Uganda (known as the Greater Horn) (Sintayehu, 2014: 141). It is home to different ethnicities, religions and cultures (Muhabie, 2015: 31). All these states share social and cultural values emanating from a century-old tradition of interrelationships, common religious practices and economic linkages (Berouk et al, 2011: 3).

Nevertheless, some are convinced that the Horn of Africa region is endowed with a dynamic, youthful, and entrepreneurial population and an abundance of natural resources (Sintayehu, 2014: 142). In spite of this, the people of this region have been suffering from hunger, conflicts, poverty, and growing inequalities and instabilities (Sintayehu, 2014: 142). “Life expectancy and literacy are among the lowest in the world, and adult and infant mortality are the highest (Berouk et al, 2011: 4)”. Furthermore, the region is affected by environmental problems, such as draught, water scarcity, soil erosion, desertification, erratic precipitation patterns, and overuse of scarce renewable resources (Medhane, 2004: 5). “It is one of the most insecure regions in the world and ranks low on global indicators of human security, rule of law, and good governance (Muhabie, 2015: 31). Consequently the region has more than 800, 000 refugees and more than 3 million internally displaced people” (Sintayehu, 2014: 143).

The Horn of Africa is the most conflict-ridden region in the world, of which some of these conflicts, are inflamed by external interference and accompanied by widespread human rights violations, sometimes simultaneously within and between states (Berouk et al, 2011: 4). For the last 50 years the Horn of Africa has suffered protracted chronic and complex intra and inter-state conflicts (Cliffe,2004:15).Shugute (2013: iii) contends that, the Horn of Africa had been the stage of a number of deadly conflicts which had regional and international ramifications. According to Berouk et al, (2011: 4), one of the most longest running intra-state conflicts in the African continent is the one that took place in Eritrea and South Sudan, with an estimated death toll of over two million.

Many scholars identify various causes of conflicts in the Horn of Africa. The sources of conflicts in the region are diverse and complex. According to Alemu (2014:146), the root causes of the political problems in the Horn of Africa lay on interlinked international and domestic factors. Alemu (2014) states that, factors such as colonialism left Africa with undiversified economic systems resulting in the region being incapacitated and forced to adapt to new adverse external conditions. For Alemu (2014), the colonial boundary heritage is another source of instability in the region of the Horn of Africa.

Wanyande (1997) argues that, the root causes of the conflicts in the Horn of Africa is the issue of governance and the nature of the state. According to Wanyande, these conflicts manifest themselves as ethnic, clan, racial religious regional in character and form. For Wanyande, in order to reduce the incidence of conflicts it is necessary to improve the nature and mode of governance in the region. Shugute (2013) states that, unsettled boundary problems created by colonial powers are some of the factors responsible for conflicts in the Horn of Africa. In the article titled '*The Root Causes of Conflicts in the Horn of Africa*', Mengistu (2015) classified the causes of conflicts in the Horn of Africa in three categories, namely, political, social and economic. In one of the economic causes, he (2015:31) argues that, 'many of the horn conflicts can be linked directly to contests for the control of resources such as the Red Sea, Indian Ocean, Oil, agriculture and grazing lands and water resources like River Nile'.

For Sharamo and Mesfin (2011), interference from external powers coagulates the current cleavages of the Horn of Africa. These scholars give the example China's major investments in the region's infrastructure and economic development, to secure supplies of natural resources, the desire of Egypt and Israel to maintain their influence in the region and United States counter-terrorism policies which influence politics and security in the Horn of Africa. The US's counter-terrorism policy has significant, deepening political fissures in the region between states aligned with US counter-terrorism initiative and those at odds with US policy (Sharamo and Mesfin, 2011). A country such as, Somali is at the epicenter of this dynamic.

1.11.3. Literature review on Nation Building

In order to understand the concept of nation-building, it is imperative to examine what constitutes a nation. A nation is "a group or race of people who share history, traditions, and culture,

sometimes religion and usually language” (Ikechukwu, 2014: 37). According to Anderson (cited in Adibe, 2016: 80), a nation is “a community of socially constructed and imagined by the people who perceive themselves as part of the group”. For Anderson, a nation is “imagined because members of even the smallest nation will never know most of their fellow-members, meet them, or even hear of them, yet in the mind of each lives the image of the communion”.

Despite the fact that it is frequently used, the term “nation-building” lacks an exact definition, therefore, scholars define it in different ways. Alessiani and Reich (2015: 3), define the term ‘nation building’ as “a process which leads to the formation of countries in which citizens feel a sufficient amount of communality of interests, goals and preferences so that they do not wish to separate from each other”. A good example such of a nation is Nigeria which has about 250 ethnic groups and Kenya, with about 70 different ethnic groups. The term ‘nation-building’ refers to “policies and projects by which newly independent governments embark on to purposively effect the transition from tradition to modernity”. This quest or transition entails a total massive effort of social engineering in which all elements of a modern state are assembled (Sinclair, 2007: 2).

Nation-building is a normative concept which means different things to different people (Carolyn (2005: 1). Thus nation-building entails a programs whereby dysfunctional or unstable or failed states are given assistance in the development of governmental infrastructure, civil society, dispute resolution mechanism, as well as economic assistance, in order to increase stability. This idea is further shared by Daxita (2011: 3), who describes the term ‘nation-building’ as “a social process of transforming an underdeveloped, poor and divided society into a peaceful community with equal opportunities and economic viability”. The transition from an apartheid government to a democratic government in 1994, in South Africa, coupled with the introduction of a new Constitution, the establishment of the Truth, and Reconciliation Commission in 1996, the National Conference on Racism in 2000 and the World Conference Against Racism .Racism Discrimination , Xenophobia and Related Intolerance in 2001 among others, served as example of nation-building, in which society has lived through many years of segregation and racial antagonism (Chaka, 2014: 195).

Nation-building does not begin with the armed conflicts or processes of decline, as contemporary arguments posit, but it is “a continuing process in all countries aimed at establishing and reproducing an integrated national society based on shared values and goals” (Sinclair, 2007: 2).

Consequently, this type of political organization finds its origins in Western Europe in the 18th and 19th century (Planck, 2005: 584). However, nation-building requires a physical, social and communications infrastructure that is shared by the entire civil society (Ibid). This, however, includes educational facilities; teaching a common language; building infrastructures for easier travel among others (Alesina and Reich: 2015: 1), and these assets must be accessible for all groups of the population and be used by them for transactions and communication (Sinclair, 2007: 6).

Scholars have identified countless challenges that could stand in the way of a successful nation building project. The first challenge in Africa could be attributed to the Berlin Colonial Conference (1884-1885). According to Gbenenye (2016: 119), the Berlin episode disorganized Africa and terminated the natural evolution of states in the continent, as it divided the continent and made new political boundaries, with artificial lines drawn over territories and common cultures. The artificial creation of these states proved to be more a liability than an asset to the present independent Africa nations (Boahen, 1987: 95). Because of the artificiality of these boundaries, each independent African state is made up of whole host of diverse ethno cultural groups and nations having different historical traditions and cultures and speaking different languages (Boahen, 1987), thereby making it difficult for some different ethnic groups within states to coexist and for leaders to carry out programs of nation-building. A very good example of this kind could be drawn from Sudan and Central African Republic (CAR). The religious differences between the Christian South and Muslim North that sparked a conflict which overlapped into an ethnic, regional and even economic divide, coupled with the introduction of Sharia Law in the Christian South, cost the country a great loss of human lives in ethnic conflict and it inflamed the South Sudan's passion for self-determination (Irobi, 2013: 19). Meanwhile in the CAR, the Muslims living the northern part of the country have been stripped of their national identity and are considered as foreigners (Trinidad, 2014).

Posing yet another stumbling block towards national unity in African states is the lack of common language. According to Irobi (2013: 18), "language is considered to be very important for any ethnic group. The absence of a common language, creating national values and interest is an optical illusion and any attempt to impose a particular language on other ethnic groups invites conflict or protest" (Irobi, 2013: 21). Providing a good example of this kind, could be drawn from the 1976

Soweto uprising. The 1976 student protests in South Africa were sparked by the introduction of Afrikaans as a medium of exchange in schools, of which the student rejected with violence.

In his article entitled, *'Diversity, Unity and Nation Building in South Sudan'*, Jok Madut Jok (2011) blames the government of South Sudan for doing little to address the issues of nation building. For him the government spends much of its time on state building than on nation building. Like other scholars, Jok Madut Jok (2011) concurs that nation building in South Sudan is associated with the challenge of, ethnicity which occupies a central role and is the most burning issue in the country.

Clarkson (2011) states that, a major challenge to nation building in South Sudan is a serious lack of political reforms. For him, the only way to achieve nation building in South Sudan is through the creation of a permanent constitution to legitimise the government and supplement citizenship through inclusivity and acceptance. Heleta (2008) wrote a provocative article entitled, *'Roots of Sudanese conflicts are in the British Colonial Policies'*. The article provides a brief and very important history of South Sudan's bondage in Sudan. Heleta argues that, British apartheid policies forced tribalism and ethnicity to become major stumbling blocks to nation building in South Sudan.

1.12. RESEARCH DESIGN AND RESEARCH METHODOLOGY

1.12.1. Research Methodology

According to Hegemeier et al. (2006:186), research methodology is a “set of underlying principles that dictate the way in which research is done”. Research methodology is “important in the sense that it tells us what questions to ask about the social world and how we should collect the information we need, in order to answer these questions”. Shulika (2013:21) also states that, “the use of qualitative research method is to logically arrive at, and engender qualitative justifications of the “what and how” questions the study seeks to answer”. King, Keohane and Verba (1994), note that “the qualitative method allows the researcher to unearth an immense amount of information”.

Hegemeier et al. (2006:61) state that there are two types of research methods, namely, qualitative research method and quantitative research method. The qualitative research method, is “a research method that seeks to understand people's views and experiences of social interaction in their own

world”. On the other hand, “quantitative research is research that collects information that can be in numbers” This study will use the qualitative method because it will allow the researcher to go deeper into the study thereby enabling the researcher to get closer to the respondents.

1.12.2. Research Design

In this section, the researcher explains methods used for data collection. The roles of external actors in the resolution of the political conflict in the independent state of South Sudan being a qualitative study; the researcher will use qualitative research methods to answer the research question.

Babbie et al. (2001:74) define research design as “a plan or blueprint of how you intend conducting the research”. They (2001:647) also define research design as “a plan or structured framework of how you intend conducting the research process in order to solve the research problem”. The research design can be classified according to whether they are empirical or non-empirical studies. According to Kerlinger (1986:279) cited (cited in Kumar, 2005:84), a research design is “a plan, structure and strategy of investigation so conceived to obtain answers to research questions or problems”. The sections mentioned below form part of data collection and data analysis in this study”.

1.12.2.1. Study Population and Location

According to Wiid and Dggines (cited in Davis et al., 2014:132), a population is “the total group of or entities (social artefacts) from whom information is required”. Bless et al (2006; 184), define “population’ as the complete set of events, people or things to which the research findings are to be applied”. The target population includes essentials (individuals, objects, or substances) that meet certain criteria for inclusion in a given space.

In this study, the target population comprised of lecturers, government officials, the Ministry of Foreign Affairs, officials of the embassy of South Sudan, DIRCO , research institutions, such as the Institute of Security Studies, Institute of Global Dialogue, the Human Science Research and Council, as well as Africa Institute of South Africa. These institutions and departments are located in Pretoria and Johannesburg in South Africa.

1.12.2.2. Sampling Method

According to Earl (1992:107), sampling is “a process of selecting a portion of the designated population to represent the whole population”. Bless et al (2006:185) define sampling as “a technique by which a sample is drawn from the population”. Similarly, a sample is a group of elements drawn from the population that is considered to be representative of the population, and which is studied in order to acquire some knowledge about the entire population. A group is the most basic unit about which information is collected. An element is the most basic unit about which information is collected (Earl, 1992:107).

1.12.2.2.1. Purposive Sampling

Rubin and Babbie (2005:247) define purposive sampling (also known as judgemental sampling) as “a technique also known as judgement sampling”. In this type of sampling, members of a sample are chosen with the purpose of representing a phenomenon, group, incident, location or type in relation to a key criterion” (Creswell, 2016:85). Purposive sampling is also used in special situations where the sampling is done with a specific purpose in mind (Creswell, 2016:85).

In this study, purposive sampling was used to select key respondents. Semi-structured face to face and telephone interviews will be conducted with purposively chosen respondents who are thought to be relevant to the research problem. This is because the purpose of this study is to examine the roles played by external actors and their contribution towards the resolution of the South Sudanese conflict. For this reason, this study will have a sample of ten respondents who are divided as follows: three from South Sudanese embassy in South Africa, three academics and experts from research institutions such as Institute of security Studies (ISS), South Africa Institute of International Affairs (SAIIA) and one from the Thabo Mbeki Foundation in order to assist the researcher with relevant information.

1.12.2.3. Data Collection

According to Grinnell and Williams (1990:44) data collection is “a procedure specifying techniques to be employed, the measuring instruments to be utilized and activities to be conducted in implementing a research study”. This is accomplished through various methods and techniques of observation, such as documents analysis, content analysis, interviews, questionnaire and

psychometric tests. Data collection is the information that the researcher collects before conducting a study (Kobus, 2007). Burns and Grove (2003) defines data collection as “the precise, systematic gathering of information appropriate to the research sub-problems, using methods such as interviews, participant observation, focus group discussion, narratives, document review and case history”. For the purpose of this study, document analysis was used to analyse and review the content of documents obtained from primary and secondary sources.

Data for this study was predominantly obtained from primary and secondary sources. In this study, primary sources refer to the oral sources which will be collected through semi-structured face to face and or telephone interviews with experts in the field from the South Sudanese embassy in Pretoria, DIRCO, Institute of security Studies (ISS), South Africa Institute of International Affairs (SAIIA) and the Thabo Mbeki Foundation. Semi-structured face to face and telephone interviews were used to collect data on topical issues such as the following: whether the involvement of the international community in the political crisis of South Sudan is motivated by humanitarian motives or economic interests, the humanitarian implications of the crisis on the political, social and economic aspects of South Sudan. Secondary sources of data, such as, books, published journal articles, newspaper articles, online sources, databases, magazine articles, academic sources, government documents and policy documents, media reports and internet source will be used to collect and analyse information or works done by others. Documented sources from the Embassy of South Sudan and other research institutions based in Pretoria as mentioned above were useful for this study.

1.12.2.4. Data Analysis

De Vos et al (2014:402) define data analysis as “a process of bringing order, structure, and meaning to the mass of collected data”. Merriam (2008) defines data analysis as “the process of making sense out of data and making involvement, consolidating, reducing and interpretation of what people have said and what the researcher has read”. Data analysis can be defined as “the means to organise, describe and explain in summary form the information or data that researchers have collected” (Hagemeier et al, 2006:70).

In this study, document analysis will be used to analyse and review data. According to Bowen (2009) document analysis is “a systematic procedure for reviewing or evaluating documents both

printed and electronic”. The artefacts for study in documents analysis include books, newspaper, magazines, law, constitutions to name but a few. The content of documents obtained from the South Sudanese embassy in Pretoria, DIRCO, Institute of Security Studies (ISS), South Africa Institute of International Affairs (SAIIA), the Thabo Mbeki Foundation, published journal articles, and online sources were analysed.

1.12.7. Limitation of the study

There are a number of limitations to this research study. First, the time allocated for this study was limited. The researcher to collected lots of published and unpublished sources because the task of visiting search websites consumes a lot of time. Secondly, the financial allocated for the study were also limited. In order to address these difficulties, the researcher conducted a few interviews in the form of in-depth interviews with people who are familiar with African politics, as well as scholars with knowledge of the South Sudan situation.

1.12.8. Ethical Considerations

Bless et al (2006:140) state that the word “ethics” is derived from the Greek word “ethos” meaning “ones character or disposition”. Schumacher and McMillan (2006”:142) state that, ethics deal with beliefs about what is right or wrong, proper or improper, good or bad. Ethics means conforming to the standard of conduct of a given group of professionals (Babbie and Moutton, 2001:520). Ethics refer to “the researchers’ determination to carry out the research in a morally acceptable way. “Ethical issues involve research subjects” (Hegemeir et al, 2006:76). In this study, the researcher ensured that the research ethics were taken into consideration by not infringing on the rights of the respondents.

In order to avoid the possibility of bias and misinterpretation, the researcher informed individuals participating in the study about the purpose and aim of the research. In addition, all materials cited or quoted from books, journal articles, internet sources, published and unpublished documents, dissertations, monographs, reports, interviews and other relevant sources are properly acknowledged. This ensures that plagiarism and unnecessary fabrication of facts are avoided.

1.13. Conclusion

This chapter discussed the background of the study, the statement of the problem, highlighted the research objectives both main and specific ones and the research questions. The significance of the study is also included in this chapter. Theoretical framework, literature review, summary of the literature gaps and the research methodology is also contained herein.

CHAPTER TWO: CONCEPTUALISATION AND LITERATURE REVIEW

2.1. Introduction

This section reviews literature related to the study. It discusses key concepts, the drivers for intervention in South Sudan, the politics of South Sudan and Sudan, and the politics of the Great Lakes Region in general. The study also discusses the theoretical framework employed in the study paying particular attention to the international society theory which relates the research problem being investigated in the study.

2.2. THE POLITICS OF SUDAN AND SOUTH SUDAN

After the Ottoman-Egyptian rule of Sudan in the late 1800, it came under British –Egyptian administration until Sudanese independence in 1956. The predicaments of seeking self-determination by South Sudan began immediately after Sudan was granted independence by Britain in 1956 (Boboya and Barnaba, 2015:1). To put it in a simple way the Anglo-Egyptian condominium had ruled Sudan as a British colony and from the year 1899 Sudan has been dominated by military strongmen (Anderews, 2017:138). “The history of Sudan has been strongly influenced by the Arab world since the VII century. In fact, in 651, Muslim Egyptians invaded Sudan, and signed a peace treaty with the Christian state of Makuria ruled by the Nubians, the first inhabitants of the country. The treaty came to be known as bakt. It was based on mutual respect of each other’s political and cultural integrity. Accordingly, Makuria had to provide the Egyptians with slaves in exchange for goods. This historical pattern is central, because the exploitation of marginalized regions is still an ongoing process in modern Sudan” (Johnson, 2011b:13).

North Sudan was granted independence by British and Egyptian rule in 1956 (Boboya and Barnaba, 2015:1). Since the attainment of independence by the Northern Sudan from the British, the Northern Sudan and Southern South have been involved in two civil wars (Barnaba, 2015:1). The security history of South Sudan is inextricably linked to the history of Sudan as a whole. The conflict between South Sudan and North Sudan emerged when the government of the North Sudan refused to introduce a federal political structure that would grant relative autonomy to the country’s competing ethnic groups. Six years after the independence of North Sudan, the Anyanya guerrilla group began an armed struggle for southern separation (Anderews, 2017). The first civil war took place in 1956 to 1972, and the second civil war occurred from 1983 to 2005. The first civil war

was brought to an end by the signing of the Addis Ababa Agreement but only lasted for seventeen years. The goal of the rebels in the first civil war was to achieve autonomy (Varma, 2011). The second civil war was brought to an end by the Comprehensive Peace Agreement (CPA). The second civil war was the continuation of the first Sudanese civil war between the central Sudanese government and Sudan People's Liberation Army (SPLA).

This conflict lasted took place for a period of twenty-two years. The goal of the rebels in the second civil war was to restructure the country into a new Sudan that would be free from any discrimination due to race, ethnicity, religion, culture, or gender (Varma, 2011). Given the history of its peoples' demands for democracy and civil liberties there was hope for success. The country also has large oil reserves, capable of producing significant revenue to support a strong economy. President Nimeiri wanted Sharia Law to be implemented in Sudan, which not everyone supported, as some were Christians.

The war resurfaced in 1983 due to former President Nimeiri's failure to honour the Addis Ababa agreement, when he instituted Islamic laws in the southern region. However, the Sudan People's Liberation Army (SPLA) was formed in the 1980s as a reactions to Nimeiry's attempt to introduce Muslism political governace, imposing sharia law and dissolving the southern government. Unfortunately, Nemeiry was removed from office in 1985 in a coup through the election of Sadig Al Mahdi who was also removed from office in a coup led by the National Islamic Front (NIF) in 1989. This made Omar al Bashier to occupy the presidential seat (Gody, 2012). "The two South Sudan-Sudan civil wars were the result of a number of causes. The first civil was war ethnically-motivated and centred on issues of underdevelopment and the socio-political and economic marginalisation of the South, the discovery of resources, especially oil, and the desire to control and own it. This greatly contributed to and exacerbated the second civil war" (Shilika, 2013:113).

In 2005, the Comprehensive Peace Agreement (CPA), also known as the Naivasha Agreement, which aimed to end the civil war, was concluded, thereby paving way for the complete separation of the Sudanese regions. The CPA was to give South Sudan autonomy for six years followed by a referendum on independence. On 9 July 2011, South Sudan was fully recognised as the world's newest nation something that hailed as a milestone that would end conflict and deeply rooted tribal differences (Paglia, 2006). South Sudan became an independent state from Sudan in 2011 which

was under the leadership of Omar al-Bashir. Salva Kiir became the president of the new South Sudan and Riek Machar was became his vice-president on the 9th of July in 2011. South Sudan became an independent state because of the 2011 January referendum, as well as the 2005 Comprehensive Peace Agreement (CPA), which assisted in ending the longest civil war in Africa. However, the 2011 referendum did not address all the problems between the South and the North. For example, Ottaway and El-Sadany (2012) and *the Sudd Institute report* (2014:8) noted that historical issues that remained unresolved after the signing of the CPA in 2005 are some of the problems hindering nation building in South Sudan. These outstanding unresolved issues , issues such as Joseph Kony and the Lord's Resistance Army operating in the region, the status of Abyei, South Kordofan, Blue Nile, the final demarcation of the two country's boundaries and, the arrangements for sharing oil revenues.

Allegations that South Sudan has some links with active armed groups in Sudan has also soured relations between the two countries. Handy (2013) argues that such allegations have gone to the extent that Sudan has threatened to shut down pipelines carrying oil from South Sudan's oil fields to Port Sudan. Handy (2013) cites the on-going battles between the Sudanese army and the Sudanese Revolutionary Front (SRF) rebel coalition and the bigger question of national stability, political survival of the ruling National Congress party (NCP) following signs of opposition mobilisation through the recent signing of the New Dawn Charter and the liberation of Abu Kershola by the Sudanese army from SRF (Handy, 2013).

