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INSTITUTE OF DIPLOMACY AND INTERNATIONAL STUDIES

**A Critical Examination of the Interpretation and Operationalization
of the Notion of “African Solutions to Africa’s Problems” Through
the Lenses of the Inter-Governmental Authority on Development
(IGAD)-Led Mediation in South Sudan**

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R52/82178/2015

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**A RESEARCH PROJECT SUBMITTED IN PARTIAL
FULFILMENT OF THE REQUIREMENTS FOR THE AWARD OF
MASTERS OF ARTS’ DEGREE IN INTERNATIONAL
CONFLICT MANAGEMENT**
OCTOBER 2021

DECLARATION

I, **Christyn Nganga**, hereby declare that this research project is my original work and has not been presented for a degree in any other University.

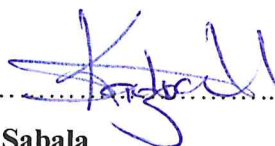
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ACKNOWLEDGEMENTS

I am grateful to Dr. Kizito Sabala, my supervisor, for his immense support and guidance starting with refining the area of study to a formulation that has not only been interesting and engaging but also one that is topical onward to continuous constructive criticism that constantly stimulated critical thinking to enhance the content of the dissertation. I also appreciate his patience vis-à-vis extended supervision timeframe occasioned by work exigencies and primary data collection deadlocks, which he proficiently assisted to navigate.

I would like to acknowledge participants from the Peace and Security Division of IGAD South Sudan Office, Addis Ababa Ethiopia for making time to provide valuable input to the research. My appreciation is extended to Mr. Bruck Yohannes, Monitoring and Evaluation Officer in the aforementioned office for tirelessly handling correspondences and scheduling interviews with the respondents in Addis Ababa. I also recognize the efforts of Mr. Yohannes and Mr. Kagwe Mutahi of the IGAD Liaison Office to the AU to increase my pool of respondents.

To my family, you are and will always be my unparalleled support system. Mom, my hero, you desired and urged me to enroll for further studies and have gone on to be the shadow superintendent consistently attentive to my progress towards completing this project. Jackie Kemirembe, your friendship and eager support during the report compilation are treasured.

To God be the glory, above all.

LIST OF ABBREVIATIONS

AEC	African Economic Community
APRM	African Peer Review Mechanism
APSA	African Peace and Security Architecture
ARCSS	Agreement on the Resolution of the Conflict in the Republic of South Sudan
AU	African Union
AUC	African Union Commission
AUCISS	African Union Commission of Inquiry on South Sudan
CAAU	Constitutive Act of the African Union
CoHA	Agreement on Cessation of Hostilities
CPA	Comprehensive Peace Agreement
CSSDCA	Conference on Security, Stability, Development and Cooperation in Africa
CSOs	Civil Society Organizations
DDR	Disarmament, Demobilization and Reintegration
DRC	Democratic Republic of Congo
EU	European Union
HLRF	High-Level Revitalization Forum
ICC	International Criminal Court
IGAD	Inter-Governmental Authority on Development
IR	International Relations
ISS	Institute for Security Studies
JMEC	Joint Monitoring and Evaluation Commission
MVT	Monitoring and Verification Teams
NCP	National Congress Party
NEPAD	New Partnership for Africa's Development
OAU	Organization of African Unity
PSC	Peace and Security Council
RECs	Regional Economic Communities
R-ARCSS	Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan
R-JMEC	Reconstituted Joint Monitoring and Evaluation Commission
R-TGoNU	Revitalized Transitional Government of National Unity
SPLM	Sudan People's Liberation Movement
SPLM/A	Sudan People's Liberation Movement/ Sudan People's Liberation Army
SPLM-IG	Sudan People's Liberation Movement – in Government
SPLM-IO	Sudan People's Liberation Movement – in Opposition
SSFU	South Sudan United Front
TGoNU	Transitional Government of National Unity
UK	United Kingdom
UN	United Nations
US	United States
UNSC	United Nations Security Council

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ABSTRACT

“African Solutions to Africa’s Problems”, a slogan that currently informs Africa’s institutional and normative framework and policy positions on addressing the continent’s crises and advancing a vision for Africa’s renaissance, is increasingly gaining global appeal vis-à-vis burden-sharing and empowering developing countries to address regional problems via their unique capacities. At the same time the concept continues to arouse interest regarding its meaning and potential. To contribute to that discourse, this study examines the interpretation and operationalization of “African solutions to Africa’s problems” via the IGAD-led mediation of the South Sudan violent conflict that erupted in December 2013. The study kicked off with exploration of Pan-Africanism as the earliest organized and prominent manifestation of homegrown efforts as Africans rose up against white supremacy. It went on to review existing discourses on the import of the notion as well as its rationale in Africa’s governance and security architecture. These provided a backdrop for examining the notion in a specific case study. The research paper put forward two hypotheses: first that unity of purpose at the leadership level is a key determinant in the effective operationalization and realization of African solutions and second, that piecemeal implementation of the components of African solutions to Africa’s problems undermines the notion’s actualization and potential. The study, organized into six chapters, largely relied on secondary data backed up with modest primary data collected via semi-structured interviews. It employed the social constructivism theory to evaluate the motivation for African solutions to Africa’s problems, the hurdles to its operationalization and prospects of attaining its goals.

The study found out that the approach shifts agency to Africa and Africans to bear the primary responsibility for identifying and defining the problems that engulf the continent and its people as well as formulating and sponsoring suitable solutions that engender sustainable peace and development. The rationale for African agency is an edge in understanding the local context and the assurance of timely responses constructed from local and relatable values and capacities hence attracting commitment and ownership and guaranteeing reliability. The study also provided clarity on the location of foreign actors in homegrown initiatives by holding their involvement as essential considering the continent’s prevailing need for financial and even technical assistance but above all global interconnectedness. But while shared roots, history and aspirations for a common prosperous destiny have provided an impetus for African solutions; the inability to fashion a unity of purpose hampers the pursuit of a collective agenda on the continent. The value placed on national sovereignty and national and elite interests, paucity of visionary leadership, and limited political will to make space for and to facilitate evolution of and payoff from existing local capacities to mention some currently define the marginal viability of African solutions.

The IGAD-led undertaking in South Sudan reveals that African solutions are not simply isolated elements such as initiative or stewardship by Africans or merely an end product. Rather they are a process whose efficacy and positive impact build on multiple interlinked elements. Hence the recommendations presented pursuant to this study draw on the determination that the sources of the South Sudan conflict are known and that the conflict can be resolved using domestic mechanisms as long as there is an enabling environment. They propose a comprehensive conflict resolution approach (in terms of solutions and facilitators) along the peace-security-development pendulum that accrues peace dividends in the short-, mid- and –long terms.

Chapter One

Introduction and Background to the Study

Introduction

The establishment of the Organization of African Unity (OAU) in 1963 was a historic moment for Africa and the people of African descent apropos the objectives of Pan-Africanism. The OAU signified the institutionalization of Pan-Africanism on the continent and therefore a key milestone in its agenda: unifying Africans globally to fight for their freedom and dignity from slavery, colonialism, exploitation, marginalization and other degrading practices associated with white domination.¹ The OAU kept the Pan-Africanism spirit alive insofar as promoting solidarity and cooperation among Africans as a panacea to common challenges was one of its key aspirations. Under its auspices, Africans sought to exert authority over their social, economic and political affairs and to obtain the freedom necessary to consolidate peace, security and development.²

Whereas the OAU championed and succeeded at its main objective in the liberation struggle, it proved weak in advancing the peace, security and development agenda.³ Its constrained capacity was most conspicuous at the end of the Cold War with the upsurge of intra state conflicts and economic downturn at a time when the international community was seemingly indifferent to Africa's plight. The capacity of the United Nations (UN) was weakening as the interest of great powers in distant intricate conflicts diminished.⁴ Thus political and socio-economic upheavals at the

¹ Tim Murithi, "Institutionalising Pan-Africanism: Transforming African Union Values and Principles into Policy and Practice," *Institute for Security Studies Paper* 143 (4 June 2007)

² Tim Murithi, "From Pan-Africanism to the Union of Africa," *Global Policy Forum* (20 June 2007),

³ Monde Muyangwa and Margaret A. Vogt, *An Assessment of the OAU Mechanism for Conflict Prevention, Management and Resolution, 1993-2000* (New York: International Peace Academy, November 2000): 6.

⁴ Peter Jakobsen, "National interest, Humanitarianism or CNN: What triggers UN Peace Enforcement after the Cold War," *Journal of Peace Research* Vol. 33, No. 2 (May 1996); African Union, *Rwanda: The Preventable Genocide* (July 2000); UN Security Council, *Report of the Independent Inquiry into*

international and continental levels set the pace for a paradigm shift from reliance on external support and towards reform of the African peace and security architecture underlining continental responsibility for internal affairs.⁵

The African Union (AU) succeeded the OAU in 2002 determined to reinvigorate the ideals of Pan-Africanism institutionalized by its predecessor and to respond to the challenges of the new millennium with efficiency.⁶ The reformed architecture is modeled around the resolve by African states to assume responsibility for crises and conflicts on the continent, play a lead role in designing and implementing homegrown (African) solutions, promote partnership instead of paternalism with external (non-African) actors and in turn cultivate ownership and commitment to indigenous processes and outcomes.⁷ It also anticipates a more active and valued role in international affairs.⁸ The aspiration for homegrown approaches on the continent to the attainment of peace, security and development is embodied in the notion “African solutions to Africa’s problems”.⁹

However building the envisaged continental unity remains problematic and by extension the goals for which it is a conduit. Progress towards practical manifestations of Pan-Africanism is slow and erratic. Beyond ending colonialism and the apartheid regime, Africa is deficient of political leadership that is truly and consistently committed to spearheading societal transformation. While arguably a continent well

the Actions of the United Nations During the 1994 Genocide in Rwanda, S/1999/1257, 16 December 1999, https://www.globalpolicy.org/images/pdfs/Security_Council/report-independent-inquiry-rwanda-1999.pdf

⁵ Comfort Ero, “ECOWAS and the Subregional Peacekeeping in Liberia,” *Journal of Humanitarian Assistance* (25 September 1995), <https://sites.tufts.edu/jha/archives/66>

⁶ African Union, *African Union Handbook: A Guide for those Working With and Within the African Union*, (Wellington: African Union Commission and New Zealand Ministry of Foreign Affairs and Trade, 2014)

⁷ Solomon Dersso, “African Solutions to African Problems Should Be More Than Just a Cliché,” *Polity* (30 March 2012), www.polity.org.za/article/african-solutions-to-african-problems-should-be-more-than-just-a-clich-2012-03-30

⁸ Organization of African Union (OAU), *Constitutive Act of the African Union*, 2000, paragraph 4, 5, 6 and article 3 (i)

⁹ Kasaija Phillip Apuuli, “The AU’s Notion of ‘African Solutions to African Problems’ and the Crises in Côte d’Ivoire (2010-2011) and Libya (2011),” *ACCORD* (11 June 2012)

endowed with human and natural resources to steer it to economic self-sufficiency for all its peoples, it is the least economically developed continent. Non-African actors remain active in the continent's affairs not only in pursuit of their investments but also because of Africa's persistent dependence on external aid. Consequently the conundrum in which Africa finds itself in implementing the peace, security and development reforms is the quest to break free from dependency on the support of external actors while the reality on ground demands and/or attracts the very support. The ratings of African solutions to Africa's problems build on these challenges.

