South Sudan: Solutions for Moving Beyond an "Ethnic Conflict"

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Abstract

Although ethnicity is a contributing factor to the ongoing crisis in South Sudan, particularly after the re-escalation of violence in December of 2013, the characterization of the conflict as an ethnic crisis is insufficient. This analysis will reframe the violence in terms of both its proximate and root causes, including a comprehensive examination of systemic problems of underdevelopment. The reframing of root causes is necessary to appropriately create the local, regional, national, and international responses that will dually address the immediate sources of violence and contribute towards the social, legal, and institutional infrastructure required to transition the new nation from conflict to durable peace and stability. This argument will be substantiated by a historic analysis of South Sudan done in three distinct segments: Sudan's 1956 independence until the signing of the 2005 Comprehensive Peace Agreement (CPA), including an analysis of the two civil wars between the North and South; the interim period, between the 2005 CPA and South Sudan's independence in 2011; and the post-independence period. The final sections offer pragmatic, cross-sectoral recommendations for peacebuilding and capacity building in order to ameliorate the current humanitarian crisis and to establish the human and national security that will guard against conflict recurrence. The recommendations will both consider current cross-sector approaches which privilege traditional actors, such as nongovernmental organizations (NGOs) and governments and present new recommendations that include nontraditional actors, such as Internally-displaced persons (IDPs), refugees, and diasporic communities.

Keywords: South Sudan, root causes, underdevelopment, peacebuilding, refugees

This paper is written to achieve two objectives. Firstly, it seeks to reexamine the root causes of conflict in South Sudan in order to establish that, although the latest resumption of conflict has largely been enacted along ethnic lines, this is not simply an ethnic conflict. This analysis is done through examining three distinct time periods in the nation's history: the colonial period prior to Sudan's Independence and the 55 years in which the now two nations co-existed as one; the interim period, from the adoption of the 2005 Comprehensive Peace Agreement (2005) until South Sudan's independence on July 9, 2011; and finally, the time period from independence to the present.

The historical framework allows for a detailed analysis of both the cycles of socio-economic underdevelopment in all periods and an examination of the progress made to establish national and human security in the world's newest nation. The secondary purpose of this paper

is to go beyond examining these past and current efforts, in order to examine the actors that are engaged in this work. Specifically, I identify that the current efforts are predominantly preformed by the traditional actors of governments, inter-governmental organizations (IGOs), and nongovernmental organizations (NGOs), and I propose new ways that non-traditional efforts of internally-displaced persons (IDPs), refugees, and diaspora communities can contribute towards capacity, nation, and peacebuilding efforts in South Sudan. To achieve these ends, I draw from the existing theoretical literature, as well as from NGO reports.
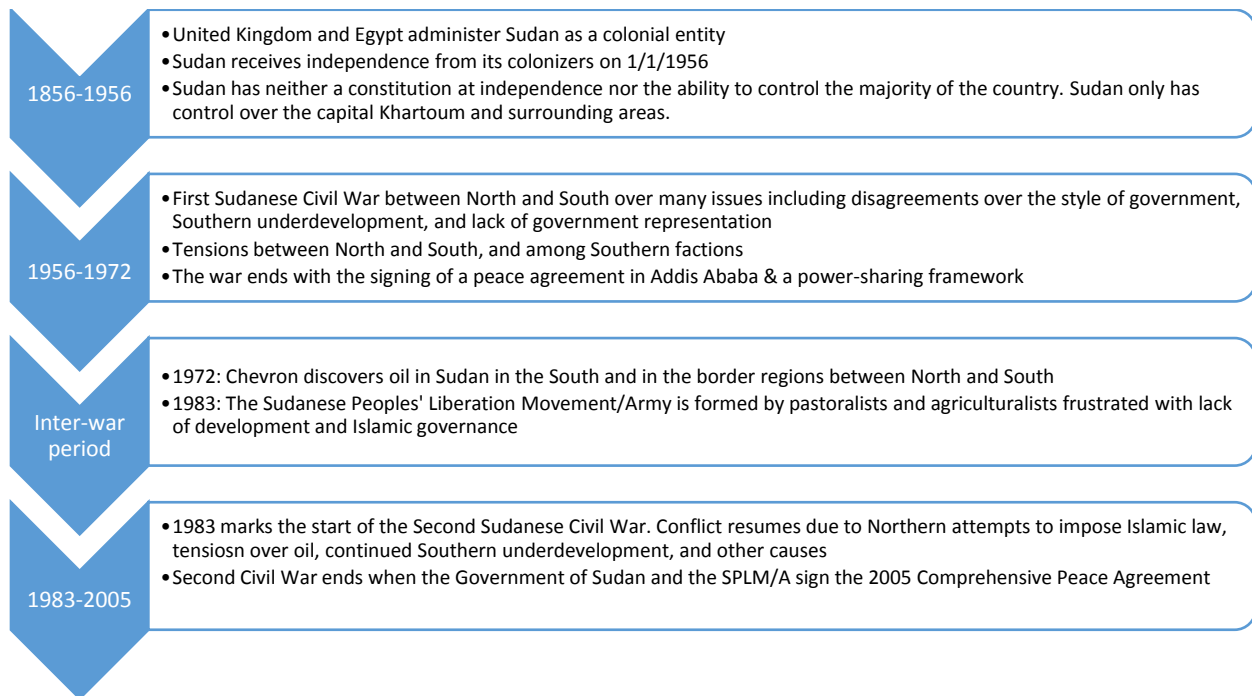
In each subsection of recommendation, I highlight how the listed nontraditional actors are vested stakeholders in the issue. However, as will be evidenced throughout the analysis, there are many gaps in the existing literature that make it difficult to highlight specific actions these groups can undertake. It is outside of the scope of this paper to fill these gaps, but this paper does serve as a framework from which to base further research.

The concluding sections of the paper synthesize this information and outline pragmatic recommendations to move forward to end cycles of conflict and establish durable peace. Recommendations utilize a cross-sector approach to address issues of democratic governance and rule of law, institution- and capacity building, disarmament, economic diversification and growth, and peacebuilding, among others.

Historical Analysis

Chart 1
1956-2005: Sudan's Independence to the Comprehensive Peace Agreement

1856-1956
- United Kingdom and Egypt administer Sudan as a colonial entity
- Sudan receives independence from its colonizers on 1/1/1956
- Sudan has neither a constitution at independence nor the ability to control the majority of the country. Sudan only has control over the capital Khartoum and surrounding areas.

1956-1972
- First Sudanese Civil War between North and South over many issues including disagreements over the style of government, Southern underdevelopment, and lack of government representation
- Tensions between North and South, and among Southern factions
- The war ends with the signing of a peace agreement in Addis Ababa & a power-sharing framework

Inter-war period
- 1972: Chevron discovers oil in Sudan in the South and in the border regions between North and South
- 1983: The Sudanese Peoples' Liberation Movement/Army is formed by pastoralists and agriculturalists frustrated with lack of development and Islamic governance

1983-2005
- 1983 marks the start of the Second Sudanese Civil War. Conflict resumes due to Northern attempts to impose Islamic law, tensiosn over oil, continued Southern underdevelopment, and other causes
- Second Civil War ends when the Government of Sudan and the SPLM/A sign the 2005 Comprehensive Peace Agreement

Sudan became a political entity in 1821, and with its rise as an important geopolitical actor, it came under the colonial leadership of both Egypt and the United Kingdom. A primary

cause of Southern Sudan's current underdevelopment is rooted in this colonial history, as colonial preference was given to the Arab regions of the North, where power and decision-making became centralized in the Northern capital of Khartoum. In fact, the colonizers referred to the Northern parts of Sudan as the "useful country" and the Southern portions were deemed "heathen" (Ottaway & El-Sadany, 2012, p. 4). Among the tangible implications of this colonial preference were that the North had disproportionately more roads, electricity, and health and educational infrastructure than the Southern regions. It was not until Chevron discovered oil in 1978 that the southern regions gained prominence (p. 5).

The political and infrastructural weaknesses that plagued Sudan at its independence have been well documented. For example, Hanzich (2011) highlights that when Sudan was granted independence in 1956, it had neither a constitution nor the decentralized control required to quell rising tensions or episodic violence in the regions distant from Khartoum (p. 39). Furthermore, the Northern and Southern regions of the country had markedly different preferences for governance styles, as the North generally preferred Islamic-based Sharia law and the South preferred a separation of religion and government. The preference for Islamic rule is troublesome in Sudan, as only approximately 30% of the population self-identifies as Muslim and Arabic speaking (Sarwar, 2011. p. 225). Lacking democratic means to mediate these differences, the nation plunged into its first civil war almost immediately after independence.

Ottaway and El-Sadany (2012) explain that the civil war was complicated, not only due to differences between North and South, but also as a result of internal differences within each region. For example, the Khartoum government was politically unstable, and power shifted back and forth between military and civilian governments, with each new government allowing for different amounts of democratic participation. Additionally, the North actively engaged in efforts to destabilize the Southern resistance by exploiting tribal divides to prevent Southern unity (p. 5). The ramifications of these social divisions and ethnic exploitations have been further exacerbated over time and are still evidenced in South Sudan's current crisis. As will be demonstrated throughout this analysis, the lack of a cohesive South Sudanese identity is both a historical and present root cause of conflict (Jok, 2011; Leonardi, 2011; and Sarwar, 2011).

For over 15 years, fighting between the North and South continued, until the Addis Ababa Peace Agreement was signed in 1972. This 1972 peace agreement created an asymmetrical federation agreement with some mechanisms for power sharing. For the first time, Southern representatives were granted positions of power within the Northern government. However, this peace agreement would prove to be tenuous and quickly erode: with the discovery of oil and continued underdevelopment in the South, (Ottaway & El-Sadany, 2012), coupled with renewed attempts to impose Islamic law, a Second Civil War broke out in 1983 (Hanzich, 2011).

The 1983 Second Civil War also aligned with the formation of the Sudanese People's Liberation Movement/Army (SPLM/A), with the movement serving as its political arm. The SPLM/A was formed predominantly by ethnic Dinka pastoralists and farmers, but was ethnically pluralistic, with members united in opposition to the Islamic tendencies and influences of the Khartoum government (Sarwar, 2011). Despite a unity of purpose against the North, the SPLM and SPLA were plagued with internal disagreements that resulted in fractionalization and

splintering. As a result of this eroding group cohesiveness and internal tensions, the SPLM/A has had inconsistent leadership and representation that has not only undermined group unity, but has also undermined ongoing peace talks as members contest who legitimately represents the SPLM/A.

Beyond the SPLA, other rebel groups formed and gained prominence during the Second Civil War, including the South Sudan Defense Forces (SSDF). Like the SPLA, the SSDF's alliances have shifted. The SSDF has alternately opposed and collaborated with the SPLA (United Nations Mission in South Sudan [UNMISSa], 2014). Anya-Nya is a Nuer-backed separatist movement that has long struggled against the predominantly Dinka-backed SPLA. Finally, the SPLA-opposition group the South Sudan Liberation Movement/Army (SSLM/A), formed in 1999 as a result of Nuer in-fighting (Ottaway & El-Sadany, 2012). Although the SPLA is often thought of the official army that fought against the North in the civil wars, the presence of other Southern rebel groups is important to this case study to highlight the internal Southern divisions.

The Second Civil War ended in 2005 when the government of Sudan and the SPLM/A accepted and ratified the Comprehensive Peace Agreement (CPA). This agreement was the result of multiple rounds of negotiations conducted by the Intergovernmental Authority on Development (IGAD). The CPA provided the legislative, judicial, and executive structures for the new government of South Sudan, and served as the interim constitution (Ajak, et al., 2013). The CPA has been cited as both a success and a failure. Sarwar (2011) reflects that beyond the limitations and failures of the CPA, its ultimate success is found in how the CPA laid the foundation for the first African secession after the end of European colonialism that would be determined by popular vote (p. 224). However, Medani (2011) highlights that this agreement was signed by representatives of two nondemocratic states and ignored civil society representatives. The process to draft and accept the CPA excluded new political parties and left power concentrated in the hands of known human rights abusers who were focused on limited security concerns, and not on democratic transformation or reconciliation (p. 136).