Some political observers argue that the current 2013 political conflict in South Sudan has historical antecedents in the politics of North Sudan. The predicaments of seeking self-determination by South Sudan began immediately after Sudan was granted independence by Britain in 1956 (Boboya and Barnaba, 2015:1). The conflict between South Sudan and Sudan emerged when the government of Sudan refused to introduce a federal political structure that would grant relative autonomy to the country's competing ethnic groups. Zambakari also notes that, the root causes of the conflict included political, social, and economic marginalisation of the peripheries, the role of religion in , self-determination, the distribution of power, forced arabisation and islamisation, mismanagement of diversity, national crisis of identity, and the institutional legacy of colonialism. According to Debiel et.al (2004) "the conflict between North Sudan and South Sudan which has in the early and mid-1950s and lasted for a half century can be expressed

in three major dichotomies: *1. A conflict between Arabs and Africans, 2. Muslims and Christians and 3. Oppressors and oppressed*”.

On December 15, 2013, the tensions between factions loyal to President Salva Kiir, of the Dinka people, and those aligned with his former Vice-President, Riek Machar, of the Nuer people, exploded into fighting on the streets of Juba, the capital city of South Sudan (Ottoway and El-Sadany, 2012). These two ethnic groups were not in disagreement on a number of issues and the two leaders had people who were very loyal to them as they are from the same ethnic groups. The President removed his Vice-President Riek Machar from his position. This did not sit well with the Vice President and those who were loyal to him, and it resulted in the outbreak of the civil war which made South Sudan what it is today. Government forces attacked those who were sympathizing with the Vice-President Riek Machar. The protesters wanted the President to reverse his decision to sack the Vice-President, which he did not do. The massive state-corroding corruption, political instability within the ruling party, the Sudan People’s Liberation Movement (SPLM), and persistent tensions with Sudan over the sharing of oil revenues left South Sudan deeply vulnerable to renewed conflict. The country’s dramatic return to war has torn communities apart and left countless civilians dead, South Sudanese has had tribal conflict which happened over the during two civil wars that took place from 1956 until 2005.

There are various sources that have differing opinion about the origins of the current South Sudan crisis. These sources include: Zifcak (2015), the Sudd Institute report (2014), the South Sudan Human Rights commission (2014) and Blanchard (2014). However, most agree that the civil war in South Sudan can be traced back to the internal rift in the ruling SPLM which is believed to have contributed to factional divisions between President Salva Kiir and his deputy-president Riek Machar. According to Zifcak (2015:53) allegations made by Riek Machar against Salva Kiir that he was acting unilaterally and dictatorially when taking decisions within the SPLM further contributed to the South Sudanese rebellion. *The Sudd Institute report* (2014:8) also notes that historical issues that remained unresolved after the signing of the CPA in 2005 significantly compounded the crisis. These outstanding unresolved issues are inter-ethnic conflicts, issues such as Joseph Kony and the Lord’s Resistance Army operating in the region, the status of Abyei, South Kordofan, Blue Nile, the final demarcation of the two countries boundaries, the arrangements for sharing oil revenues. *The South Sudan Human Rights Commission (SSHRC) report* (2014:2) also

notes that the genesis of the crisis could be traced back to July 2013 when President Salva Kiir made a major reshuffle in his cabinet. The reshuffle dropped key personalities including the then vice president Riek Machar from his cabinet and reduced the number of ministers. Blanchard (2014:2) postulated that, the current crisis reflects underlying tensions and mistrust among South Sudanese leaders and ethnic groups that date back to Sudan's civil war (1983-2005).

2.3. THE NOTION OF CONFLICT RESOLUTION

The concept of conflict resolution has been in existence throughout the historical development of mankind and the complex relationship of human societies. The concept of conflict resolution is not a new field and a continuation of the study of peace that has not made it in producing positive outcomes in appeasing and reducing conflict around the world. Before defining the concept of conflict resolution we need to know how the historical process of the field evolved. According to Wani (2011; 105) "conflict resolution started in the 1950s and 1960s. This was after a group of pioneers from different disciplines saw the value of studying conflict as a general phenomenon". These pioneers saw the potential of applying approaches that were evolving industrial relations and community mediations settings. Some people from North America and Europe began to grow and spread and scholarly journals in conflict resolution were created by the 1980s. Some of the notable scholars of conflict resolution include Kenneth Boulding, Johan Galtung, John Burton, Herbert Kelma, Roger Fisher, William Ury, William Zartman, Adam Cure and Elise Boulding, Peter Wallenstein, Dean G. Pruitt among others.

The concept of conflict resolution has been defined differently by different scholars. Scholars such as Peter Wallenstein defined conflict resolution in two different ways. According to Wallenstein (2007) the conflict resolution approach is "a situation where the conflicting parties enter into an agreement that solves their central incompatibilities, accept each other's continued existence as parties and cease all violent action against each other". In the case of the South Sudanese conflict, at least more than three peace agreements have been signed. These agreements were facilitated by IGAD and some individual countries like China but all failed at an implementation stage. Wallenstein further noted that there are certain components that are essential to effective conflict resolution. Incompatibilities are a basic issue dividing the conflicting parties. Wallenstein (2002) also redefined the concept of conflict resolution as "a social situation where armed conflicting

parties in a (voluntary) agreement resolve to peacefully live with each other and or dissolve their basic incompatibilities and henceforth cease to use arms against one another”.

Carolyn Manning notes that conflict resolution is “an expression that can be understood from different angles and interpreted differently”. She argues that conflict resolution is viewed as “a procedure that brings conflict to an end whereby war and violence can also be included among the methods of resolving differences”. On several occasions IGAD held more than one meeting trying to bring the conflicting parties to the negotiation table. IGAD was given full responsibility by the AU and UN as it is the regional body in that region. Some of the meetings called by IGAD yielded positive results while some did not. Manning also notes her opinion when she stated that, resolving conflict is a peaceful process that does not include violent means, and usually deals with conflict through understanding or the help of a third party that can help find compromise between the conflict groups. This point is relevant to the conflict situation in South Sudan as there is no evidence of violent means used by third parties to resolve the conflict. Although the conflict in South Sudan is ongoing, efforts made by IGAD and other role players are those that are trying to bring the conflict parties to negotiations. However, in the case of Iraq the United States of America (USA) and its NATO allies used force or violent means to remove Saddam Hussein from government in the name of installing a new democratic government. For the US dealing with conflict through understanding or a third party in the form of the UN was not an option. The same scenario occurred during the Arab Spring uprisings in the Libya crisis where the US and its NATO allies ignored instructions from the AU and UN. In fact, oil was the main motivating factor for the intervention of the US and its North Atlantic Treaty Organization (NATO allies in the Libyan crisis rather than humanitarian justifications.

According to Louis Kriesberg, conflict resolution as a field tries to find solutions to problems that lead to conflict in other words it deals with deep-rooted human-need. This view is also shared by John Burton who argues that it is important to identify the root-causes of a conflict or problems in order to effectively resolve it. With regard to South Sudanese, the root cause of the conflict is power struggles within the ruling party as many scholars attest. Some scholars also indicated that the current South Sudanese conflict can be traceable to 1955 when North Sudan was granted independence by the British in that year. Since then South Sudan had complained that they were unfairly been treated by the North Sudan and as a result two civil wars were fought. It very

important for third parties such as IGAD to deal with the causes of the current South Sudan conflict from a historical perspective. Mitychell (2002) highlighted how the process of conflict resolution should happen. According to Mitychell conflict resolution involves “a contention that an acceptable solution to a particular conflict has been discovered or mutually created by conflicting parties”. This can be achievable with some assistance from third parties. The role of a third party is valued by many scholars including Mitychell who argues that the assistance from third parties very important. So far what had made IGAD mediation to be unsuccessful is lack of political will especially from the part of the warring parties. In addition to this there are vested economic, security and political interests of countries in the region. All these make the probabilities for a successful IGAD mediation’s role in South Sudan to be in vain or to be difficult to achieve. This is because many IGAD member states have incompatible interests in the South Sudan conflict and as such resolving the conflict in the country would continue to be difficult or take time. Many scholars contend that the role of the international community is necessary but it becomes difficult when third parties have vested interests instead in the conflict.

A good example is the tension that exists between Uganda and Sudan, and Sudan and South Sudan, Ethiopia and Eritrea. Some of their interests are historical, security, political and economic in nature as well. These countries are continuously fighting against one another. In other words, IGAD as a third party or mediator can continue trying to mitigate the conflict in South Sudan but for as long as there is no fairness and favouritism very little can be achieved. IGAD must also be reminded that it is important to avoid a situation whereby peace agreements are imposed to the warring parties and that IGAD member states should focus on find a lasting solution at the expense of gaining economic interests. IGAD should continue to worry about the stability of South Sudan in particular and the region in general. Mitychell argues that conflict resolution usually ends with an agreement negotiated by the representatives of the conflict parties. A major challenge is the fact that earlier these peace agreements collapsed and failed at an implementation stage. This point is advanced by some analysts and observers who have argued that peace agreements in South Sudan are likely to continue to collapse because IGAD-member states have divergent political, economic and security interests. For some IGAD-member states the continuation of the South Sudanese conflict is an advantage in economic terms while other the refugee spill over conflict is more problematic.

Tavekegn (2005) notes that in case of armed conflict, the conflict resolution approach “concentrates on the termination of war by analysing and understanding the nature of the conflict”. Boulding (1976) and Burton (1990) contend that conflict resolution “is achievable through changed perception to conflict transformation and peace reconstruction”. These authors maintained the fact that in conflict situation the most important thing is to bring about changes in the perceptions, attitudes and contradictions of the antagonists. This is also outlined in Galtung’s conflict triangle model. The authors also recommended that in order for a long-lasting settlement and resolution of violent conflict to be achievable, there should be controlled communication. For Tillett and French (2006:308), conflict resolution is “a multidisciplinary, analytical, and problem-solving approach to conflict that seeks to enable the participants to work collaboratively towards its resolution”.

Two theories of conflict resolution can be used to help us understand how a conflict can be resolved effectively. These are John Burton’s problem-solving approach and William Zartman’s Ripeness theory and the Hurting Stalemate. According to John Burton’s problem-solving approach the deep root of conflicts must be found and resolved otherwise there will be no solution to conflict. South Sudanese conflict has been linked to the North Sudan conflict especially immediately after gaining independence from Britain in 1955. This implies that it is the responsibility of IGAD as the chief mediator in South Sudan to identify the current and past root causes of the conflict. On the other hand, William Zartman’s (2011) main argument is based on the idea of ripeness and the hurting stalemate. According to Zartman “in order for a conflict to be resolved a good timing must be awaited and once the opportunity comes peace makers must grab together with the conflicting parties”. Zartman emphasised the importance of a third party. The only time the conflict can be resolved is when parties to a conflict are prepared to do so. Pruitt (2004:4) also added his voice on how a conflict can be resolved effectively. For Pruitt “in order for a conflict to be resolved there should be a motivation to end the conflict”. This can be triggered from the pressure of a third party. IGAD as the chief mediator must continue to convince Salva Kiir and Riel Machar so that a peaceful resolution of the conflict in South Sudan can be beneficial for the people of Sudan. It must also remain neutral so that the trust by conflicting parties cannot not make the peace processes shaky. Both Pruitt (2004) and Zartman (2011) share the same views on the importance of a third party. The fact that the South Sudan conflict rages on is a clear indication that the pressure of a

third party in this case IGAD is not yielding any fruitful results and or one of the conflict parties is not willing to negotiate to mitigate the conflict.

For Tillett and French (2006:76) “the most effective conflict resolution is one that is proactive”. This means that a strategy for resolution that is planned and prepared for based on adequate information and a considered analysis of the conflict. Tillett and French (2006) argue that for conflict resolution to be effective it must be remembered that human beings do not behave mechanically and predictably according to predetermined rules of behaviour. Conflict resolvers must be adaptable, flexible, and sensitive to small and frequent changes. They must not be reliant on consistency and predictability but instead, must be able to deal with the unexpected (Tillett and French, 2006). They argue that one of the most important thing is the need for conflict analysis. This analysis can be divided into three stages, namely: investigation, identification, and preparation.

Griffiths and O’Callaghan (2002) differ with Tillett and French (2006) about the approach to be used to resolve the conflict effectively. They believe that for a conflict to be resolved effectively it is important to take preventive diplomacy into consideration (Griffiths and O’Callaghan, 2002:256-257). As the main supporters of preventive diplomacy Griffiths and Callaghan believe that conflicts are easier to resolve before they become violent. For preventive diplomacy to be effective “it requires attention to ‘early warning’ to detect situations that might lead to violent conflict” (Griffiths and O’Callaghan, 2002:256-257). Examples of early warning are protests, demonstrations and riots. Griffiths and O’Callaghan (2002) point out that early warning is not enough to trigger an appropriate response. There must be a capability to distinguish warnings of real conflicts from false warnings. The problem for preventive diplomacy is “the incapability to find potential trouble spots and one of understanding such situations like protests, riot and demonstrations well enough to forecast which ones are likely to explode and when”.

Crocker, Hampson and Aall (2009: 496) postulate that there are two rudimentary methods that can be used in the resolution of protractible conflicts. The first is to refrain from involvement and hope that the conflicting parties either reach their own compromise or that one side wins. This supposition is based on the notion that disputants will reach a tiredness stage and develop some form of resolution or there will eventually be a victor (the zero-sum approach). The other approach is to persuade the warring parties to accept a third party intervention. In some cases, inducement

may be accompanied by pressure to make compromises and where necessary, coercive diplomacy, such as sanctions, may be a useful instrument.

2.4. THE CONCEPT OF STATE FORMATION

According to Heywood (2014:116) the state is “a historical institution”. It came into being in the fifteenth- and sixteenth-century Europe as a system of centralized rule that succeeded in subordinating all other institutions and groups, temporal and spiritual. The state system gradually expanded from Europe into North America. During the nineteenth century, it expanded into South America and Japan. In the twentieth century, due to the process of decolonisation, it expanded in Asia, Africa, the Caribbean and the Pacific. In 2013, the United Nations recognised 193 states, compared with 50 in 1945 (Heywood, 2014).

Van Niekerk et al, (2001:41) have traced the origins of the states and point out that the state has been attributed to various things such as the will of God, the Fall in the Garden of Eden, the social contract theory (wherein people constantly recreate the state, the evolution process (the state develops like a living entity), the family, the institution of private property, and force or conquest. Some scholars are of the view that the state has its origins in the family. This is because authority developed from family level, to clan, ethnic group, or tribe. Traditions of authority and power were carried over from generation to generation (Van Niekerk et al, 2001:41).

Van Niekerk et al, (2001:41-42) further argue that there are few factors contributing to the development of the contemporary state. These factors include, the fact that in the process of time the population increased and society had to find means to manage the diverse interests of different groups as, food became a scarcity and the notion of property ownership developed. For these scholars all these problems had to be addressed by stronger social leadership. When Nomadic tribes settled on fertile soil, agricultural economies emerged and the territorial state came into being. It can be concluded that the state is the end product of religious, economic, biological, cultural, social, military and political factors (Van Niekerk et al, 2001:41).

Badie et al, (2011) opine that, the modern states arose in Europe with the development of international law. The turning point in legal terms was the Treaty of Westphalia in 1648. Some scholars argue that the modern system of sovereign states dates back at least to the Peace of Westphalia in 1648. During this period, Roman Catholic emperors fought against Protestant Kings

and Roman Catholic Kings against Protestant princess. It was the Munster and Osnabruck treaties that ended the third year's war and made sovereignty and territorial principles the cornerstones of the international arena. These treaties paved the way to the state as the main actor in international relations. The treaty stated that the individual principalities could choose their papal control. This was a big step toward the idea of autonomous territorial states, sovereign and formally equal. This idea of state sovereignty was elaborated in the theory of international law by 18th-century writers like Christian Wolf and Emmerich de Vattel (Badie et al, 2011; 2507).

In order to understand the concept of state formation, it is imperative to start by unpacking what a 'state' is. The word state is derived from the *Latin* words "*stare*" (to stand) and "*status*" (a type of condition) (Van Niekerk et al, 2001:41). It is necessary to return to the notion of state and why societies find it the more useful way to organise. The ancient Greeks, who were among the first to organise socially/politically in what were called city-states, believed that the purpose of the state was to promote self-sufficiency (Awolich, 2017:3). Awolich (2017) further added that states exist to "provide for its citizens all that is necessary for their highest development and happiness". Bentham (2015) (cited in Awolich, 2017) enlarges on this suggest that "the purpose of the state is the promotion of the greatest happiness for the greatest number of people". If Bentham's view on the state as "a promotion of greatest happiness for the greatest number of people is acceptable, then citizens in each state must be united and work for a common purpose in order to ensure greatest happiness". According to Plato (360 B.C.E) (cited in Awolich, 2017), the state "is regarded as an organism that is well developed to provide a space for individuals and communities". According to Aristotle, "a state and political society exist for the sake of noble actions and not for mere companionship". For Rousseau (cited in Awolich, 2017) the state "is not just a mere matter of convenience for the gaining of utilitarian ends, but also the highest expression of the of man". Fukuyama (2011:83) summarizes what "motives societies to organise through the state, stating that, the real driver of state formation is violence or the threat of violence, making social contract an efficient rather than a final cause" (Fukuyama, 2011:83).

Early definitions of state by scholars such as Heywood (2002:431) conceived it as "a political association that establishes sovereign jurisdiction within defined territorial borders, characterized by its monopoly of legitimate violence". Van Niekerk et al, (2001:41) defined the word state as "a group of people inhabiting a specific territory and living under a common legal and political

authority”. Citing Marx Weber, Harris (2007) defined the state as “the organization that has the monopoly of legitimate use of force and extraction within a clearly defined territory”. For McGowan et al, (2006; 409) the word state has three specialised meanings: “(a) a synonym for ‘country’, (b) the set of control and local institutions in a society that make and apply policy for that society, (c) a legal entity that possess a permanent population, a well-defined territory and a government capable of managing public affairs (including having foreign relations with other states)”. According Jackson and Sorensen (2010:2) an independent state may be defined as “a clear-cut and bordered territory, with a permanent population, under the jurisdiction of supreme government that is constitutionally separate from all foreign governments: a sovereign state”. Jackson and Sorensen (2010:307) added that “the state is a territory-based socio-political organization entrusted with the responsibility of defending basic social conditions and values, including security, freedom, order, justice and welfare”. The state is also understood to “have legal jurisdiction (sovereignty) over its own affairs and population in order to defend its values”. These values are security, freedom, order, justice and welfare (Jackson and Sorensen, 2010:307).

According to the Montevideo Convention (cited by Heywood, 2014) which advances a ‘declaratory theory of the state’, “states become states by virtue of meeting the minimal criteria for statehood”. This view is also shared by Mingst et al (2014:132) when they argue that ‘For any entity to be considered a state, four fundamental legal conditions must be met. First, “a state must have a territorial base, with geographically defined boundaries. Second, within its borders, a state population must reside. Third, there should be a government to which this population owes allegiance. Finally, a state has to be recognised diplomatically by other states” (Mingst et al, 2014:132).

Having operationalized the concept of state, it is therefore imperative to understand the meaning of state formation. Scholars define the concept of state formation variously. Badie et al (2011; 2507) defined state formation as “the processes leading to the centralization of political power within a well-defined territory”. State formation is “the process of a unified group acquiring a monopoly of coercion and capital; it is ultimately a process of war, or the preparations for war, that facilitates centralization and the acquisition of a monopoly on the state structures, and subsequently, the state” (Tilly, 1985, cited in Delatolla, 2014: 2). Carneiro (1970: 734), in *‘A Theory of the Origin of the State,’* argues that force is the mechanism by which political evolution

has led, step by step, from autonomous villages to the state (Carneiro, 1970: 734). According to Carneiro (1970: 734) “historical or archaeological evidence of war is found in the early stages of states formation in Mesopotamia, Egypt, Ethiopia, India, Greece, Rome, Northern Europe, Central Africa, and Polynesia just to name for a few”.

There are at least four major theoretical perspectives which give clarity on the origin of the state and or state formation. These are: the pluralist perspective, Marxist perspective and the statist perspective and social contract theory. These theoretical perspectives help to give a clear understanding on the origin and development of state or state formation. The pluralist perspective argues that “the state developed through bargaining processes between different interest groups”. On the other hand, the Marxist perspective argues that “the state is a committee of managing the common interests of the ruling class”. The statist perspective argues that “the state emerged as distinctive structures with institutions and modes of operation that cannot be derived from interest group manoeuvring or class structure” (Badie et al, 2011).

In the writings of seventeenth-century social contract theorists, also known as social contractarians such as Thomas Hobbes and John Locke have also provided some insights the origins and development of the state. According to these two theorists “the state arose out of voluntary agreement, or social contract made by individuals who recognised that only the establishment of a sovereign power could safeguard them from the insecurity, disorder and brutality of the state of nature” (Heywood (2002:89). Thomas Hobbes and John Locke view the state as the result of a contract between citizens. These theorists also confirm that without a state, individual abuse, exploit and enslave one another, with a state, order and civilized existence are guaranteed and liberty is protected. For Hobbes, “the state exists to guarantee basic security for all citizens and in exchange, the citizens give up the right to do whatever pleases them” (Awolich, 2017).

John Locke affirms this view by saying that before “the formation of states in the state of nature humans are naturally self-governing” (Kroeze, 2012:48-49). For Thomas Hobbes before the state came into being, all people lived in a state of nature and all were simply trying to survive. In this environment there were no social associations and for this reason people were constantly preyed on by other people and always in a state of conflict. In his own words Thomas Hobbes indicated that ‘life for men in the state of nature was *solitary, poor, nasty, brutish, and short*’. Thomas Hobbes argued that in order to escape from this terrible situation, all people gave up their

independence and rights in favour of the rule one of them who will guarantee their security (Kroeze, 2012:48-49). The political dynamics and historical experiences in South Sudan before officially attaining independence 2011 was exactly like what Thomas Hobbes is saying when he argues that ‘life for men in the state of nature was *solitary, poor, nasty, brutish, and short*’.