1.1 Statement of the Research Problem

The post-Cold War revival of African solutions to Africa's problems signified Africa's continuing desire to be in control of its affairs free of a fear of being abandoned in the hour of need or of being isolated or exploited by dominant powers. After the independence struggle, the post-Cold War challenges provided another point of convergence for African leaders about the utility of the ideal in what they considered to be appropriate responses to the menace of intra-state conflicts, under-development and the calculated involvement of Western powers. Henceforth continental declarations and agenda underscore that the remedy to Africa's plight lies in the solidarity of Africans to take primary responsibility to generate and implement African-oriented solutions to continental challenges. The impetus for solidarity supposedly draws from shared African roots, shared painful experience of imperialism and shared aspiration for a self-sufficient continent free from violent conflicts and one that is valued on the global scene. In practice however the envisaged unity, empowerment and self-reliance remain elusive thereby raising questions as to whether the above-mentioned commonalities are enough to rally the continent to a common agenda.

Beyond the robust institutional and normative frameworks as well as initiatives to address specific political and developmental crises on the continent prompted by African states under the auspices of the Africa's regional and sub-regional organizations with Africans as the frontline personnel, what else characterizes "African solutions to Africa's problems" and the extent of their projection in reality remain a subject of interest as illustrated by burgeoning studies. Many times Africa's unity in advocating for indigenous solutions and launching them has nosedived during implementation hence misgivings about the practical commitment to African solutions. The perception of the notion to mean exclusively Africans for Africa thereby alluding to self-sufficiency and ruling out cooperation with the rest of the world elicits questions as to whether there can be absolutely "African problems" and "African solutions" when considered in the context of an increasingly globalized world and also the reality wherein foreign actors remain actively engaged in crises management activities on the continent and which activities are significantly dependent on their resources. The modest impact of Western capacity building programmes and resources and the tendency to condition the support within their conflict management models and policies raise reservations about the international community's genuine endorsement of African solutions and also Africa's ability to regulate partnerships. These concerns shape the disparities in interpreting "African solutions to Africa's problems", obscurity about the concept and despondency about its viability.

The application of "Africa solutions to Africa's problems" has been more pronounced in the continental agenda for peace and security. Hence this study considered it a fitting focus area to interrogate the originators and executors along with the structures and processes that ostensibly express the African solutions for

amplification on the connotation of the ideal and the location of non-African actors and further, to explore additional aspects (if any) that depict African solutions beyond the explication in existing scholarship, to assess their potential and also to find out any constraints to its application. Against this background, the currency of the South Sudan conflict and the lead role of the IGAD in the peace efforts present an apt case for making the assessment and deductions.

1.2 Objectives of the Research

Using the IGAD-led mediation efforts in South Sudan conflict resolution efforts that commenced in 2013, this study sought to gain deeper insight of the meaning of the notion “African solutions to Africa’s problems” and the extent of its operationalization.

In order to make this inquiry and draw conclusions, the study set the following specific objectives:

- 1.2.1 To explore the rise and development of the notion of African solutions to Africa’s problems
- 1.2.2 To review the discourses on the notion of African solutions to Africa’s problems
- 1.2.3 To examine aspects of IGAD’s South Sudan mediation framework and practice that promote African solutions for Africa’s problems
- 1.2.4 To reflect on the prospects of the IGAD-led mediation efforts in South Sudan vis-à-vis the viability of African solutions to Africa’s problems

1.3 Research Questions

- 1.3.1 How did the notion of African solutions to Africa’s problems emerge and develop to its current formulation?

- 1.3.2 What are the obtaining discourses on the notion of African solutions to Africa's problems?
- 1.3.3 What aspects of IGAD's South Sudan framework and practice foster African solutions for Africa's problems?
- 1.3.4 What are the prospects of the IGAD-led mediation efforts in South Sudan apropos the viability of African solutions to Africa's problems?

1.4 Study Hypotheses

- 1.4.1 Unity of purpose at the leadership level is a key determinant in the effective operationalization and realization of African solutions
- 1.4.2 Piecemeal implementation of the components of "African solutions to Africa's problems" undermines the notion's actualization and potential

1.5 Study Justification and Significance

1.5.1 Academic Justification

The drive for African solutions to Africa's problems enjoys significant support if the robust normative and institutional frameworks are anything to go by. However challenges persist when it comes to its operationalization and appraisal. A contention in literary discourses is that a lack of convergence on what African solutions to Africa's problems mean and entail is a major bottleneck in the ideal's discourse in theory, its operationalization and evaluation of its viability.¹⁰ While it is put across as a key guiding principle in Africa's policy in a range of crosscutting issues, the expression still elicits questions such as who and what qualifies as "African"? Can there be exclusively "African problems" and "African solutions" in an interconnected

¹⁰ Guma Kunda Komey, Abdullahi A. Osman and Nolawi Melakedingel, *Operationalizing African-Led Solutions in Peace and Security: Case Studies from South Sudan and Somalia* (Institute for Peace and Security Studies Technical Report, March 2014): 6-8.

global system and intertwined conflicts? Would a feasible “non-African” solution to an African problem be disregarded simply because of its origin or inversely, accepted as long as Africans implement it? Does Africa have the capacity to handle its affairs alone? Could the African leadership be invoking the ideal as a shield from scrutiny and accountability? At an AU Summit in Addis Ababa in July 2012, Jean Ping, the then AU Commission chairperson said, “the solutions to African problems are found on the continent and nowhere else.”¹¹ Pronouncements such as these raise curiosity about the import of the notion.

Research built in local realities and by African scholars is instrumental to refining and generating an enhanced understanding of concept that in turn enables implementation and augments its utility.¹² In line with paragraph 19 of the Tripoli Declaration, academic researches such as this one provide a channel via which African solutions can be scrutinized and assessed in practical and distinctive African experience for aspects that are viable and those that require refining to attain a status that is both clear and adaptable to dynamic contexts and trends within and outside the continent.¹³ Henrietta argues that despite the enthusiasm about African solutions to Africa’s problems, it risks being an empty slogan unless homegrown research is stepped up to map continental realities in terms of the nature and dynamics of contemporary political and socio-economic issues, their causes and effects as well as the efficacy of existing responses.¹⁴ Therefore building on existing discourse and

¹¹ As quoted by Gabe Joselow, “AU Seeks Regional Response to Conflicts,” *VOA News*, 15 July 2012, https://www.voanews.com/a/au_seeks_regional_response_to_conflicts/1405037.html

¹² Remofiloe Lobakeng, “African Solutions to African Problems: A Viable Solution Towards a United, Prosperous and Peaceful Africa?” *Institute of Global Dialogue Occasional Paper 71* (October 2017): 7.

¹³ African Union, *Tripoli Declaration on the Elimination of Conflicts in Africa and the Promotion of Sustainable Peace Special Session assembly of the Union on the Consideration and Resolution of Conflicts in Africa*, SP/Assembly/PS/DECL (I), 31 August 2009

¹⁴ Henrietta Mensa-Bonsu, “African Solutions for African Problems: Where is the Research,” a keynote address delivered at the African Peacebuilding Network (APN) Grantee Training Workshop (Accra: LECIAD, University of Ghana, 27 June 2016), https://s3.amazonaws.com/ssrc-cdn1/crmuploads/new_publication_3/african-solutions-for-african-problems-where-is-the-research.pdf

knowledge consolidated herein, the goal of this research is to make a contribution to a better understanding and assessment of the notion through a scrutiny of a regional undertaking. Additionally such a research chimes with the ideal vis-à-vis building and expanding African knowledge and expertise to delineate clearly and coherently Africa's position, its norms and practices.¹⁵

Considering the time it has taken to develop the likes of the EU and the United Nations to the current value systems, this study acknowledges that the foundational paradigms for peace, security and development in Africa are still in the inchoate stage and under-studied. The research is projected to contribute to the data bank of research generated on the continent to advance academic knowledge of and inspire further discourse on the evolution of Africa's intergovernmental organizations. Conceptual clarity that this research aspires to contribute to is relevant to the academic fraternity in terms of scholarship on established tenets of African solutions to Africa's problems.