In addition to ending the second civil war, the CPA sought to demarcate borders, establish power-sharing arrangements, and determine how to divide current debt and clarify future revenue sharing from oil production (Medani, 2011). Furthermore, the CPA included an adoption of the two primary principles to eventually allow for South Sudan's self-determination of secession, and an acknowledgement that any future state would embrace religious pluralism with separation of church and state (Mahmoud, 2013).

However, not all issues were included in the Comprehensive Peace Agreement, and among the exclusions were issues of land ownership and allocation. Leonardi (2011) identified land rights and land accesses as a primary cause of both of Sudan's civil wars and posited creating viable regulations for land ownership and land allocation as "a vital determinate of success or failure of the continuing peace process" (p. 219). This grievance has been voiced at both the individual and group levels. During the second civil war alone, an estimated 4 million persons were displaced (Hanzich, 2011). Upon return, many found that other individuals occupied their former homes and lands. Land was rarely formally owned, but was often shared

by families and tribes using indigenous allocation methods. These mechanisms broke down during the conflicts, and left many without formal or informal recourse to reclaim homes and property.

In examining the domestic factors that allowed for the two sides to accept the Comprehensive Peace Agreement, Medani (2011) proposes that the leaders found this agreement amenable not because they desired peace, but because they were in a stalemate where neither party could achieve total victory over the other (p. 141). Temin and Woocher (2012) add that in addition to war fatigue, neither side could afford the high costs of war (p.8). Furthermore, both North and South were heavily dependent on oil revenue, and the conflict was interrupting oil production and exploration (Curless & Rodt, 2013. p. 105).

In terms of international factors, other African nations and the broader international community called for the North and South to establish a peaceful end to fighting. The United States threatened sanctions; and China, India, Malaysia and other national oil partners demanded cessation to violence so as not to further disrupt oil production. Neighboring states Kenya, Uganda, Ethiopia, and Eritrea all had vested interest in the conflict and wanted fighting to stop, in part to end refugee flows to their nations (Curless & Rodt, 2013). In addition to these demands, external actors, including the United States, offered assistance in peacebuilding and incentives to end the war, including debt-relief (Temin & Woocher, 2012).

When the Second Civil War ended with the 2005 Comprehensive Peace Agreement (CPA), the humanitarian, infrastructural, and economic devastation left behind was profound. Throughout 22 years of continuous war, an estimated 4 million people were displaced, with over 600,000 displaced internationally as refugees, and upwards of 2 million people killed (Hanzich, 2011. p. 40). In the 48 years between Sudan's Independence in 1956 and the 2005 CPA, the nation had been at war for almost 37 years. In addition to the destruction of homes, the land, and physical infrastructure, the efforts to fund and sustain the war efforts had precluded needed funds from being used to develop education, healthcare, or other necessary public service provisions. The following section will show that although the framework established in the CPA allowed for progress in addressing some of the underlying contentious issues between North and South, and in the South itself, persistent instability, underdevelopment, and other issues would undermine hopes for peace and stability.

The Interim Period, from 2005 to 2011:

The interim period between the 2005 CPA and the 2011 Independence Referendum presented an opportunity for the government of South Sudan (GoSS) to create the institutions and infrastructure needed to simultaneously address both issues of national and human security. As will be outlined below, the GoSS did not approach its tasks alone, but was mightily aided by international NGOs, IGOs, the United Nations, and other actors.

Reveron and Mahoney-Norris (2011) define the difference between national and human security as follows. National security is primarily concerned with economic or military threats that could undermine the stability and security of the current power regimes. States are the

primary actors, and the response to these threats often involves military actions or economic sanctions in order to protect the national interests as defined by the dominant power holders. On the other hand, human security is concerned with threats to individual and community resiliency and sustainability as these are threatened by disease, poverty, underdevelopment, and crime. Grounded in international principles of universal human rights and human needs, human security seeks to create living situations that ensure "freedom from want, freedom from fear, freedom of expression and freedom of beliefs" (Reveron & Mahoney-Norris, 2011. p. 3). However, it is important to note that both types of insecurity often bleed into the other, making the lines between them difficult to discern.

The difference between human and national security can also be construed as the difference between state building and nation building. State building includes elements of "economic development, upgrading the capacity of human resources, an effective security apparatus, responsible fiscal policy, efficient service delivery… (and) growth of the private sector, including foreign investment" (Jok, 2011. p. 4). Nation building is "a national policy that would produce a sense of national unity and collective national identity with an eye to preventing discord along ethnic lines" (p. 4). Like national and human security, the boundaries between state and nation building are also fluid, and processes for each are mutually reinforcing.

Acknowledging the extent of the challenges that South Sudan would face in the interim period, the international community provided the government with funding and direct training to help in capacity development. Between 2006 and 2010, the international community provided an estimated $1 billion USD per year, and in 2011, 13 bilateral donors and 8 multilateral donors committed $1.4 billion USD to aid in South Sudanese reconstruction and development (Ajak, et al., 2013). These efforts also included a partnership between the United Nations Development Program (UNDP) and the government that utilized a framework called the South Sudan Development Plan (SSDP). The UNDP specifically created this framework to provide assistance at the national, state, and country levels. The UNDP provided technical advisors and specialists via mentorship programs for capacity transference to create sustainability after the exit of international actors (United Nations Development Program [UNDP], 2013).

A generalized summary of barriers to national and human security, alongside a summary of the progress made towards meeting these needs during the interim period from 2005 to 2011, is provided below. The list is not complete, but is a comprehensive sample of key challenges within South Sudan. Later sections will discuss these objectives in more depth.

Table 1

Key Challenges Within South Sudan

CHALLENGE	SCOPE OF CHALLENGE	INTERIM PERIOD PROGRESS
Governance and rule of law:	As a new political entity, the GoSS faced an enormous challenge to create legal, judicial, and governmental infrastructure essentially from scratch, and needed to decentralize power from the	Through partnerships with UNDP and others, the government of South Sudan created governmental offices and agencies to focus on service provision and economic diversification and stabilization, and

	capital to regional offices.	to create judicial structures to enforce laws, among other efforts

Creation of first parliament

Lyman (2011) cites that 15 countries offered capacity building assistance. Additionally, IGOs and NGOs, including the African Union, USAID, UN, UNMISS, the African Development Bank (AfDB), and the European Union also offered help |
| *Elections:* | Samuels (2006) posits that elections offer a forum for individuals to contribute towards the social contract between citizens and governments, ensuring that citizens have democratic opportunities to have concerns heard. Democratic participation also transforms citizens from bystanders subjected to government into stakeholders that create government. | South Sudan had its first democratic election in 2010, but this did not meet international standards. There were allegations of corruption and democratically-elected opposition candidates were replaced by SPLM members (Mores, 2013).

However, the January 2011 vote for secession was welcomed and accepted by the international community. Further, an overwhelming 98.83% of voters chose to separate from Sudan (UNMISSb, 2014). |
| *Security Sector Reform, Police and Military:* | In order to create a unified army, the GoSS offered blanket amnesties to rebel groups and former rebel fighters. Although many accepted the offer, noncombatants and civilians viewed amnesty unfavorably as they felt amnesty rewarded actors who had broken laws over upholding the rights of those who were harmed by rebels. (Ploch Blanchard, 2014).

Further, despite increasing the size of the police and military forces, there were mixed results in | Despite the critiques of amnesty, and the difficulties of combining disparate rebel and state-sponsored armies, the government did create a national army and police forces.

Per the United Nation's Development Report Annual Report (2012), the UNDP partnered with the GoSS during the interim period for police training, professionalism, and capacity building. |

	increasing the professionalism and accountability of these forces. This is due, in part, to the difficulty of reintegrating former rebel fighters into these military and police forces (Ploch Blanchard, 2014).	
Corruption:	In a new nation, there is not much data available regarding the extent of corruption, but Transparency International cites corruption in South Sudan as "financial and political corruption, patronage, pervasive tribalism and misuse of power" (Mores, 2013. P. 2). Corruption is argued to have taken hold in the GoSS due to lack of accountability, inadequate budgeting structures, and lack of bureaucratic professionalism (Mores, 2013).	In 2008, the new government passed anti-corruption legislation, and in 2009 the government created the South Sudan Anti-Corruption Commission (SSACC) (Mores, 2013). However, there is limited information available to identify the strengths, accomplishments, or capacity of the SSACC to fulfill its mandate.
Judicial Reform:	The GoSS was tasked to create a functioning judicial system and to balance the above-mentioned amnesties that privilege perpetrators with systems that also protect the rights of victims. Mores (2013) points out that as of September 2011, the GoSS legal system had the capacity to handle only one in four cases (p. 6). The GoSS must simultaneously increase its number of judges while also increasing the training and capacity of existing judicial staff. South Sudan has to reconcile its pluralistic legal system of Sharia, tribal, and national laws (Mores, 2013. P. 6).	In addition to the creation of a national judicial system, the government created many legislative initiatives to address underlying challenges. This includes the creation of the 2009 Land Act and passing the 2011 Transitional Constitution (Kircher, 2013. p. 2011). Kircher describes both documents as important because they help to create legislation that is needed to address the nation's underlying issues of land and property rights, and to resolve property disputes. This is also important as these issues are implicated in finding durable solutions for displaced populations that may have lost property during displacement. The UNDP also partnered with the Government of South Sudan during this period to support legislative and judicial reform, including capacity

		building.
Disarmament:	Decades of civil war produced a highly-militarized society where disputes that may have previously been peacefully mediated now are solved with violence. There have been difficulties beyond disarming former rebels and fighters. Ploch Blanchard (2014) points out that civilians are not willing to disarm due to the lack of human and national security in South Sudan.	Kircher (2013) points that the government has initiated disarmament programs, but these are criticized for many reasons, including that arms are collected but not destroyed and that disarming is done along ethnic lines to privilege certain groups over others. The United Nations has also contributed to efforts for disarmament, demobilization, and integration of civilians, but there is still a large need for these efforts to continue and to be expanded. This includes the need for additional programs to disarm and reintegrate former child soldiers (UNDP 2012; and the United Nations Office for Coordination of Humanitarian Assistance [UNOCHA], 2014).
Economic Development & Diversification:	The GoSS faces the challenge of transitioning from a war to a market economy. This includes the need to integrate former rebel soldiers into the South Sudanese workforce and labor economy. Kastur and Toh (2012) estimate that up to 9000 fighters were demobilized in 2009 and point that without economic opportunities, there is a risk for these individuals to return to fighting (p. 206). The increased workforce is further problematic as only 43% of the labor force was employed in 2008 (p. 207). A secondary issue is the need to diversify the South Sudanese economy and to invest in more than oil. As oil is a finite natural resource, it is not economically	During the interim period, the government focused on creating a market with conditions favorable for internal business creation and for external direct investment. However, there are criticisms that the government focused on oil alone and didn't focus enough on economic diversification (Ajak et al, 2013). Leonardi (2011) also points out that economic development was hampered during the interim period as the currency had been destabilized. Individuals and families had transitioned from a moneyed economy into an unstable currency of investing in cattle or tradable commodities. The government will need to continue to restore confidence in the currency to

	sustainable to solely focus on its extraction and production. The GoSS also must create conditions and legislation that allow for private enterprise in the nation.	overcome this issue.
Peacebuilding, Reconciliation, and creation of South Sudanese identity:	Given both the length of fighting and the existing ethnic divisions, it is crucial to create a unified South Sudanese identity that can overcome past barriers. The government will need to balance respect for the cultural and linguistic diversity of its people with its bridging of ethnic differences (Jok, 2011). As mentioned in previous subsections, the need to create conditions for durable peace are implicated in all areas. This includes the creation of legislative and judicial mechanisms to promote and protect human rights and access to basic necessities.	As outlined above, the government attempted to unite the army and police into accountable units. However, there is criticism that the efforts were not extended to peace building and reconciliation within the civil society. Local civil society groups, including religious organizations, were the actors predominantly engaged in peacebuilding and reconciliation. The United Nations and other IGOs and NGOs supported these local efforts. The government-backed South Sudan Peace Commission was formed in 2006 and replaced in 2010 by the Ministry of Peace. Unfortunately, however, there is limited information on the scope of work in these programs, or about their progress (South Sudan Peace and Reconciliation Committee, 2013). Kircher (2013) and others criticize that the official peace building efforts have been exclusive and not actively engaged in the local civil society. This will need to be remedied as efforts continue.