This certainly rings a bell in the case of South Sudanese political conflict history. The argument by Thomas Hobbes and John Locke that the state had arisen out of voluntary agreement, or social contract made by individuals is also evident to the situation in South Sudan. Immediately after the attainment of independence in 1956 by Sudan from Britain, the southern Sudanese people submitted their grievances or dissatisfactions to the new administration or leadership in the North Sudan. Some scholars had indicated that people from the southern Sudan have never enjoyed freedom under the North Sudan after independence from Britain in 1956. The government of the North Sudan marginalised, harassed, mistreated and oppressed southern people and even imposed the practice of sharia law on them and this did not sit well with people from the South. When their dissatisfactions were ignored, the southern Sudanese people took a decision or reached an agreement that they wanted their own independent state. Throughout all these years until 2011, the southern people fought two civil wars that were ended by the Addis Ababa Peace Agreement and the Comprehensive Peace Agreement respectively. These civil wars were aimed at achieving independence. In 2011 South Sudan became an independent state seceding from Sudan. However, the attainment of independence in 2011 did not mean that they did not have challenges ahead of their future. These challenges include but not limited to South Sudan’s damaged relationship with Sudan, continuous cross-border resource, land conflicts with Sudan, the growing internal confrontations among some South Sudanese ethnic groups, and the December 2013, civil war which was triggered by an internal political struggle within the ruling party (Shilika, 2013:114).

The modern type of African States was formed through the practical use of force that subdued distinct ethnic, religious, cultural, and historical groups to come together into one, which is to form a state(s) by the European Imperialism/colonialism. Consequently, the establishment of these new states was, therefore, based on misdrawn borders which were agreed upon by the colonial powers, which basically ignored ethnic, cultural, historical and religious groups’ natural lines (Berouk et al, 10). For example, in the Horn of Africa, under the British imperialism, the Arabs and Africans (who expected to be politically discounted in a unified Sudan after gaining independence) were

brought together to form the Republic of Sudan (Abdikadir, 2012: 18). Eritrea was federated to Ethiopia in 1952 (Berouk et al, 10). Somalis were incorporated in Ethiopia, Djibouti and Kenya, and British Somaliland and Italian Somaliland were joined together to form the State of Somalia (Sintayehu, 2014: 153).

The legacy of colonialism and absence of a well-functioning state are some of the challenges of state formation in Africa. It can be argued that a major problem to state formation in African is the lines of demarcation that were drawn by the European colonial powers which has brought previously free, unrelated areas and peoples into territorial units. Thus, after independence, there have been sporadic boundary disputes all over Africa, some with the nostalgia of going back to the pre-colonial boundaries to streamline cultural communities and bridge the arbitrary lines created by the scramble and partition (Gbenenye, 2016: 120). Gbenenye (2016: 120) notes that, “ethnic groups that were split across borders tended to align in the spirit of irredentism, ignoring the boundary lines and to carry on social relations across them more or less as in the days before the partition”. Consequently, this has exacerbated intra-state conflicts (in particular, demands for autonomy from ethnic groups) and to the regimes of the newly independent states lodging territorial claims, which, in turn, led to conflict with other states”. The Ethiopia-Eritrea three decade war which eventually led to Eritrea seceding from Ethiopia in 1993, the North-South Sudan conflict which culminated into the South breaking away from the greater Sudan to become South Sudan in 2011, both provide a good example of war or coercion as the cause of state formation.

Sintayehu (2014: 153) argues that, “the incorporation of the Somali inhabited Ogaden to Ethiopia, on legal and historical grounds, has brought conflict with the irredentist Somalia. Furthermore, Somalia’s constitution has openly challenged the colonial borders with Ethiopia, Djibouti and Kenya. The flag of Somalia depicts five-pointed stars to manifest the unity of all Somali dispersed in five locations: the British Somaliland, Italian Somaliland, Somalis in Ethiopia, Djibouti and Kenya”. According to Sintayehu (2014: 153) the main agenda of the Somalian foreign policy, since the days of independence in 1960, has been the completion of the independence of all Somalis under the umbrella of Greater Somalia.

Another challenge of state formation is the issue of the absence of a well-functioning state. According to Delatolla (2014:4) “when governments loses control of the population, they lose credibility”. Subsequently, creating a power void due to the failure of governmental control; this

power void, unfilled by state institutions such as military, police and other security forces, is often a consequence of their dissolution. Thus, upon collapse of the governing bodies and institutions, an anarchic environment emerges. These inability of state to fulfil their functions result in the proliferation of insurgents driven by diverse aims, including secession. For example, Somalia's disintegration into a failed state in the 1990's (without a central government from 1991 to 2006), led to the Northern region of Somalia (Republic of Somaliland) to declare itself independent from Somalia in 1991. Alexandra (2013: 4) opined that, failure on the part of the central powers to address existing complex and fragile livelihoods in the design and implementation of political, development and social engineering projects is left unaccountable.

2.5. THE POLITICS OF THE GREAT LAKES REGION

The name "*Great Lakes Region*" was derived from the freshwater lakes and river basins within the central and eastern part of Africa. Scholars such as Kanyangora (2016) defined "the Great Lakes Region within the context of the regional entity known as the International Conference of the Great Lakes Region (ICGLR)". In the context of the ICGLR context, the area of focus is the countries located in the east and central Africa. These include Rwanda, Burundi, the Democratic Republic of Congo (DRC), Uganda, Zambia, Tanzania, Republic of Congo, Central Africa Republic (CAR), South Sudan, Kenya and Sudan (Kanyangora, 2016). On the other hand, Todd et al (2011) argue that countries such as Burundi, Rwanda, Uganda and the DRC are classified as zone 1 conflicts states, while their neighbours like, Kenya, Malawi, Tanzania and Zambia, are known as zone two nonviolent states.

The Great Lakes Region has been home to some of Africa's most intractable and turbulent conflicts. The Great Lakes Region has experienced massacre in Rwanda, civil war in Burundi and cross-border conflict in the DRC. This is further compounded by internal and external illegal armed groups. In terms of trends of violent conflict in the Great Lakes region, Todd et al (2011) have observed that 86 conflict-episodes were recorded in the Great Lakes Region: 35 in Uganda, 19 in Burundi, 19 in the DRC, and 11 in Rwanda. However, many scholars have identified various causes of violent conflict in the Great Lakes region.

The nature and sources of conflicts in the Great Lakes Region are diverse, multifaceted and multi-dimensional. Kanyangora (2016) concurs that the root causes and dynamics of conflict in the Great Lakes Region are multiple and complex. According to Kanyangora (2016) the root sources of conflict in this region are unbalanced access to state and natural resources, a lack of equal opportunities to access political power and the increase of small arms. These factors also relate to structural problems of weak governance and economic mishandling such as debt burdens, the collapse of social services and poor terms of trade (Kanyangora, 2016). For Kanyangora (2016) the aforesaid factors are the only factors spreading conflicts in the region. Another issue that plays a crucial role in scattering conflict from one Great Lakes Region country to another is forced migration flows (Kanyangora, 2016). For example, Burundi, DRC and Rwanda are cited as having had refugees from each other.

Huggins et al (2005) believe that changes in land use and land access have been significant factors in a number of high-intensity conflicts. These scholars cite countries like Rwanda, Burundi and the DRC as the main examples where access to land has played a role in initiating, fueling or perpetuating conflict. For Shyaka (2008) the legacy of colonialism, inadequate political systems, and political parties' cleavages, poor management of transitions and foreign interference, high degree of internationalization of conflict in the Great Lakes region, chronic bad leadership and bad governance are cited as the main factors contributing to conflicts in region. Some of these factors have led to different types of conflicts on the African continent. They include, among others, elite conflicts, factional conflicts, communal conflicts and mass conflicts. The combination of these factors has led to the recurrence of conflicts. Shyaka (2008) also indicated that countries such as Rwanda, Burundi, and Uganda have been home at different times to a mixture of these types of conflicts. For Kameri-Mbote (2005:4) the root causes of conflict in this region has been an amalgamation of structural violence, extreme and increasing poverty and the exclusion or marginalization of the majority from the economic, social, political, human rights and cultural rights, inequality. Borders are also a factor and feature in some of the conflicts in the region (Kameri-Mbote, 2005:4).

For Lunn (2006:67-69) ethnicity, state failure and greed are the major factors contributing to conflicts in the Great Lakes region. Bekoe (2003:15) cited poverty and untrammelled illicit proliferation of small arms and light weapons as some of the root causes of the region's political

violence. Hovil and Lomo agree with Shyaka (2008) that the impact and legacy of colonialism are the main causes of conflict in the region. Hovil and Lomo further added that displacement in the Great Lakes region, the failure by most post-colonial leaders to reform the colonial state and reorganize power, violation of human rights, the logic of sovereignty and the state, and the failure to address citizenship in a way that allows it to accommodate multiple identities lies at the root of the recurrent political instability and conflicts in the region.

2.6. DRIVERS FOR INTERVENTION IN THE SOUTH SUDAN CRISIS

A number of scholars have sought to explain the underlying reasons for external actors' interventions in the South Sudanese crisis. These scholars do so in order to lay blame on one actor or another for conflagrating the conflict and acting in their own interest. In the case of South Sudanese crisis, many actors seem to have been motivated by political, security and economic factors in their intervention for conflict resolution. This view is supported by various scholars such as Kasaija Phillip Apuuli (2014), Mebratu (2015), Garang (2015), Mesfin (2015), Gebrekidan (2015) and Hodzi (2017) who argue that external actors were motivated by similar and different reasons ranging from political, economic and political reasons.

Kasaija Phillip Apuuli (2014) focused on the Ugandan intervention in South Sudan. They note that Uganda acted in its own economic interests while purporting to have followed legal in-roads with supposed support from the United Nations (UN) and the Inter-Government Authority on Development (IGAD) and at the request of the legitimate South Sudanese government. Apuuli (2014) is not convinced by the legal excuses given by the government of Uganda to intervene in South Sudan. Mebratu (2015:60) argues that "Uganda's quick response could have been prompted by historical experiences in the region particularly from Rwanda and Burundi where mass violence and genocide have occurred". Mebratu (2015:78) argues that the United States of America (USA) got involved because of fear that South Sudan was being drawn more towards China because of its oil investments in the country and that worried the United States.

Garang (2015:7) argues that the international community's involvement in South Sudan's internal affairs was caused by sympathy with the current turn of events with regards to previous optimism past its independence. Gebrekidan (2015), Mesfin (2015), and Hodzi (2017) share the same view that countries such as Kenya, China, Uganda, Egypt and Ethiopia are involved in the

South Sudanese crisis because of economic reasons. For Hodzi (2017:3), the eruption of the civil conflict in South Sudan in December 2013, and its consequent intensification resulted in oil installation in the Unity State and Upper Nile State being targeted, thus dragging China into the conflict. In the case of Kenya, Mesfin (2015:4) indicated that Kenya is unquestionably motivated by the fact that it wishes to prevent its economic and financial interests in South Sudan which is endangered by the current crisis. To prove this point, Mesfin (2015) indicated that Kenya has made significant investments in South Sudan's finance and banking sectors. The Kenyan commercial Bank and Equity Bank that are dominating South Sudan's financial services are provided as examples of Kenyan economic interests (Mesfin, 2015).

According to Mesfin (2015:4-6) Uganda and Egypt are also motivated by economic factors in their involvement in the South Sudanese crisis. For Mesfin (2015) Uganda is not supporting the government of South Sudan out of friendliness, rather South Sudan is one of its most important export market. With regard to Egypt's involvement in South Sudan is tied to its interests in the Nile Waters and the need to maintain balanced relations with Sudan and South Sudan. Security wise, Uganda and Ethiopia have security concerns hence their involved in the South Sudan crisis (Mebratu, 2015:60; 61). It has been argued that "the SPLA is a key ally in Uganda's fight against the Lord's Resistance Army (LRA) while, on the other hand, Ethiopia believes that a peaceful region, the two Sudans's at peace with each other and at peace within themselves would benefit Ethiopia's peace and development efforts enormously" (Mebratu ,2015:60-61).

2.7. THE POLITICS OF NATION-BUILDING

The evolution of the concept of nation building had been studied by scholars such as Sinclair Dinnen. According to Dinnen nation building has been around for a very long time. Dinnen states that, in the 19th and 20th centuries the principal types of nation building have been nationalism and colonialism. In the words of Dinnen "the post-world war II reconstruction of Germany and Japan are examples of successful external national building". According to Sinclair Dinnen, the term 'nation-building' remains imprecise and contested. Like other scholars such as Stephenson (2005), Dinnen also concur that, the term 'nation building' is also used interchangeably with that of 'state building'. The main point is that many observers maintain that state building and nation-building are distinct processes.

Stephenson (2005) agrees with Dinnen that, the term nation-building is often used simultaneously with state-building, democratisation, modernisation, political development, post-conflict reconstruction and peacebuilding. Stephenson (2005) argued that the concept of nation-building came to be used among American political scientists a decade or so after world war two. It was used to describe the greater integration of state and society as citizenship and of rights to political participation. The main proponents of nation-building included such leaders of the American academic community as Karl Deutsch, Charles Tilly and Reinhard Bendix. Karl Deutsch focused on the role of social communication and national integration in nation-building in western societies. On the other hand, Reinhard Bendix focused on the expansion of citizenship and rights to political participation (Stephenson, 2005).

For a clearer understanding of the concept of nation-building, it is important to unpack what a 'nation' is. The word "nation" is from the Latin word "*nasci*", meaning "to be born" (Heywood, 2002:106). The nation originally was strongly connected with a term such as *ethnos* (a people based on the idea of common descent) (Badie et al, 2011.). Early conceptions of a nation defined it as "a group or race of people who shared history, traditions and cultures, sometimes regions, and usually language". Thus countries usually comprise several nations such as United Kingdom which comprises four nations, England, Northern Ireland, Scotland and Wales (Stephenson, 2005). Levine (2007:155) (cited in Gebrewahd, 2012-2013) states that nation refers to "a community of people joined together by a common descent and common culture". It is also argued that, "nation represents homogenous people sharing common language, religion, historical myths, and common territory". On the other hand, Joseph Stalin (1929) (cited in Gebrewahd, 2012-2013) defined the word 'nation' as "a historically constituted, stable community of people, formed on the basis of a common language, territory, economic life and psychological make-up manifested in a common culture".

Heywood (2002:106) defines 'nation' in three ways namely, cultural, political and psychological. Culturally, "a nation is a group of people bound together by a common language, region, history and traditions". Politically, "a nation is a group of people who regard themselves as a natural political community". Psychologically, "a nation is a group of people distinguished by a shared loyalty or affection in the form of patriotism" (Heywood, 2002:106). Renan (1882, 1996:52) believes that the word 'nation' "is a soul, spiritual principle". Two things, which in truth are but

one, constitute this soul or spiritual principle. One lies in the past, one in the present. Heywood (2000:251) opined that “historians have distinguished between cultural and political nations. A cultural nation (such as the Greeks, the Germans, the Russians, the English and the Irish) has a national identity that is rooted in a common cultural heritage and language that may pre-date the achievement of statehood or even the quest for national independence”. Heywood also indicated that a political nation (such as the British, Americans and South Africans) is bound together primarily by shared citizenship and may encompass significant cultural and ethnic divisions. Seton-Watson (1977:1) defined nation as “a community of people, whose members are bound together by a sense of solidarity, a common culture, a national consciousness”. Smith (1991:14) says that a nation can be defined as “a named human population sharing an historic territory, common myths and historical memories, a mass public culture, a common economy and common legal rights and duties for all members”.

Scholars such as, Giuseppe Mazzini as translated by Stefano Recchia (2009:50) defined nation and nation-building in terms of political equality and popular consent expressed in the form of equality, liberty and association. He underlined three elements that constitute a real nation. According to Mazzini nation meant “the entirety of citizens who speak the same language and are associated, under equal enjoyment of civil and political rights, for the common purpose of developing and progressively perfecting all social forces and their activity”. For him, nation is “a concept that stands for unity”. Mazzini gave nation an essentially political meaning as ‘commonwealth’ or government by the people, based on a written constitution.

In Africa, many countries comprise multiple nations. According to Stephenson (2005) some scholars distinguish between an ethnic nation, based on the social construction of race or ethnicity and a civic/democratic nation based on common identity and loyalty to a set of political ideas and institutions. Scholars such as, Schnapper (1997) note that a civic nation integrates people into a community of citizens regardless of their ethnic identity. Schnapper (1997) adds that, through the notion of citizenship, a civic nation transcends all particularities such as biological, historical, economic, social, religious, or cultural differences.

According to Mazzini, nation-building is “the institutionalisation of popular sovereignty expressed in the form of equality and liberty of individuals based on a written constitution regardless of the pre-political factors including language, territory and ethnicity”. Elaigwu (2011)

argues that the word nation-building can be viewed from two perspectives of identity. One that is closely linked to state-building refers to the acceptance of members of the polity of a legitimacy of a central government with the central government as a symbol. Secondly nation-building involves the acceptance of other members of the civic body as equal fellow members of a corporate nation a recognition of the rights of other members to a share of common history, resources, values, and other aspects of the state. Walker (2011) defined the concept of nation-building as “the most common form of a process of collective identity formation with a view to legitimising public power with a given territory”.

Smith (2012) views nation-building as “the conscious and focused application of our people’s collective resources, energies, and knowledge to the task of liberating and developing the psychic and physical space that we identify as ours”. Toffler (1990) says that much of the literature on nation-building involves when people transfer their commitment and loyalty principalities to the larger central political systems. For Stephenson (2005) nation-building programmes are those in which dysfunctional or unstable or failed states, or economies are given assistance in the development of governmental infrastructure, civil society, dispute resolution mechanisms as well as economic assistance in order to increase stability. Thus nation-building assumes that someone or something is doing the building intentionally. Badie et al (2011.) notes that nation-building is “a process of collective identity formation to assert power in a certain territory”. In this instance nation building refers to existing institutions, customs, and traditions, and it redefines national characteristics.

Mukwedeya (2016:5) notes that nation-building is a normative concept with divergent meanings in different contexts. Bogdandy et al (2013) argue that, nation-building can be understood as “the process of creating a collective identity or a national community through the political integration of members within a given territory”. Nation-building is “an indigenous process that often draws on existing traditions, institutions, and customs, redefining them as national characteristics in order to support the nations; claim to sovereignty and uniqueness” (Von Bogdandy et al., 2005:586). Alesina and Reich (2013) refer to nation-building as “the constitution of a national identity which is pivotal for a functioning state”. For Tilly (1975) the term ‘nation-building’ refers to “the processes of national integration and consolidation that might lead to societal change”.

Scholars point out that nation-building project is not without its own challenges, especially in the African continent. Bello (2013) believes that nation-building is “a visionary, constructive, creative, self-determined and patriotic activity”. For Bello the problem of contemporary African states leading to the widespread crisis or failure of nation-building is to be found in the corruption, incompetence and mismanagement associated with African rulers .He further indicates that the crises of nation-building in Africa could be attributed to factors such as poor leadership, foreign intervention, impunity and disunity.Zambakari (2013) notes that immediately after the inauguration of South Sudan on the 9th July 2011,the country was left with no choice but to deal with the challenges that almost all African states went through. Like other African states, South Sudan had to reform that colonial state inherited at independence, build a more inclusive political community that effectively manage diversity, upholds the rule of law and practice democracy in governance.

Gebrewahd (2012-2-2013:33)’s views on Eritrea, a country that is located in the Horn of Africa like South Sudan which is the main focus of the whole study are worth considering . He states that “the failure of nation-building has remarkability shown that state-building in the Horn of Africa is not founded on the objective realities of the existing socio-political make-up. The nation-building experience of Eritrea is complex in that Eritrea seceded from the regional power, Ethiopia and its own history of hegemonic leadership in the region. The geopolitical structure of the Horn of Africa is a serious challenge to the nation-building of the small and young state of Eritrea”. Gebrewahd (2012) argues that nation-building project “is further complicated by the regional security predicaments of emerging religious fundamentalism and terrorism which could further polarise the Christian and Muslim society of Eritrea”.

Onuoha and Ugweneza (2014) have discussed the challenges of nation-building in the context of Nigeria whereby historical legacies of colonial rule and political leadership have been the major challenges to Nigeria’s nation-building project. According Onuoha and Ugweneza (2014) colonial rule divided Nigeria into North and South with different land tenure systems, local government administrative, education systems, and judicial systems. Consequently, Nigeria had two administrative systems, one for the North and another for the South.Onuoha and Genes (2014) further commented that Nigerian political leadership has contributed immensely in exacerbating the problem of nation-building since independence. Nigerians were engulfed by the joy of flag

independence and made no attempt at defining the type of nation they desired let alone working for it. Ayoob (2005) concurs, adding that nation-building has its own challenges. He argued that nation-building is expensive and impossible in the era of global interdependence. Ayoob (2005) believes that new states are late-comers to the state-making enterprise unlike western states. For Ayoob, the nation-building dilemma that new states face is due to structural barriers to accumulating power using the traditional state-making and nation-building approaches.

2.8. THE CONCEPT OF RESPONSIBILITY TO PROTECT (R2P)

According to Gowers (2013), the principle of responsibility to protect (R2P) began to take shape in the aftermath of the Rwandan genocide of 1994. This view is supported by O'Donnell (2014) when he says that the international community began to address the issue of humanitarian intervention after the failure of the international community to prevent genocide in Rwanda. Stark (2011:4) (cited in Thomas et al) (2011) concurs with Gower and O' Donnell that, "it was only in 2001 under the shadow of shameful inaction during the Rwanda genocide and in light of the perceived success of the 1999 Kosovo intervention that the international community was finally able to produce a comprehensive framework of tools designed to guide states towards preventing mass atrocities. This resulted in the creation of the International Commission on Intervention and State Sovereignty (ICISS) by the government of Canada in the year". The commission was chaired by Gareth Evans and Mohamed Sahnoun. Mehta (2009:2) states that, the principle or concept of R2P took 20 odd years to be formed after it was floated in the 1980s. As stated above R2P was initiated by Gareth Evans and endorsed by Kofi Annan in the 1990s. This happened before the adoption of the concept by the UN's World Leader's Summit in 2005 (Mehta, 2009:2).

O'Donnell (2014:560-569) notes that, the principle of responsibility to protect was conceptualized under the framework of collective security by Francis Deng. The doctrine by Deng emphasized the responsibility that is inherent in sovereignty. In this regards, states are obliged to protect its citizens from violence and in a case where states fail to do so the international community should undertake the responsibility to protect. On the other hand, Zifcak (2012:61-67) states that, the global leaders endorsed the doctrine of responsibility to protect in order to govern the international system during the 2005 United Nations World Summit.

Mehta (2009) defines *R2P* as “a concept for intervention in a state by the international community for the prevention of genocide, ethnic cleansing, mass killings and human rights violations taking place in a country which is unwilling (or unable) to take whatever action is necessary”. So far the international community has failed to prevent human rights violations in South Sudan given the fact that some scholars and media reports have classified the humanitarian situation in the country Level 3, thus making it the worst humanitarian situation in terms of the UN classification. This point can be confirmed by the fact that the conflict in South Sudan has driven 4 million people in neighboring countries (Andrews, 2017:134).