1.5.2 Policy Justification

Developments such as the new scramble for Africa for its natural resources and markets that has unfolded within the setting of globalization have implications in terms of sources or drivers of conflicts as well as their management on peace and security.¹⁶ As a source or a driver of conflict the discourse revolves around the power and resource inequalities attributed to deficiencies in governance and market reforms characterized by unfair trade policies. With regard to conflict management strategies external interventions are under the spotlight as designed primarily to protect

¹⁵ African Union Commission, *Agenda 2063: The Africa We Want* (Framework Document 2015); African Union, *Study on an African Union Government Towards the United States of Africa* (Addis Ababa: African Union, 2006)

¹⁶ Peter Kagwanja, "The Global Recession and the 21st Century Scramble for Africa: Effects on Africa's Security and Democratic Crisis," *Africa Policy Institute Working Paper Issue No. 1* (November 2007)

powerful states' strategic interests on the continent.¹⁷ Assessments of conflict trends in Africa predict an escalation in the number of fragile states owing to issues such as poor governance, youth unemployment and population inequality.¹⁸ To the extent that the UN Security Council (UNSC) remains disinclined to reform its power structure, timely and efficient externally forged responses to crises in Africa are not guaranteed¹⁹. These and other considerations put in perspective make the initiative by African states and peoples to take responsibility for peace, security and development issues on the continent as relevant today as it was when reforms to the continental intergovernmental organization gained momentum in the early 1990s. In the Agenda 2063, the AU aspires for a prosperous, peaceful and secure Africa driven by its people.

However the conceptual blurredness surrounding the notion of “African solutions to Africa’s problems” infringes on the nature of policies and programmes put in place to actualize African solutions and therefore realize continental objectives. Concrete construction, and consensus around the meaning and understanding, of any concept form the basic foundation for success in designing and implementing policies and projects and then monitoring and evaluating the outputs.²⁰ Furthermore in order to design and implement appropriate responses, government and institutional policy makers should be widely and regularly informed about the nature of conflicts, conflict

¹⁷ Margaret Lee, “The 21st Century Scramble for Africa,” *Journal of Contemporary African Studies* Vol. 24, No. 3 (September 2006); Belachew Gebrewold, “The Cynicism of African Solutions for African Problems,” *African Security* 3:2 (2010)

¹⁸ Fred Oluoch, “Poor Governance, Rising Urbanization and Youth Unemployment Increase Fragility Levels in Africa,” *East African*, 4 February 2014, <http://www.google.com/amp/www.theeastafrican.co.ke/news/2558-2192754-view-qsAMP-tdh1qx/index.html>

¹⁹ Madeleine O. Hosli, “Why is Change So Slow? Assessing Prospects for United Nations Security Council Reform,” *Journal of Economic Policy Reform* (18 April 2017), <http://www.tandfonline.com/doi/full/10.1080/17487870.2017.1305903>

²⁰ Dawit Yohannes, “Enriching the African-Centered Solutions Concept: Reflections on AU-Led Peace Support Operations in Sudan and Somalia,” in *African-Centered Solutions: Building Peace and Security in Africa*, ed. Sunday Okello and Mesfin Gebremichael (Addis Ababa: IPSS, 2016): 50-1; Komey, Osman and Melakedingel, op. cit.; Dersso, “African Solutions to African Problems Should Be More Than Just a Cliché,”

trends, actors and their roles as well as the continental and global orders in which homegrown initiatives operate and their impact. From this viewpoint, this research is instrumental in reviewing IGAD structures and practices for feedback on the connotation of African solutions from the field, strengths and weaknesses inherent in operationalization of the ideal as well as its bearing on peace, security and development on the continent. On the basis of the findings, it is anticipated that policy makers in state governments, IGAD, AU and other stakeholders will be better placed to formulate and dispense responsive policies wherein the roles of local and external actors are clearly defined and exerted so as to reflect the envisaged African solutions.

1.6 Theoretical Framework

This study seeks to build its inquiry of the advancement of “African solutions to Africa’s problems” in social constructivism. Without attempting to rehearse the entire script of the evolution of constructivism given the limited scope of this research, social constructivism in International Relations (IR) is a term that is traced to Nicholas Onuf.²¹ Constructivism has classical roots in other social science disciplines including philosophy and sociology notably the works of Emile Durkheim, Max Weber and Anthony Giddens.²² However as an approach in IR, constructivism gained significance during the Cold War. Mainstream IR theories had not anticipated and could not explain the possibility of related developments thus the turnaround in Soviet Union foreign policy and the accommodating Western response leading to the largely peaceful disintegration of Soviet Union along with the termination of the Cold War.²³

²¹ Nicholas Greenwood Onuf, *The World of our Making: Rules and Rule in Social Theory and International Relations* (Columbia: University of South Carolina Press, 1989)

²² John Gerard Ruggie, “What Makes the World Hang Together? Neo-Utilitarianism and the Social Constructivist Challenge,” *International Organization* Vol. 52, No. 4 (1998): 857-862.

²³ Thomas Risse-Kappen, “Ideas do not Float Freely: Transnational Coalitions, Domestic Structures, and the End of the Cold War,” *International Organization* Vol. 48, No. 2 (1994): 185-214; Stefano Guzzini, “A Reconstruction of Constructivism in International Relations,” *European Journal of international Relations* Vol. 6, No.2 (June 2000): 154-155.

Afterwards Alexander Wendt has been acknowledged for his significant contribution to the development of the epistemology. Still given the interest that social constructivism has generated since its emergence, it boosts extensive scholarship and therefore contributions of other scholars like Emmanuel Adler, Jeffrey T. Checkel, Friedrich Kratochwil, John Gerard Ruggie, Ted Hopf and Martha Finnemore to mention a few some of whose works are referred to in the discussion in this section.

A core argument of social constructivism is that international relations are “socially constructed” by human agents in their daily practices.²⁴ The actions and reactions of the agents are contingent upon their social environment and shared meanings that they assign to any given situation. Its approach varies from rationalist theories by holding that ideas and their inter-subjective knowledge, rather than the distribution of material power and/or rational-choice behavior of actors, shape and reshape the international system.²⁵ For social constructivists, material resources acquire significance and prompt action consistent with the social context in which they are evaluated and the shared meaning assigned to them.²⁶

Wendt provides a framework for the social constructions thus “by participating in collective meanings actors acquire identities that shape their interests and behavior”.²⁷ He goes further to illustrate that institutions depict identities and interests that are codified in formal rules and norms. Social constructivism holds relevant

²⁴ Emanuel Adler, “Seizing the Middle Ground: Constructivism in World Politics,” *European Journal of International Relations* Vol. 3, No. 3 (1997): 22.

²⁵ Robert Jackson and Georg Sorenson, *Introduction to International Relations: Theories and Approaches*, 6th ed. (Oxford: Oxford University Press, 2016): 164-166.

²⁶ Alexander Wendt, “Anarchy is What States Make of It: The Social Construction of Power Politics,” *International Organization* Vol. 46, No. 2 (Spring 1992): 396-399; Jeffrey T. Checkel, “The Constructivist Turn in International Relations Theory,” *World Politics* Vol. 50, No. 2 (January 1998): 326.

²⁷ Wendt, “Anarchy is what States Make of it: The Social Construction of Power Politics,” 397-8.

social structures and agents insofar as the two are considered mutually constitutive.²⁸ That is to say structures influence agents and the vice versa. From the constructivist perspective interests as well as their prioritization are neither similar nor static since they are socially constructed.²⁹ By extension, identities and behaviors of agents will inevitably be in a flux vis-à-vis the logic of appropriateness: what are deemed as appropriate outfit and action for particular identity and context.³⁰ Wendt holds that “institutions are fundamentally cognitive entities that do not exist apart from actors’ ideas about how the world works.”³¹ Indeed regional organizations have been characterized as forums of states in that their defining features ranging from structure, mandates to resources derive from member states.³² In this way agency becomes influential even in determining whether to facilitate optimal and efficient institutions and authoritative value systems.

Wendt identifies two constraints to transformation of identities and interests within the concept of cooperation.³³ First, it is an incremental and slow process wherein institutional transformation is incidental to the pursuit of other policies rather than a distinct purposeful endeavour. Second, “the evolution of cooperation story presupposes that actors do not identify negatively with one another”. Yet social systems deriving from shared understandings still have to contend with self-help systems in which self-interests and the distribution of power remain active. Stated

²⁸ Audie Klotz and Cecelia Lynch, *Strategies for Research in Constructivist International Relations* (New York: Routledge, 2015); Alexander E. Wendt, “The Agent-Structure Problem in International Relations Theory,” *International Organization* Vol. 41, No. 3 (1987): 355-61.

²⁹ Alexander Wendt, “Constructing International Politics,” *International Security* Vol.20, No.1 (Summer 1995): 80-1.

³⁰ James G. March and Johan P. Olsen, “The Logic of Appropriateness,” *Centre for European Studies ARENA Working papers* WP 04/09

³¹ Wendt, “Anarchy is What States Make of it: The Social Construction of Power Politics,” 399.

³² Laurie Nathan, “The Peacemaking Effectiveness of Regional Organisations,” *Crisis States Research Centre WorkingPaper* No. 81 (October 2010): 3, <http://www.lse.ac.uk/international-development/Assets/Documents/PDFs/csrc-working-papers-phase-two/wp81.2-peacemaking-effectiveness-of-regional-organisations.pdf>

³³ Wendt, “Anarchy is What States Make of it: The Social Construction of Power Politics,” 418-422.

otherwise cooperation from a social constructivism perspective is still vulnerable to calculations of rational actors. Collective understandings are not a sufficient guarantee for cohesive action in that whereas agents may pledge to act according to the collective norms, identities and interests; domestic and international politics among other factors oftentimes influence their decisions and actions.³⁴ Moreover Laurie Nathan advances the internal and external logic along with shared knowledge as essential and inter-connected components for entrenched effectiveness of regional organizations in spheres of cooperation.³⁵ While the external logic namely interests and objective conditions informs member states' attraction to joint ventures, the internal logic in the form of sufficient congruence in core values of members enables them to act with a common purpose in collaborative ventures albeit inter-state divergences, competing national interests and external pressures. Yet those values too are deemed a matter of choice by states vis-à-vis their centrality to their interests at any given time.