Despite the outlined progress made during the interim period, South Sudan's endeavors to create national and human security are incomplete. The following section will examine the continuation of these processes, and will utilize a cross sectoral analysis to provide detailed and pragmatic recommendations on how these processes may be further expanded.

Post-Independence and Conflict Resumption:

Common reasons identified to explain South Sudan's post-independence conflict resumption have included that this conflict is ethnically-rooted and that conflict was inevitable. However, as the preceding section outlines, this rationale is short-sighted and overlooks many of the underlying complexities of state and nation building, or involved in the lack thereof, in the new nation. This section will seek to expand upon the last by examining the interplay of oil production, politics, and ethnicity in the current conflict. Taken together, this section and the last will also serve as a framework from which to establish recommendations on how South Sudan can end its violent cycles.

Briefly, oil is a key issue in the ongoing tensions between South Sudan and the Republic of Sudan, as oil is extracted from the Southern and border regions, but is refined and exported from the North. The CPA allowed for an oil revenue sharing agreement, but the governments have continued to make little progress in finalizing these details. Due to this lack of consensus, South Sudan halted oil production in January 2012 and did not resume oil production until July 2013 (Kircher, 2011). The implications of this halt cannot be over-stated, as oil accounts for a majority of South Sudan's official governmental revenue (Panozzo, 2011).

The lack of oil revenue during this period resulted in the GoSS instituting emergency austerity policies, and the net effects of the austerity budget were increased inflation and devaluation of the South Sudanese pound, which led to increased food and fuel prices (Kircher, 2011). In a nation where half the population lives under a poverty threshold of 17 USD per month (United Nations Office for Coordination of Humanitarian Assistance South Sudan [UN OCHA], 2014. P. 16), citizens plunged further into poverty and insecurity. And at the same time that these individuals struggled to provide for daily needs, a lack of institutional response from their own government aggravated frustrations and further weakened the social contract. This frustration was further provoked by the fact that while austerity measures reduced aid for housing and healthcare, governmental officials' wages and salaries were not impacted (Mores, 2013).

Beyond oil, citizens became aggravated by an absence of the rule of law. Per a 2004 United Nations Security Report (as cited in Feller, 2009), the rule of law is defined as

> A principle of governance in which all persons, institutions and entities,
> public and private, including the state itself, are accountable to laws that
> are publicly promulgated, equally enforced and independently
> adjudicated, and which are consistent with international human rights
> norms and standards. It requires, as well, measures to ensure adherence
> to the principles of supremacy of laws, equality before the law,
> accountability to the law, fairness in the application of the law,
> separation of powers… and legal certainty… (pp. 80-81).

At the same time that President Salva Kiir dismissed many public officials in order to "downsize and address governance concerns" (Ploch Blanchard, 2014. p. 7), civilians saw Kiir replacing democratically-elected officials with individuals he personally chose. Most notable

among these dismissals was the sacking of Salva Kiir's entire cabinet, including his Vice President, Riek Machar (UNMISSa, 2014).

  The removal of Vice President Machar has been alternately described as a political or an ethnically-motivated event, as well as categorized as a hybrid of both issues. It is undeniable that the two men are from different ethnic groups, with Kiir belonging to the Dinka and Machar belonging to the Nuer group, but the roots of their disagreements are indisputably political. Tensions between the President and Vice President had gradually escalated for months prior to the dismissal. This was due, in part, to Machar's denunciation of the President in a televised address in which he announced himself as the leader of the SPLM/A in Opposition. (International Crisis Group [ICG], 2014). As the name suggests, the SPLM/A in Opposition is a splintering of the SPLM/A that is pitted against the current government.

  In retaliation for Machar's comments and public statements of intention to challenge Kiir as South Sudan's president in the next elections, Kiir withdrew Machar's formal powers in April 2013. In July, Kiir dismissed Machar from office completely (Amnesty International, 2014. p. 11). On December 14, 2013 the National Liberation Council (NLC) of the SPLM, the party's legislative organ, met to discuss the party's manifesto, constitution, code of conduct, and other items. On the first day of the meetings, Kiir offended Machar, causing Machar to leave and boycott the meetings of the NLC. In Machar's absence, Kiir passed the version of the SPLM constitution and manifesto that he backed (UNMISSa, 2014).

  Despite this being an inherently political episode, violence broke out along ethnic lines in the capital city of Juba and quickly spread to seven of the ten South Sudanese states (UNMISSb, 2014). A report by the International Crisis Group (2014) released in April 2014 estimates that since the outbreak of fighting in December, over ten thousand people have been killed and over a million displaced. This report also estimates that up to 70% of the national army defected after this conflict began, leaving civilians without protection (p. 8). Both government and rebel groups have been accused of human rights violations, including robbing, looting, raping, and killing (UNMISSb).

  In addition to forces loyal to Kiir and to Machar, other non-aligned militant and armed groups have entered the fighting either in support of or opposition to the government. However, the alliances of many of these groups have been fluid and shifting. For example, the governments of Uganda and the Republic of Sudan have supported the official state military by sending armed soldiers to quell violence and restore calm, but individual soldiers from these armies have changed sides, and fought for and against the SPLA (UNMISSa, 2014. p. 16). To further complicate matters, many defected SPLA troops continue to wear their official military uniforms, making it difficult to determine who is fighting for and who against the government (p. 16). In addition to uniformed soldiers, civilians have taken up arms and are engaged in the fighting. And finally, the United Nations Children's Fund (UNICEF) estimates that up to 9,000 children have been recruited by both the government and rebel groups (p. 17). The changing nature of who is fighting, and for which side, confounds efforts to placate the violence.

  Along with the humanitarian costs of this outbreak of violence, the war is destroying newly built infrastructure, is decreasing oil production, and is producing capital flight and

subsequent destruction of the South Sudanese economy. To evidence this economic destruction, South Sudan was expected to experience economic growth because of increased trading with and investment from Uganda, Ethiopia, Kenya and Sudan, but the fighting has forced investors to flee (ICG, 2014).

Efforts to stem this fighting have included two failed ceasefires, in January and in May of 2014. The Intergovernmental Authority on Development (IGAD), an eight country trading block that was instrumental in achieving the 2005 Comprehensive Peace Agreement, has redoubled efforts to achieve an end to the fighting, hosting ongoing peace negotiations in Addis Ababa, Ethiopia (International Crisis Group, 2014). But the January ceasefire eroded by mid-February and the May ceasefire was violated within days.

Per an IGAD press release issued June 23, 2014, peace negotiations resumed on June 20. These talks are encouraging, not only as they are a resumption of dialogue between parties, but also because they are more inclusive and participatory than previous negotiation rounds. These talks allow for the direct participation of civil society and religious organizations. However, the SPLM/A in Opposition did not attend the June 20th meeting, and it is too soon to know what results these negotiations will ultimately produce ("Multi-stakeholder South Sudan Peace Talks Adjourn for Consultations," 2014).

It is necessary to make the caveat that this section provides only a generalized summation of South Sudan's post-independence return to violence. Various reports, such as Amnesty International's report "Nowhere safe: Civilians under attack in South Sudan" and the United Nation's Mission in South Sudan (UNMISS) recent report "Conflict in South Sudan: A human rights report" offer comprehensive outlines of key dates and events[1]. This section is presented only to highlight the overlapping themes of ethnicity and politics to ground the proceeding recommendations section. For more detailed information on these topics and the return to conflict, I defer to the aforementioned reports.

Recommendations for Moving Forward:

To create the infrastructure needed for durable peace, actors across the governmental, private, and business sectors must produce pragmatic and implementable mechanisms that address both the proximate and root causes of the ongoing conflict. Furthermore, as there is a complex interaction between root causes, approaches should be rooted in a multi-faceted, multi-dimensional framework that employs consistent monitoring and evaluation to allow for appropriate and timely modification should recommendations inadvertently produce harm. Finally, proposals need to focus on both immediate aid and on long-term development, and

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[1] Recommended sources may be accessed at: Amnesty International (2014). *Nowhere safe: Civilians under attack in South Sudan.* (Amnesty International Publication No. AFR 65/003/2014 English). United Kingdom: Amnesty International Ltd.United Nations Mission in South Sudan [UNMISS] (May 8, 2014). *Conflict in South Sudan: Ahuman rights report*. Retrieved: http://unmiss.unmissions.org/Portals/unmiss/Human%20Rights%20Reports/UNMISS%20Conflict%20in%20South%20Sudan%20-%20A%20Human%20Rights%20Report.pdf

should focus implicitly on building capacity at the individual, communal, societal, institutional, and national levels.

The following subsections will outline current cross-sectoral capacity-building and intervention approaches being utilized to ameliorate the humanitarian suffering that has resulted from decades of conflict. Traditional actors, including international NGOs, IGOs, and regional bodies, are the predominant entities developing and implementing these approaches. However, in these subsections I will expand upon the current recommendations to envision ways to also include nontraditional actors, including internally-displaced persons (IDPs), refugees, and diaspora networks to aid in the peacebuilding, statebuilding, and nation-building processes.

A literature review to these ends has revealed some key gaps in the literature and, as such, it is not always possible to provide detailed information on how to incorporate nontraditional actors in all areas and recommendations. In these instances, I provide possible reasons these actors are invested stakeholders in a given area so as to establish why they should contribute to and be included in capacity building plans. Before proceeding to the recommendations, it is also necessary to define the terms "IDP," "refugee," and "diaspora."

Although IDPs and refugees are both displaced, there are important differences between the two groups from a legal standpoint. Defined in the 1998 Guiding Principles on Internal Displacement, IDPs are "Persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally-recognized State border" (O'Neill, 2009. P. 153). The 1951 Convention on the Status of Refugees defines a refugee as an individual who, "owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality, and is unable to, or owing to such fear, is unwilling to avail himself of the protection of that country" (United Nations [UN] 2011. p14).

IDPs and refugees differ not only in that refugees have crossed an internationally-recognized border, but also in that there is not an internationally-codified protection mechanism for IDPs as there is for refugees. Despite this difference, from an internally-recognized legal standpoint, both groups share commonality in being displaced. Regardless of whether an individual wishes to return to his or her original home and community after being displaced, IDPs and refugees are stakeholders as they have physical, emotional, and often legal claims to the area from which they have fled. These persons may benefit greatly from conflict cessation that allows for a durable solution and a return to home and property. However, even without physical return, the emotional connections and relational connection to non-displaced persons anchors displaced persons to their country of origin.

In Shain and Barth's article *Diasporas and International Relations Theory* (as cited in Baser and Swaim, 2008), "diaspora" is defined as, "a people with a common origin who reside, more or less on a permanent basis, outside the borders of their ethnic or religious homeland" (p. 9). Like refugees, diasporic communities may or may not have a desire to physically return to

and reside in this homeland, but due to their affinity for this area, are often emotionally and physically invested in its betterment.