In a paper titled “*2008 Parliamentary Hearing at the United Nations New York, 20-21 November*” the concept of *R2P* is defined as “a principle which seeks to ensure that the international community never again fails to act in the face of genocide and other gross forms of human rights abuse”. Baylis et al (2008:586) argued that when it comes to *R2P*, states have a responsibility to protect their own citizens, but when they are unable or unwilling to do so this responsibility is transferred to the society of states. Devetak et al (2012:498) contend that *R2P* is “the doctrine that neither individual states nor the international community can stand idly by while large-scale violations of human rights occur”. The concept of *R2P* argues that, states, individually and collectively, have a duty to undertake some form of preventive or ameliorate action (Devetak et al (2012:498). In the case of South Sudan, state actors and non-state actors seem to be preoccupied with pursuing their selfish economic interests at the expense of humanitarian intervention. The fact the current crisis in South Sudan is raging is a clear indication that the involvement of the international community has not yet yielded any fruitful results.

McGowan et al, (2006:408) argue that the *R2P* principles states that “in cases of civil conflict (which may involve the perpetration of genocide), states have the responsibility to protect their civilians”. Reports by academics and media houses indicate that because the conflict in South Sudan has turned to be ethnically motivated at some stage has made the government of South Sudan to fail to protect its own civilians. When states are unable or unwilling to do so, the international community has the responsibility to intervene on behalf of such civilians. McGowan et al (2006) agree with Stark (2011), Gowers (2013) and O’Donnell (2014) that the doctrine of *R2P* gained popularity in the wake of the 1994 Rwandan genocide. This was after questions were asked about the lack of action by the international community.

According to Pretorius and Africa (2012:5), the ICISS report identified three obligations on the part of the International community, namely: “the responsibility to prevent-to address both the root causes and direct causes of internal conflict and other crises putting populations at risk; the responsibility to react-to respond to situations of compelling human need with appropriate measures such as sanctions and international prosecution; and finally the responsibility to rebuild-to provide full assistance with recovery, reconstruction and reconciliation”. Gagro (2014:61) also share the same sentiment with Pretorius and Africa (2012) on the three obligations.

To contextualize the principle of R2P, Pretorius and Africa (2012) focus on the ineffectiveness of R2P in the Libyan crisis. These two scholars believe that “principle of R2P failed to create normative cohesion and unity of action during the Libyan crisis in 2011 due to issues of interpretation and application. They further added that, inconsistent strategies by the United Nations and the African Union divided the international community and renewed old divisions and mistrusts, resulting in claims of some within the AU, South Africa particularly, that the African effort was being undermined”. Pretorius and Africa (2012:416) concluded by saying that, the Libyan conflict taught both the AU and the UN a lesson on the need to co-ordinate their actions and to overcome their differences.

The concept of R2P is not without critics. According to Mehta (2009) R2P is criticized for being a form of Western imperialism. It is further argued that it places too much emphasis on violence and does not address equally devastating cases of famine and poverty. Other critics also question the focus on military interventions which can encourage governments to take unilateral military actions for their own agenda (Mehta, 2009:3). Gagro (2014:74) argues that the history of the responsibility to protect doctrine sounds almost like a fairy tale. According to Stahn (2007:98) one of its most striking aspects appears to be the gap between the promise and reality. In other words, what is being preached by the international community about R2P fails to be translated into practice. Even though states and non-state actors support the principle of R2P, the problem that remains is that single states and groups of states continue to emphasize the significance of state sovereignty (Chandler, 2009:27). This means that the principle of non-domestic interference in the internal affairs of a sovereign state remains a contentious issue that refuses to go away. As a result the international community finds it difficult to implement or achieve the goals of the responsibility to protect. In the case of South Sudan, the opposite is the case. This is due to the fact

that conflict of interests by both regional and international actors have taken center stage in the agenda of resolving the conflict in South Sudan. These actors seem to care a lot about their economic, political and security interests instead of worrying about the protection of ordinary people in South Sudan. The realist school of thought seems to be winning the game against the international society theory in terms of guiding the direction of regional and international actors in the South Sudan conflict. Based on the realist school of thought, which stresses, among other things, that national interests predominate in international relations and are the key determinants of foreign policy decisions.

On the other hand, the wisdom of the international society theory affirms international obligations bestowed on the members of the international community. Humanitarian responses to crises of humanitarian nature, such as the South Sudan political crisis, are part of the broader debate. This again, is well covered by the new international norm of the responsibility to protect, which states that each state has a responsibility to protect its citizens from large scale ethnic cleansing, mass killings and other conscience-shocking. The principle of responsibility to protect further attests that, if a state is unable or unwilling to exercise that responsibility or is a perpetrator of mass atrocities; its sovereignty is abrogated while the responsibility to protect devolves to the international community of states. For the purpose of this study, the strength of the realist school of thought can be proven by the fact that the US is concerned about its oil investments in South Sudan, South Africa's mining companies have major interests in South Sudan, Kenya is concerned with its commercial interests in South Sudan especially in the banking sector, and the People's Republic of China is interested in South Sudan's oil wealth. The fact that the conflict in the country is still raging on, widening and escalating makes it clear that members of the international community have failed to implement the expectations of the international society theory. Instead, the realist school of thought emerged victorious at the expense of the international society theory

2.9. THEORETICAL FRAMEWORK OF THE STUDY

In this study, the international society theory or the English school of thought will be used in order to examine the consistency of the roles of the international community in protecting ordinary citizens in South Sudan and implementing the principle of responsibility to protect (R2P). The study pays special attention to the international society theory as it relates to the problem at hand. The international society theory emphasizes philosophy, history and law in the international

system. This theory also leads to the study of moral choices in foreign policy that responsible states people are confronted with including the responsibility to protect (R2P) (Jackson and Sorensen,2010:144-150).

For a clearer understanding of the concept of ‘international society’, it is important to unpack divergent views from many scholars in the field of international relations .According to Griffiths and Callaghan (2002:163) the concept of ‘international society’ refers to “a group of states that share certain common interests or values, and who participate in the maintenance of international institutions”.For Baylis et al (2011:568) the concept of international society “is used to describe a group of sovereign states that recognize, maintain and develop common norms, rules and practices that enables states to coexist and cooperate”. According to Bull (cited in Devetak et al. , 2012:247), international society is “a group of states which is conscious of certain common interest and common values , and which accordingly sees itself as bound by a common set of rules and as sharing in the working of common institutions”.

Several of the leading founding figures of the English School of thought were not English or even from the United Kingdom (UK) but from Australia, Canada and South Africa .For example, Hedley Bull was Australian, and Charles Manning was South African. Other contemporary scholars who are closely associated with school include Martin Wight, Barry Buzan, Richard Little, R.J. Vincent, Tim Dunre and Hidemi Suganami.

There are least three distinctive dimensions or levels of responsibility which are: national responsibility which is closely associated with Machiavelli, international responsibility which is closely associated with Grotius, and humanitarian responsibility which is closely associated with Kant. According to ‘national responsibility’ the national security is the fundamental value that the statesmen have a duty to protect as indicated in the doctrine of the responsibility to protect (R2P) (Jackson and Sorensen ,2010:144-150).In the South Sudanese case, the government of Salva Kiir Mayardit is duty bound to protect its population from any threat. It is also argued that the statesmen must always put their nations and its citizens first. The Kiir regime should ensure that its citizens become a first priority in terms of protection. This is likely to reduce the number of refugees fleeing into neighbouring countries.

On the other hand, ‘international responsibility’ gives member states in the international community duties and rights to protect human life. In the South Sudanese case, the international community has a responsibility to ensure that the situation in South Sudan is dealt with based on the international society theory and the doctrine of the responsibility to protect (R2P). The state should be a good citizen of international society. This means that the South Sudanese government should respect human rights and protect its citizens from catastrophe. With regard to ‘humanitarian responsibility’, the international society theory argues that “statesmen are human beings and as such they have fundamental obligations to respect rights not only in their countries but in all countries around the world” (Jackson.1995:110-118). World leaders are urged to implement the responsibility to responsibility (R2P) in South Sudan as a means to prevent the gross violations of the human rights.

The international society theorists take the importance of individuals into serious consideration at the expense of the state (Jackson and Sorensen, 2010:46). This means that before one can be a citizen of a state and a member of their government, one must be a human being. The South Sudanese people are not exceptional .With specific reference to South Sudan ordinary people are the ones directly affected by the conflict and as such the government failed to give priority to protecting them as victims, refugees, assisting in health issues, food parcels and so forth. The government of South Sudan has up to this stage not managed to protect its people and their rights due to the fact that the conflict has taken an ethnic dimension and there is no way a leader from a different ethnic group can sympathise with people from other ethnic groups even when they belong to the same country. Advocates of the R2P argue that individuals are way more important than states. In other words, the government of South Sudan should prioritise the protection of its own citizens first. But this view does not complement the view of contemporary liberals who put their total support on the importance of intergovernmental and non-governmental organisations (IGOs and NGOs).For the international society theorists, IGOs and NGOs are marginal rather than central features of world politics. The importance of IGOs and NGOs is supported by the idealist school of thought which contends that IGOs and NGOs such, as multinational corporations, are powerful participants in the international political system. These theorists also consider as important the relationship among states and downplay the importance of transnational relations (Ibid).

This study, therefore, is a case study testing the relevance of the international society theory or the English school of thought in the context of South Sudan. It is the researchers' main argument and conclusion that the international society theory is relevant for understanding the roles of the international community in the South Sudanese conflict as well as proposing strategies for conflict resolution. Therefore, this theory needs to be accorded due recognition because it helps to guard the international community in their efforts of protecting the rights of ordinary citizens within a particular state which is unwilling or incapable of protecting its citizens such as South Sudan, which is currently and been continuously been marred by a civil conflict since 2013.

The wisdom of the international society theory is important and relevant in this study because it affirms international obligations bestowed on members of the international community. However, humanitarian responses to crises of humanitarian nature, such as the South Sudan political crisis are part of the broader debate.

2.10. CONCLUSION

This chapter dealt with the analysis of key concepts, drivers for intervention in South Sudan, the politics of Sudan and South Sudan, and, the politics of the Great Lakes region were discussed. In this chapter, the concept of state formation and the issue of nation-building were also unpacked. It should be remembered that the conflict was between Riek Machar and Salva Kiir, who come from two different ethnic groups, namely, the Dinka and the Nuer. In other words, it can be confirmed that the conflict was fought along ethnic lines. The conflict attracted many actors. It was also discovered that the main reason for the intervention of the international community was to get a piece of pie in the oil sector of South Sudan. The chapter has also noted that the political leadership of South Sudan failed to embrace the issue of nation-building. This made the conflict to rage on, widen and escalate further without concrete solutions.

CHAPTER THREE: THE CAUSES OF CONFLICT IN SOUTH SUDAN AND ITS HUMANITARIAN IMPLICATIONS

3.1. INTRODUCTION

The previous chapter provided a detailed review of key literature relevant to the study and defined key concepts and definitions such as Conflict Resolution, the R2P, state formation, and nation building. Literature that has been reviewed thematically covered the following aspects, the politics of Sudan and South Sudan, the Great Lakes Region, and the drivers for intervention in the South Sudan crisis. In the previous chapter it was found that the formation of South Sudan as a new state in 2011 was not the end of security, economic and political instabilities. It was noted in the previous chapter that the unresolved issues such as, citizenship, sharing of resources such as: Abyei oil and Nile rivers, border demarcation, by the CPA made the project of nation-building difficult to achieve.

This chapter provides background to the current conflict in South Sudanese conflict paying special attention to the causes of the conflict by highlighting the short and long term causes of the South Sudanese conflict. The chapter locates the whole conflict in South Sudan in the broader context of geopolitics of the horn of Africa and the Great Lakes region. Geopolitics is the study of the influence of geographical factors on state behavior how location, climate, natural resources, population, and physical terrain determine a state's foreign policy options and its position in the hierarchy of states.

3.2. UNDERSTANDING THE SCOPE AND NATURE OF THE CONFLICT IN SOUTH SUDAN

South Sudan is located in the Horn of Africa and the Great Lakes Region. The Horn of Africa is one of the most fragile and conflict ridden parts of the world. Many political analysts argue that the region is “the hot-bed of the world” (Kinfe, 2006). It is further stated that, the Horn of Africa continues to be the place of most intense external-state and domestic-state conflicts after the decolonization of Africa. Memar (2014:249) states that lack of democratic political institutions, which allow people to participate in decision making, has been triggering civil war and political turmoil in the region. The region has become a home where political disorder and civil war are prompted and backed by external powers. For instance, the participation of western and eastern

giants, such as China and the USA in the post-cold war era has redefined the patterns of conflict in the region. The conflict in South Sudan is part of the ongoing turmoil in the Horn of Africa, which has attracted the attention of the international community.

South Sudan also falls under the Great Lakes region. The nature and sources of conflicts in the Great Lakes Region are varied, multifaceted and multi-dimensional. Kanyangora (2016) also concurs that the root causes and dynamics of conflict in the Great Lakes Region are multiple and complex. The root causes of conflict in this region are unequal access to state and natural resources, a lack of equal opportunities to access political power and the proliferation of small arms (Kanyangora, 2016). These factors also relate to structural problems of weak governance and economic mismanagement such as debt burdens, the collapse of social services and poor terms of trade (Kanyangora, 2016). According to Kanyangora (2016) another factor that plays a crucial role in spreading conflict from one Great Lakes Region country to another is forced migration flows. For example, Burundi, DRC and Rwanda are cited as having had refugees from each other. South Sudan shares a lot of similarities with most states in the Horn of Africa and the Great Lakes region, particularly in relation to factors such as competition for natural resources, access to political power and lack of democratic institutions.

The South Sudan conflict broke out in December 15, 2013, resulting in the death of tens of thousands. The conflict started in the political sphere and on 15 December this dispute became a violent conflict as it spilled into the military barracks and soon after, into the streets (Morrow, 2014). Leaving the legitimacy and power of the ruling Sudan People's Liberation Movement (SPLM) crumbling and in the absence of internal structures and systems to moderate power grabs by leaders, the party disintegrated (Roque, 2014). The main protagonists into the conflict are President Salva Kiir from the Dinka, which comprises around 36% of the population and former deputy president, Riek Machar from the Nuer, who make up about 16% of the population. According to the '*Security Council: The Question of South Sudan*' (2017) report, President Salva Kiir accused his deputy president Riek Machar of planning a coup d'état against the government which allegations were denied by Machar. Consequently, President Salva Kiir dismissed Machar from his position in government and this made the political problem to turn into a civil war (Security Council: The Question of South Sudan, 2017).

However, according to Awolich (2017) numerous issues can be blamed for the present situation in South Sudan, these include: “lack of strategic and collective leadership, past injustices that have not been resolved, many years of marginalization by the Sudanese state, weak institutions to manage political competitions, lack of broader understanding of the state and its purpose, and internationalization and regionalization of the South Sudan internal processes” (Awolich, 2017). On the other hand, Awolich (2018) indicated that weak governance and lack of progress on socioeconomic development in the country are the malefactors for the political crises. For Gebrekidan (2015) there are five major underlying causes that have contributed to the current instability in South Sudan. They include: “a violent power struggle between President Kiir and vice President Riek Machar, high rates of corruption, patronage, and impunity by former vice and current government officials, a lack of effective Disarmament, Demobilization, and Reintegration (DDR) and security sector reform (SSR) resulting in high militarization of society, tremendous development challenges such as a lack of government structure and institutions, a severe lack of basic infrastructure and services, limited human and institutional capacity and a weak economic base, and a lack of mechanism to improve checks and balances or among the various branches of government” (Gebrekidan (2015:2).

The South Sudan conflict has also taken inter-state and intra-state dimensions. According to Mingst and Kanen (2014:264) inter-state war “is war that takes places between sovereign two states”. This point is also evident in the case of South Sudan before and after attaining its independence in 2011. The Republic of South Sudan fought two harrowing civil wars with the Republic of Sudan. The fact that there are two states involved in this civil gives it an inter-state dimension. On the other hand, the conflict also took an intra-state dimension. Eminue (2004:15) notes that an intra-state conflict “is one in which the governmental authorities of a state are opposed by groups within state seeking to overthrow those authorities with force of arms”. This is also clearly relevant in the case of South Sudan in the sense that there are two opposing groups each led by Salva Kiir and the other led by Riek Machar. The main problem was caused by a political struggles between these two leaders.

Consequently the conflict began as a political conflict stemming from a governance crisis and failed nation-building exercise has morphed into an ethno-regionalist war that is destroying the social fabric of South Sudan (Roque, 2014). Taking an ethnic dimension along historical cracks

and rivalry between the Dinka and the Nuer nationalities. The conflict also escalated into a humanitarian crisis. It was the ethnic dimension of this conflict which made it brutally devastating; stoking fears of genocide (Roque, 2014).

3.3. INSTRUMENTALISATION OF ETHNIC IDENTITIES

The current crisis reflects underlying tensions and mistrust among South Sudanese leaders and ethnic groups that dates back to Sudan's civil war (1983-2005) Blanchard (2014:2). While much of the conflict is political, there are also ethnic drivers to the escalating violence and the two are often difficult to distinguish (Dessalegn, 2017). For Blanchard (2016:6) ethnicity animosity came as a result of leaders of the Sudan People's Liberation Movement/Army who damaged their cause for self-determination by competing for power and mobilizing supporters along ethnic lines. The main argument is that all sides committed atrocities. According to Mamili (2015:33) "the 2013 war in South Sudan is mainly motivated by greed by two competing tribes mainly Dinkas led by Salva Kiir and Nuer led by Riek Machar as mentioned earlier in which extrajudicial killings, enforced disappearance, rape, other sexual violence, arbitrary arrests and detention, targeted attacks against civilians not taking part in fight, violence aimed at spreading terror among civilians, and attack on hospitals and Un peacekeepers".

A prime example is that Dinka and Nuer ethnic identities were deliberately politicized during the second civil war, and militarised structures within communities, such as the Gelweng, Titweng and White Army Bunam (International Crisis Group, 2014). The polarization and arming of communities along ethnic lines in this conflict, and the manipulation by the powerful elites are a key factor that risks a rapidly deep and wide war with serious of regional humanitarian and political consequences (Dessalegn, 2017).

Ethnic dimension, ethnic divisions have been visibly clear in top government appointments in South Sudan for quite some time, especially in the military and in the public service. Factors such as ethnic background and or province of origin, struggle credentials are the main variables which determine appointments into the top echelons of government. Although there are two main ethnic groups in South Sudan, the Nuer leaders in government have been complaining that they are not fairly represented in positions of responsibility at the top echelons of government. These ethnic

divisions, especially within the political and security spheres in South Sudan have been compounded by the South Sudan and the Republic of Sudan rivalry. The role that many people play or continue to play in undermining the unity and stability South Sudan also had a bearing on the ethnic divisions. There is a general belief that the Republic of Sudan is behind the rebellion that Peter Yak Gadet waged against the Juba administration in the Jonglei province in December 2013. This rebellion was aimed at eliminating the Dinka people in the army under Gadet's command. The main intention was to plant a seed of ethnic divisions in the army. It is for this reason that the challenges that South Sudan is facing has been in existence since 2011 (Check and Mdlongwa, 2017).

It is very much imperative to note that South Sudan is a place with over 60 different main ethnic groups and the majority of its people follow traditional religions. The two groups, SPLA and SPLA-IO consist of different ethnicities, and many massacres were done under the justification of ethnic cleansing. Therefore, it is not that simple to classify this conflict as an ethnic war. This is because both sides have supporters from the opposite ethnicity, which adds up to the complexity of the issue. The following subsections will give a clear understanding of the causes of the conflict in South Sudan.

3.4. HISTORICAL ANTECEDENTS OF THE SOUTH SUDAN CONFLICT

The current political conflict in South Sudan has historical antecedents. The predicaments of seeking self-determination by South Sudan began immediately after Sudan was granted independence by Britain in 1956 (Boboya and Barnaba, 2015:1). The conflict or war between South Sudan and Sudan arose when the government of Sudan declined to introduce a federal political structure that would grant relative autonomy to the country's competing ethnic groups. Zambakari (2013) notes that, the root causes of the conflict included political, social, and economic marginalization of the peripheries, the role of religion in the state, self-determination, the distribution of power, forced Arabization and Islamization, mismanagement of diversity, national crisis of identity, and the institutional legacy of colonialism. The Sudd Institute Report (May 2018:3) concurs noting that the current political conflict in South Sudan has historical antecedents. For this report (May 2018) there are many factors that can be blamed for the present situation in South Sudan, including, among other things, "lack of strategic and collective leadership, past injustices that have not been resolved, many years of marginalization by the Sudanese state, weak

institution to manage political competition, lack of broader understanding of the state and its purpose, and internalization and regionalization of the South Sudanese internal processes”.

Between 1955 and 2005, the Sudanese People’s Liberation Army (SPLA) fought two civil wars in order to secure independence. These civil wars are known as the First Sudanese civil war and the Second Sudanese civil war. The First Sudanese civil war took place between 1955 to 1972 and was also known as the Anyanya I war and lasted for seventeen years and ended in after the signing of the Addis Ababa Agreement of 1972 signed by General Nimeiri which granted limited autonomy to the Southern. What triggered the disagreement in the first civil war was the Northern policies towards the South which consisted of ongoing marginalization and islamisation (Tadesse,2012).The Sudd Institute Report (April 2018) contend that people who participated in the liberation struggle, fought the war of liberation to rectify an injustice exacted by the Sudanese state upon the people of South Sudan, who relegated to inferior social and political status, and created as second or third-class citizens in their country. They were not allowed to participate in far-reaching decisions affecting them, their posterity, and the nation.

From 1972 to 1983 ,there was a peaceful mood between the North and South.However,this did not last for long as the introduction of Sharia law by Nemeiri resurrected tensions between the North and South in 1983.This came to be known as the Second Sudanese civil war which took place between 1983 to 2005 and was the continuation of the First Sudanese civil war between the central Sudanese government and Sudan People’s Liberation Army (SPLA).It started on May 16,1983 after a group of soldiers led by Colonel John Garang de-Mabior mutinied against the Sudanese Army. This civil war also contributed to the formation of what is today known as the Sudan People’s Liberation Army (SPLA).During the whole period of the 1980s, the SPLA/Movement received a lot of support from t neighboring countries. However, the leadership of John Garang was not without some difficulties as he was at some stage confronted with increased internal resistance which led to his subsequent removal on August 28, 1991.The resistance against John Garang led to a split of the liberation movement. The financial and military support given by the Khartoum government to the new rebellious faction further worsened things between the two groups. The second civil conflict lasted for twenty-two years. The Second Sudanese civil conflict was ended by the Comprehensive Peace Agreement (CPA), also known as the Naivasha

Agreement signed on January 2005, which established the semi-autonomous Government of Southern Sudan (GOSS) in the southern part of the Republic of Sudan.