1.7 Gaps in Literature

Individual scholars and think tanks have made significant contributions to generating a working interpretation of the notion of "African solutions to Africa's problems". However accessible data tend to focus on operational challenges to realization of African solutions with generalized and rudimentary coverage of the applied elements and intricacies of the processes that can be described as "African solutions". There is a dearth of information about practical advances towards a society-centered approach envisaged by the ideal. There is a need to subject the interpretations advanced to various and novel empirical studies to test the validity of

³⁴Adler, op.cit. 339.

³⁵Nathan, "The Peacemaking Effectiveness of Regional Organisations,"

any of the meanings and arguments with the objective of eventually arriving at a concrete and operational definition.

The perspectives in literature review capture the slow progress towards continental integration along with realization of specific goals such as Africa's primary responsibility and lead role in peace, security and development undertakings on the continent. Beyond funding and capacity building activities, there is limited concise information on how external actors locate themselves in Africa's peace and security issues and influence the course of conflict resolution initiatives to reinforce or undermine emergence of African solutions. In its assessment of the 2011-2015 IGAD Regional Strategy, IGAD admits an absence of a comprehensive policy and strategy for governing partnerships and further, lack of concise information to assess its achievements including with regard to partnerships.³⁶ By bridging this gap it will be possible to boost a better understanding of the ideal including how local actors collaborate with external actors and their capacity to address the challenges that come with such partnerships and in turn remain alive to the objectives of the ideal.

1.8 Research Methodology

1.8.1 Case Study

This is a qualitative research that employed a case study methodology to meet its objectives. Qualitative research assumes that reality can exist in multiple ways and can be understood in different ways hence a need for an in-depth understanding of social organization within society and reasons that govern such behavior.³⁷ Helena Harrison et.al conclude that the versatility of a case study allows for collation of data

³⁶ IGAD, *IGAD Regional Strategy Volume 1: The Framework* (Djibouti: Information and Documentation Section IGAD Secretariat, 2016)

³⁷ Abel Gitau Mugenda, *Qualitative Research Methods* (Nairobi: Applied Research & Training Services, 2013), 8.

to respond to why, how and what research questions and assists a researcher to explore, explain, describe, evaluate and theorize about complex issues in context of which can lead to a deep understanding of behaviors, processes, practices and relationships.³⁸

The approach and methodology choices were advised by the research problem that aspired an enhanced understanding of the “African solutions to Africa’s problems” as an ideal and to assess its prospects in peace and security taking into consideration the context in which the ideal gained popularity. The case study was the entity defined as IGAD and its area of coverage in terms of state membership but targeting a specific undertaking that is mediation under the auspices of IGAD of the South Sudan conflict that commenced in 2013. The AU and the APSA are the institutional expression of the ideal. The Regional Economic Communities (RECs) including IGAD, being the building blocs of the APSA, play a critical role in shaping the expression of the ideal and bringing it to reality via implementation.

A focus on IGAD’s role in the ongoing South Sudan conflict intended to direct resources to an in-depth scrutiny. The IGAD mediation process in South Sudan is a task that builds on its greater Sudan peace efforts.³⁹ IGAD was instrumental to the mediation of the Sudan conflict and signing of the 2005 Comprehensive Peace Agreement (CPA) that provided for the self-determination of southern Sudan. Still, in assessing the reach of African solutions to Africa’s problems, some studies contend that IGAD is yet to demonstrate the stewardship envisaged in that although the peace

³⁸ Helena Harrison, Melanie Birks, Richard Franklin and Jane Mills, “Case Study Research: Foundations and Methodological Orientations,” *Qualitative Social Research* Vol. 18 (1), article 19 (January 2017)

³⁹ Sally Healy, “Peacemaking in the Midst of War: An Assessment of IGAD’s Contribution to Regional Security in the Horn of Africa,” *Crisis States Research Centre Working Papers Series 2*, 59 (2009): 4, www.eprints.lse.ac.uk/28482/1/WP59.2.pdf. John Young, “Sudan IGAD Peace Process: An Evaluation,” *Sudan Tribune*, May 2007: 43, www.sudantribune.com/IMG/pdf/Igad_in_Sudan_Peace_Process.pdf

efforts are portrayed as led and concluded on the strength of IGAD, in reality the veiled influence of external actors undercuts African agency.⁴⁰ IGAD's current undertaking in South Sudan is different but connected to the 2005 peace process in several ways and therefore has an element of continuity wherein the foregoing critique was revisited in trying to establish the location of non-African actors in the search for African solutions. Vis-à-vis the political, economic, social and cultural diversities among IGAD member states, the case study provided an opportunity to assess how they influence member states' commitment to advancing collective interests.

The research project was time bound and its conclusion did not necessarily correspond with termination of the mediation proceedings and outcome. This means that it focused on the process rather than the end product.

1.8.1.1 Origin and Root Causes of the South Sudan Conflict

Much of the scholarship has situated the root of South Sudan's instability in foreign occupation and colonial rule in the old "greater" Sudan.⁴¹ Kumsa locates the onset of the greater Sudan's conflict in the XVIII and XIX centuries.⁴² Starting with the expansion of Arab-Islamic power and culture when the Bedouin Arabs appeared in the country from 1504 to the slave raids in southern Sudan that thrived following the Turk-Egyptian conquest on to the Mahdist and Anglo-Egyptian administrations, the southerners' experience was that of forced assimilation into the Arab-Islam faith and culture coupled with oppression and degradation.

⁴⁰ Aleksy Ylönen, "Security Regionalism and Flaws of Externally Forged Peace in Sudan: The IGAD Peace process and its Aftermath," *ACCORD* (7 July 2014)

⁴¹ Savo Heleta, "Roots of Sudanese Conflict are in the British Colonial Policies," *Sudan Tribune*, 13 January 2008, <http://www.sudantribune.com/Roots-of-Sudanese-conflict-are-in.25558>

⁴² Alemayehu Kumsa, "South Sudan Struggle for Independence and its Implications for Africa," *RUDN Journal of Sociology* 17, No. 4 (2017): 514-515.

The British administration disfavored the southern part of the country in relation to political, economic and socio-cultural development.⁴³ The southerners were under-represented and also had negligible influence in crucial issues pertaining to the South in particular and Sudan in general given that they were a minority who also lacked the requisite skills to hold their own.⁴⁴ The devolution of powers to local tribal chiefs could not effectively resolve the region's underdevelopment in the absence of capacity building for southerners in matters administration and politics in general.⁴⁵ Instead the British "indirect rule" policy soured interactions amongst various ethnic groups in the South as it engendered ethnicity as a privilege in administration. The colonial period entrenched the practice of power and resource rewards for loyalty or as a tactic of destabilizing opponents. This in turn fuelled divisions that bred new conflicts among the southerners to the advantage of the northerners as some tribal leaders and groups pursued self-serving interests. Badal summarizes that the "Southern Policy...failed to instill in the Southerner a feeling of belonging to something bigger and higher than the tribe."⁴⁶

The exclusion and marginalization of the South continued after Sudan's independence in 1956. The combined grievances triggered the southern rebellion that started with a mutiny of southern army officers in 1955.⁴⁷ The first Sudan civil war (1955-1972) ended with the signing of the Addis Ababa Agreement that granted

⁴³ Abdel Ghaffar Mohamed Ahmad, "Sudan Peace Agreements: Current Challenges and Future Prospects," *Chr. Michelson Institute Sudan Working Paper No. 1* (2010): 2-5.

⁴⁴ Scopas S. Poggo, *The First Sudanese Civil War: Africans, Arabs and Israelis in Southern Sudan, 1955-1972* (New York: Palgrave Macmillan, 2009), 33-39; David Nailo N. Mayo, "The British Southern Policy in Sudan: An Inquiry into the Closed District Ordinances (1914-1946)," *Northeast African Studies New Series* 1, No. 2/3 (1994): 180-181.

⁴⁵ Poggo, op.cit. 22-24.

⁴⁶ Raphael Koba Badal, "British Administration in Southern Sudan, 1900-1956: A Study of Colonial Neglect," Doctor of Philosophy Thesis, University of London (1977): 158, <https://eprints.soas.ac.uk/29707/1/10752679.pdf>

⁴⁷ Poggo, op.cit. 21- 48; Øystein H. Rolandsen, "A False Start: Between War and Peace in Southern Sudan, 1956 - 62," *Journal of African History*, 52/1 (2011): 108-111.

significant regional autonomy to southern Sudan.⁴⁸ The second civil war that started in 1983 was a reaction to President Jafaar Nimeiri's repudiation of the Addis Ababa Agreement and move to impose Sharia law across Sudan to foil decades of southerners' resistance to cultural and religious assimilation attempts by outside forces.⁴⁹ This was besides the continuing disquiet about persisting political and economic inertia of the South.⁵⁰ The discovery of crude oil in the South created another point of struggle for control by the two sides that went on to sustain the conflict for decades.⁵¹ The war ended with the signing of the CPA of 2005.

Away from the framing of the first and second civil wars as a North-South problem, Arab-African and Muslim-Christian divide; conflicts have existed among various southern Sudanese ethnic groups, not only as neighbours in their territorial spaces disputing over land use rights between pastoralist and agrarian communities but also within the liberation movements and political organizations that they have formed, divided and consolidated during the civil wars to the present. Furthermore, in the pre-colonial southern Sudan, slave merchants' alliances with certain southern ethnic groups and individuals to facilitate raids strained relationships for instance between the Dinka and the Nuer.⁵²

1.8.1.2 Dynamics of the Conflict post the CPA

Subsequent to the CPA, the administration of the South as an autonomous region and then as an independent state following the southerners' overwhelming support for secession in 2011 revealed internal grievances and social fragmentation

⁴⁸ Stephanie F. Beswick, "The Addis Ababa Agreement: 1972-1983 Harbinger of the Second Civil War in the Sudan," *Northeast African Studies* 13, No. 2/3 (1991)

⁴⁹ Gabriel R. Warburg, "The Sharia in Sudan: Implementation and Repercussions, 1983-1989," *Middle East Journal* 44, No. 4 (Autumn 1990)

⁵⁰ Beswick, op.cit. 211.