Diaspora members often share elements of culture, religion, preferences, and rituals and practices with other individuals from the "homeland." However, diaspora members have also experienced challenges to these cultural elements, and have mediated these differences into various levels of co-existence within their new host societies. As such, diaspora communities may serve as a bridge between new and old. NGOs, IGOs, and other actors can consult with diaspora members to create new options to avoid Western imposition in aid and development agendas, while also avoiding simply recreating broken societal structures because they are familiar or "culturally-appropriate." Currently, there is a research gap in fully understanding this option of how diaspora communities can contribute to conflict mediation and to sustainable peace. Again, this present analysis will not close this gap, but will serve to highlight theoretical proposals to engage this group in these processes.

Baser and Swaim (2008) argue for inclusion of diaspora communities in ongoing conflict resolution to counter the viewpoint that diaspora communities act "as an extremist, long distance nationalist community that pursues radical agendas" (p. 8). Rather, they point out that this group has a distinct opportunity to act as advocates, peace mediators, and engaged actors to send remittances and support to help the homeland transition out of a war economy and into a more sustainable and peaceful society (16-19). Although Baser and Swaim do acknowledge that diaspora members are often not neutral actors, they argue that diaspora members contribute to human and national security efforts because of their cultural knowledge and passionate commitment to develop their homeland (13).

Grace and Mooney (2009) posit that the effort to include displaced persons into processes of peacebuilding, specifically referencing their inclusion into electoral processes, does require additional administrative, political, and practical considerations. However, they argue that the potential benefits of engaging displaced populations ultimately outweighs the costs, as these efforts close the perception of gap between displaced and non-displaced populations and ensure more inclusive representation of preferences in decision-making (p. 96).

In the same way that Grace and Mooney (2009) have argued for the engagement of displaced populations in elections, Harris Rimmer (2010) expands on this idea, stating that these groups should have access to participate in building all components of rule of law. This includes a claim that displaced persons need to be involved in "transitional justice systems, including constitution drafting, new parliaments, trials and truth commissions, but also broader state-building and governance issues such as legislative agendas, security sector reform, justice sector reform, national development plans, budgets and so on" (p. 165). The results of these efforts include a lessoning of the gaps between citizen and state while simultaneously the participation of marginalized groups is increased.

Inclusion of these three groups may be beneficial, but they are often overlooked in traditional invention and capacity-building strategies. However, refugees, internally-displaced persons, and diaspora networks are not passive actors, but can contribute to either conflict continuation or conflict resolution. Koser (2009) points to the interconnected nature of

displacement and peacebuilding by stating, "helping displaced populations to return and reintegrate can simultaneously address the root causes of a conflict and help prevent further displacement" (p. 6). However, I would expand upon this and argue that regardless of whether or not individuals seek to return, the emotional, symbolic, or other connections to their country of origin can be positively mobilized for conflict resolution.

The inclusion of displaced persons is also crucial because "forced displacement across borders is perhaps the most visible manifestation of the breakdown in national protection and rule of law" (Feller, 2009. P. 85). Voluntary return can be a sign of confidence in ongoing peace efforts (85). In identifying the conditions that may influence whether or not this voluntary return occurs, O'Neill (2009) cites the following considerations: physical safety and security; legal protection against discrimination; ability to reclaim property or restitution for lost property; and reintegration mechanisms that will ensure a life of dignity where individuals have equitable access to resources and services (p. 156). These considerations serve as a base framework, and if elements are missing, there is an aggravated risk of secondary displacement.

It is important in South Sudan to immediately focus on creating the conditions necessary for voluntary return, and this is due, in part, to the fact that as the conflict continues, more individuals are being displaced. A report by UN OCHA (2014) predicts that in addition to continued conflict, seasonal rains and other push factors will displace more people in the months to come (p. 16). In addition to South Sudanese citizens being displaced, the country houses approximately 240,000 Sudanese refugees, and this vulnerable group is at risk of, and is experiencing, secondary displacement wherein individuals are forced to flee to yet another nation to find physical safety (p. 14).

UNHCR outlines how the national government should have ownership and responsibility for return and reintegration processes, but proposes that regional actors, NGOs, community-based organizations, and civil society can also contribute towards these processes. The UNHCR contributes to refugee return and integration through four primary methods: facilitating and managing return, sustaining return through provision of basic needs and livelihood initiatives, ensuring rule of law and national safety conditions, and focusing on reconciliation between populations (Executive Committee of the High Commissioner's Programme, 2008. pp. 15-16). However, due to budgetary and staffing deficits, as well as deficits in mandate, the UNHCR is unable to fully perform all aspects of return and reintegration. Thus, there is room for other actors to contribute towards these processes.

The below recommendations are not exhaustive, but are representative of the broader themes found in the exigent literature. As the below recommendations are interrelated, their presented order is not hierarchical or prioritized. All recommendations are grounded in respect for human rights and dignity and envisioned to be pragmatic; all are also rooted in peacebuilding and related theories. Further, the recommendations embrace the "Three-D's" of smart power: diplomacy, development and defense, as defined by Raymond Gilpin, a former Associate Vice President of Sustainable Economies, Centers of Innovation for the United States Institute of Peace (USIP), whose elaboration defines these elements as "diplomacy that will isolate the

spoilers. Development that will empower the enablers, and defense that protects communities" (USIP Conference, The trouble with the Congo, 2010).

Table 2
Governance and Rule of Law

Current actions/ Actors	Proposed Actions/ Actors	IDPs/ Refugees/ Diaspora
Partnerships with USAID, AU, UN, AfDB, EU, UNMISS, and national governments for capacity building, training, skills transference, and best practices.	Continued partnerships with these actors to decentralize governmental control from the capital of Juba to all areas of South Sudan.	IDPs and Refugees have political representation and democratic voice to enhance state legitimacy and durable peace. These actors can advocate to create new government that protects human rights and allows for possible return from displacement.

The need for governance and rule of law in post-conflict societies is clearly expressed by the High-Level of Eminent Persons on the Post-2015 Development Agenda. The panel states that, "in order to develop peacefully, countries afflicted by or emerging from conflict need institutions that are capable and responsive, and able to meet people's core demands for security, justice, and well-being." (Bambang Yudhoyono, Cameron, & Johnson Sirleaf (Eds.), 2013. P. 4). This relationship between citizen and government is best characterized as a social contract, and is codified in a nation's laws. From this relationship stems the concept of "rule of law."

Throughout the interim period, South Sudan focused on capacity building to establish this rule of law. Lyman (2011) notes that at the time of South Sudanese independence, 15 countries had offered the new government assistance to achieve this. Additionally, the United States Agency for International Development (USAID), the African Union (AU), the United Nations (UN), the African Development Bank (AfDB) and the European Union (EU) were either currently providing assistance or had offered to do so. Also, at 2011's independence, USAID was active in the capital of Juba, offering knowledge and best practices, conducting training, and transferring capacity in direct conjunction with the Ministry of Finance, the Nation's Central Bank, and the departments of Health, Education, and Agriculture (Lyman, 2011).

Another primary external partnership that provided aid to South Sudan is evidenced in the United Nations Mission in South Sudan (UNMISS). UNMISS was launched on July 8, 2011 with the objective to "consolidate peace and security, and help establish conditions for development in South Sudan, with a view to strengthening the Capacity of the Government of South Sudan to govern effectively and democratically and establish good relationships with its neighbors" (UNMISSb, 2014). Although this mandate would expand and change after the resumption of conflict in December 2013, the United Nations and UNMISS have continued to offer valuable, effective, and consistent help and support to the new government.

Despite the progress made through these partnerships, however, the GoSS has struggled to administer the rule of law outside the capital and must continue to focus on decentralizing and diffusing power throughout the state. Decentralization is key, as all communities must feel connected to the broader national system. This will help not only in creation of a national identity, but also in increasing the perception of GoSS as a legitimate representation of citizen needs (de Simone, 2013).

It is important to recognize that the GoSS Interim Constitution did acknowledge the need for governmental decentralization, and that this was accepted by the ruling SPLM/A parties in the 2003-2006 document entitled *Local Government Framework* (de Simone, 2013. p. 39). This framework details how traditional and local authorities can be incorporated into the broader, official state structure. Despite difficulties in consistently doing this in all ten South Sudanese states, this document is exemplary of an existing framework from which to examine successes and failures and then utilize them for future constitution processes.

Finally, to build rule of law and state legitimacy, the government must work to ensure that displaced persons have access to political and state building processes. Expanding participation of rule of law to refugees and IDPs is essential as the demographics of these groups typically mirror that of those who are traditionally excluded from political processes, including women, the elderly, and the disabled (Harris Rimmer, 2010. p. 166).

Table 3
Judicial Reform

Current Actions/ Actors	Proposed Actions/ Actors	IDPs/ Refugees/ Diaspora
UNMISS partnership to strengthen judicial system and increase accountability and capacity of courts. South Sudan Human Rights Abuses Investigation Committee, (no data on effectiveness or current work). Land reform, through the 2009 Land Act and 2011 South Sudan Land Commission.	Focus on legislation that will allow for displaced population to return, including land and property rights. African Union (proposed) partnership to investigate human rights abuses. Integration og traditional justice systems. Creation and enforcement of anti-discrimination legislation to guard against ethnically-incited violence. Equal enforcement of laws and stemming culture of impunity.	All actors can advocate for respect of internationally-recognized human rights to preserve and protect these fundamental rights for all. Displaced persons can appeal for judicial reform to create conditions needed for return to homes and property. Diaspora communities can offer expertise on alternate legal systems, and may potentially contribute skills as lawyers or judges.

Judicial reform is correlated to rule of law creation, but is here identified as a separate component in order to focus on not just the creation of laws, but in how they are applied. This section will focus on how to build upon existing judicial initiatives that are strengthened through international partnerships and how to integrate South Sudan's disparate judicial systems into a unified national judicial system. The litmus test for a successful judicial system includes that it will be fair and transparent, will stem current corruption and abuses of power, and will not only punish but help prevent human rights abuses. Finally, this section will identify how refugees, IDPs, and diaspora communities can contribute to judicial reform through advocacy and expertise.

Throughout the interim period, the South Sudanese government made efforts to reform the judicial system. At that time, and today, these efforts have been slowed because the government utilizes a pluralistic legal system that combines traditional laws, communal-based laws, elements of Sharia law, and elements of democratic law. The government has failed to either harmonize these systems into a cohesive national system or to align these with international customary laws or human rights laws (Kircher, 2013). A functioning legal system is essential to build a social contract where citizens trust their government and the government protects its citizens.

Sharp (2013) points out that post-conflict societies can incorporate transitional justice as they establish more permanent judicial infrastructure. Sharp argues that there is not a universal definition for transitional justice, but that most contemporary definitions "attempt to capture a legal, political, and moral dilemma about how to deal with historic human rights violations and political violence in societies undergoing some form of political transition" (p. 174). It is forward and backward looking, evidencing the human rights abuses of the past and creating the infrastructures to prevent these abuses in the future (p. 175).

South Sudan can work with international actors, such as UNMISS or other UN bodies, to blend its pluralistic legal systems into a comprehensive national system. The transitional nature of such a system implies that there is a process to undertake, and this process can be adjusted over time. Feller (2009) points out that transitional justice systems can incorporate elements of traditional justice systems that are widely respected and used in communities, but can also guard against the creation of systems such as those that have previously failed to protect the rights of all citizens (p. 88).

In addition to creating a standardized legal system, a secondary concern is to build the capacity of this legal system. Although its capacity is growing, a Transparency International Report released in 2013 estimates that for every case currently in the judicial process, an additional four cases are waiting to commence (as cited in Mores, 2013. P. 6).

Perhaps more troubling than the number of cases awaiting processing is the fact that the GoSS seems not only unable to process cases but also unwilling to review allegations of human rights abuses. In its report *Conflict in South Sudan: A Human Rights Report*, the UNMISS posits that current legal processes to investigate these human rights abuses may not meet international standards of due process, transparency, and impartiality (UNMISSa, 2014. p. 58). As such, the United Nations has proposed a hybrid court to ensure that international standards are upheld and

to help the South Sudanese judiciary become accountable. International partners that may assist in the hybrid court system could include the African Union or the United Nations (p. 58).