3.4.1. THE INTERNAL POWER STRUGGLE BETWEEN THE POLITICAL ELITES WITHIN THE SPLM

It is imperative to note that power struggles within the SPLM/A is not a recent issue. During or immediately after the beginning of the movement, there were differences over the vision as well as the leadership, leading to an internal fight between groups. This could be explained by the allegation of the late former SPLM/A leader Dr. John Garang's dictatorial leadership, which frustrated some of the SPLA leaders such as Drs. Riek Machar and Lam Akol, who fled to Nasir in eastern Upper Nile in 1991 from where they launched a revolt based on demands for internal democracy and a shift in the goal of the armed struggle from a united, reformed Sudan (Garang's 'New Sudan') to one of national self-determination for Southern Sudan (Young, 2015). The most important blowback for the SPLM was not only that large group of its troops broke away in a critical phase of the war, the SPLM-Nasir lead faction by Riek Machar switched sides to ally with the central government in Khartoum (Dessalegn, 2017).

After becoming Khartoum's new proxy in the civil war, the SPLM-Nasir, consisting mainly of Nuer fighters, killed at least 2,000 Dinka civilians in the town of Bor, in what was known as the Bor massacre, on 15 November 1991 (Dessalegn, 2017), with the major intention of destroying the SPLA party in order for him to lead it. Upon falling out with Bashir, the SPLA (Sudan People's Liberation Army) welcomed back Dr. Riek Machar and saw him rise to second in command without personal objection from the President. On becoming an independent country, the two parties reconciled (Ntambirweki-Karugonjo, 2014).

However, political upheavals within the movement continued and were evident in the current South Sudanese conflict. Relations between the two have been far from stable, with Machar moving in and out of the SPLM/A, founding a separate organization that sought to negotiate directly with Khartoum and even signing an agreement in 1997, and setting up a military force that sought to compete with the SPLM/A before returning to the SPLM/A in 2002 (Ottaway and El-Sadany, 2012).

The Sudd Institute report of 2014 notes that the current conflict in South Sudan can be understood from a historical perspective. According to Andrews (2017:135) a large part of South Sudan's unfortunate situation has its origins from its own bad governance, corruption and inter-ethnic conflicts. Andrews argues that some of these factors were stoked by Sudan. For example, the most obvious conflict being the one pitting the Dinka and Nuer tribes, a proxy war between Kiir and Machar. This is also known as the 2013 conflict.

3.4.2. THE REFERENDUM AND INDEPENDENCE OF SOUTH SUDAN

Before the Republic of South Sudan attained its freedom in July 2011, it had gone through two harrowing civil wars. The first civil war was known as the Anyanya I war and the second civil war which was the continuation of the first civil war. This implies that the political and security situation of South Sudan has never been peaceful since the British colonial masters left the country. The southern people had been fighting for independence since Sudan attained its independence in 1955 from Britain. The Addis Ababa peace agreement of 1972 gave semi-autonomy to the southern people. However, this did not last for long because of the imposition of the Sharia law on the people who resisted it in a war known as the second civil of 1983 to 2005. The second civil was brought to end by the CPA, also known as the Naivasha agreement. The CPA was signed by the Republic of Sudan and the Sudan People's Liberation Army/Movement (SPLA/M). The CPA paved the way for a referendum in South Sudan in 2011. This referendum eventually led to the independence of South Sudan in July 2011 (Check and Mdlongwa, 2017:66). According to Atta-Asamoah et al, (2011) about 98, 83 per cent of the Southern people voted in favour of separation from Sudan as an expression of their collective will and determination resulting in South Sudan becoming a newly formed state in Africa in July 2011. This raised high hopes for many people in South Sudan. However, this was not to be because South Sudan had to deal with a number of key issues that the CPA failed to address such as, citizenship, Abyei, border demarcation, sharing of resources such as oil revenues and Nile waters (Tadesse, 2012). There are also number of factors responsible for the break down of South Sudan after independence. These factors continue to disturb the unity of this country. According to the Sudd Institute Report (May 2018:1), these factors include: abuse of power, improper interpretation of the constitution, poor decision-making, poor management of resources and lack of a cohesive national vision as well as corrupt agents running the system and constantly altering rules to fit the interest of a few. All these factors

shattered the hopes of the southern people after attaining independence in 2011 and we see South Sudan descending into a civil war in December 2013.

3.4.3. WEAK INSTITUTIONAL CAPACITY

The crisis in South Sudan is also associated with the incapability of relevant institution to achieve and mediate conflict which splits the army, and subsequently the general population. Beyond the political conflict, South Sudan has to deal with the challenges of weakness or absence of institutions and lack of institutional capacity within the state. The establishment of institutions was based on ethnic aggregation and personality cults (Dessaegn, 2017).

Many institutions are still learning roles and responsibilities and will take time to overcome these concerns. After so many years of conflict and lack of trained personnel in key specialties, it is hardly surprising that it is taking time to provide the credible, capable and respected service providers that communities need. “Many ex-combatants were asked to fill the ranks of related rule of law and local government agencies, mostly without the time to properly train and/or allow them to gain experience in a peaceful context. Now, they face increasing pressure to perform, and sometimes with the additional pressure of delivery in a conflict environment” (South Sudan Development Plan 2011-2013, 2011).

So far the discussion on the causes of the South Sudan shows that the conflict cannot be attributed to a single cause. Factors such as the power struggle between Riek Machar and Salva Kiir and personal rivalries in multi-ethnic groups of self-serving individuals within the elite which resulted in South Sudan conflict can be singled out as major causes of the conflict especially in view of the escalation and widening of this conflict. This, however, is not an attempt to water down the role of the North-South conflict which in this case can be said to have sown the seeds of the conflict especially when one looks at the escalation and widening of that conflict. Having examined the causes of the conflict, the next section therefore looks at the humanitarian implications of the South Sudan conflict.

3.5. CONCLUSION

This chapter has provided a background to the current conflict in South Sudanese conflict. It highlighted the short and long term causes of the South Sudanese conflict. The chapter locates the

conflict in South Sudan in the broader context of geopolitics of the Horn of African and the Great lakes region. It argues that the current conflict in South Sudan is closely intertwined with historical factors and that the issue of ethnicity has been used to further the interests of a few political elite. Lastly, it was argued that the conflict is still widening, escalating and raging on despite the signing of a number of peace agreements and the involvement of many regional, continental and international actors. Having examined the main causes of the conflict in South Sudan and the humanitarian implications in this section, the next section therefore looks at the involvement of the international community in the resolution of conflict in South Sudan

CHAPTER FOUR: HUMANITARIAN IMPLICATIONS OF THE SOUTH SUDAN CONFLICT

4.1. Introduction

This section focuses on the humanitarian implications of the South Sudan conflict. The section will also reveal how many people were displaced internally and externally. It will also indicate how this conflict affected the economy of South Sudan.

4.2. HUMANITARIAN IMPLICATIONS OF THE SOUTH SUDAN CONFLICT

In December 2013 South Sudan descended into a violent conflict sparked by a political disagreement within the ruling party, known as the SPLM. The two belligerents in the South Sudan conflict were Riek Machar and Salva Kiir. At a humanitarian level, the conflict affected ordinary people within South Sudan and beyond.

Baah (2014:35) states that, in terms of human security costs or humanitarian ramifications or implications, the civil war in South Sudan has made at least 10,000 people to lose their lives, making more than 1, 5 million South Sudanese people being displaced (Baah:2014:35). Baah further argues that, between 2013 and 2015, the refugee flows into neighboring countries caused by the conflict skyrocketed. For example, according to aid agencies from March 2014 there were more than 140,000 South Sudanese people who entered Ethiopia alone as refugees. According to Baah (2014:35), this is without including those who fled to other neighboring countries.

The crisis in South Sudan has also been intensified by the outbreak of famine. This is well-reported by the United Nations (UN) and IGAD (cited in Baah, 2014:35) which point out that the hunger crisis is the worst in the world. Baah (2014:35) estimated that close to four million people are facing dangerous levels of hunger. Baah (2014) further stated that, with regard to food security, about one million children under the age of five need food deliveries to fight acute malnutrition while 50,000 children face death from malnutrition.

About 500,000 people lost their lives, approximately 4 million people were displaced (some 2 million domestically and about 2 million seeking refuge in neighboring countries), and over 200,000 people were forced into UN protection midpoints fearing for their safety. About 6 million people, approximately half the population, are now projected to be severely food insecure. A projected 1

6,000 children have been employed into numerous armed groups and forces participating in the conflict (The World Bank Group Report, 2017).

The total number of South Sudanese refugees stands at more than 940,000 individuals, of whom some 817,700 people have fled since December 2013 (Brown, 2014:1). Blanchard (2016:4) asserted that at least 1.7 million people are displaced domestically. At least 70% of these people are children and close to 60% are adult women (Brown, 2014). The South Sudanese conflict has killed more than 2.5 million people and has delayed the development of basic infrastructure, human capital, and formal civilian institutions (Blanchard, 2016:1). Andrews (2017:134) notes that by mid-2017, the 2013 conflict had pushed from their homes around 4 million people. He also notes that the UN in July 2017 counted 1,995,901 South Sudanese seeking refuge in neighboring countries. This is marked by a catalogue of human-rights abuse, including the use of children as soldiers. Sudan was home, provisionally or otherwise, to 297,168 immigrants from South Sudan (The International Organization of Migration, cited in Andrews, 2017:137).

Neighboring African countries bear an undue responsibility to host refugees and migrants, uneven to their resources. These countries are Uganda, which by early August 2016 it had almost 300,000 refugees from South Sudan, Ethiopia which had more than 280,000 refugees from South Sudan and Kenya which was projected to have about 20,000 thousand refugees from South Sudan (UNHCR, 2016:7-8). Out of all countries that received refugees from South Sudan it is confirmed that Uganda received more refugees than all of them. Economically, the conflict caused serious damage to the livelihoods of the individual citizens and public finances. This directly affected service delivery and development matters.

South Sudan's economy is heavily dependent on oil and its oil industry is dominated by Asian firms including China National Petroleum Corporation (CNPC), Malaysia's Petronas and India's Oil Natural Gas Corporation (ONGC Videsh). According to the IMF (2014) disturbance in 2014 is reported to have reduced oil production by around a third from 90 million barrels for the year to 60 million barrels. It is clearly stated that the impact of the drop in oil production went beyond the borders of South Sudan as well. For instance, China felt the outcome from the crisis as oil companies such as China National Petroleum Corporation and Sinopect were forced to evacuate their workers from fields in Unity State. The Chinese government is apparently the biggest investor in South Sudan's oil. China is also the main buyer of South Sudan's crude oil (Koos and Gutschke,

2014:6).Koos and Gutschke (2014:6) confirm that “the conflict impacted regional economic and political integration. It is argued that the conflict made chances of South Sudan to be admitted to the East African Community in 2014 slim. The conflict also threatened the 20 billion USD Lamu Port-South Sudan-Ethiopia Transport Corridor (LAPSSET) project between Kenya, Ethiopia and South Sudan. The intention of the project was to develop a new port in Lamu, Kenya and an oil pipeline from South Sudan” (Koos and Gutschke, 2014:6).When it comes to revenue, the South Sudan Humanitarian Project (2016:4) states that export revenues decreased due to declining oil prices and lower oil production..

The South Sudanese conflict had an undesirable impact on the business front and employment opportunities as well. It should be remembered that production is sensitive to insecurity. “The continuation of the conflict in areas such as, Jonglei, Unity and Upper Nile, made most businesses to close as due to low production” (The Sudd Institute, 2014:14).When it comes to employment, self-employed works and public sector employees are displaced. They are currently not engaging in economically productive activities. Insecurity and financial difficulties have also contributed to reduced skilled labor, particularly those coming from the region (The Sudd Institute, 2014:15).

4.4. Conclusion

This section focused on the humanitarian implications of the South Sudan conflict. The section w also revealed how many people were displaced internally and externally. It managed to indicate how this conflict affected the economy of South Sudan. In terms of the humanitarian implications, it should be remembered that South Sudan heavily relies on the production of oil and as such the conflict has brought disruption of the peaceful working environment to increase oil exports essential boost South Sudan’s Gross Domestic Product (GDP)

CHAPTER FIVE: INTERNATIONAL ACTORS AND THEIR RESPONSES TO THE SOUTH SUDAN CONFLICT.

5.1 Introduction

The previous chapter has provided the background to the current conflict in South Sudanese conflict and paid special attention to the causes of the conflict by highlighting the short and long term causes of the South Sudanese conflict and the humanitarian ramifications of the conflict. The chapter discussion located the whole conflict in South Sudan in the broader context of geopolitics of the Horn of African and the Great lakes region. The previous chapter has also found that the current conflict in South Sudan is closely intertwined with historical factors and that the issue of ethnicity has been used to further the interests of a few political elite. In terms of the humanitarian implications, it should be remember that South Sudan heavily relies on the production of oil and as such the conflict has brought disruption to a conducive environment of working peaceful to export enough to contribute to South Sudan's Gross Domestic Product (GDP). Having examined the main causes of the conflict in South Sudan and the humanitarian implications in the previous chapter, this chapter therefore looks at the involvement of the international community in the resolution of conflict in South Sudan.

In this chapter, the study will discuss factors that contribute to the failure of mediation process in South Sudan as well as the various actors involved in the mediation process in conflict resolution in South Sudan and their roles. The involvement of non-state actors in the form of multinational companies will also be covered below. The conflict in South Sudan has attracted a number of actors in a bid to resolve conflicts among the warring parties. The actors include intergovernmental organizations, regional states, international organizations and the international community. They include, inter alia: China, Ethiopia, Egypt, Eritrea, Kenya, South Africa, Sudan, Tanzania, Uganda, United States of America, African Union, European Union, United Nations and IGAD. This chapter will also evaluate the nature of the mediation process in conflict resolution in South Sudan. Lastly, the chapter will also review the effectiveness or efficacy of the mediation process by actors. In doing so, this chapter will be helping to reveal the flaws or loopholes in the mediation process in South Sudan.

5.2. THE ROLE OF REGIONAL ACTORS

The regional states that have taken a frontline in South Sudan conflict resolution includes: Uganda, Kenya, the Federal Republic of Ethiopia, Sudan among others. Some of these states are not members of IGAD.

5.2.1. The role of Ethiopia in the South Sudanese conflict

Ethiopia is located at the core of the Horn of Africa. It is the region's only state sharing borders with both Sudan and South Sudan. Ethiopia is also a close friend of South Sudan as the SPLM originated within Ethiopia in 1983 (Mesfin, 2015:4). Ethiopia and South Sudan share a similar language, ethnicity, culture common border and religion. These countries also have a long history of strategic alliances and historical partnerships for peace.

The International Crisis Group (2014:25) states that Ethiopia has been supporting the SPLM/A in its fight against the South Sudan government for quite some time, especially a military support. Bekele (2015:62) asserts that Ethiopia's involvement in the neighboring South Sudanese conflict can be dates back to the time when the first Sudanese Civil War started (1955-1972), which is generally said to have begun with the mutiny of the Equatorial Corps, a military unit composed of southerners, at Torit in the summer of 1955. Bekele (2015:61) notes that Ethiopia provided South Sudanese with substantial support during their just struggle for equality. According to Verjee (2017) Ethiopia's foreign policy towards South Sudan has been difficult since South Sudan's descent into civil war in late 2013. Following the outbreak of conflict, Ethiopia's policy was motivated by both bilateral interests and multilateral concerns. This includes the fact that the risk of the conflict would destabilize Ethiopian border areas and to ensure that the conflict in South Sudan does not draw in neighboring states into a destructive and protracted regional conflict (Verjee, 2017). There are other national interests that attracted Ethiopia in South Sudan such as the use of the Nile Waters and South Sudan's related attempts to foster positive relations with Ethiopia's arch-rival, Egypt and South Sudan cultivate relations with Ethiopia's other long-time antagonist, Eritrea (Verjee, 2017).

Mesfin (2015) indicated that Ethiopia did not want to directly be seen getting involved in the South Sudanese crisis due to wider geopolitical and security considerations. Ethiopia fears that the South Sudanese crisis could spill over across its borders and could aggravate the already tense and largely unresolved situation in Gambella (Mesfin, 2015). Verjee (2017) notes that “the involvement of Ethiopia in the South Sudanese conflict in late 2013 and early 2014 to resolve the conflict in South Sudan was with the intention of bringing it to an end. Ethiopia did this in its capacity as a chair of the northeast African regional organization, the IGAD. Ethiopia appointed one of its most senior politicians and veteran diplomats, former Foreign Minister Seyoum Mesfin to lead an international mediation process. Seyoum Mesfin led IGAD’s Special Envoy to South Sudan, which consisted of General Lazarus Sumbeiywo (Kenya) and General Mohammed Ahmed Mustafa al-Dhabi (Sudan)” (Bekele ,2015:69). This IGAD’s Special Envoy led by Ethiopia was aimed at a cessation of hostilities and release of 11 political detainees (Bekele ,2015:61). Verjee notes that Ethiopia used its political and diplomatic skills in attempting to marshal the region towards a common approach and convened peace talks within weeks. It also committed officers and men to both IGAD monitoring and UN peacekeeping forces present in South Sudan. The Sudd Institute Special report (2014:11) notes the problem with Ethiopia is that there were unconfirmed rumors of Ethiopian field commanders offering aid to the rebels. Mesfin (2015) notes that Ethiopia was also actively involved in efforts by the Africa Union to broker high –level peace talks between South Sudan and Sudan as well as between Sudan and the Sudan People’s Liberation Movement-North, which is part of the Sudan Revolutionary Front (SRF). So far there is no evidence that Ethiopia was involved in the South Sudan conflict militarily. It was only involved in a multilateral manner through diplomatic channels with IGAD.

Verjee (2017) argues that Ethiopia further used its position of being IGAD chair to pressure the South Sudanese warring parties, president, Salva Kiir, and the leader of the principal armed opposition, Riek Machar, to meet, negotiate and unwillingly assent to multiple agreements to end conflict and introduce political reforms. The most significant of these agreements was signed in August 2015. However, this agreement failed a year later after repeated fighting started. After the failure of this peace agreement in July 2016, Ethiopia did not interfere as it did in the mediation of 2014 and 2015. Fleischer (2015:17) asserts that Ethiopia deployed a large portion of troops than any other country in the African continent and commands both the UN Mission in South Sudan (UNMISS) and the UN Interim Security Force for Abyei (UNISFA) , the sensitive oil-rich border

region with Sudan. Mesfin (2015) confirms that Ethiopia has more than 4000 troops in the United Nations Interim security Force for Abyei deployed to prevent a border war between Sudan and South Sudan. For Fleischer (2015:17) UNISFA is composed primarily of Ethiopian troops and Ethiopia contributed an additional 1,265 troops to UNMISS after UN Security Council raised the troops ceiling in response to the crisis.

According to Bekele (2015:70) Ethiopian mediation efforts took long to bear fruit due to vested interests of IGAD's member states which made the peace efforts a fairly complex negotiation process. Uganda, which desired to safeguard its lucrative market in South Sudan, made a direct military intervention in support of the SPLM/A in Government, while Sudan is said to have backed the SPLM/A in opposition. This partisan military involvement heightened tensions between the Sudan and Uganda. Ethiopia condemned Uganda's unilateral move and called for it to withdraw its troops from South Sudan. Ethiopia did this in its capacity as IGAD chair (Bekele (2015:70).

There are factors that made Ethiopia's ability to make a diplomatic breakthrough in the South Sudan peace process fail (Bekele, 2015:70). Instead of Ethiopia remaining focused it took sides in the South Sudan conflict by allying with SPLM/A in Government. Ethiopia and South Sudan have signed a military pact in March 2014 while the former's relations with Ethiopia were strained due to the building of the Grand Ethiopian Renaissance Dam (Bekele, 2015). Bekele added that another challenge is Eritrea's alleged intervention in the South Sudan conflict on the side of SPLM/A in opposition. Eritrea seeks to undermine Ethiopia's broader regional influence because Ethiopia was acutely aware of the danger of direct military involvement in the ongoing conflict in South Sudan in relation to the wider geopolitical, diplomatic and security considerations, and partisan military involvement, Ethiopia adopted a balanced approach and demanded an immediate end to the crisis before it could spill over into the border regions of Gambell and Benishangul-Gumuz (Bekele (2015:70). However, Ethiopia did not succeed in helping to resolve the South Sudanese conflict because it was pre-occupied with safeguarding its economic interests and choosing sides between the warring parties.

It was not only the Ethiopian government which played in the South Sudan conflict, especially from that country some like-minded Ethiopians from various sections of society in the form of peacemakers, religious institutions and academia, who were concerned about another cloud of tragedy and calamity casting a dark shadow over the South Sudanese hope of peace and prosperity,

established the Ethiopian Peace Committee for South Sudan (EPCSS) to display the Ethiopian people's solidarity with their fraternal neighbours in South Sudan in January 2014. The EPCSS's main objective is sustainable peace to South Sudan through people-to-people relations at grassroots level. It has been working jointly with the South Sudanese peacemakers in the pursuit of building peace through reconciliation, removing mistrust and healing the deep wounds of the peoples of South Sudan (Bekele, 2015:71).

In terms of refugee crisis, Fleischer (2015:17) argues that Ethiopia has received a large number of refugees in Africa since the eruption of the South Sudanese conflict. It is for this reason that Ethiopia is more interested in seeing the conflict in South Sudan coming to an end. Mebratu (2015:64) argues that there is the issue related to the refugee flow from South Sudan to the bordering Ethiopian of Gambell and Benshangul-Gumuz. He further argues that currently close to 40,000 refugees are registered in Ethiopia while there are more than 50,000 internally displaced people. According to the UNHCR (2016:7-8) "the year 2016 saw consistent and high numbers of new refugees from South Sudan. In Ethiopia, more than 280,000 refugees from South Sudan have sought asylum, the vast majority of them in the Gambella region. This includes the pre-December 2013 caseload of 54,000 refugees". By the end of 2016, it is projected that the overall number of South Sudanese immigrants in Ethiopia would be 290,000 (UNHCR, 2016:7-8).

Bekele (2015:62) asserts that Ethiopia began to deal with the South Sudanese refugees who had fled into territory in the wake of the civil war. The South Sudanese who came to settle in Ethiopia as refugees were allowed to remain under the strict condition that they laid down their arms and stopped any forms of subversive activity against the government in Khartoum. Ethiopia's refusal to comply with Sudan's repeated requests to deport the South Sudanese refugees demonstrated Ethiopia's sympathy for the South Sudanese cause. In other words, Ethiopia was against the secession of the South from the north on religious and tribal bases (Bekele, 2015:62).