⁵¹ Clement Sefa-Nyarko, "Civil War in South Sudan: Is It a Reflection of Historical Secessionist and Natural Resource Wars in "Greater Sudan," *African Security* 9, No. 3 (2016): 16-21.

⁵² Stephanie Beswick, *Sudan's Blood Memory: The Legacy of War, Ethnicity, and Slavery in Early South Sudan* (Rochester, New York: University of Rochester Press, 2004)

among and within southern Sudanese communities that had been suppressed for the sake of a common denominator thus self-determination. Tribal conflicts have been reported in the region since 2006.⁵³ Capitalizing on easy accessibility of weapons courtesy of ample circulation during the civil wars, augmented by the government and the opposition arming of their supporters as well as sales by organized forces to name a few, armed militias sprang up often along ethnic lines to protect group interests including resources and power and for revenge attacks.⁵⁴ Disarmament, Demobilization and Reintegration (DDR) programmes have been poorly coordinated and largely abortive, often sparking renewed confrontations among communities and against the authorities due to endemic distrust between communities and also the state and the society.⁵⁵ In that context it has gradually become a norm to manipulate and capitalize on tribal animosity to bolster power bases and brunt of parties to, and individuals in, conflicts while the underlying sources of inter- and intra-tribal conflicts are overshadowed and remain unresolved.⁵⁶

The CPA was brokered between National Congress Party (NCP) - the ruling party at the time and Sudan People's Liberation Movement/ Sudan People's

⁵³ Gunnar M. Sorbo, "Local Violence and International Intervention in Sudan," *Review of African Political Economy* 37, No. 124 (June 2010); Internal Displacement Monitoring Centre, "Sudan: Rising Inter-Tribal Violence in the South and Renewed Clashes in Darfur Cause New Waves of Displacement," 27 May 2010, 17-18, <https://www.refworld.org/pdfid/4bfe5d332.pdf>; Piok Mabil Kachuol, "Managing Ethnic Conflicts in South Sudan: A Case Study of Jonglei State (2011-2013)," Master of Arts Degree in International Relations Thesis University of Nairobi (2014), 16-21; http://erepository.uonbi.ac.ke/bitstream/handle/11295/77022/Kachuol_managing%20ethnic%20conflicts%20in%20south%20sudan.pdf?sequence=4; International Crisis Group, "Jonglei's Tribal Conflicts: Countering Insecurity in South Sudan," 23 December 2009, <https://www.crisisgroup.org/africa/horn-africa/south-sudan/jonglei-s-tribal-conflicts-countering-insecurity-south-sudan>

⁵⁴ Sara Skinner, *Civilian Disarmament in South Sudan: A Legacy of Struggle* (Saferworld, February 2012): 5-7.

⁵⁵ Internal Displacement Monitoring Centre, "Sudan: Rising Inter-tribal Violence in the South and Renewed Clashes in Darfur Cause New Waves of Displacement," 18-19; Safer World, "Civilian Disarmament in South Sudan: A Legacy of Struggle," February 2012, <https://www.saferworld.org.uk/resources/publications/637-civilian-disarmament-in-south-sudan>; Gatwech Ruot Nyoat, "The Case of Disarmament in South Sudan," *Beyond Intractability* (December 2013)

⁵⁶ Lauren Hutton, *Blurring the Lines: Ethnicity, Governance, and Stability in South Sudan* (Washington DC: Africa Center for Strategic Studies, May 2018)

Liberation Army (SPLM/A) - a rebel movement championing southern Sudan's interests and right to self-determination then. Until 2005, SPLM/A had successfully managed to rally the support of the southerners behind it despite internal and external challenges to its legitimacy base and structural organization that had beleaguered its history.⁵⁷ At the conclusion of the CPA fault lines within SPLM resurfaced. The party is plagued by a dearth of requisite organizational and institutional capacity and commitment to state- and nation-building.⁵⁸ It has struggled to transform itself from an armed insurgency into a liberation movement then into a people's government.⁵⁹ The government has maintained a military outlook both in terms of its composition and in the management and discharge of its functions with the state authority "heavily centralized within the executive branch."⁶⁰ The ruling party hardly worked on fostering intra-party and national cohesion and/or taking other measures towards attaining the goals for secession pertinent to ending the cycle of violent conflicts and attaining sustainable peace. The events surrounding the SPLM Split and the Bor massacre continue to have a bearing on relations within the party.⁶¹ Within the executive, the problematic working relationship between President Salva Kiir Mayardit and Dr. Riek Machar Teny, his Vice President, and also with other

⁵⁷Richard Barltrop, "Leadership, Trust and Legitimacy in Southern Sudan's Transition After 2005," *UNDP Global Event Working Paper* (2010), 4, <https://www.undp.org/content/undp/en/home/librarypage/capacity-building/leadership/leadership-trust-and-legitimacy-in-southern-sudan-transition-after-2005.html>; Paula Cristina Roque, "Reforming SPLM: A Requisite for Peace and Nation Building," *Institute for Security Studies Policy Brief* 63 (August 2014): 4-6.

⁵⁸ African Union, *Report of the Chairperson of the Commission on the Situation in South Sudan*, Peace and Security Council 411th Meeting PSC/AHG/3(CDXI), Banjul, 30 December 2013, <https://www.peaceau.org/en/article/report-of-the-chairperson-of-the-commission-on-the-situation-in-south-sudan-411th-meeting-of-the-peace-and-security-council>

⁵⁹ International Crisis Group, *Politics and Transition in the New South Sudan* (International Crisis Group Africa Report No. 172, 4 April 2011); Lauren Hutton, *South Sudan: From Fragility at Independence to a Crisis of Sovereignty* (Clingendael Institute, 2014): 10-12; African Union, *Final Report of the African Union Commission of Inquiry on South Sudan* (African Union: 15 October 2014): 58-67, 97-100.

⁶⁰ Kate Almquist Knopf, "Fragility and State-Society Relations in South Sudan," *African Center for Strategic Studies Research Paper* No. 4 (September 2013); Hutton, *South Sudan: From Fragility at Independence to a Crisis of Sovereignty*, 12-13.

⁶¹ African Union, *Final Report of the African Union Commission of Inquiry on South Sudan*, 19.

influential ruling party officials throughout the interim period and after independence signaled to an imminent implosion.⁶²

The government has struggled to establish its control across the country and to deliver public goods the basic of which is security.⁶³ Different insurgent groups have kept emerging to fill the gap especially in rural areas. To minimize challenges to its authority and relevance, SPLM has maintained the practice of stamping out dissention through coercion or co-option using various tactics including neo-patrimonialism, wealth transfers, ethnic and regional mobilization no different from NCP.⁶⁴ The strategy has been detrimental vis-à-vis peace-, state- and institutional-building in view of convoluted and inflated government payroll, weak social fabric and diverted agenda to self-preservation at the expense of improving livelihoods of the electorate.

Besides fractures internal to South Sudan, the interests and role of the international community have significantly contributed to persistence of the conflict. Sudan, Uganda, Eritrea and Egypt have been spotlighted for undermining efforts to stabilize South Sudan by supporting of rebel factions and proxy wars in the country through supply of weapons and even deployment of troops for strategic security and economic interests.⁶⁵ Subsequent to the signing of the CPA, the North and the South were to negotiate contested border areas and oil revenue issues. However to the extent that both sides have continued to lay claim on the vital resources and are reluctant to

⁶² Ibid. 21-22.

⁶³ Bertelsmann Stiftung, *BTI 2018 Country Report – South Sudan* (Gütersloh: Bertelsmann Stiftung, 2018): 6-8.

⁶⁴ Clemence Pinaud, "South Sudan: Civil War, Predation and the Making of a Military Aristocracy," *African Affairs* 113/451 (2014); Alex de Waal, "When Kleptocracy Becomes Insolvent: Brute Causes of the Civil War in South Sudan," *African Affairs* 113/452 (2014); Justine Fleischer, "Spoils of War, Spoilers of Peace: Changing the Calculus of South Sudan's Deadly Conflict," *Enough Project* (September 2014): 9-12.

⁶⁵ Deutsche Welle, "Uganda's Double Game in South Sudan Civil War Revealed," 29 November 2018, <https://amp.dw.com/en/uganda-double-game-in-south-sudan-civil-war-revealed/a-46500925#aoh>; Magnus Taylor and Casie Copeland, "From Conflict to Cooperation? Sudan, South Sudan and Uganda," *International Crisis Group* (20 June 2016), <https://www.crisisgroup.org/africa/horn-africa/south-sudan/conflict-cooperation-sudan-south-sudan-and-uganda>; Luka Kuol, *Navigating the Competing Interests of Regional Actors in South Sudan*, (Washington DC: Africa Center for Strategic Studies, May 2018)

cede control, adding internal upheavals in both countries, cross-border issues are outstanding and have been a source of violent clashes between the two countries.⁶⁶

On its part, IGAD acknowledges that a myriad of issues outlined above define the conflict in South Sudan but a respondent is also of the view that all the problems that the country is grappling with narrow down to a leadership deficit.⁶⁷

1.8.2 Data Collection

A combination of primary and secondary data collection methods was employed towards completion of this study. Documentary research partly contributed to primary data collection whereby official documents of the AU were reviewed for information pertaining to the evolution, structure and development of the APSA and further, to provide foundational insight into the meaning of and aspirations for “African solutions to Africa’s problems”. The methodology extended to the appraisal of IGAD peace and security activities around the research topic in the Horn of Africa generally and more elaborately in the current South Sudan conflict. The documents relied upon here include accords, charters, reports, communiqués, resolutions and press releases. Similarly pronouncements of governments and institutions representing external actors were considered.