      Specific areas of law to be strengthened in South Sudan include its property and land tenure laws. The need for land tenure reform and land ownership laws is highlighted due to growing tensions between agriculturalists and pastoralists seeking equitable access to land and water. Communal and traditional conflict mediation methods have eroded with the increased availability of guns that have entered the country throughout the wars. As a result, simple disputes over cattle grazing rights or water access needed for crop irrigation often turn violent. Kircher (2013) notes that through the 2009 Land Act and the 2011 Transitional Constitution, the governmentally established Southern Sudan Land Commission attempted to create categories of private, communal, governmental, and agro-industrial land ownership. However, the Commission was underfunded and was unsuccessful.

      As this example shows, it is not enough to create the legal infrastructure to settle disputes, but a more preemptive focus must be taken to create equitable access to all resources, including natural resources of land and water. One proposal to accomplish this is to renew funding for the Southern Sudan Land Commission; another is to create a new governmental body for these purposes (Kircher, 2013). The implication of having a domestic effort to mediate land ownership disputes is beneficial, as it may better respect traditional preferences for communal land holding, a phenomenon that is less commonly practiced in Western nations.

      Any legal system, be it transitional or permanent, must uphold minimum accountability requirements. UNMISS outlines how these include investigation of all alleged violations and then prosecution and punishment for those found guilty. UNMISS dictates that these investigations must be impartial, timely, independent, and competent. All processes should be transparent and ensure that victims receive reparation and remedy (UNMISSa, 2014).

      Finally, it is important to highlight the ways that refugees, IDPs, and the diasporic communities can contribute to judicial reform. This is of importance because displacement often occurs because of a breakdown of the social contract between the displaced and his or her government. The direct implication of strengthening the judicial system is thus the rebuilding and repair of the broken social contract. This will prevent further refugee flows and create humanitarian intervention mechanisms to allow for return of the displaced. Displaced persons can participate in this process by advocating in their host and home governments for these reforms. To do this, individuals may draw from internationally-codified human rights treaties, such as the Universal Declaration of Human Rights, the International Covenant of Civil and Political Rights (ICCPR), and the International Covenant on Economic, Social and Cultural Rights (ICESCR).[2] Although the Republic of South Sudan has not yet ratified these human rights treaties, these documents serve as a base for customary international norms that national governments can use as a baseline of rights to guarantee for citizens.

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[2] The Universal Declaration of Human Rights, the International Covenant of Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights may all be accessed at the United Nations Treaties Collection website, https://treaties.un.org.

The literature reviewed for this study did not provide much specific information as to how the diaspora communities can be engaged to reestablish judicial systems. However, I propose that there is a possibility to interact with the diaspora members for this purpose, as these individuals share many cultural values and traits with their homeland communities, but have also experienced different styles of governance. As such, it may be possible to draw from the diaspora expertise and best practices on how to mediate between the Western-style democracy, laws, and court systems that are privileged by aid groups to find ways to implement the principles of democracy and rule of law in a culturally-appropriate manner.

Table 4
Security Sector Reform: Police and Military

Current Actions/ Actors	Proposed Actions/ Actors	IDPs/ Refugees/ Diaspora
UNMISS provides supplemental support for peace and security through peacekeepers and police forces.	International humanitarian law training to create more professional and accountable armed service members. Increase professionalism and training of all security sector persons.	Advocacy through civil society organizations. Petition national and international groups to ensure security sector upholds rule of law.

In addition to creating a national system of laws that respects basic human rights and dignity of all persons and creating the systems of courts necessary to adjudicate denial of these rights, South Sudan must reform its national police and military to uphold and enforce laws. Police and military sector reform is also an essential component of the rule of law and is deeply integrated in the previous sections. In the South Sudanese case study, the government has had the challenge of unifying disparate actors, including rebel groups, into cohesive units to protect citizens' rights. As this section will outline, the government's efforts to create national security structures have been controversial.

During the 2005-2011 interim period, President Kiir attempted to promote national peace through negotiations with armed factions. These peace deals were replete with grants of official pardons for individuals who swore allegiance to President Kiir and the newly-formed government (Sarwar, 2011). Although these pardons were popular with and accepted by many former militants, civilians did not support these initiatives. When former human rights violators and criminals received amnesty, civilians struggled to believe that these same actors would uphold the rule of law and offer unbiased, equitable protection to all (Kircher, 2013; Ploch Blanchard, 2014).

In 2011, the South Sudanese Police Force was named the most corrupt institution in the world per Transparency International's Global Corruption Barometer report. This report found evidence of widespread illegal taxation, bribes, and instances of assault by drunken soldiers, as well as the use of arbitrary arrest and torture. Additionally, Transparency International received

reports that South Sudanese police had stolen vehicles and aid supplies from the United Nations, and that the United Nations Human Rights Chief was assaulted by police in August 2012 (Mores, 2013). The police officers' abuses and crimes are indicative of a larger system of corruption and lack of accountability and professionalism that is rampant throughout official governmental branches.

This fact should not distort the value of how the government has, with the help of the United Nations Development Program (UNDP) and other international partners, made progress in training police. This includes an ongoing attempt to transform the police "force" to a police "service" (United Nations Development Program [UNDP], 2012. P. 18), a change whose implications include an increase in both transparency and accountability. Additionally, the UNDP has created rule of law offices in seven states and has provided law enforcement advisors across states to increase knowledge of the laws and increase professionalism (p. 15).

In order to continue efforts to form a more professional and accountable police force and national army, all armed personnel must be educated to comply with International Humanitarian Law. This law governs the actions of soldiers in times of war and expressly prohibits the targeting and killing of civilian noncombatants (ICG, 2014). This training could be provided by international organizations, such as the International Committee of the Red Cross.

In the reviewed literature, there is not specific reference as to how IDPs, refugees, or diasporas can contribute to security sector reform. As in most recommendation subsections, these groups can contribute via advocacy and petitions. Individuals can document abuses committed by the security sector, including recording when bribes are demanded and instances of abuse of power or acts of physical abuse from military and police towards civilians. International humanitarian organizations and UNHCR can document when refugees and IDPs report these abuses as well. This information could further be reported to organizations like Human Rights Watch to increase global knowledge about the scope and extent of the problems.

However, the goal is not to solely expose abuses, but to petition for reform and professionalization of the individuals within the security sectors that commit them.

Table 5
Corruption

Current Actions/ Actors	Proposed Actions/ Actors	IDPs/ Refugees/ Diaspora
Partnerships with UNDP to fight corruption.	Create whistle-blower protection. GoSS should sign international anti-corruption treaties and implement methods to identify and stop corruption and to punish those who abuse power and commit corrupt acts.	These actors are stakeholders affected by corruption, but their possible roles in stemming corruption are unknown.

Stemming the current patterns of corruption is integrally related to governance, rule of law, the creation of effective and impartial judicial systems, and the establishment of an accountable security sector. The government of South Sudan has acknowledged the presence of corruption, and in 2008, created legislation to fight it; in 2009 the GoSS went on to create the South Sudan Anti-Corruption Commission (SSACC). However, these initiatives have had implementation difficulties due to poor record-keeping and lax accounting procedures (Mores, 2013). To close these gaps, the UNDP has provided technical assistance to support the National Audit Chamber and the SSACC (UNDP, 2012).

South Sudan will need to continue to work internally to stem the culture of corruption that has developed within its governmental structures. In a 2011 survey by the World Bank (as cited by Mores in a report for Transparency International, 2013), 67% of individuals queried expressed a belief that corruption had increased between 2008 and 2011 (p. 2). Additionally, 66% of respondents stated that they had personally paid a bribe to a government official to obtain a permit or to receive police or judiciary services, education, or healthcare. Furthermore, due to corruption, Juba was rated in 2011 as the second most expensive city in the world to start a business (Mores, 2013. p. 2).

Considering both the official, governmental acknowledgment of corruption, and the public perception of this corruption, it is clear that additional steps will need to be taken to address this issue. Proposals to this end include that the GoSS should sign and ratify international conventions against corruption and create internal monitoring systems that more effectively identify and prevent corruption. Finally, at all levels of government, individuals need a way to report all suspected incidents of corruption, including demands of bribe, siphoning of official funds, and other misuses of power and position. To do this effectively, the government will need to ensure protection for "whistle-blowers" so that citizens and employees can report these suspected abuses without fear of punishment or retaliation (Mores, 2013).

Although it is not clear how IDPs or refugees can contribute to these efforts, the topics of corruption and displacement are correlated with their situations, as systemic corruption may both contribute towards displacement and prevent return. It is likewise not clear how diaspora communities can help to stem corruption. However, and generally speaking, official governmental corruption prevents public funds from being utilized for service provision. The implication is that citizens may need external support from NGOs and diaspora networks to meet their basic needs when the social contract breaks down. As such, diaspora members remain stakeholders in this issue, even if the relationship is less clear than are the links between corruption and displacement.

Table 6
Political Dialogue and Electoral Reform

Current Actions/ Actors	Proposed Actions/ Actors	IDPs/ Refugees/ Diaspora
GoSS Commission for Constitutional Review to expand political inclusivity.	Increase space for involvement of other political parties and actors.	Displaced persons can lobby their nation's government to ensure that new laws and

| Rounds of IGAD-sponsored talks continue in Addis Ababa between Salva Kiir and Machar. | Include civil society actors, religious leaders, and other stakeholders in political conversations.

Create other avenues for political dialogue, including track II and unofficial diplomacy.

Partnerships between regional and international actors for voter registration, ballot organizing, and certification of election legitimacy. | systems are democratic and fair.

Diaspora and refugees can appeal to host countries for sanctions, aid, or other intervention methods to their home nation.

Space must be made for displaced and diaspora networks to have representatives in political processes to ensure their concerns are addressed. |

The preceding sections have outlined some of the current rule of law deficiencies present in South Sudan. To mediate these breakdowns, it is necessary to focus on political reform and electoral reform. These complimentary and mutually-reinforcing reforms will help to increase the political space, allowing for more voices to be heard in the political process. This section will demonstrate that there are benefits in including displaced populations and diaspora communities in these reforms.

The impetus to focus on political dialogue is not new. During the interim period and in response to a meeting between political parties, civil society representatives, and religious leaders, President Salva Kiir created the "Commission for Constitutional Review" (Panozzo, 2011). The goals of this commission were to ensure inclusivity in the post-independence government and to overcome the ongoing fractionalization of and tensions within the SPLM. No data could be found to substantiate the success or failure of this commission, but, nevertheless, this type of initiative is an acknowledgement by the government of the need for political inclusivity. All stakeholders, including IDPs, refugees, and diaspora communities can leverage their influence and voice through national and international NGOs, as well as through community-based civil society and religious organizations to demand further inclusion and political representation.

The Inter-governmental Authority on Development (IGAD) was instrumental in securing the 2005 Comprehensive Peace Agreement and has now redoubled efforts to engage political actors in negotiations after the outbreak of violence in December 2013. Refugees and diaspora communities can appeal to their host or home countries to enact sanctions, increase or withhold aid, or utilize other traditional intervention methods to encourage political parties to progress towards solutions (Baser and Swaim, 2008).

To expand efforts to find a political solution, the international community, including diaspora networks, can also be actors of soft-power diplomacy and Track-II diplomacy. Both of these initiatives may be described as "behind the scenes" with soft-power diplomacy used to

incentivize rather than threaten and Track-II being unofficial meetings of mid-level officials that can contribute towards decision-making processes. Given the private nature of these efforts, the literature did not provide any examples of ongoing work to these ends.

      Concomitant with the need for political dialogue is the necessity to create a genuinely democratic style of governance. Included among its requirements is one that all political parties be allowed to not only form, but also to formally enter into elections. As evidenced by the historical splintering and in-fighting, including the recent public disagreements between Machar and Salva Kiir, the Sudanese People's Liberation Movement's political dominance is contested. The solution is not to simply reform the SPLM, but rather to expand political access and participation.