5.2.2. The role of Eritrea in the South Sudanese conflict

In the current South Sudan crisis, it is alleged that Eritrea has been giving supporting to the opposition groups. It can also be argued that the involvement in regional conflicts has a long history and is not a new thing. Eritrea has also been suspected of being plotting the crisis in South Sudan. In fact, Eritrea's involvement and crises has been the case for long and is not a new

phenomenon. For instance, Eritrea has been accused with tangible evidences of being involving the Somalia's deteriorating situation as well as other countries in the region (The Reporter, 2014). "The Ethiopian spokesperson also pointed out that due to the aggressive nature of the Eritrean government; the country is participating in such conflicts covertly to undermine the region. He added that the government of Ethiopia strongly believes that Eritrea has played a role in the on-going conflict in South Sudan" (Nyamilepedia, 2014).

According to Mesfin (2015:5) "countries like, Ethiopia see Eritrea as the principal source of the instability in the Horn of Africa for as long as President Issayas Afeworki remains in power. He also asserts that Eritrea is visibly not enthusiastic about the mediation undertaken by IGAD. This is because Eritrea has not reconciled to the fact that Ethiopia is in the driver's seat, the chief IGAD mediator, Seyoum Mesfin being Ethiopian". Mesfin (2015) notes that "Eritrea views IGAD as a tool of Ethiopia's ever-increasing military and economic predominance in the region. It is also asserted that Eritrea has been aware from the beginning that Ethiopia has more influence on South Sudan".

5.2.3. The role of Kenya in the South Sudanese conflict

Having examined Eritrea's role, it is equally pertinent to examine Kenya's role in the South Sudan conflict given the fact that Kenya has a number of refugees. Obala (2012:2) notes that South Sudan, a country with special links to Kenya which revolve around many factors ranging from cultural factors to social, political and economic factors. Obala (2012:2) also asserts that the two countries share languages, culture and have a long historical linkage. There are many areas of cooperation between the two countries which are boosting cross-border trade, enhancing manufacturing capability and the implementation of infrastructural networks linking Kenya and South Sudan.

The International Crisis Group (2015:9) notes that Kenya's foreign policy towards South Sudan is motivated by the desire for stability necessary to secure its economic interests and growing diplomatic profile in the region and beyond. The report also noted that before the signing of the CPA, Kenya had cultivated an influential regional role on South Sudan. Unlike the CPA negotiations, Kenya has preferred to stay neutral among sparring neighbours and between the warring parties (International crisis Group, 2015:9). The International Crisis Group (2015:9) further asserted that "in an early diplomatic success in 2014, Kenya secured the FD's release and

hosted it in a secure location in Nairobi. Kenya also used its leverage alongside South Africa and Tanzania to bring FD's on a visit to Juba".

Fleischer (2015:13) argued that "in October 2014, Kenyan Senator Boni Kwalwale introduced a bill in parliament to impose sanctions on South Sudanese elites living in Kenya who are linked to atrocity crimes in South Sudan. The bill included measures that would freeze individual bank accounts and deport family members from Kenya. The bill was withdrawn by Senator Kwalwale, after consultations with South Sudanese diaspora and those engaged in the peace talks".

Obala (2012) argues that Kenya and South Sudan had long existing ties which go beyond the new investments. Several observers suggest that South Sudan has invested efforts and determination, through regional support from Kenya to review its interim constitution so as to make the region more investor-friendly (Obala, 2012). Furthermore, it continues to seek for close co-operation with relevant authorities in Kenya to enhance co-operation and potential investment mainly because Kenya is widely accepted as a bridge between the East African community and the rest of the world.

It is imperative to note that Kenya has commercial interests in South Sudan. An economic explanation preferred by Fleischer (2015:13) is that the Kenyan banks form the backbone of the South Sudanese economy and facilitate the bulk of financial transactions in the region. It is also noted that Kenya's banking interests in South Sudan have undermined domestic support for targeted sanctions against South Sudanese elites due to the potential implications on banking interest in South Sudan. For example, the Kenyan Commercial Bank (KCB) has had more than 20 branches in South Sudan, including in the state capitals of Bentiu, Bor and Malakal. These three branches were looted and destroyed early in the fighting.

Moreover, the Lamu Port and Lamu-Southern Sudan-Ethiopia Transport Corridor (LAPSSET) is a huge project that involves development of airports, railways, roads and notably, an oil pipeline between Lamu (where a new refinery will be built) and South Sudan (Gabriel, 2012). The transport links are meant to join cities in Kenya, Ethiopia and South Sudan. The current Rift Valley transport corridor links Mombasa and Uganda, leaving Sudan as an important player from Kenya's infrastructural venture aimed at promoting regional trade. As a key player and host of the regional Intergovernmental Authority on Development (IGAD) peace process that founded the CPA, Kenya

has a specific great interest in ensuring that it is effectively implemented. As the economic giant within the region (Obala, 2012), Kenya stands to benefit from the growth of a considerable market and major infrastructure in the South, including as a conduit for oil.

In relations to South Sudanese violence of December 2013, the Sudd Institute Special Report (2014:11) has stated that Kenya has not contributed any troops in support of the government of the South Sudan. Kenya seems to be in support of the President of South Sudan. On the other hand, Kenya is also playing a mediating role much more. Fleischer (2015:13) and Micheni note that “General Lazaro Sumbeiywo was brought out of retirement and appointed as one of the key mediators for IGAD’s South Sudan peace talks along with former Ethiopian Foreign Minister Seyoum Mesfin. General Lazaro Sumbeiywo had mediated the CPA in the early 2000s”. Fleischer (2015:13) also observed that the Kenyan government under Kenyatta also helped secure the release of several high-ranking South Sudanese political figures who had been detained soon after clashed erupted in Juba in December 2013, some of who now lived in Kenya. Kenya also sent troops to South Sudan under the UNMISS umbrella.

5.2.4. The role of South Africa in the South Sudanese conflict

It is also important to examine the role played by South Africa in the South Sudanese conflict. Hendricks and Lucey (2013) have provided a summary of South Africa and South Sudan historical ties pointing out South Africa’s fraternal relations with South Sudan stem from liberation struggles of the African National Congress (ANC) and the South Sudan People’s Liberation Army/Movement (SPLA/M). Hutton (2014:44) asserts that “South Africa’s engagement with South Sudan has a long history with ties between the ruling liberation movements extending back into the 1990s. The African National Congress (ANC) was an ardent support of the SPLA/M during the Sudanese civil war. When the SPLM was founded in 1983, the ANC proclaimed that it shared a common vision with the SPLA/M for a democratic, on-racial and non-sexist society free from enslavement and oppression”.

Despite being the last colonial outpost in Africa, South Africa has been instrumental in conflict resolution on the African continent post 1994. This should be understood in the context of South Africa’s post-Apartheid foreign policy. In doing so, it should also be remembered that South Africa’s apartheid foreign policy was all about ‘destabilization’ of the liberation movements

considered to be against the apartheid government. This means that South Africa did not do much to resolve conflicts during apartheid. One of South Africa's foreign policy principles in the post-apartheid era is to promote peace and stability in the African continent. Miti contends that focusing on resolving African conflicts is in the best interest of South Africa. In the post-apartheid period, South Africa seek to achieve a stable and peaceful continent. Since 1994, South Africa has played an important role in conflict resolution in countries like Burundi, the DRC, Cote d'Ivoire, Libya and, Zimbabwe. In doing so, SA has always called for an all-inclusive negotiation process in South Sudan before and after the current conflict started (Miti). In other words, South Sudan is not exceptional in South Africa's principle of wanting to achieve a stable and peaceful continent.

Following the signing of Sudan's CPA in 2005, South Africa has also been instrumental in providing developmental and mediation assistance to South Sudan. This clearly shows that South African mediation in South Sudan started before the December 2013 conflict. Former President of South Africa, Mr Thabo Mbeki, as chair of the African Union High Level Implementation Panel (AUHIP), has played a key mediating role between Sudan and South Sudan (Hutton, 2014). Mutanda (2015:25) notes that Thabo Mbeki, a special envoy of the AU in South Sudan has gained the trust of the continent in general. Hutton (2014) has also observed that South Africa has engaged diplomatically through the Mbeki panel as well as providing troops in Darfur, technical assistance to the SPLM political party transformation and support to police transformation through a trilateral arrangement with Sweden.

Hutton (2014) notes that South Africa has its own interests in South Sudan pointing out South African mining companies have major interests in South Sudan. Hutton (2014) notes that there are two main push factors encouraging South Africa's interest in South Sudan: firstly, the resource sector South Africa has been struck hard by years of labour unrest and an increasingly nepotistic and corrupt political elite. Secondly, the South African post-apartheid state has grown into the role previously occupied by the apartheid state as an expansionist, capitalist political economy (Hutton, 2014:45).

In relation to the December 2013 conflict in South Sudan, Mutanda (2015:25) has observed that South Africa has played a central role in negotiating for a truce between the belligerents in South Sudan. He further asserts that in early February 2014, the South African President, Mr Jacob Zuma, appointed African National Congress (ANC) Deputy President, liberation stalwart and

multimillionaire, Mr Cyril Ramaphosa, to act as the country's Special envoy to compliment the efforts of Mbeki. Bekele (2015:71) notes that Ramaphosa, together with leaders of Ethiopia's ruling party, the EPRDF and alongside Tanzania's ruling party Secretary-General Abdurrahman Kinana facilitated internal SPLM/M discussions as part of addressing intra-party political problems. Lucey and Kumalo (2017:4) also observed that South Africa also carried out a large-scale capacity-building programme among South Sudanese officials. South Africa is increasingly pursuing a policy of political and economic engagement in Africa embodied clearly in the recently articulated plan for the completion of the Durban to Cairo railway (Hutton, 2014).

South Africa has called for an all-inclusive negotiation process in South Sudan. South Africa has also negotiated for a truce between the belligerents in South Sudan. Like many other countries or actors, South Africa wanted to make sure that its economic interests are safe. The biggest mistake made by South Africa that has been the fact that Ramaphosa, together with leaders of Ethiopia's ruling party, the EPRDF and alongside Tanzania's ruling party Secretary-General Abdurrahman Kinana facilitated internal SPLM/M discussions as part of addressing intra-party political problems failing or ignoring leaders of the rebel groups. So far South Africa's mediation process has not been effective.

5.2.5. The role of Sudan in the South Sudanese conflict.

Despite having separated, Sudan remains a critical player in the political developments of South Sudan. "The CPA created the semi-autonomous South Sudan and the Government of National Unity in Khartoum on the 9th of January 2005. Since it was anticipated, South Sudanese voted tremendously with about 98.83% in favour of independent South Sudan. Khartoum later responded by being the first country to publicly recognize the independence of South Sudan in an official ceremony in. At the same time, Khartoum promised to work together with the newly born state on 09 July 2011"(Kumelachew, 2014: 23).

The official declaration of independence and its (South Sudan) recognition firstly by Khartoum does not mean that the CPA has been fully implemented especially if they want to lead peaceful friendly relations in the future. There are some key issues in the CPA that the two countries failed to implement that will become major difficulties to security and cooperation in their future

relations. These include: the future of Abyei, the border demarcation, citizenship and how to share the oil income are some of the key issues left out for future negotiation (Kumelachew, 2014: 25).

The Sudanese government was motivated to get involved in the South Sudan conflict because of the need to import uninterrupted flows of oil from South Sudanese fields was being hindered by the South Sudanese conflict. Mehari and Abel (2013) notes that Sudan is irritated by Uganda's intervention into the conflict since both countries are supporting rebels against each other. President Al-Bashiri has threatened to intervene militarily in South Sudan to stop the humanitarian crisis and end the civil war (Kuol, 2018:6). Kuol (2018) asserts that the Sudanese government has also airlifted Riek Machar from the Nganamba forest in the DRC. It should be remembered that Sudan has strategic security interests in South Sudan. Among these interests are the disputed territory of Abyei and the hosting of refugees from South Sudan (Kuol, 2018:5).

Rohde (2015:38) notes that South Sudan's northern brother has played an active role in the South Sudanese conflict. Koos and Gutschke (2014:6) notes that "the Sudanese government in Khartoum shares South Sudan's interest in maintaining the stability of and control over the oil fields. There is a lack of mutual trust between the two countries. Sudan has provided cautious support and agreed to send 900 oil-field technicians". Rohde (2015:38) asserted that the two governments have a mutual interest in preserving the oil market. South Sudanese oil is piped through Sudan and disruption to South Sudanese oil production would hurt the northern country's economy. As a result, Sudan offered diplomatic support, mediation assistance, and aid to South Sudanese refugees, and protection for oil installations (Rohde, 2015:38).

South Sudan's crisis has enabled Sudan to represent itself to the international community as a force for stability (Mesfin, 2015:4). Mesfin indicated that Sudan has short to medium term benefits from a protracted civil war in South Sudan such a civil war would present an extraordinary opportunity of preventing the emergence of a stronger and oil-rich state allied to Uganda thereby allowing Sudan to reestablish its traditional influence over South Sudanese politics characterized by increased polarization.

When the conflict spread to Unity state, with the defection of the 4th Division Commander General James Koang Chuol, oil-producing areas became battlegrounds and production was stopped as workers fled. The government, reportedly with the assistance of forces associated with

Justice and Equality Movement (JEM), retook most of those fields in January (BBC, 2014). The SPLM/A in Opposition's (SPLM/A-IO) offensive that began with the taking of Malakal in late February now targets the Upper Nile oil fields. With the shutdown of production in Unity, these are an economic lifeline for both Juba and Khartoum (Sudan Tribune, 2014). Aware of the stakes for Sudan, the SPLM/A in opposition has said it would negotiate with Khartoum over sharing oil revenues, if the oil fields can be secured (Richardson, et al, 2013). The government of Sudan seems to be worried about its security and economic interests. The fact that the conflict is affecting the smooth flowing of oil from South Sudan to Sudan and the Ugandan intervention in South Sudan are worrying factors for the government of Sudan.

5.2.6. The role of Tanzania in the South Sudanese conflict

As the IGAD-led mediation efforts seemed to stall owing to competing interests among member states, Tanzania has taken up the mediation effort (Bekele, 2015:71). According to Bekele (2015:71) the Tanzanian mediators have aimed to bring SPLM/A back from the abyss through intra-party dialogue. This Tanzanian attempt is said to have reinforced the IGAD-led mediation efforts. Multiple mediation processes by mediators operating in parallel processes have not stopped the catastrophic war. Various stakeholders should follow a more unified approach to the peace process and should put more pressure on the parties to ensure their compliance with the agreements so far signed (Bekele, 2015:71).

5.2.7. The role of Uganda in the South Sudanese conflict

It is important to understand the history of Uganda's relationship with South Sudan before one can analyze the logic of Uganda's intervention in the country. Nicoleisen et al (2015:33-34) notes that "relations between Uganda and South Sudan were initially transnational. Since colonial times and the establishment of central governments, the two territories have shared a long border, transversing the home areas of several ethnic groups. From the 1940s, the South Sudanese people attended schools in Uganda; many fled across the border and sought sanctuary in Uganda in 1955 following mutinies and government repression in the Equatorial region". Michani argues that Uganda's involvement in South Sudan is age-old and can be traced back to the 1990s when the east African country became suspicious of Khartoum's desire to expand its Arab and Islamic influence southwards. It is against this backdrop that Uganda supported the South Sudan's people

Liberation Army (SPLA) in the North-South Sudanese civil war as Khartoum supported the Ugandan rebel group, the Lord's Resistance Army (LRA).

It is important to recall that South Sudan is “the major trading partner of Uganda in the region, particularly for its manufactured and agricultural goods. Secondly, South Sudan has a significant number of Ugandans, mainly in the service sector providing vital income for Uganda. South Sudan supports the Ugandan economy largely through the transfer of hard currency for the upkeep of South Sudanese families living in Uganda, including students. This is in addition to money transfers from Ugandan nationals working in South Sudan. The revenue that accrues from real estate rents, school fees, visas and other related transactions directly pay for the running of the Ugandan Government. Security wise, the SPLA is a key ally in Uganda's fight against the Lord's Resistance Army (LRA), which is an internationally recognized terrorist organization” (Ngungi, 2010).

Apuuli (2014:362) notes that economic relations between Uganda and South Sudan have blossomed since the CPA was signed. Trade has increased significantly between the two countries since 2007 and South Sudan has been the largest importer of Ugandan goods. For example, Uganda's Albertine-Graben region, bordering the Democratic Republic of Congo (DRC), but close South Sudan, is an oil-rich area. Given that these economic justifications, it can be concluded that Uganda was inclined to intervene in the neighbouring conflict in order to make sure that its trade partner remains to do business and that the conflict does not spill over in such a way that could harm its economic prospects.

Following the collapse of the peace talks between the LRA and the Ugandan government around 1993-1994; the LRA started getting the assistance with military equipment from the Khartoum government. The government of Khartoum armed and equipped the LRA and allowed it to maintain a permanent military base in the Kit Valley (Natsios, 2012). Dunn asserts that the Sudanese government was instrumental in transforming the rag-tag group of rebels of the LRA into a clear, well supplied military force, mainly through training, sharing of logistics and the introduction of more powerful and sophisticated arsenal such as land mines and rocket propelled missiles (Dunn, 2010). What prompted Khartoum's funding of the LRA was the support that the NRM government had extended to the SPLA/M. Omach argues that the NRM government was assisting to the SPLA/M (Omach, 2010) while Tripp maintains that on the 29th of March 1989, a

secret military cooperation agreement was signed between Uganda and Garang committing Uganda to provide with military equipment and training to the SPLA, as well as passports to travel abroad (Tripp, 2010). Uganda also committed to provide the SPLA with free passage through the country while conducting its operations.

Apuuli (2014:360) opined that in 1995 diplomatic relations between the two countries were broken off. Uganda increased its support for the SPLA/M, occasionally entering Sudanese territory to track down the LRA. When diplomatic relations were restored in 1999, Uganda was given permission by the Sudanese government to continue to hunt for the LRA on its territory. After the signing of the CPA in 2005, Ugandan troops did not leave (Apuuli, 2014:3560). Ylonen (2014:469) has noted that Yoweri Museveni has had a close relationship with Salva Kiir for many years as a result of his government's support for the SPLA/M since pre-the independence period. Because of the history of support for LRA, Museveni has seen Uganda as a protector of South Sudan's state integrity against Sudan (Ylonen, 2014:469)

According to the Sudd Institute Special Report (2014:11) the intervention of Uganda in the South Sudanese affairs is motivated by a personal relationship between Museveni and Kiir as well as the apparent economic interests of Uganda. The Sudd Institute Special Report (2014:11) concurs in that there "is a historical relationship between Riek Machar and the Uganda's Lord Resistance Army is what makes Museveni believe that the ascension of Riek Machar to power in South Sudan is a possible threat to his regime". Apuuli (2015:129) argues that "the reason why Uganda, a member of IGAD, had deployed its troops in South Sudan it had been invited by the legitimate government of Salva Kiir, that IGAD had sanctioned the deployment, that the UN Secretary-General had telephoned President Museveni and requested that he find a political solution to the problem, and that the deployment was meant to facilitate the evacuation of Ugandans trapped in the fighting". Micheni has noted that Uganda's involvement and subsequent conduct towards South Sudan was motivated by economic and security reasons. Micheni, Museveni wanted a semblance of stability in South Sudan especial around the Equatorial region to avert a disruption of the South Sudanese market for Ugandan goods and also promote a sense of security along Uganda-South Sudan border point. Mawadza and Carciotto are of the view that Uganda has economic and business stakes in the Equatorial region of South Sudan.

The Emun Report (2017:10) indicates that Uganda plays an important role in the South Sudanese conflict and Uganda became involved in the crisis very early on. Immediately after the civil war broke out, Ugandan President Yoweri Museveni deployed a company of Ugandan People's Defence (UPDF) soldiers to Juba International Airport to facilitate the evacuation of foreigners from South Sudan. The number of Ugandan soldiers in South Sudan increased from no more than 250 to between 2,000 and 5,000. The main mandate of these soldiers was to secure Juba's vital infrastructure and to aid in the evacuation of foreigners. It is also confirmed that Uganda and South Sudan ended up concluding a Status of Forces Agreement (SoFA) which allowed the UPDF to remain in the country and to continue carrying out its mandate (Rohde, 2015:36). The Emun report further pointing out that during the civil war, Uganda has supported the SPLA against the rebel groups. From 2013 until October 2015, Uganda has deployed its troops in South Sudanese territory against the SPLA-IO and other rebel groups. (The Emun report, 2017). It also states that since 2016, South Sudanese rebels have been engaging in the South Sudan-Uganda border in small-scale clashes. Astill-Brown (2014:8) argues that unilateral military intervention by Uganda's People Defence Forces (UPDF) has added to the regional complexity of the South Sudan conflict. He adds that the support by UPDF to the Government of the Republic of South Sudan (GRSS)'s fight against Riek Machar's forces, the SPLM-in opposition (SPLM-IO) has threatened the likelihood of a sustained Cessation of Hostilities Agreement (COHA). This deployment seemed to be bolstering Salva Kiir.

The Ugandan government had four legal justifications for its intervention in the South Sudanese conflict. These justifications are analyzed and substantiated by Apuuli (2014) in greater details. Uganda argued that initial deployment was justified on the basis of recruiting Ugandan nationals who had become trapped by the fighting. It is also stated that the next wave of Ugandan's justification for intervention was based on an invitation from Salva Kiir. President Museveni stated that he had been invited by Salva Kiir to deploy a small number of soldiers to guard Juba International airport (Neuhold). Apuuli (2014:359) also stated that Ugandan intervention in South Sudan was legalized based on the ground of a request from the UN Security General in which he requested that President Museveni to intervene to solve the problem politically. Apuuli (2014:360-361) further stated that Ugandan intervention was justified as being sanctioned by the regional organization: IGAD. Chapter VIII of the UN Charter is a good example of how regional arrangements should deal with issues of international peace and security.

Nicoleisen et al (2015) argue that the December 2013 conflict in South Sudan has affected the Ugandan politics and economy as well as relations between the two countries. The involvement of Uganda in South Sudanese conflict is questionable and touches Uganda's position in the region and beyond. They further argue that during the early days of the crisis, the government of South Sudan invited Ugandan intervention. According to Uganda's foreign ministry, the UPDF's task was to serve Juba airport and facilitate the evacuation of Uganda nationals. During late December 2013 and early January, the UPDF engaged in aerial bombardment thereby halting rebel advances south towards Juba (Nicoleisen et al, 2015).