Semi-structured interviews were another source of primary data. Potential respondents were isolated on the basis of their knowledge, expertise and/or experience in the IGAD-led peace efforts in South Sudan and the APSA overall given the nature and objectives of the research added practicability consideration. Therefore purposive sampling was applied to pick respondents. It was combined with snowballing technique that was projected to assist the researcher to overcome the

⁶⁶ Marina Ottaway and Mai El-Sadany, “Sudan: From Conflict to Conflict,” *Carnegie Endowment for International Peace* (16 May 2012)

⁶⁷ Author interview with respondent 1 from IGAD South Sudan Office, Addis Ababa Ethiopia, 26 September 2019

inadequacy of the initial pool of respondents with required expertise. The researcher aspired to use the multiplier effect to marshal respondents from the AU and IGAD Peace and Security divisions and member states' representatives from relevant ministries, think tanks such as the Institute for Security Studies (ISS) and the Sudd Institute, embassies and representations for various foreign states and international organizations that are involved in peace and security activities in the IGAD region. Considering the society-centric approach envisaged by the ideal, the researcher intended to obtain the input of civil society organizations (CSOs) including faith based organizations (FBOs) active in the South Sudan mediation process and also civilians to the extent possible.

Unfortunately most of the identified respondents backed out of interviews without explanation. Other referrals were unwilling to participate on grounds that they were ill placed to comment on the area of study. Even then the research had anticipated such limitations drawing from informants' profile and also possible confidentiality provisions and sensitivity considerations. Given those challenges the researcher only managed to conduct interviews with four IGAD officials (three from the IGAD South Sudan Office and one from the Somalia Office) in Addis Ababa Ethiopia on 26 September 2019. The direct interviews proceeded on a questionnaire with open-ended questions that allowed participants to present their observations and perceptions from whence the researcher made follow-up questions as needed. In this report the identities of the participants have been withheld. Attempts to get interviews with regional governments and international players were unsuccessful. It was not possible for the researcher to collate data from inside South Sudan or from the South Sudanese community in the IGAD region or elsewhere due to various reasons

including financial and time constraints to completing such an undertaking added the restrictions imposed in the wake of the COVID-19 pandemic.

The study deferred significantly to secondary sources of information to make up for the deficit in direct interviews. Notably few respondents who could not afford an interview referred the researcher to their articles and commentaries. Other sources were academic researches, books, reports, periodicals, newspapers articles and opinions, published and unpublished data. The dearth of respondents and other challenges highlighted above impact the representativeness and conclusiveness of overall findings and conclusions. However in order to enhance validity and reliability of the information, the researcher employed multiple data collection methods as set out above among other triangulation measures.⁶⁸ Crosschecking assorted sources reporting on the same issue for comparison of the details also served as a credibility assessment tool. Indeed besides the room to combine different data collection techniques, the other advantage of qualitative research is the possibility to define and redefine the research methodology in the course of the study.⁶⁹

1.8.3 Data Analysis and Presentation

The study used inductive approach of qualitative data analysis to examine and interpret the data assembled from the primary and secondary data sources. Inductive reasoning entails detailed systematic, often multiple, readings of raw data to derive concepts, categories or themes guided by research objectives.⁷⁰ To begin with, the researcher went through the data collected from documents and interviews including transcribing hand written responses and audio recordings from respondents with a view of reducing it to organized and manageable content. The data was then analyzed

⁶⁸ Bedrettin Yazan, "Three Approaches to Case Study Methods in Education: Yin, Merriam, and Stake," *Qualitative Report* Vol. 20, No. 2 (2015): 146-147.

⁶⁹ Mugenda, op.cit. 9.

⁷⁰ Ibid. 85-6.

for potential themes, patterns and categories. The emerging themes, patterns and categories were assigned by their responsiveness to research questions. The researcher then interpreted the classifications and incorporated the deductions in the relevant chapters and sections of a final report in a descriptive/explanatory narrative. For the most part the researcher paraphrased the respondents' views while guarding against distortion as much as possible but has also included exemplars with the most relevant precise information. The interpretations and conclusions drawn are based on the researcher's subjective interpretation of information available for consideration in the duration of the study.

1.9 Chapter Outline

This study is organized into six chapters:

Chapter One: In this chapter the researcher defined the research problem and also delineated the broad and specific contexts from which the research problem derives. The chapter also outlines the significance of the study and sets out the research design including the research objectives/questions, the theoretical framework that guided the study and the research methodology. In this section background information on the history, sources of the conflict, the actors and trajectory of the South Sudan conflict, being the setting of the study, is provided.

Chapter Two: This chapter delved into the context in which the notion of African solutions for Africa's problems gained prominence namely Pan-Africanism, the structures in which Pan-Africanism has been expressed, driving forces to their transformation and challenges inherent in advancing its agenda that ultimately project in the problematic manifestation of domestic responses.

Chapter Three: The chapter narrowed down to a specific discussion of the genesis and rationale for "African solutions to Africa's problems". Further it explored

existing academic and policy discourses on the significance of the ideal. This provided a background against which to discover and appraise its practical application vis-à-vis searching conceptual clarity and prospects in the subsequent sections.

Chapters Four and Five: They comprise a detailed interrogation of IGAD's mandate, mediation framework, process and progress for IGAD's interpretation of "African solutions to Africa's problems" and the extent to which it reflects in the ongoing peace efforts. The involvement of international partners and the bearing of their input on the search for homegrown solutions were also covered therein. Note that chapter five is essentially a continuation of chapter four, a split that was necessitated by the expanse of the area of study.

Chapter Six: The chapter presents the summary, conclusions and recommendations that essentially respond to the prospects of the IGAD-led mediation efforts in South Sudan apropos the viability of "African solutions to Africa's problems".

Chapter Two

Pan-Africanism as the Earliest Manifestation of African Solutions to Africa's Problems

Introduction

The quest for self-emancipation by people of African descent predates modern day agitation by state and non-state agents for Africans to take the lead in continental affairs and to influence global affairs of interest to the continent. The Pan-African movement instigated the struggle against racial discrimination, oppression, material deprivation and exploitation associated with slavery and colonialism. Subsequent to the lull that followed the attainment of independence and the end of apartheid rule on the continent, the call for “African solutions to Africa’s problems” shot to prominence in the post-Cold War order as a rallying call for the continent to take charge of new challenges it was grappling with in a changing global order. Today, Africa’s apex organization (the AU) and sub-regional blocs as well as Africa’s states invoke the Pan-African vision in their policies in the continuing search for solidarity, emancipation, self-reliance and self-sufficiency. Yet with the clamor for Africa’s primary responsibility and ownership for its affairs embodied in the notion, the scorecard on advancing the Pan-African vision provides a lens through which to gauge whether the ambition is achievable especially when considered in the backdrop of the journey towards continental unity and integration. This chapter explores the rise and motives of Pan-Africanism and progress in attaining its vision for Africa that all together provide a foundation for understanding the import of the notion as well as evaluating its advancement, its potential and constraints.

2.1 The Search for African Unity and Independence: Origin and Rationale

Pan-Africanism can be said to be the earliest expression of “African solutions to Africa’s problems”. Therefore a review of its trajectory is an appropriate point of departure in examining “African solutions to Africa’s problems” in line with the primary objective of this study. The precise beginnings of early Pan-Africanism are shrouded in complexities.⁷¹ However Esedebe attempts a discovery by locating the onset of Pan-Africanism in the New World in the period when ideas informing the movement picked momentum thus the decades following the American Declaration of Independence.⁷² The movement was stirred by the maltreatment of the Negroes and racial doctrines in the era of abolitionism. It also found expression in the independent African church movement called *Ethiopianism* as well as in protests and revolts against the activities of colonizing Europeans.⁷³ Esedebe as well as Adi and Sherwood document the African Association that was founded in London in 1897 as the onset of organized Pan-African movement.⁷⁴ Subsequently the Pan-African spirit proliferated in various parts of Europe in the 19th century initially spearheaded by the African-Caribbean and African-American diaspora. By 20th century leading Pan-Africanists including Henry Sylvester Williams, Marcus Garvey, W.E.B. Du Bois, C.L.R. James and George Padmore among others had joined forces with the ambition of uniting people of African descent to resist all forms of racism and practices such as slavery that tagged them as inferior and ultimately to “secure civil and political rights for

⁷¹ George Shepperson, “Pan-Africanism and “Pan-Africanism”: Some Historical Notes,” *Phylon*(1960-) Vol. 23, No. 4 (1962): 354.

⁷² P.O. Esedebe, “Origins and Meaning of Pan-Africanism,” *Présence Africaine Nouvelle Série*, No. 73 (1970): 111.

⁷³ Ibid. 111-120; Mammo Muchie, Phindile Lukhele-Olorunju and Oghenerobor Akpor, eds., *The African Union Ten Years After: Solving African Problems with Pan-Africanism and the African Renaissance* (Pretoria: Africa Institute of South Africa, 2013), v-vi.

⁷⁴ Hakim Adi and Marika Sherwood, *Pan-African History: Political Figures from Africa and Diaspora Since 1787* (London: Routledge, 2003), viii.

Africans and their descendants throughout the world”.⁷⁵ The International Conference of Negro Workers held in Hamburg Germany in 1930 is recorded as the first Pan-African gathering with a concrete programme thus condemning exploitation and oppression under capitalist imperialist regime.⁷⁶ It demanded an end to imperialism and for independence and self-determination of all colonies. From 1900-1945 a series of Pan-African conferences were held around Europe and in America to propagate the agenda and rally masses to the cause.

After 1945 the epicenter for Pan-Africanism shifted to Africa with the late Dr. Kwame Nkrumah playing a key role in the struggle against colonial rule not only in Gold Coast (later renamed Ghana) but also for the entire continent. He was convinced that Ghana’s independence was material only if linked to the total liberation of the African continent.⁷⁷ Along with other continental African leaders such as Sékou Touré of Guinea, Banar Abdel Nasser of Egypt, Kenya’s Jomo Kenyatta, Léopold Senghor of Senegal, Tanzania’s Julius Nyerere and Ali Ben Bella of Algeria, Nkrumah propelled his dream to the formation of the OAU on 25 May 1963.

Pan-Africanism has stirred a lot of interest among scholars, philosophers and historians. Still as an ideal, it does not lend itself to one single definition given that from its advent, it has taken on different nuances depending on the historical moment, geographical location, context of application and the writer’s perception.⁷⁸ However a convergence for the different manifestations rests at the belief that Africans across the globe have a common history and destiny and therefore the power to address the challenges they face, whether political, socio-economical, cultural or religious; and to attain their aspirations lies in their African identity and solidarity. Pan-Africanism

⁷⁵ Ibid, viii.