      As Grace and Mooney (2009) argue, "elections are both a process and a pillar of peace building" (p. 121), and they contribute towards inclusivity, allowing people to be empowered stakeholders in the re-creation of their state. They further posit that when displaced populations are guaranteed participation in democratic processes, they contribute towards creating the political stability needed to return home and thus contribute to durable solutions

    Samuels (2006) adds that constitution making can address root causes of conflict, such as access to power and the establishment of peaceful conflict resolution mechanisms (664). "Constitution-making after conflict is an opportunity to create a common vision of the future of a state and a road map on how to get there. The constitution can be… a framework setting up the rules by which the new democracy will operate" (Samuels, 2006. p. 664)**.** This further indicates the importance of increased political and elector participation within these processes.

      Establishing the conditions that allow for inclusion in political processes can be difficult and costly in post-conflict societies. However, there are benefits to expanding the democratic space, particularly for refugees and IDPs.

      The fundamental goal of political and electoral reform is to simultaneously increase the political space and to involve more stakeholders, thus creating governmental structures that uphold the social contract. As outlined above, the GoSS is deemed by many to be corrupt and inefficient, but enacting the suggested reforms may help balance against these criticisms and strengthen the political infrastructure of the state.

Table 7

Disarmament, Demobilization and Reintegration (DDR)

Current Actions/ Actors	Proposed Actions/ Actors	IDPs/ Refugees/ Diaspora
UNDP programs for DDR. UNMISS programs for DDR.	Increase focus to include reintegration and not just disarmament. Expand efforts to reintegrate child soldiers. Promote more accountability for destruction of collected arms.	These actors are stakeholders affected by DDR, but their contributing roles in DDR are unknown.

Decades of war have resulted in a hyper-militarization of South Sudan. The influx of arms has produced security threats wherein civilians settle disputes by the gun instead of in a court. Additionally, the excessive number of arms means guns are easily accessed and used by rebel groups. Although the government of South Sudan has attempted disarmament, there are many criticisms of the attempts made so far. This section will argue for disarmament, demobilization, and reintegration (DDR) programs that are sensitive to both victims and perpetrators, and thus contribute to community reconciliation and safety.

The first criticism against the government's current DDR program is that the guns collected are not destroyed. Rather, these guns are often reallocated to the SPLA and the military (Kircher, 2013). Further, disarmament has often been done along ethnic lines and has contributed to the sense of "ethnic favoritism" that civilians feel has ensured the self-defense of certain groups over others (Ploch Blanchard, 2014. P. 10). And, as described above, the SPLA is not a unified entity and there is, thus, no guarantee that these guns and weaponry will not once again be used against civilians or in efforts to destabilize the government. The challenges of DDR in South Sudan are vast, but all DDR programs must focus on proper arms disposal. Additionally, any entity in charge of disarmament should ensure that guns and weapons are collected from both civilians and rebels without distinction regarding ethnicity or political alignment.

Strengthened collaboration and partnerships with UNDP or UNMISS can be instructive in these areas. Currently, UNDP is involved in collaborations between state ministers, parliament, religious leaders, civil society actors, and citizens to reduce violence and collect arms (UNDP, 2012). UNMISS has also focused extensively on DDR, but although UNMISS has achieved some success, South Sudan remains a heavily-armed society.

UNMISS' work on disarmament, demobilization, and reintegration needs to continue and be expanded. Given that thousands of children have been recruited as soldiers, specialized efforts and programs will need created for this vulnerable group. Children experience the trauma of war in ways that are different from how adults do, and thus they require a different response. This does not preclude the continuation of efforts for the demobilization and reintegration of adults, but rather proposes that these efforts need to be expanded.

The literature examined in the South Sudanese case study privileges disarmament and demobilization, but minimizes the important role of reintegration. A report by the Executive Committee of the UNHCR defines reintegration as "the progressive establishment of conditions which enable returnees and their communities to exercise their social, economic, civil, political and cultural rights, and on that basis to enjoy peaceful, productive and dignified lives" (Executive Committee of the High Commissioner's Programme, 2008. P. 6). Reintegration is thus a long-term process that requires increased participation between permanent and returned populations to create a unified future path (p. 2). The reintegration process should be a high priority, as societal divisions may potentially erode communities, and these divisions contribute to conflict resumption.

Furthermore, Sharp (2013) evidences that traditional disarmament, demobilization, and reintegration (DDR) programs appear to be perpetrator-oriented, tending to offer amnesty or rewards to former fighters. The inherent risk in this is a denial of victims' rights. As such, it is

important to create DDR programs that are sensitive to both victims and former rebels. Sharp proposes this may be achieved by ensuring that reintegration efforts are done in ways that are beneficial to all persons and focus on "rebuilding social trust and social capital" (p. 186).

Kastur and Toh (2012) establish the links between DDR and the transition from a war economy to a formal economy. When individuals go through the DDR process, they require jobs and economic opportunities. If there are no economic opportunities, there is a heightened risk that these individuals will return to fighting. In the following section, I will examine current barriers to establishing a market economy in South Sudan and submit proposals for strengthening and correcting these difficulties.

Table 8

Economic Development and Diversification

Current Actions/ Actors	Proposed Actions/ Actors	IDPs/ Refugees/ Diaspora
Efforts for economic diversification. Government efforts to stabilize currency, to build trust in the economy, and to create a stable economic environment for outside investment.	Encourage international NGOs and international banking systems to finance micro-credit or micro-loans. Create entry-level jobs to accommodate individuals who have lost skills, education and training due to prolonged fighting. Also focus on jobs for women. Diversify into agricultural opportunities. GoSS can remove barriers to formal and informal economic development. NGOs/ IGOs/ Donors can provide expertise and funds for infrastructure building, creating jobs, and improving humanitarian access.	Diaspora communities send remittances to help transition out of a war economy. Livelihood and skills training programs through UNHCR or other NGOs in refugee and IDP camps. Upon return, these skills can greatly contribute to rebuilding national economies and societies. Repatriated refugees and IDPs can contribute to infrastructure building. Diaspora communities are potential markets for trade and sale of goods and services.

Due to decades of war and chronic underdevelopment, coupled with an overreliance on oil revenue and lack of economic diversification, South Sudan emerged into independence with a weak domestic economy and high external debt. As a result of these factors, South Sudan faces multiple challenges to establishing a stable economy, including the need to create jobs and economic opportunities for its primarily impoverished population, and for reintegrated rebels

who are transitioning out of a war economy. Further, the government needs to create economic conditions to internally stabilize its economy both to rebuild domestic, citizen confidence and to create a viable investment environment for external actors. This section will briefly examine some of the complexities embedded within the challenges to stabilizing, growing, and diversifying the South Sudanese economy.

Throughout the civil wars, currency became devalued until it was largely worthless to most of the civilian population. Instead of a moneyed economy, individuals and families utilized an informal economy, valuing cows, food, or tradable commodities over currency (Leonardi, 2011). In preparing for independence during the interim period, the government needed to address this civilian lack of confidence and help set the economic foundations that would allow for a transition to a market economy. A market economy allows for revenue production that can be used as a tax base for the new government. Furthermore, a market economy contributes to economic security, as money deposited in banks is more secure than cattle or commodities that can be stolen or destroyed. Cattle theft is a common crime in South Sudan, and when families lose their cattle, they often lose financial security and become increasingly vulnerable (Kircher, 2013).

The processes of establishing a working currency and market economy are further complicated by the high levels of employment and economic depravity that are widespread in the nation. The Central Intelligence Agency (CIA) World Factbook estimated in 2013 that the average purchasing power of a household was only $1,400 USD per year, and that 50.6% of the population lived below the poverty line (Central Intelligence Agency, *South Sudan.* 2014). Since the resumption of conflict in December 2013, over one million individuals have been displaced from their homes (UN OCHA, 2014. p. 11), and one can assume that the majority of these individuals have also experienced temporary or permanent disruption to regular employment and economic livelihood.

As decades of war have interrupted formal education systems and limited opportunities for gainful employment, it may be necessary to focus on employment that accommodates lower levels of formal education and skills. This will help to both re-integrate former rebels and to extend employment opportunities to vulnerable populations that have been previously excluded from the formal employment sector, including women. Given that many men have died in the fighting, it is essential to provide economic prospects for all women, including widows and single mothers. Kastur and Toh (2012) highlight that partnerships through established and emerging NGOs, such as Women for Women International (WfWI) and the New Sudan Women Federation of South Sudan, could assist in these efforts (p. 208).

The agricultural industry is one industry that can accommodate workers with low skills and education. Kastur and Toh (2012) point out that the agricultural sub-industries of sugar, fruit, flowers, coffee, tea, vanilla, sorghum and cassava, as well as dairy and livestock farming, are under-exploited (p. 207). International partnerships to focus on agricultural initiatives are also valuable, as a report by Oxfam (as cited by Kircher, 2013) highlights that despite 80% of South Sudanese land being arable, only 4% is currently used for food production (p. 19). Conversion of

arable land for agricultural use will lessen the country's reliance on food aid and food imports, and thus simultaneously contribute towards job creation and food security.

The need for economic diversification away from oil and into other sectors is also heightened by the fact that South Sudan's government "depends on oil revenues more than does any other country in the world" (Shankleman, 2011. p. 11). At the same time, however, the government is not able to manage the oil sector and has an aging infrastructure for oil exploration and extraction. Currently, up to 95% of South Sudan's revenue has come from oil production, but as the country is landlocked, it requires the aid of the Republic of Sudan to export this oil (Panozzo, 2011). Economic diversification can be a way to not only create jobs for the population, but also avoid resource dependency on a finite resource.

Beyond agricultural initiatives, there are many documented opportunities for economic diversification. For example, there are opportunities for commercial fishing that remain unexploited. Also, Sarwar (2011) points that South Sudan has many non-oil resources, including minerals. The nation has game parks with unique flora and fauna that have the potential to be transformed into tourist destinations. The World Bank, the International Labor Organization (ILO), and other regional and international business communities can contribute training and expertise to both the GoSS and to local communities to help identify and develop these opportunities.

To develop economic diversification programs, the World Bank may provide loans and funding to the GoSS. The ILO can also be instrumental in providing guidance in how to create the legal infrastructure needed to promote and protect workers' rights. Other international partnerships can be created to provide micro-loans at the community and individual level.

In order to maximally develop the South Sudanese economy, the GoSS will need to remove barriers to formal and informal economic development. In the World Bank's report Doing Business (as cited in Kastur and Toh, 2012), South Sudan ranked very low on all examined indicators of ease of opening and operating a business in the nation (pp. 209-210). The government must address these concerns and create the legal frameworks for a more favorable investment atmosphere. This includes a need to reform the banking and financial sectors, ensuring that investments made in the country are secure. As explained above, the government need not attempt these reforms alone, but can continue international and regional partnerships to achieve these goals.

A past example of such partnership was found in the literature review, in a program conducted in 2004 between USAID and the GoSS. This program was envisioned to achieve five goals to strengthen the financial sector, and it focused on establishing core institutions, including the Bank of Southern Sudan, a Ministry of Economic Planning, and the Ministry of Labor, Public Service, and Human Resource Development (Kastur and Toh, 2012, p. 214). Although the results of this program have been mixed, the program itself presents an existing framework from which to build. It is also possible to more thoroughly analyze the program's initiatives to extract best practices and lessons learned to establish newer programs and partnerships.

Internally-displaced persons, refugees, and the diaspora community can contribute substantially towards South Sudan's economic development and diversification. Baser and

Swaim (2008) point out that diaspora communities contribute towards the national economy by sending remittances that are used to fuel the local economy. Although the literature reviewed for this case study provided no estimates as to the amount diaspora networks contributed, it is noted that these remittances are a vital source of financial support.

It is also important to note that the economic ties between diasporas and home communities can function in both directions. Diasporas are potential markets for trade and sale of goods and services. This trade can provides diaspora members with desired goods and services, and also creates jobs and revenue within the nation (Executive Committee of the High Commission's Programme, 2008).