According to the International Crisis group (2014:18) Uganda has given Juba direct military support in order to defend and to retake the territory. It is also observed that forces associated with Uganda supported the Sudanese armed groups, particularly JEM. These forces intervened alongside other regional non-state armed groups that reportedly support the government. The fact that Uganda has the deepest links, to the SPLM/A, including decades of joint military deployment was a major reason for Ugandan involvement in the South Sudan conflict (International Crisis Group, 2013). It also indicated that when the crisis erupted in December 2013, the Ugandan People's Defence Force (UPDF) was deployed alongside the SPLA as part of a regional force to counter the Lord's Resistance Army (LRA). The LRA is the one-time Ugandan insurrection that is causing disorder in the Central African republic (CAR, DRC and South Sudan). UPDF forces as well as an air wing, were deployed to Juba on 20 December 2013 and were critical in securing and recapturing Bor (IGC, 2014). In early 2014, the fighting settled into a low-intensity conflict with frequent local offensives. The UPDF was allegedly redeployed to train South Sudanese forces and guard Juba airport and the road to Bor. This role prevented Uganda's involvement as an official intermediary in the IGAD peace process (Nicoleisen et al, 2015). The International Group Crisis (2014) observed that Uganda's military intervention diverged substantially from subsequent AU, UN, and IGAD calls for a ceasefire. It also put the latter's neutrality as mediator in question. According to Asige (2017:2) Uganda's military intervention has had a negative effect on IGAD efforts by putting IGAD nation's partiality under question.

According to the Frontier *Economics Report* titled "South Sudan: the Cost of War", the costs of the Ugandan deployment of troops is not known with precision. It is reported that only a figure of US\$65 million was reported in June 2014. The Report also noted that the troop's deployment

was financed through the use of supplementary budgets. In October 2014, it was reported that Uganda had entered into an agreement with the South Sudan government to procure for the latter's use of weapons and other military hardware. The Crisis Group Africa Report (2015:6-8) clearly indicates that there is a belief that the operations of Uganda's army, the Ugandan People Defence Forces (UPDF) are funded from South Sudan's national reserves and assets and also assets of senior politicians which were transferred to Uganda on the onset of the war.

5.5. THE INVOLVEMENT OF THE INTERNATIONAL COMMUNITY IN THE SOUTH SUDAN CONFLICT

5.5.1. The role of the United States of America in the South Sudanese conflict

The United States of America (USA) has been closely involved with Sudan for approximately the last 30 years. The US has worked to end slavery in the country and encouraged southern efforts to throw off the ties of the northern oppression (US House of Representatives, 2014). Micheni notes that the US has a tradition of engaging with South Sudan that can be traced back to the pre-independence era. Since the beginning of the conflict in South Sudan, the US has played an active role in working to end the violence in South Sudan. This has been done, multilaterally and bilaterally. At multilateral level, the US has done this as the penholder on the South Sudanese crisis in the UN Security Council, making the western nation responsible for drafting resolutions and calling for most briefs while on a bilateral level it was done through its engagement with African States (South Sudan: Briefing under Any Other Business, 2013). It is also argued that the role of the US in the South Sudanese conflict was different from that which it has played in others.

According to the Sudd Institute Special Report (2014), the United States of America is conspicuously the main player in terms of its influence over the government and the SPLM factions. This is because the US fears that the South Sudan is getting drawn more towards China because of its oil investment in the country. This worries the United States of America. Micheni argues that in relations to the Salva Kiir Riek Machar conflict, the US has supported the mediation process led by the Intergovernmental Authority on Development (IGAD) which resulted in the signing of the Agreement to Resolve the Conflict in South Sudan (ARCSS) in 2015. According to Blanchard (2017:13) the US special Envoy to Sudan and South Sudan, Donald Both has travelled

to South Sudan to engage with the opposing sides. The Envoy has offered US support to regional efforts to facilitate direct talks between Kier and Machar. Micheni also argues that the US has been a key player in providing humanitarian aid to the South Sudanese citizens displaced by the war. For example, in 2014, the US spent over 1.2 billion dollars on emergency relief in South Sudan. Micheni had also noted that some are skeptical about the involvement of the USA in the resolution of the South Sudanese conflict. This is because the US's involvement is linked with its rivalry with China. The Chinese government has invested heavily in South Sudan's oil sector and appears to threaten the interests of the US in the oil-rich country (Ibid).

On 3rd January 2014, the US sent \$50 million of additional aid (increased to \$83 million by March 2014) to the country via UN and the International committee of the Red Cross. This money came from the country's development arm, USAID and from the US State Department. In April 2014, the US responded strongly to the crisis. Apuuli (2014:135) asserts that although IGAD as an organisation has not pronounced itself on the sanctions, it was the USA as a part of the Troika countries (Norway, UK and United Kingdom) which have been vocal in calling for the imposition of sanctions on individuals impeding the achievement of peace in South Sudan. On the 3rd of April 2014, the American President Barack Obama issued an Executive Order (EO) Number 13664, opening up the pathway for American sanctions, including travel bans and assets freezes, against anyone who might interfere with the South Sudanese peace process or violation essential human rights in the country. This order came one year before the UN Security Council would finally issue a resolution deciding on sanctions (Obama Barack, 2014). In May 2014; President Barack Obama imposed targeted sanctions under Executive Order 13664 on two military leaders (Blanchard, 2016:16). These leaders were thought to be responsible for fueling the war. It was a senior rebel commander and the head of the presidential guard.

(Apuuli, 2014:135) argues that "Major General Chanuon of the South Sudan Presidential Guard and Major General Peter Gadet, a commander of the forces opposing the South Sudan government, became the first persons to be sanctioned under the EO" (Apuuli, 2014:135). Apuuli (2014) states that "Chanuon is accused of participating in the Juba massacres that occurred at the beginning of the conflict, while Gadet commanded the rebel forces that overran the town of Bentiu on April 17, 2014. This resulted in the massacre of more than two hundred people".

The Emun report (2017:17) concluded that the role of the US in the resolution of the South Sudanese conflict is partial. The report concurs that the US has supported an independent South Sudan. The former colonial master of South Sudan, Sudan was added to the list of countries that sponsor terrorism (The Emun Report, 2017). According to the US Department of State (cited in the Emun report, 2017), the US is the leading international donor to South Sudan. The aid given by the US is estimated at \$ 1, 2 billion. When it comes to the UNMISS, the US has not provided much. The USA only provided a total of 68 peacekeeping personnel. These efforts were made under the former US president Barack Obama. Under the Trump administration the decision to cut this kind of aid from the US's annual budget is being considered (The Emun Report, 2017).

5.5.2. The role of the People's Republic of China in the South Sudanese conflict

This section discusses the role played by the People's Republic of China (PRC) in the resolution of the South Sudanese conflict. The PRC's relations with South Sudan can be traced back from 1959 when South Sudan was still part of Sudan. According to Francis et al (2012:15) China established relations with Sudan in 1959. The nature of Sudan-China relations is economic even though it has historical factors. Francis et al (2012:15) notes the two countries developed deep economic ties in the 1990s when China helped develop Sudan's oil sector. On the other hand, relations between the PRC and South Sudan started when the PRC opened a consulate in Juba in September 2008. The PRC also prepared quietly for the Southern secession as the CPA period drew to a closer (Francis et al ,2012:15). In 2007, during the Now-President Salva Kiir's second visit to Beijing, the People's Republic of China (PRC) and the Government of South Sudan began to develop relations (Francis et al, 2012).

South Sudan is important to the PRC for two reasons. First its oil wealth and the second is for its strategic location in the East African region (Hodzi, 2017:3). According to Hodzi (2017) there are other factors that make South Sudan important to the PRC. For example, Chinese private and state-owned construction and telecommunication companies that were active in South Sudan found their operations threatened by the armed conflict. Hodzi (2017:3) also states that there are two things that attracted the Chinese involvement in South Sudan. For Mugo (2016:42) the People's Republic of China (PRC) has major interests in both South Sudan and Sudan with actual investments on multiple sectors. The PRC is also a well-known close ally of the Government of Sudan .It is also a major exporter of weapons plus ammunition and yet maintains good relations with major

businesses in South Sudan. This view is also further expanded by Mugo (2016:42) who argues that the PRC invests heavily in infrastructure, the petroleum sector and telecommunication in South Sudan.

The outbreak of the civil war in South Sudan in December 2013 and it's the subsequent intensification resulting in oil installations in the Unity State and Upper Nile State being targeted are the two main reasons that dragged the PRC into the conflict (Hodzi, 2017). The Emun Report (2017) also notes fact that the PRC wants to gain a new trade partner. For example, Chinese enterprises such as China National Petroleum are present in South Sudan and are interested in extracting crude oil from the area. In order for China to work in a safe environment, it was left with no choice but to call for peace and the cease of hostilities in the area because stability to guarantee or bring economic development in South Sudan (The Emun Report, 2017). According to Emun Report (2017:8) the situation in South Sudan is a top concern for Beijing in Africa. Two weeks after the conflict began on 15 December, Chinese diplomats including its ambassador in Ethiopia met representatives of rebel forces led by Riek Machar at a hotel in Addis Ababa (Hodzi, 2017:5). A major problem with the meeting was the fact that there was no representative from the government of South Sudan. Hodzi also notes that Beijing has engaged with IGAD to the extent that IGAD facilitates its bilateral negotiations with South Sudan for the safety of Chinese nationals and businesses. A good example is a situation where in January 2015; the PRC facilitated a meeting attended by foreign ministers of the PRC, Sudan and South Sudan and Ethiopia, as well as Riek Machar in Khartoum. The main purpose of this meeting was to convince the warring parties to end hostilities and consider peace as the only way to work together.

According to Hodzi (2017) the PRC used its supremacy in the South Sudan oil industry, and South Sudan's dependence on China for revenue, compel the warring parties in South Sudan to guarantee protection of its assets and oil-facilities. China also used its influence on South Sudan to coax Riek Machar and Salva Kiir to sign the first peace agreement on the 23 of January 2014. The PRC also played a key role in furthering peace negotiations. In addition to this, the PRC restrained the US from imposing sanctions on actors in South Sudan arguing that such action would be harmful to peace talks (Hodzi, 2017:7).

According to Hodzi (2017:7) the PRC mediation in South Sudan is combined with power politics. In order for China to improve its mediation efforts in South Sudan, the PRC appointed a Special

Envoy, Zhong Jianhua, a diplomat considered to have extensive knowledge of Sudan and South Sudan. “The PRC’s response to the civil war in South Sudan was multidimensional and multifaceted. It combined principle with pragmatism, multilateralism with bilateralism, and power politics with mediations” (Hodzi, 2017:7). Mugo (2016:42) argues that when it comes to the current conflict in South Sudan, “the PRC’s role in the advancement of peaceful resolution of conflict commenced with IGAD’s early mediation processes where it contributed financial support to the process urging the parties to reach a quick solution”. For the PRC the conflict in South Sudan surpasses the local politics of power struggle within the SPLM to a more international conflict over resources where its rival the US tries to unseat her via proxies or adopting support to favorable individuals in power (Mugo, 2016:43). According to the Sudd Institute Special Report (2014:11) “the PRC had done a lot of diplomatic work behind the scenes to ensure that its interests in the region and the country remain protected”. The Emun Report (2017) notes that PRC has contributed peacekeeping forces to the United Nations Mission for South Sudan (UNMISS). The PRC has also deployed over 2,000 peacekeepers in South Sudan and gave the IGAD a one million dollar financial support for the mediation process at the beginning of 2014 as well (Mugo, 2016:43). After the attainment of independence by South Sudan, PRC also supplied weapons to the SPLA.

5.5.3. The role of the Troika in the South Sudanese conflict

The previous section focused on the role played by Tanzania in the resolution of the South Sudanese conflict. This section discusses the role played by Canada, Britain and the USA, otherwise known as the troika, in the resolution of the South Sudanese conflict. The Sudd Institute Special Report (2014:12) notes that “troika was formed during the CPA negotiations to provide financial and technical support to the talks and help the parties to navigate very difficult issues”. According to Johnson (2011:25) the troika arose as a partnership that Norway forged with Britain and the USA to recuperate Sudan peace talks in order to provide support to the IGAD’s effort on Sudan 1993-1999. This group has been reactivated again to do very similar activities to help the parties to arrive at a settlement. The Troika has its own interest and will try to reach a settlement that fits into those interests. Those interests may complicate the process (The Sudd Institute Special Report, 2014:12).

Mackuei (2014) is of the view that the positive role played by each of these countries (USA, Norway and UK) on a bilateral manner did not hamper their collective stand as the Troika push to

advance a peaceful solution to the conflict. The troika efforts in pushing the mediation process on the South Sudan conflict involved funding the process through the Transitional Support Unit (TSU), threats to impose sanctions on individually targeted to obstacles for peace (Mackuei ,2014). The troika efforts resulted so far in imposition of sanctions for some military commanders yet their strong position on the political development in the country warranted the Government of the Republic of South Sudan accusation that it pursues a regime-change agenda. For Asige (2017:2) the troika countries have all been instrumental international players in peacekeeping and peace-building initiatives by holding various peace talks since 2013.

5.5.4. The role of the African Union in the South Sudanese conflict

Blanchard (2017:12) argues that that the African Union (AU) has expressed “deep dismay and disappointment “at the failure of political leaders in the country to live up to the hopes and aspirations of their citizens”. The AU has also urged President Salva Kiir to consider releasing the detainees to facilitate a dialogue between the opposing sides.

The AU’s response to the situation in South Sudan was not as strong as its response in countries like Mali and the Central African Republic (CAR) (Rohde, 2015:42). Rohde (2015:42) also asserted that “on the 30 of December 2013 the AU Peace and Security Council adopted a decision on South Sudan which paved the way for an appropriate response”. It is also stated that “the Peace and Security Council in consultation with the African Commission on Human Rights (ACHPR) requested that a Commission of Inquiry be established which would investigate the human rights violations committed in the country as well as any further abuses. On March 7 2014, African Union Commission chairperson (AUC) announced the establishment of the African Union Commission of Inquiry on South Sudan (AUCISS) headed by, former President of Nigeria, and Olusegun Obasanjo. The AUCISS was also mandated to recommend the best ways to maximize accountability, reconciliation, and healing among South Sudanese communities” (Gebrekidan, 2015:7).

The AUCISS was welcomed by the IGAD mediation team. When the AU was supposed to release the findings of the inquiry, the release was postponed (Gebrekidan, 2015:7). This move appeared to have been driven by the fear that its findings might jeopardize the IGAD-led peace talks. As a result of this, the AU member states became unwilling to sanction the rebel, political and military

elites. This was because of the finding of the AUCISS report not been published (Blanchard, 2016:8). However, the AUCISS publicly released its final report in October 2015. The report found that human rights violations were committed in systematic manner and in most cases with extreme brutality (Gebrekidan, 2017:7). The interim report was released by the Commission of Inquiry on the 27th of June 2014.

The FIDH (2014:17) pointed out the challenges the Commission of Inquiry had to face with which include the difficulties of the swift establishment and deployment of the AUCISS, in a conflictual context, the fact that members were not appointed on a full-time basis, the lack of adequate resources to conduct the mission, the difficulties encountered to secure meetings with the authorities.

Apuuli (2014:129) notes that “on the 30th of December 2013, the AU Peace and Security Council (PSC) met at the head of State level at Banjul, in Gambia. Where it was demanded that the conflicting parties in South Sudan must immediately and unconditionally cease all hostilities as of that day and engage in unconditional dialogue in order to resolve the current conflict and address its underlying causes on the basis of respect for human rights, the rule of law, democracy and constitutional legality, as well as the rejection of the use of force” (Apuuli, 2014:129).

The International Crisis Group (2015:23) notes that “the AU has taken welcome steps to increase its mediation role over the past. The report also asserted that the AU had appointed an ad hoc high-level committee of five Heads of States and Government (Algeria, Chad, Nigeria, Rwanda and South Africa) and a high level representative for South Sudan (former Malian President Alpha Oumar Konare) to support the resolution of the conflict. The former Malian President Alpha Oumar Konare, on behalf of the AU has consulted in South Sudan on the IGAD agreement”.

5.5.5. The role of the European Union in the South Sudanese conflict

According to Blanchard (2016:9), the international community continues to mobilise diplomatic, humanitarian and peacekeeping resources to protect civilians, respond to needs, and bring an end to the conflict. According to Blanchard (2016:9) “the EU as one of the biggest donors of humanitarian aid in South Sudan”. Blanchard (2016:9) also noted that , “in 2016 the EU provided more than 40% of all humanitarian financing to support life-saving programmes”.

According to the International Federation for Human Rights (FIDH) report (2014:8) “on the 10th of July 2014, the EU established an embargo on arms and imposed targeted sanctions on South Sudan. These sanctions included travel restrictions and freezing of funds and economic resources against Peter Gadet. It was alleged that Peter Gadet conducted an attack on Bentiu from 15 to 17 April 2014 and was having been responsible for the killing of more than 200 civilians”. The FIDH (2014) report also asserted that the EU also adopted sanctions against Santino Deng. It was alleged that Santino Deng had taken part in the recapture of Bentiu in May 2014.

5.5.6. The role of IGAD in the South Sudanese conflict

The Manila Declaration mandates regional and international bodies to resolve conflicts in various national and international locations (Manila Declaration on the Peaceful Settlement of International Disputes, 1982). These organisations are recognized by the UN Charter which holds strongly that local disputes should always be resolved through regional arrangements.

“The Intergovernmental Authority on Development (IGAD) which consists of Djibouti, Ethiopia, Kenya ,Somalia, Sudan and Uganda in Eastern Africa was created in 1996 to supersede the Intergovernmental Authority on Drought and Development (IGADD) which was founded in 1986 to coordinate the efforts of the Horn African countries to eliminated the occurrence of chronic drought and famine from the region because one state cannot face the problem alone” (Demeke, 2014:252).The organization is aimed at ensuring that the East Region enjoys harmony and collaboration. In order to ensure that self-determination is guaranteed, the IGAD Declaration of Principles (DoP) were introduced (The IGAD Declaration of Principles, 1994). Having learnt through the cessation of Eritrea from Ethiopia that self-determination could be a best choice, the mediators in South Sudan felt that there wouldn’t be a better option than that. “The IGAD’s role as lead mediator in South Sudan conflict was supported by the African Union and International partners because of first”, as stated by Lucy and Kumalo (2017:3) that IGAD’s long history of mediation started with the negotiation of South Sudan and Sudan’s CPA in 2005. Second reason is the conflict’s level of impact on South Sudan’s immediate neighboring countries, as well as its impact on their respective security, political and economic (Booth,2016). The AU’s Peace and Security Council (PSC) appointed IGAD as the primary mediator after the December 2013 violence outbreak with a condition for IGAD to apply the principle of subsidiarity.

Apuuli (2014:121) argues that “IGAD’s mediation of the South Sudan conflict has a change of succeeding because it has been recognized by the AU and the UN among others as the only process to resolve the problem”. Apuuli (2014) concurs noting that that the mediation in the South Sudan conflict by IGAD might have been incentivized by two reasons: firstly, as a result of the Sudan and Somalia mediation process the organization may have gained confidence in its mediation as a result of the outcome of its intervention. Secondly, it could have found it mandatory since mediation in regional conflicts forms part of the core strategic priority areas under the IGAD Peace and Security Strategy 2010-2014 (IPSS). Mawadza and Carciotto indicate that the mediation process by IGAD is clouded with regional rivalries and power struggles. For example, apart from the fact that Uganda is unhappy with President Kiir’s relationship with Sudan and his unwillingness to take a decision on measures to end the conflict. Uganda is also mediating at the Head of State level and has deep animosity towards Sudan and hates former South Sudan Vice President Riek Machar.

According to South Sudan Macro-Conflict Analysis report (2015) the IGAD mediation effort is or was led by three mediators (one each from Ethiopia, Kenya and Sudan), to see to it the end of the conflict in South Sudan. According to Motsamai (2017) the three Special Envoys who were appointed from each of these countries were Seyoum Mesfin of Ethiopian, Lazaro Sumbeiywo of Kenya and Mohammed Ahmed Mustafa al-Dabi of Sudan. This was aimed at achieving constructive dialogue which would in turn help move towards a timely peaceful resolution. The International Crisis Group (2015) indicates that the mediation is closely overseen by the Heads of State (HoS), which is inclusive of Uganda. Despite eight IGAD Head of States summits, regional divisions prohibited IGAD from taking a unified front or stance against the conflicting parties who were unable to reach an agreement in South Sudan. The report (2015) states that this mediation by IGAD has not succeeded. It is also cited as an example of a deadline that was agreed by President Salva Kiir and Dr Riek Machar to negotiate outstanding political and security issues to have ended the conflict. The date was the 5th march 2015 but elapsed and the conflict continues to escalate. On the 8th of June 2015, IGAD proposed a power sharing arrangement during consultations. This was rejected by both the Government of the Republic of South Sudan (GRSS) and the SPLA-IO (The South Sudan Macro-conflict Analysis Report, 2015).

The report (2015) has also observed that, in the new effort called IGAD+, which comprises of the AU, the Troika (USA, Norway, UK) the EU and China, the GRSS, reacted negatively to the inclusion of the Troika. This was a clear indication that there is a political tension between the GRSS and the Troika. According to Motsamai (2017) the IGAD brought together a number of multilateral efforts and convinced the stakeholders in the South Sudanese conflict to sign the Agreement on the Resolution of the Conflict in the Republic of the South Sudan (ARCSS) in August 2015. This agreement established the Joint Monitoring and Evaluation commission (IMEC) which was chaired by the former President of Botswana, Festus Mogae. The main aim of the JMEC was to monitor the implementation of the peace agreement (Motsamai, 2017).

Motsamai (2017) states that a two-day fact finding mission to look at the situation as it happened on the ground in Juba and then urge President Kier and other parties to consider announcing an immediate Cessation of Hostilities and commencing peace negotiations was held from 17 to 19 December 2013, by IGAD Council of Ministers along with the AU Commissioner for Peace and Security Ambassador, Ramtane Lamana, and the UN Special Envoy to the AU, Haile Menkerios. Motsamai further states that on the 26th December 2013, the Prime Minister of Ethiopia, Hailemariam Dessalegn, who is a chairperson to IGAD, visited Juba with the President of Kenya, Uhuru Kenyatta to meet with Kiir, members of the cabinet and some leaders of the SPLM who were imprisoned. On 27 December 2013, IGAD also convened an emergency summit which released a communique announcing the establishment of the office of IGAD Special Envoys for South Sudan. According to the International crisis Group (2015:3), “in March 2015, IGAD-plus was announced following fifteen months of unsuccessful mediation and its members include the African Union, the United Nations, European Union, the Troika (US,UK and Norway),China and the IGAD Partners Forum (IPF)”.