⁷⁶ Hakim Adi, “Pan -Africanism and the Politics of Liberation” (3 May 2005), www.africanholocaust.net/pan-african-liberation

⁷⁷ Kwame Nkrumah, *Africa Must Unite*, (New York: Frederick A. Praeger, 1963), 136.

⁷⁸ Esedebe, op. cit. 109-110; Adi and Sherwood, op. cit. vii.

perceives fragmentation among Africans as the Achilles' heel that makes them vulnerable to paternalistic relationships wherein local ownership and independence for their resources and affairs are usurped.⁷⁹ Tim Murithi concludes that the African chapter of Pan-Africanism seeks to unite Africans to respond to Africa's underdevelopment, exploitation and a culture of dependency on external assistance that pervades the continent.⁸⁰

2.2 Debates over the Approach to Continental Unity

Attaining unity and solidarity of the Africans, reclaiming their identity, dignity and freedom as well as fostering self-development and reliance are major goals of Pan-Africanism insofar as they are believed to be crucial to Africa and Africans overcoming oppression, exclusion and domination by external powers. From the moment Pan-Africanism as a movement and an ideal started picking momentum, the flag bearers made unifying all the players and advocating for solidarity a priority. When the Pan-Africanism campaign entered Africa, continental unity was a key agenda. Nkrumah believed that the unity of Africans was an urgent and essential foundation for the continent's political, economic and social emancipation.⁸¹ From 1957-1966 Nkrumah staged an unwavering campaign for a political unity. He advocated for a political union with a common defense system among other shared continental institutional infrastructure at the outset asserting that a piecemeal approach to unity would be susceptible to external pressures and interferences.⁸² Vis-à-vis the continent's natural resource endowment in contrast with high poverty levels of her people while the Western world flourished on those resources, he believed that

⁷⁹ Murithi, "Institutionalising Pan-Africanism: Transforming African Union Values and Principles into Policy and Practice," *Institute for Security Studies Paper* 143 (4 June 2007): 2.

⁸⁰ Ibid.

⁸¹ Nkrumah, *Africa Must Unite*.

⁸² Kwame Nkrumah, "We Must Unite Now or Perish," a speech delivered at the OAU Summit of Heads of State and Government (Addis Ababa, 24 May 1963), <https://newafricanmagazine.com/3721/4/>

political integration was indispensable to spearheading Africa's economic recovery, stabilization and global competitiveness.⁸³

Despite the consensus on the centrality of continental unity in their cause, fundamental differences among Africa's emerging leadership about the path to achieving the unity and its embodiment would define its course. Nkrumah's idea of expeditious amalgamation of state political powers into a union government for Africa did not appeal to all Africa's state leaders. The different perceptions and resistance to or acquiescence with his approach to unification of the continent were reflected in three main rival blocs thus Casablanca, Monrovia and Brazzaville (eventually subsumed in the Monrovia bloc) among other competing initiatives.⁸⁴ The Casablanca approach, that was in essence Nkrumah's radical package, advocated for immediate political integration to overcome the divisions brought about by colonial territorial boundaries and policies. The Monrovia group was opposed to this proposal that it viewed as an avenue for interference with internal state affairs and therefore a threat to national sovereignty of newly independent states. The bloc leaned towards gradual and functional cooperation while preserving political identity. The French colonies that initially identified with the Brazzaville group were reluctant to sever ties with the mother country given that they anticipated benefiting from French aid post-independence. Thus they were cautious about radical shifts that antagonize the relationship with would-be donors. They preferred mutual cooperation hence eventual alignment with the Monrovia group.

At a time when Nkrumah was working for continental unity, there were separate attempts such as the Pan African Freedom Movement for East and Central Africa

⁸³ Nkrumah, *Africa Must Unite*, 167-172.

⁸⁴ Benedikt F. Franke, "Competing Regionalisms in Africa and the Continent's Emerging Security Architecture," *African Studies Quarterly* Vol. 9, Issue 3 (Spring 2007): 32-36; Ken Smith, "Pan-Africanism and Unity," in *North of Limpopo: Africa Since 1800*, 1st ed. Ken Smith and F.J. Nöthling (Pretoria: Unisa Press, 1993), 443-448.

(PAFMECA) later expanded to Pan-African Freedom Movement of Eastern, Central and Southern Africa (PAFMECSA) and also the Ghana-Guinea Union in 1959 to pursue sectional interests and also due to rivalry.⁸⁵ Such parallel and sectional attempts for cooperation undermined rather than promoted the quest for a one united Africa. Beside these groupings, there were other developments that deepened the divide as states and leaders took sides on matters in which a unified stand would have counted. For instance the Congo crisis in which Patrice Lumumba sought the support of the UN and African states to rid the country of Belgium troops, his fall-out with the country's president, Joseph Kasavubu and the Katanga secession put more pressure on the quest for unity as pro-Lumumba and anti-Lumumba camps emerged.⁸⁶

In a bid to strike a middle ground, Ethiopia (one of the neutral states) reasoned that while a political union was desirable it would be arduous to attain at once in view of obtaining continental diversities in political systems, economies and social orders.⁸⁷ As a result a gradualist approach to African unity through functional cooperation in strategic fields carried the day. The OAU came into existence in 1963 largely reflective of the views of the Monrovia group. It was a compromise that emerged from the common challenge of the day thus the immediate urgency to completely rid the continent from colonialism and racialism. African leaders set aside their ideological differences aware that the battle could only be won if they remained united. The foremost purpose of the organization was to promote the unity and solidarity of the Africa's states, which would in essence keep the spirit of Pan-

⁸⁵ Smith, "Pan-Africanism and Unity," 444.

⁸⁶ Ibid, 446-7.

⁸⁷ Haile Selassie, "Towards African Unity," a speech delivered at the OAU Summit of Heads of State and Government (Addis Ababa, 24 May 1963), <https://www.blackpast.org/global-african-history/speeches-global-african-history/1963-haile-selassie-towards-african-unity/>

Africanism alive.⁸⁸ The OAU was to be a platform for a cohesive response to domestic and international issues of relevance to the continent and its people. At the same time, it was tasked with defending the sovereignty, territorial integrity and independence of member states.

In self-evaluation though, the OAU performed dismally in spearheading continental unity due to various reasons including lack of a clear vision and strategy for the realization of continental unity, its deference to non-interference with internal affairs of member states, its subordination to their interests and a deficit of resources to discharge its mandate.⁸⁹ Moreover, ex-colonial powers, uneasy about the ramifications of Africa's integration and unity to their interests, sponsored open and clandestine operations to scuttle the ambition.⁹⁰

Added external shifts as the Cold War ended, the necessity for continental integration as a vehicle for revamping Africa's state of affairs resurfaced leading to the emergence of the AU. In this phase Libya's Muammar Gaddafi will be remembered for his fervent drive of Africa's unification agenda. After Libya's bid in 1999 for complete unification of Africa, in 2005 its proposal to establish ministerial portfolios in the AU revived reflections on the Union Government for Africa envisioned by Nkrumah.⁹¹ The Assembly of Heads of State and Government warmed up to the proposal as evidenced by mandates to committees of Heads of State and Government in liaison with the African Union Commission (AUC) to look into it and

⁸⁸ Organization of African Unity (OAU), *Charter of the Organization of African Unity*, 25 May 1963: article II 1 (a)

⁸⁹ African Union Commission, *Agenda 2063: The Africa We Want*, 46.

⁹⁰ Kinfe Abraham, "The Challenges of Accelerating Economic and Political Integration in the Formation of a Union Government," in *Towards a Union Government for Africa: Challenges and Opportunities*, ed. Timothy Murithi (ISS Monograph Series No. 140, January 2008): 34-5, 37-8.

⁹¹ Antonia Witt, "The African Union and Contested Political Order(s)," in *Towards an African Peace and Security Regime: Continental Embeddedness, Transitional Linkages, Strategic Relevance*, ed. Ulf Engel and João Gomes Porto (New York: Routledge, 2016), 22; Rotimi Ajayi and Segun Oshewolo, "Ghaddafi and the African Union: The End of an Era?" in *The African Union Ten Years After: Solving African Problems with Pan-Africanism and the African Renaissance*, ed. Mammo Muchie, Phindile Lukhele-Olorunju and Oghenerobor Akpor (Pretoria: Africa Institute of South Africa, 2013), 8-9.

report on the appropriateness as well as the framework and roadmap to realization of the objective.⁹² The bid catapulted the subject of continental integration to a “Grand Debate on the Union Government” at the 9th Ordinary Summit of the AU Heads of State and Government in Accra, Ghana, in July 2007.

Similar to the dialogue leading to the formation of the OAU, there remained a degree of consensus on the necessity of deeper political and economic integration and the ambition for a United States of Africa. But equally unaltered was the preference for “gradual incrementalism” as a pathway to the formation of a union government.⁹³ Prior deliberations and the debate revolved around camps thus those in favour of immediate political unification and those leaning towards an incremental approach that starts with strengthening of existing institutions for a solid foundation and optimal results.⁹⁴ The concluding points reflected already conveyed positions thus a popular appeal to attain political and economic integration but via a phased approach, the latter being an inclination of a larger section of Africa’s political leadership, to move towards formation of a political union and eventually realize a United States of Africa.⁹⁵ Critics have argued that in adopting “a compromise declaration vague enough to satisfy the smallest denomination, namely the formation of a Union Government in an indeterminate future” the outcome of the Grand Debate mirrored the leaders’ known face-saving and delaying tactics that reflect low backing for the aspiration.⁹⁶ For the majority, sovereignty is still an important element and it matters how a union government will relate with national governments and impact their

⁹² African Union, *Decisions, Declarations and Resolution*, Assembly of the African Union Fifth Ordinary Session 4-5 July 2005 Sirte Libya, Assembly/AU/Dec.90 (V)

⁹³ African Union, *Study on an African Union Government Towards the United States of Africa* (Addis Ababa: African Union, 2006), 5.