Through partnerships with regional and international actors, such as UNHCR, displaced populations can obtain livelihood and skills training while in camps. Directors of IDP and refugee camps can create targeted programs that focus on the creation of specific skills and competencies that will be needed upon establishment of durable solutions (Feller, 2009). In South Sudan, these programs could include construction skills training to aid in infrastructure development, banking and other financial services training, preparation for agricultural employment, and formalized instruction for educators, community healthcare workers, and other needed professional skills development.

It is important for all efforts to incorporate displaced populations, as this can dually help to promote their return and also serve to close the gaps between displaced and non-displaced persons. Long-term economic development is essential to create opportunities for return and also to prevent future migration.

Table 9

Peacebuilding, Reconciliation, and Creation of South Sudanese Identity

Current Actions/ Actors	Proposed Actions/ Actors	IDPs/ Refugees/ Diaspora
UNDP and South Sudanese Peace and Reconciliation Program to train local South Sudanese civilian leaders in nonviolent conflict resolution.	Continue ongoing efforts; strengthen by designating a centralized coordination entity to unify disparate actors.	Diaspora groups can leverage their cultural knowledge to serve as mediators.
USIP-instituted radio program, broadcast to share stories of mutual experience across ethnic lines to build solidarity.	GoSS can create sites of remembrance, days of memorial or national holidays to celebrate collective achievements of the nation such as 2005 CPA or 2011 Independence.	Peacebuilding in refugee and IDP camps through UNHCR or other actors to dually address issues of displacement and prepare populations for return.
NGOs/ INGOs		
GoSS-initiated programs.	Truth commissions (UN).	Resettled refugees and diaspora groups have experience living in other, and often more peaceful, societies, and can contribute
Religious networks and actions for inter-faith peace,	Increase funding and functionality of GoSS	ideas for new models of coexistence based on their

including the efforts of Archbishop Daniel Deng Bul.	programs.	experiences.

As demonstrated throughout this paper, there is a need to build a durable peace in South Sudan, but there is no panacea to achieve this. Throughout all stages of the nation's short history, locally and regionally-based civil society organizations, international NGOs, and the South Sudanese government have initiated programs to promote peace and reconciliation and to promote a unified national identity that can overcome religious and ethnic differences. The preceding sections all contribute to an understanding of peacebuilding by establishing the physical, political, economic, legal, and other infrastructures that are needed in a conflict-free society. This following section will focus specifically not only on demonstrating why this peace building, including creation of a national identity, is necessary, but also describing the various ongoing peace programs currently in place. Its concluding paragraphs will substantiate the important ways in which IDPs, refugees, and diaspora networks can invaluably contribute to these efforts.

Before examining the past, current, and proposed peacebuilding efforts, it is helpful to point that the South Sudanese population has joined together in the past. Although there have always been differences in preferences and practices between individuals and groups, the disparate entities in the state successfully united to express their collective desire for independence from the Republic of Sudan. One way to promote peacebuilding and a shared identity is to remember and celebrate these achievements, including the passage of the 2005 Comprehensive Peace Agreement and 2011 National Independence (Jok, 2011 and Feller, 2009).

In designing peacebuilding processes, there is often contention over who should be allowed to participate and what measure of input these individuals or groups should have. A critique of many of the official, government-backed peacebuilding initiatives has been that they were too exclusive. Oxfam argues that inclusivity is difficult, but key (Kircher, 2013). In situations of seemingly intractable conflict, Jeong (2010) argues for a wider stakeholder approach because "problem solving requires the cooperation of all parties" (131). Jeong argues for this out of the necessity of all groups uniting in a vision for a shared future, a needed step in creating an overarching identity to bridge in and out group differentiations (Jeong, 2010).

Although it is clear that the government must be included in any ongoing peace negotiations, there is also a necessity to ensure that the government doesn't dominate the process. Civil society, religious groups, and the citizenry at large must be guaranteed the right to publicly state their needs and their vision for South Sudan moving forward (Lyman, Stigant and Temin, 2014). As Jeong (2010) notes, sustainable peace processes require both attitudinal and structural changes. This involves both bottom-up changes to inter-group relations, and top-down changes in legal structures to uphold a sustainable peace.

The partnership between the South Sudanese-based Peace and Reconciliation Program and The United Nations Development Program is one example of the type of program that could be expanded or replicated throughout the nation. This program was designed to pilot

reconciliation efforts in 13 counties throughout the nation. As a result of these programs, approximately 420 people were trained to nonviolently resolve conflict. This partnership also produced unique projects, such as community outreach radio broadcasts, translated into both Arabic and English, to promote unity and community behavioral changes (UNDP, 2012). The United States Institute of Peace has also created radio programs to share stories of suffering and struggle that all groups have experienced (Dolan, 2014). By restoring the perception of humanity and commonality in the "other," the peacebuilding space and the processes of reconciliation are expanded.

Reconciliation is key as it allows for the envisioning of a shared future and of peaceful co-existence. South Sudanese Archbishop Daniel Deng Bul stated, "It is no exaggeration to say that we are dealing with the very future of our nation. Without reconciliation, there will be no South Sudan, or at least, it will degenerate into a failed state, with decades of conflict and misery ahead of us" (Bul, 2013. P. 4). Bul has publicly extorted the people of South Sudan to unite and work together towards national reconciliation and to acknowledge that there have been harms committed and experienced by all sides.

Additionally, Bul has reaffirmed that all have a role to play in building a new future for the country, and this includes hearing the voices of the diaspora and focusing on healing the nation by bringing its people home from displacement. Bul has emphasized the values of pluralism, inclusivity, peacemaking, social justice, forgiveness, healing, atonement and sovereignty. However, he does acknowledge that this process will be difficult, given the amount of trauma the nation has experienced (Bul, 2013).

There are additional examples of capacity-building partnerships between international organizations and local groups. Oxfam has founded programs in South Sudan to strengthen civil society and grassroots organizations to provide training to these groups in areas of grant-funding, organizational management, financial advising, and advocacy. Instead of working directly with states and providing guidance on how the states can interact and cooperate with local groups, this partnership-based model seeks to conversely instruct groups in how to not just make demands of, but to collaborate with their government (Fooks, 2013). These initiatives are important because they actively recreate the relationship between civil society and the government, and this can help reposition the public conception of the government as an ally and not an enemy. Programs such as this could be expanded either by Oxfam or by other actors.

The government of South Sudan has also contributed to efforts toward durable peace in the nation. The government has launched the South Sudan Peace and Reconciliation Commission, which seeks to increase the national capacity to form a "foundation for sustainable peace and development" and to create "a national consensus with the view to enhance national integration" (South Sudan Peace and Reconciliation Committee, 2013. P. 5). In 2012, the GoSS tasked the commission with coordinating peace-related activities and working with various government entities to address outbreaks of conflict and to develop policies and programs to support a culture of peace (12). The commission formed in 2001, but has changed names and been tasked with different mandates throughout its existence. In its newest form, there is not much data available on the commission's successes or failures. Further, there is a gap in the

literature making it presently impossible to determine how or if the commission is currently functioning.

The government may seek further partnerships to form truth commissions such as were established after the Rwandan Genocide and the crisis in the former Yugoslavia. Truth commissions are less formal than traditional trials by jury, and thus may be a benefit for South Sudan as it builds its legal infrastructure and judicial capacity. Various United Nations bodies could facilitate in guiding the creation, implementation, and monitoring of these commissions . Truth commissions are imperfect, but do create mechanisms by which individuals and groups can express grievances and seek acknowledgment of harms committed.

A secondary component of peace building is the need to establish a unified national identity that will transcend ethnic and religious lines. As noted above, throughout the independence struggle, many groups within the South have united for the purpose of separating from the North. With the adoption of the CPA and impending vote for independence, many of these groups fell out of alliance with one another as groups vied for power in the new government, and the challenge now is to bring them back together. The United States Institute of Peace (USIP) proposes that the process of such identity creation is the responsibility of the government and of civil society (Jok, 2011). Efforts initiated during the 2005-2011 interim period included attempts to emphasize shared modes of production, religious traditions, and cultures between and among ethnic groups.

Moving forward, Leonardi (2011) argues that even in complex situations of tension and group division, there are transcendent areas of moral concern that are shared between all groups. As such, she proposes that the creation of a unified South Sudanese identity is integral to any peacebuilding process. Although the Dinka and Nuer ethnic groups comprise approximately 60% of the population, 40% and 20% respectively, there are over 60 cultural (Kircher, 2013) and as many as 80 linguistic groups (UNMISSa, 2014) in South Sudan. Cultural pluralism should not preclude formation of a South Sudanese identity, but does present unique challenges that must be engaged directly..

I propose that alongside contributions to economic development and diversification, efforts towards peacebuilding and reconciliation are primary areas that IDPs, refugees, and diaspora networks, who are often overlooked in the peace processes and peacebuilding initiatives (Koser, 2009). may be able to significantly contribute towards. Displaced populations should be considered in peacebuilding processes due to the correlated nature of peace, or lack thereof, and involuntary displacement.

Peacebuilding efforts may be initiated in refugee and IDP camps to dually address issues of displacement and to prepare populations for a peaceful return. Lawson (2012) points that "refugee camps mirror conflict on a micro-level as they highlight common drivers of conflict like ethnicity, scarce resources, and land shortages" (p. 1). Lawson's paper points out that, in camp, peacebuilding programs are designed to allow populations that have previously fought to live in co-existence (p. 6). Further, Lawson cites Brahm's explanation that the programs are designed to "prevent, de-escalate, and solve conflicts. They emphasize conflict resolution techniques,

empowerment, nonviolent, cooperation, more sensitivity, self-esteem, social rehabilitation and critical thinking" (p. 6).

Although Lawson does make the caveat that the results of these programs and the relationship between durable peace and camp programs is not yet known, she firmly establishes an argument for investing in these programs. There is an additional opportunity to create peace building programs in refugee camps that mimic truth commissions, and that allow for dialogue between disparate actors. UNHCR can incorporate these actions into its ongoing camp activities, or could create space for other international or local NGOs or religious groups to conduct the work.

Time spent displaced in camps is currently a period when individuals languish and lose access to livelihoods, communal support, and personal property. However, there is opportunity to transform elements of the displaced experience into positive and productive arenas for peace building. It is not necessary to wait for refugee return to begin peacebuilding practices, because refugees are not passive actors. In fact, if they remain excluded, these individuals may become politicized, radicalized, or recruited into gangs that destabilize peace efforts. Even during periods of displacement, refugees and IDPs remain part of civil society and have vested interest in securing peace so that they may return to homes, livelihood, communities, and property (Koser, 2009. p. 7), and this interest could be channeled into advocacy and productive activity.

Baker and Swaim (2008) argue that resettled refugees and diaspora groups may additionally contribute to peacebuilding efforts, as these individuals have lived in other, and often more peaceful, societies. These groups have mediated or begun to mediate the cultural differences, cultural practices, and other lived experiences of life in conflict and life in a more peaceful environment. As such, these groups potentially provide new models of co-existence to conflict or post-conflict societies. Although not neutral actors, diaspora groups can leverage cultural knowledge and serve as mediators to displaced, encamped, or other co-ethnic or co-religious members with whom they share commonalities.

Conclusions

The goals of this analysis have been two-fold. Firstly, this paper has sought to re-evaluate the root causes of the ongoing conflict in South Sudan by conducting a historical analysis. This was done to substantiate my claims that although the current crisis that erupted in December 2013 has largely been enacted along ethnic lines, the conceptualization of South Sudan's situation as simply an ethnic crisis is an oversimplification of a complex and seemingly intractable conflict. It is necessary to more thoroughly understand its root causes in order to construct proper responses to both end the current violence and to prevent future violence.