IGAD Monitoring and Verification Mechanism (MVM) was established in January 2014 within a broader framework of mediation and negotiation processes. The main aim was to bring sustainable peace and stability to South Sudan and respect for the rule of law. The IGAD MVM included a regional Protection and Deterrence Force (PDF). “The main goal of this force was to ensure the success of an agreement for the cessation of hostilities through the deployment of regional forces to secure key installations in south Sudan”. “The UN declined to support this idea, politically or financially” (Gebrekidan, 2015:4).

Gebrekidan (2015:4-5) notes that “on the 6th of March 2015, the IGAD-led peace process in South Sudan collapsed after the warring parties failed to agree on issues of power-sharing, security arrangements, and a federal system of government”. For example, according to the SPLM-IO demands, Machar would hold the position of the first vice-president as part of the peace agreement, whilst the government counter-demanded that he became a twin-deputy vice president alongside the incumbent Jonas Wani Igga. The government also demanded that with the exception of new recruits (the White Army, SPLM-IO rebel members who had previously served in the regular South Sudan) the army should lay down their arms and be reintegrated into the army. On the other hand, Machar insisted on maintaining SPLM-IO forces during the envisioned two and a half year transitional period. “The government also did not want a federal system of government to be implemented during the interim period” (Gebrekidan, 2015:4-5).

“The IGAD mediation is not without its challenges as it is According to IGAD is still struggling to ensure that signatories fully implement the agreed-upon commitments of the January peace agreement” (Gebrekidan (2015:4). It is also argued that IGAD-led peace process has mainly focused on Kiir and Machar, the two fighting people who are unable and unwilling to deal with the underlying causes behind the violence. “IGAD has also being unsuccessful because of the lack of political will on the part of the warring parties” (Gebrekidan, 2015:4). Apuuli (2014:137) also added that “lack of leverage on the side of IGAD and the special envoys over the warring parties, resulted in all the agreements reached to be violated time and again”. Mayai and Jok (2015:1) note that “African ruling parties with liberation background, such as Ethiopia’s EPRDF, South Africa’s ANC, Uganda’s NRM and Tanzania’s CCM, and a number of regional think tanks and analysts figured that one of the biggest roadblocks to IGAD’s peace process is the troubles of leadership within the SPLM”.

5.5.7. The role of the United Nations in the South Sudanese conflict

The previous section focused on the role played by IGAD in the resolution of the South Sudanese conflict. This section discusses the role played by the United Nations (UN) in the resolution of the South Sudanese conflict. The *Canisius College paper titled ‘The Situation in South Sudan’*, notes the First Sudanese Civil War as the starting point of the United Nations’ monitoring of the situation in South Sudan, long before South Sudan was even an independent nation. According to the International Crisis Group (2015) the United Nations has played a limited political role since the

conflicts began. The International Crisis Group (2015) also noted that the UN Security Council immediately supported the peace process by IGAD and highlighted that it was willing to adopt sanctions if the region requested.

Blanchard (2017:13) notes that on 24 December 2013, the UN Secretary-General, Ban Kin Moon warned that “the world is watching all sides in South Sudan, announcing that the United Nations was bolstering efforts to investigate reports of human rights violations and crimes against humanity and declaring that those responsible at the senior level will be held personally accountable and face the consequences-even if they claim they had no knowledge of the attacks”. Blanchard (2017) also stated that on the 24th of December 2013, the UN Security Council unanimously authorized a substantial increase in peacekeeping forces for the UN Mission in the Republic of south Sudan (UNMISS).

According to the *Canisius College paper titled ‘The Situation in South Sudan’* the UN has created the UNMISS, the United Nations Mission in South Sudan to address and work to solve conflicts affecting the region. It was created to assist South Sudan with its transition to independence in 2011. The mission has three primary goals, namely: “to support peace and foster long-term state building, to support the government of South Sudan in preventing conflict, and, to support the government of South Sudan to establish the rule of law”.

According to the Sudd Institute Special Report (2014:12) “the UN through the United Nations Mission in South Africa has been marred in the local conflict”. The conflicting parties have each alleged that the UN is siding with the other. The government of the Republic of South Sudan has been very critical of the UN and its motives and that has created an unhealthy relationship with the rebel leader, Riek Machar prior to the crisis. The UN has been doing a very difficult job protecting civilians on its bases and catering for their needs. The visit of the UN Secretary-General, Ban Ki Moon seemed to have resolved the tensions (The Sudd Institute Special report, 2014).

Asige (2017:2) notes that “UNMISS has been involved in the monitoring of human rights abuse and violations, the creation of a conducive environment for humanitarian work as well as providing support in the implementation of the Agreement on the Resolution of the conflict and Peace-building”. He further asserted that the UN efforts have been complemented by the Troika

Group, consisting of nations such as Norway, the USA and UK. The UN has also employed had power in dealing with war perpetrators in South Sudan.

Koos and Gutschke (2014:6) state that “the UN agencies have also provided aid and assistance to the people affected by the violence”. On the 27th December 2013, the UNMISS reinforcement troops arrived in South Sudan. On February 2014, the UN launched an appeal for \$1, 27 billion USD to fund the various aid agencies and organisations. Koos and Gutschke (2014:6) further asserted that “the UNMISS has been undermined by interference on the part of the South Sudanese government”. The South Sudanese government has impeded aid supplies as well as UNMISS patrols and operations. “It has also hampered UN actions through negative media reports, anti-UN demonstrations, and the harassment of the UN staff” (Koos and Gutschke (2014:6).

5.6. The involvement of Non-State Actors

5.6.1. The Role of Multinational Companies in South Sudan conflict

It is important to start by providing a brief history of the discovery of oil in South Sudan before with focus mainly on the role of multinational companies in South Sudan. Oil was officially discovered in the late 1970s. But when it comes to its production it started to take place in the 1990s. According to Shankleman (2011) most of the oilfields are in South Sudan. The fact that the export pipelines, Red Sea export terminal and refineries are in the North makes things difficult for operations to take place smoothly. The blame here can be on South Sudan because it failed to raise the question of how to divide the oil industry or its revenues during the signing of the CPA in 2005. The central argument in this section revolves around the issue of whether there was a link on the part of multinational companies in the South Sudanese conflict of December 2013 or not. Even the impact of the conflict on production is covered here.

It is an obvious case that the discovery oil in South Sudan in the 1970s motivated the involvement of multinational companies to invest in the country. It is stated the US’s oil company Chevron, cancelled its plans to establish production fields in Sudan in the 1980s partly because of large-scale conflict in the oil areas. A decade later in 1993, the country emerged as an oil producer. For Kiranda et al (2016:34) “South Sudan has the third largest oil reserves in sub-Saharan Africa. This can be proven by the fact that from January 2014, the country had 3, 5 billion barrels of proved oil reserves. There are a number of challenges that South Sudan has to deal with in the oil sector. They

range from the sharing of oil revenues, and border conflict, limited or non-existing infrastructure like refineries, pipelines, roads, rails and parts to facilitate effective and efficient productions, value addition and transportation”.

“After the cancellation of the US oil company Chevron in the 1980s, Sudan became the first country to receive large-scale Chinese oil investment. This occurred when China National Petroleum Corporation (CNPC) invested in the country in 1996. The CNPC was followed by the Malaysian-owned Petronas and the Indian-owned Oil and Natural Gas Corporation Limited (ONGC). The ONGC had financed development of the current set of oil fields and built the networks of pipelines, refineries and export terminals that enabled the sector to grow” (Shankleman, 2011). According to Shankleman (2011) safely argued that companies such as CNPC, Petronas and ONGC are the dominate players in South Sudan’s oil production sector. These companies are state-owned. “The Chinese company, CNPC has interest in 29 countries while Petronas is operating in 23 countries. On the other hand, the Indian company, ONGC had in 2015 interest in 15 countries” (James, 2015:19).

According to Verma (2015:15) “the presence of China and its state-owned enterprise, CNPC, is playing an important role in the oil sector, with Sudan supplying 5% of China’s demand. Through this company, China is Sudan’s leading oil and non-oil export partner” (Verma, 2015:15). Verma (2015) focused on the Indian company’s involvement in South Sudan. According to Verma (2015:15) “India’s ONGC Videsh Limited has a stake in several wells in Sudan. Their output estimated at 160,000 barrels per day, of which 100,000 barrels per day comes from wells in South Sudan”.

The involvement of India in South Sudan has a long way in the history of the country. For Verma (2015:17) “India started its presence in the early 1950s when India’s election commission helped to organize Sudan’s first general election. This country also played an important role in making sure that Sudan gain entry into the world Trade Organization (WTO) in 2005. This was done on the condition that Sudan would support India’s efforts to become a permanent member of the United Nations Security Council. In 2007, India established a consulate in new state of South Sudan in Juba. However, India is also one of the first nations to recognize South Sudan”.

There is a link between the 2013 conflict in South Sudan and the activities of the oil companies in the country. According to SOMO report (2015:10-11) “as oil is a desired item in the current

conflict, oil and gas producers (oil companies as mentioned above) and traders are significant actors. Business decisions in the oil industry are likely to increase or decrease political tensions. This is because companies can finance or support conflicting parties. A good example is that Riek Machar was reported as using a helicopter provided by an international oil company to reach Nuer fighters preparing to attack ethnic Dinka. It remains a firm view by the SOMO report (2015:11) that as long as revenues and business activities of the oil sector remain opaque, it will remain probable that political leaders and their supporters will attempt to use the industry for personal gain”.

Kiranda et al (2016:35) are of the view that since “the outbreak of the conflict in 2013, oil revenues have been diverted to finance the war. These scholars also believe that the country continue to remain in the vicious circle of debt trap as it borrows money from oil companies to conduct government business. This is slowly eroding the sovereignty of South Sudan at the expense of oil companies mentioned above. In the 2014/15 financial year, the government borrowed up to 1 billion euro from oil companies”. A move that clearly shows that oil companies are in charge of the economy of South Sudan.

5.7. Factors Hindering the Mediation Process in the South Sudanese Conflict

There are a number of factors that have hindered the mediation process in South Sudan taken from the views of Apuuli (2015), Fleischner (2015), Mugo (2016), and Gebrekidan (2015). Apuuli (2015:131) states that “the conflicting parties have shown that they are not committed to the agreements that they have signed as exemplified by the continued cease-fire violations”. “For example, fighting has continued on parts of the Upper Nile region, with the main city Malakal changing hands between the government and SPLM/A in a number of times” (Apuuli, 2015:131). Apuuli (2015:131) notes that “IGAD mediators seem not to have leverage on conflicting parties something that is inimical to the successful conclusion of the process”. There is no existing working relations between the IGAD secretariat and the IGAD South Sudan mediation office.

Fleischner (2015) concur with Apuuli (2015) that efforts to broker peace in South Sudan are not succeeding although his reasons are different with that of Apuuli. According to Apuuli the necessary consensus for peace could be reached if the neighboring countries had used all their economic leverage as bargaining chips. Fleischner (2015) also argues that the international and

regional community have failed to hold leaders of South Sudan on the commitments they had made at the negotiating table, including nine signed agreements to cease hostilities, which were been violated within days after signing. He further argued that because of the harmonious political and economic interests between the regional elite and the South Sudanese politicians, the region had on several occasions undermined the willingness to take action on the promise to impose punitive measures in South Sudan.

Mugo (2016:3) argues that “the major factors that have limited IGAD’s mediation process include: regional rivalries and power struggles, centralisation of decision-making at the HoS level and related lack of institutionalization within IGAD, and challenges in expanding the peace process beyond South Sudan’s political elites”. An African Report No.223 (cited in Mugo, 2016:13) on Sudan and South Sudan’s merging conflict reviewed the mediation by IGAD and identified several weaknesses of the mediation process. Firstly that IGAD is only centered on Kiir and Machar. Secondly, “regional tensions resulting from Uganda’s intervention have further hindered IGAD’s diplomacy, while the African Union (AU) has largely ignored the regional rivalry in its equally unsuccessful efforts to end Sudan’s wars” (Mugo, 2016:14).

Gebrekidan (2015) and Mugo, (2016:) share the same view on the fact that “one of the major problems with the IGAD-led peace process is that it has mainly focused on Kiir and Machar, the two principals who are unable and unwilling to deal with the underlying causes behind the violence”. Gebrekidan (2015) argues that “IGAD has also failed to provide space in the peace process for the active participation of the South Sudanese churches, elders, women, youth and civil society, as well as opposition political parties and semi-autonomous armed groups”. In other words, lack of inclusivity made the peace process for IGAD to fail (Gebrekidan, 2015). IGAD has been unsuccessful because of the lack of political will on the part of the warring parties and vested economic, security, and political interests of countries in the region, there making the prospects for IGAD’s role in South Sudan gloomy dim (Gebrekidan, 2015). Internal divisions of IGAD and the reluctance of international partners to put pressure on the conflicting parties is the reason the peace process has been halted.

5.8. Conclusion

In this chapter factors that contribute to the failure of mediation processes in South Sudan as well as the involvement of various actors involved in the mediation process in conflict resolution in South Sudan and their roles were discussed. These actors are in the form of bilateral and multilateral actors. They include: China, Ethiopia, Egypt, Eritrea, Kenya, South Africa, Sudan, Tanzania, Uganda, United States of America, African Union, European Union, United Nations, IGAD.

This chapter also evaluated the nature of the mediation process in conflict resolution in South Sudan and the influence of multinational companies. It can be concluded that multinational companies that are dominating in the country seem to be those from Asia as compared to others from else. Perhaps the principle of non-interference in the domestic affairs of countries worked for these Asian companies. Lastly, the chapter also reviewed the effectiveness or efficacy of the mediation process by actors. In doing so, this chapter helped to reveal the flaws or loopholes in the mediation process in South Sudan. This chapter has found out that regional and international actors like Kenya, Uganda, China and USA are worried about their economic, security and political interests at the expense of finding a durable and amicable solution. It should be remembered that the wisdom of the international society theory affirms international obligations bestowed on the members of the international community. This again, is well covered by the new international norm of the responsibility to protect, which states that each state has a responsibility to protect its citizens from large scale ethnic cleansing, mass killings and other conscience-shocking.

The principle of responsibility to protect further attests that, if a state is unable or unwilling to exercise that responsibility or is a perpetrator of mass atrocities; its sovereignty is abrogated while the responsibility to protect devolves to the international community of states. In this regard, the international community has moved away from what the international society theory expectations. The international community is now guided by the realist school of thought which states that countries are drive by selfish economic interests in their involvement in conflict resolution, like is the case in South Sudan. The fact that the conflict in the country is still raging, widening and escalating is a clear indication that regional and international actors care a lot about their economic interests than their responsibility to protect. As a result, this made the mediation process in South Sudan to be ineffective.

6. CHAPTER SIX: SUMMARY AND FINDINGS OF THE STUDY

6.1. Introduction

The previous chapter discussed the effectiveness of measures instituted by the international community in resolving the political crisis in the Republic of South Sudan. Factors that hinder the mediation process were also considered in the previous chapter. This chapter outlines the overall summary and findings of this study and makes recommendations based on the findings of the study.

6.2. SUMMARY OF THE FINDINGS OF THE STUDY

In chapter one the study focused on the politics of conflict resolution, paying special attention to the role of the international community in resolving the political crisis in South Sudan. The newly independent state of South Sudan descended into a conflict in December 2013. This conflict was pitted by Salva Kiir against Riek Machar. The conflict was sparked by a political party leadership disagreement within the ruling party, SPLM. Many scholars concurred that the current political crisis in South Sudan has historical antecedents that date back to the time when Sudan was granted independence by the British government in 1956. The Southern Sudanese people were being oppressed, marginalized, and excluded from the political and administrative decision making by the North Sudanese people. These historical factors are closely intertwined with the current 2013 political crisis in the country as we see it today.

The study outlined the background of the study, the research study's main arguments, objectives, questions, theoretical framework, literature review and summary of literature gaps were identified. The research methodology was also discussed. To gain an understanding of the current political crisis in South Sudan, the study undertook a historical examination of its conflict history with Sudan. As mentioned above, it was discovered that the current political crisis in South Sudan has historical antecedents that dates back to the time when Sudan was granted independence by the British government in 1956.

This study was guided by the international society theory or the English school of thought. The wisdom of the international society theory affirms international obligations bestowed on members of the international community. The theory dictates that the international community has the

responsibility to intervene in crisis situations, especially when the government like in the case of South Sudan is unwilling or incapable of protecting its own people. It was discovered that the realist school of thought has overtaken the international society theory in guiding the behavior of the international community in their resolution of conflict in South Sudan. The realist school of thought is of the opinion that states seek to promote and protect their selfish economic, political and security interests. In the case of South Sudan, this is true. The international community, especially countries like China and the US, seem to be worried about the oil wealth of South Sudan at the expense of resolving the conflict directly. For them, as long as their oil investments are in safe hands, they are willing to resolve the conflict. If that is not the case the conflict is likely to rage on and destruct infrastructure that could be beneficial to the life South Sudan as a country.

In chapter two key concepts, drivers for intervention in South Sudan, the politics of Sudan and South Sudan, and, the politics of the Great Lakes region were discussed. In this chapter, the concept of state formation and the issue of nation-building were also unpacked. It should be remembered that the conflict was between Riek Machar and Salva Kiir, who come from two different ethnic groups, namely, the Dinka and the Nuer. In other words, it can be confirmed that the conflict was fought along ethnic lines. It was also discovered that the main reason for the intervention of the international community was to get a piece of pie in the oil sector of South Sudan. The chapter has also noted that the political leadership of South Sudan failed to embrace the issue of nation-building. This made the conflict to rage on, widen and escalate further without concrete solutions.

Chapter three examined the background information to the current conflict in South Sudan. In this chapter, it was discovered that the root cause of the current political crisis lies in the internal rift in the ruling, SPLM which has historical connections to the time when Sudan was granted independence in 1956. This has contributed to the factional divisions between Salva Kiir and Riek Machar. The following factors were found to have contributed to the current conflict: ethnic animosity between the two leaders and their supporters, lack of commitment to state formation and failure to embrace the issue of nation-building.

In terms of humanitarian implications, chapter four found that the conflict has brought disruptions to a conducive environment of working peacefully to export enough. The conflict also forced a lot of people into neighboring countries. It has been noted by the international community that this conflict has displaced a lot of refugees than any other conflict in Africa. It is said that the South

Sudanese conflict is the worst humanitarian crisis that Africa ever experienced in the contemporary African history.

In chapter five, the involvement of the international community in the resolution of the South Sudanese conflict was discussed. The chapter concluded that the role of the international community was not effective due to a number of reasons. These include: the fact that the IGAD mediators seem not to have leverage on fighting parties, something that is harmful to the successful conclusion of the process, the disconnection between IGAD secretariat and the IGAD South Sudan mediation office, neighboring countries involved in the peace process have not yet utilized their unique economic influence to press for concessions necessary for peace. In relation to the international and regional community has have failed to hold South Sudan's leaders to commitments made at the negotiating table, including nine signed agreements to cease hostilities, which have been violated within days. The biggest cause of the failures of the various initiatives to end the South Sudan conflict is elite collusion. Elites at various levels across organisations and social formations, tribes, religious, political, regional organisations and even the African Union itself collude in order to perpetuate the conflict in South Sudan, in the process allowing their local and international counterparts to mine, drill and appropriation of the natural resources from south Sudan.

The region has on several occasion promised to impose punitive measures, but willingness to take action on South Sudan has been undermined by a web of political and economic relations linking regional elites's interests to those of South Sudanese politicians. This chapter has also found out that regional and international actors like Kenya, Uganda, China and USA are more worried about their economic, security and political interests. It should be remembered that the wisdom of the international society theory affirms international obligations bestowed on members of the international community. In this regard, the international community has moved away from what the international society theory expects. The international community seem to be guided by the realist school of thought which states that countries are driven by selfish economic interests in their involvement in conflict resolution, such is the case in South Sudan. The fact that the conflict in the country is still raging on, widening and escalating is a clear indication that regional and international actors care a lot about their economic interests than their responsibility to protect. As a result, this made the mediation process in South Sudan ineffective.

6.3. Areas for Further Study

This study concludes with some practical areas for further study to consider if the dream of realizing a durable peace is to be attained. The study recommends the following areas for further study to be considered:

- To end the political instabilities in the Republic of South Sudan, the warring parties must learn lessons from the conflict history with Sudan, especially the hardships they faced during their struggle for independence;
- The political leadership, especially the warring parties, should stop embracing ethnicity which seems to be the main problem, and they should start embracing negotiations, reconciliation and nation-building for the sake of peace and stability in the country;
- In order to end this political malady in South Sudan, it is important for the warring parties to genuinely know and understand the root causes of the conflict;
- The AU and IGAD should lend each other a hand in resolving the current conflict. These two bodies should also learn a lesson from the experiences of ECOWAS intervention in the Gambian crisis;
- IGAD member-states should put their differences aside and come up with a constructive, consistent, and proactive approach to address and prevent the escalation and widening of the South Sudanese conflict. It is important for IGAD members-states to speak in one voice;
- IGAD should use its experiences drawn from the Somalian crisis in dealing with the current political crisis in South Sudan,
- It is also the responsibility of the international community to ensure that the peace treaties signed by the warring parties are adhered to and implemented accordingly to avoid another escalation of the conflict,

- It is also the responsibility of the international community to ensure that the peace treaties signed by the warring parties are adhered to and implemented accordingly to avoid another escalation of the conflict and,
- The political leadership of South Sudan and the international community should invite members of the public from South Sudan to come and participate in finding durable solutions to the South Sudan conflict. It is important for South Sudanese people to be consulted. In other words, the international community should encourage and embrace inclusivity in the resolution of the December 2013 conflict.

6.4. Conclusion

This chapter has given an overall summary of findings of the study and made recommendations based on the study findings. This study has concluded that the current conflict in South Sudan is intertwined with historical factors dating back to the time when South Sudan was still part of Sudan. The study also concluded that the economic interests of various and many actors took a center stage throughout this conflict. This study adopted the international society theory which bestow the international community of the responsibility to protect and intervene in conflict situations where a country fails or is unable to protect its own people. This study concludes that the international community was not guided by the international society theory in their attempts to resolve the current conflict in South Sudan. Instead, the realist school of thought gave the international community directions. This can be proven by the fact that many external actors were worried about their economic interests, especially their oil wealth or investments in South Sudan.

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