Concomitant with the conflict analysis is an in-depth and critical examination of the progress that South Sudan has made toward achieving the structures that are necessary to transition from cycles of war to sustainable peace. This includes an acknowledgment of progress made during the interim period when South Sudan, as the world's newest nation, focused on building state and administrative capacity essentially from scratch.

The secondary goal was to expand the peacebuilding space and envision new ways to creatively engage all stakeholders to seek the solutions required for a sustainable peace in South Sudan. Specifically, I have sought to identify not only the current efforts by traditional actors of governments, NGOs, and IGOs, but to also pragmatically include non-traditional actors like displaced populations and diaspora communities. However, this paper has also demonstrated that there is a gap in the literature as to how these actors may be engaged. In these instances, I have evidenced the theoretical literature as much as possible to creatively envision their involvement. Even with these efforts, there are remaining gaps that present an opportunity for further research to be conducted.

This paper is envisioned to acknowledge that the South Sudanese population has suffered through decades of war and is ready for peace. The South Sudanese culture is not inherently one of war and violence; instead, the current violence has resulted because of systemic underdevelopment and lack of economic opportunity. By reassessing root causes, and involving more actors into the peacebuilding processes, there is a renewed chance to form viable partnerships to build the capacity of South Sudan's government, civil society, and business sector.

Limitations and Future Research:

As outlined, there are many gaps in the existing literature that make it difficult to enumerate the pragmatic ways in which diaspora and displaced community members can contribute towards peacebuilding and post-conflict reconstruction efforts. While there is some, limited theoretical information, very few cases studies were located to evidence the implementation of these theories. But as substantiated throughout, as diaspora and displaced communities are stakeholders in ongoing conflicts, including in the present analysis of South Sudan, there are opportunities to engage with these individuals in order to leverage cultural knowledge, skills, and expertise so to allow for increased peacebuilding space and active participation.

References

Ajak, P, Larson, G, and Pritchett, L. (October 2013). *South Sudan's capability trap: Building a state with disruptive innovation*. Center for International Development at Harvard University. Retrieved: http://www.hks.harvard.edu/var/ezp_site/storage/fckeditor/file/ pdfs/centers-programs/centers/cid/publications/faculty/wp/268_Sudan-PDIA.pdf.

Amnesty International (2014). *Nowhere safe: Civilians under attack in South Sudan*. (Amnesty International Publication No. AFR 65/003/2014 English). United Kingdom: Amnesty International Ltd.

Bambang Yudhoyono, S., Cameron, D. & Johnson Sirleaf, E. (Eds.), (2013). *A New Global Partnership: Eradicate Poverty and Transform Economies Through Sustainable Development*. New York, NY: United Nations Publications.

Baser, B. & Swain, A. (September 2008). Diasporas as peacemakers: Third party mediation in homeland conflicts." International Journal on World Peace 25(3): 7-28

Bul, D. D., Archbishop. (July, 2013). *A working paper of the committee for national healing, peace and reconciliation: Comprehensive strategic dimensions for healing, peace and*

reconciliation for all South Sudanese. The Committee for National Healing, Peace, and Reconciliation for South Sudan. Retrieved: http://www.salisbury.anglican.org/resources-library/mission/sudan/news-and-info/COMMITTEE%20FOR% 20NATIONAL% 20RECONCILIATION.pdf

Central Intelligence Agency World Factbook [CIA] (2014). *South Sudan.* Washington, DC. Retrieved https://www.cia.gov/library/publications/the-world-factbook/geos/od.html

Curless, G. and Rodt, A. P. (August 25, 2013). Sudan and the not so comprehensive peace. *Civil Wars 15*(2): 101-117. DOI: 10.1080.13698249.2013.817844

De Simone, S. (October 2013). Post-conflict decentralization: Dynamics of land and power in Unity State—South Sudan. *UNISCI (2013)*: 35-56. ISSN: 1696-2206.

Dolan, T. (May 7, 2014). *Countering hate speech in South Sudan through peace radio* (United States Institute of Peace). Retrieved from: http://www.usip.org/publications/countering-hate-speech-in-south-sudan-through-peace-radio.

Executive Committee of the High Commissioner's Programme. (February 11, 2008). *UNHCR's role in support of the return and reintegration of displaced populations: Policy framework and implementation strategy*. (UNHCR Publication No. EC/59/SC/CRP.5). Geneva.

Feller, E. (2009). Giving peace a chance: Displacement and rule of law during peace building. *Refugee Survey Quarterly* 28(1): 78-94.

Fooks, L. (May 2, 2013). *Citizens, state, and good governance: Building a 'social contract' in South Sudan.* Oxfam. Retrieved http://policy-practice.oxfam.org.uk/publications/citizens-state-and-good-governance-building-a-social-contract-in-south-sudan-311978

Grace, J. & Mooney, E. (January 2009). Peace building through the electoral participation of displaced populations. *Refugee Survey Quarterly 28* (1): 95-121.

Hanzich, R. (2011). Struggles in South Sudan. *Harvard International Review*, 33(1), 38-41.

Harris Rimmer, S. (2010) Reconceiving refugees and internally displaced persons (IDPs) as transitional justice actors. *Contemporary Readings in Law and Social Justice* 2(2): 163-180. ISSN: 1948-9137.

Intergovernmental Authority on Development (June 23, 2014). Multi-stakeholder South Sudan peace talks adjourn for consultations [Press release]. Retrieved from http://igad.int/index.php?option=com_content&view=article&id=872:multi-stakeholder-roundtable-talks-for-south-sudan-adjourned-for-consultations&catid=61:statements&Itemid=150

International Crisis Group (April 10, 2014). *South Sudan: A civil war by any other name*. Retrieved at: http://www.crisisgroup.org/~/media/Files/africa/horn-of-africa/south%20sudan/217-south-sudan-a-civil-war-by-any-other-name.pdf

Jeong, H.W. (2010). *Conflict management and resolution: An introduction*. London and New York: Routledge, Taylor & Francis Group.

Jok, M. J. (October, 2011). *Diversity, unity, and nation building in South Sudan*. United States Institute of Peace (USIP). Retrieved: http://www.usip.org/sites/default/files/Diversity%2C%20Unity%2C%20and%20Nation% 20Building%20in%20South%20Sudan%20%28Jok%29.pdf.

Kastur, P and Toh, K. (2012). Foreign aid in post-conflict countries: The case of South Sudan. *Journal of third world studies 29*(2): 201-220.

Kircher, I. (March, 2013). *Challenges to security, livelihoods, and gender justice in South Sudan*. Oxfam. 1- 50. Retrieved: http://www.oxfam.org/sites/www.oxfam.org/files/rrchallenges-security-livelihoods-gender-south-sudan-130313-en.pdf

Koser, K. (2009). Displacement in peace processes and peacebuilding. *Refugee Survey Quarterly 28*(1): 5-12.

Lawson, J. E. (October 2012). *New issues in refugee research: What happens after the war? How refugee camp peace programmes contribute to post-conflict peacebuilding strategies.* (UNHCR Publication Research Paper No. 245). Switzerland: UNHCR Policy Development and Evaluation Service.

Leonardi, C. (June 01, 2011). Paying 'buckets of blood' for the land: Moral debates over economy, war and state in Southern Sudan. *Journal of Modern African Studies*, 49(2), 215-240. doi:10.1017/S0022278X11000024

Lyman, P. (July 15, 2011). *Two new Sudans: A roadmap forward.* Washington: African Press Organization.
    Retrieved:http://www.foreign.senate.gov/imo/media/doc/Lyman_Testimony.pdf

Lyman, P., Stigant, S. and Temin, J. (January 8, 2014). *Crisis and opportunity in South Sudan*. United States Institute of Peace. Retrieved from:
    http://usip.org/sites/default/files/PB164Crisis_and_Opportunity_in_South_Sudan.pdf

Mahmoud, D (August 25 2013). Sudan's comprehensive peace agreement amidst the clash of agendas: Attempts, failures and lessons unlearned. *Civil Wars* 15(2), 157-172. DOI: 10.1080/13698249.2013.817851

Medani, K. M. (2011). Strife and secession in Sudan. *Journal of Democracy*, 22(3);135-149.

Mores, M. (March 4, 2013). *U4 Expert Answer: Overview of corruption and anti-corruption in South Sudan*. Transparency International. Retrieved from:
    http://www.transparency.org/files/content/corruptionqas/371_Overview_of_corruption_and_anti-corruption_in_South_Sudan.pdf

O'Neill, W. (2009). Internal displacement and peacebuilding: Institutional responses. *Refugee Survey Quarterly 2009*(1): 151-180. DOI: 1.1093/rsq/hdp018

Ottaway, M and El-Sadany, M. (May 2012). *Sudan: From conflict to conflict.* Carnegie Endowment for International Peace. Carnegie Endowment for International Peace Publications Department, Washington, D.C.

Panozzo, I. (2011). Sudan's separation: An uneven path ahead for two unstable countries. *The International Spectator: Italian Journal of International Affairs, 46*(2). 23-28. DOI: 10.1080/03932729.2011.590402

Ploch Blanchard, L. (January 9, 2014). The crisis in South Sudan. *Congressional Research Service. Retrieved from: http://www.fas.org/sgp/crs/row/R43344.pdf*

Reveron, D. & Mahoney-Norris, K. (2011). *Human security in a borderless world.* Philadelphia: Westview Press.

Samuels, K. (2006). Post-conflict peace-building and constitution-making. *Chicago Journal of International Law 6*(2): 663-682.

Sarwar, N. (2011). Breakup of Sudan: Challenges for north and south. *Strategic Studies*, 224-240.

Shankleman, J. (July 2011). *Oil and state building in South Soudan: Old country, old industry*. United States Institute of Peace. Accessed at http://www.usip.org/publications/oil-and-state-building-in-south-sudan

Sharp, D. (2013). Beyond the post-conflict checklist: Linking peacebuilding and transitional justice through the lens of critique. *Chicago Journal of International Law 14*(1): 165-196

South Sudan Peace and Reconciliation Commission (January, 2013) *Strategic plan 2013-2015*. Retrieved from: http://www.peacecommission.org/wp-content/uploads/2014/03/Strategic-Plan-2013-2015.pdf.

Temin, J. and Woocher, L. (March 2012). *Learning from Sudan's 2011 referendum.* United States Institution of Peace. Retrieved http://www.usip.org/sites/default/files/SR303.pdf

United Nations General Assembly. (2011). Convention and protocol relating to the status of refugees. Retrieved: http://www.unhcr.org/3b66c2aa10.html.

United Nations Development Program [UNDP] (2012). South Sudan, Annual Report 2012. Retrieved from: http://www.ss.undp.org/content/south_sudan/en/home/library/undp_south_sudanannualreports/undp-south-sudan-annual-report-2012.html

United Nations Mission in South Sudan [UNMISSa] (May 8, 2014). *Conflict in South Sudan: A human rights report*. Retrieved from: http://unmiss.unmissions.org/Portals/unmiss/Human%20Rights%20Reports/UNMISS%20Conflict%20in%20South%20Sudan%20-%20A%20Human%20Rights%20Report.pdf

United Nations Mission in South Sudan [UNMISSb] (June 2014). *United Nations mission in the Republic of South Sudan: UNMISS background.* Retrieved from: http://www.un.org/en/peacekeeping/missions/unmiss/background.shtml

United Nations Office for Coordination of Humanitarian Assistance South Sudan [UN OCHA]. (June 14, 2014). South Sudan: Crisis response plan 2014.

United States Institute of Peace [USIP]. (November 5, 2010). *The trouble with the Congo-Session 1.* Retrieved from: http://www.usip.org/events/women-and-war/video-archive-november-5.

About the Author

Christa Charbonneau Kuntzelman is a M.A. Candidate at DePaul University, pursuing a degree in International Public Service. Christa's educational interests have been highly influenced by her direct service work to international and vulnerable populations in the greater Chicago region. This work has included refugee mentorship, and efforts through the American Red Cross' Restoring Family Links program in which Christa proudly serves as lead caseworker.