⁹⁴ Witt, *op. cit.* 23-27; African Union, *Study on an African Union Government Towards the United States of Africa*, 46-53.

⁹⁵ African Union, *Accra Declaration*, Accra, Assembly/AU/Decl.2 (IX), 3 July 2007.

⁹⁶ Delphine Lecoutre, “Reflections on the 2007 Accra Grand Debate on a Union Government for Africa,” in *Towards a Union Government for Africa: Challenges and Opportunities*, ed. Timothy Murithi (ISS Monograph Series No. 140, January 2008): 53

authority.⁹⁷ Subsequently, despite Gaddafi's continued lobbying, the continental unity agenda appeared to wane again.⁹⁸

Whilst the stalemate remains, functional cooperation is currently by default the approach via which any programmes towards political and economic integration are being pursued. There are mixed appraisals of the headway in Africa's unification process. Some are optimistic going by notable albeit dispersed continental initiatives such as the increasing frontline role of the Peace and Security Council (PSC) and RECs in conflict anticipation and management as well as steps to promote intra-African trade both at the continental level (the African Continental Free Trade Area being the latest operationalization) and within the RECs.⁹⁹ There is also enthusiasm about Africa's collective agency in global diplomacy in issues such as trade and development, climate change, migration as well as reform and representativeness in the UNSC.¹⁰⁰ But there are those who consider that apart from ambitious and extensive legal framework, Africa's unification and integration projects are lagging behind due to poor implementation of policies.¹⁰¹ In the AU's Agenda 2063 it is noted that whereas the AU has made marked strides in comparison to its predecessor, the

⁹⁷ African Union, *Accra Declaration*, section 2c.

⁹⁸ Salah Sarrar, "We Can Build United States of Africa, Gaddafi Says," *Reuters*, 28 July 2010, <https://www.reuters.com/article/us-africa-summit-gaddafi-idUSTRE66Q70620100727>; Kodjo Tchioffo, "The United States of Africa Agenda: From Wishful Thinking to Ephemeral Renaissance?" (University of Addis Ababa, 2013): 7, https://www.academia.edu/5255905/The_United_States_of_Africa_agenda_From_wishful_thinking_to_ephemeral_renaissance

⁹⁹ Liesl Louw-Vaudran, "What's the Future of African Unity?" *World Economic Forum*, 22 May 2015, <https://www.weforum.org/agenda/2015/05/whats-the-future-of-african-unity/>; Faizel Ismail, "A Call for a Developmental Regionalism Approach to the African Continental Free Trade Area (AfCFTA)," *ECDPM*, 26 March 2020, <https://ecdpm.org/great-insights/african-continental-free-trade-area-agreement-impact/developmental-regionalism-afcfta/>

¹⁰⁰ Fridon Lala, "Africa in the Changing Global Order: Does African Agency Matter in Global Politics?" *United Nations University-Institute on Comparative Regional Integration Studies Working Paper Series W-2018/8*; Carlos Lopes, "Diversity and Unity: African Agency in International Affairs," *Chatham House*, 22 November 2019, <https://www.chathamhouse.org/2019/11/diversity-and-unity-african-agency-international-affairs>; Ronald Chipaike and Matarutse H. Knowledge, "The Question of African Agency in International Relations," *Cogent Social Sciences* 4 (1) (2018): 6-9.

¹⁰¹ Donald Kaberuka, "The Tipping Point for African Regional Integration," *ECDPM*, 13 March 2015, <https://ecdpm.org/talking-points/tipping-point-african-regional-integration/>

central question of political unity, or the form it should take, remains unresolved and further that the piece-meal approach to continental unity has not borne fruit.¹⁰² This assessment informs revised timelines thus anticipation for consensus on the form of the continental unity and its underlying institutions by 2030 and that the vision of a United Africa will have been realized by 2063.¹⁰³

But the new deadlines will remain rhetoric unless the continent decisively confronts and pragmatically works out the real issues that shape the impasse on the form and modalities of the political unity core among them the closely guarded national sovereignties. Some reviewers have reasoned that against the slavery and colonization experience and also the reality of incomplete nation building and low levels of national cohesion it is problematic to downplay the independence struggle and the value of sovereignty to individual states by pushing for instant total unification.¹⁰⁴ Antonia Witt observes that sovereignty as a norm has implications on the entire spectrum of the political order.¹⁰⁵ She argues that at the root of the contested political order is the Africa's leaders' pre-occupation with the implication of political authority in spheres outside their control rather than the quantity of sovereignty to cede to supranational organs. This explains why continental and sub-regional institutions remain elitist in nature and the measured degree of progress in attaining the key objectives of continental integration, stability and self-reliance. For Ngugi wa Thiong'o states are reluctant to relinquish any degree of their sovereignty to supra-national institutions to boost their effectiveness for do so "they will have to

¹⁰² African Union Commission, *Agenda 2063: The Africa We Want*, 72.

¹⁰³ *Ibid.* 36.

¹⁰⁴ Msuya Mangachi, "The Use of African Union Specialised Technical Committees as a Foundation for a Union Government for Africa," in *Towards a Union Government for Africa: Challenges and Opportunities*, ed. Timothy Murithi (ISS Monograph Series No. 140, January 2008): 151-3; Gilbert M. Khadiagala, "Silencing the Guns: Strengthening Governance to Prevent, Manage and Resolve Conflict in Africa," *International Peace Institute* (May 2015): 7.

¹⁰⁵ Witt, *op. cit.*

make sure that the union was a people's union, and not a union of African heads of state."¹⁰⁶

“The regionalisation process all too often exposes the inability of African states to seek proper mandates or secure the implementation of policies within their own countries. The lack of commitment to subregional integration is often a reflection of patterns prevailing within the countries themselves.”¹⁰⁷

The foregoing is a strong censure that makes a case for a bottom-up methodology. Continent-wide integration agenda stands a chance if it builds on successful integration and development imprints at the lower levels.¹⁰⁸ Proponents of a cumulative approach have rooted for rationalizing and strengthening the RECs to precede deeper integration.¹⁰⁹ Implementing the principle of subsidiarity in certain agreed domains can also steadily make continental integration attractive and trigger transfer of power, be it partial or total, to supra-national organs as confidence increases and dividends of cooperation emerge. To this is added the need to transform the ambition for continental unity from an elite project to a people-driven process to mirror the AU's vision of an integrated, prosperous and peaceful Africa, driven by its own citizens and representing a dynamic force in the global arena.¹¹⁰

2.3 From the OAU to the AU

Africa's independence struggle unfolded within the Cold War era. Consequently, Africa's states emerging from colonization were not spared from the

¹⁰⁶ Ngugi wa Thiong'o, "After 50 Years, Unity is Still an African Dream," *Guardian*, 23 May 2013, <https://www.guardian.com/commentisfree/2013/may/23/unity-dream-african-union-inspire>

¹⁰⁷ Marylyn Aniwa, "Rationalising Regional Economic Communities and Implementing the Treaty Establishing the African Economic Community: The Role of Parliaments," in *Towards a Union Government for Africa: Challenges and Opportunities*, ed. Timothy Murithi (ISS Monograph Series No. 140, January 2008): 72.

¹⁰⁸ Mzukusi Qobo, "The Challenges of Regional Integration in Africa: In the Context of Globalisation and the Prospects for a United States of Africa," *Institute for Security Studies Paper* 145 (June 2007): 13.

¹⁰⁹ Désiré Assogbavi, "Civil Society Perspectives on a Union Government for Africa," in *Towards a Union Government for Africa: Challenges and Opportunities*, ed. Timothy Murithi (ISS Monograph Series No. 140, January 2008): 129.

¹¹⁰ Abraham, op. cit. 40; Assogbavi, op. cit.

ramifications of the obtaining super-power rivalry.¹¹¹ Despite that the fight against imperialism was still fresh on the continent, many states in Africa were unable to withstand the ideological pressure associated with the United States of America-former Union of Soviet Socialist Republics rivalry so that it was not long before the African identity that was to be nurtured as part of the emancipation agenda was overtaken by the East and West identities.¹¹² Hence Pan-Africanism and the furtherance of its agenda lost momentum in the Cold War period.

At the same time, independence leaders diverted their efforts to consolidating their power alongside addressing pressing economic and social problems at the domestic level. In response to the economic crisis that engulfed the continent in the late 1970s onwards, Africa developed endogenous frameworks (Monrovia Declaration, Lagos Plan of Action and the Final Act of Lagos) for economic recovery, development and integration but they fell short of the goals and were overtaken by externally driven initiatives. In the early 1980s the Bretton Woods Institutions introduced policies and aid packages to ostensibly respond to the unabating economic crisis in Africa.¹¹³ But absent sound economic policies and within closed governance systems, the “one size fits all” foreign aid programmes with accompanying conditionalities did not deliver stated goals.¹¹⁴ On the contrary it is argued that they

¹¹¹ Thabo Mbeki, “Architecture of Post-Cold War Africa – Between Internal Reform and External Intervention,” address at the Makerere University Institute of Social Research Conference (Kampala: Thabo Mbeki Foundation, 19 January 2012), https://www.unisa.ac.za/static/corporate_web/Content/tmali/speeches/2012/Address%20at%20the%20Makerere%20University%20Institute%20of%20Social%20Research%20Conference.pdf. Jane Perlez, “After the Cold War: Views From Africa; Stranded by Superpowers, Africa Seeks an Identity,” *New York Times*, 17 May 1992, <https://www.nytimes.com/1992/05/17/world/after-cold-war-views-africa-stranded-superpowers-africa-seeks-identity.html>

¹¹² Frank Djan Owusu, “Africa’s Integration Agenda and its Implication for Peace and Development on the Continent,” Master’s Degree Dissertation, Universitat Jaume I (2015): 169, <http://repositori.uji.es/xmlui/handle/10234/146925>

¹¹³ Bonny Ibhawoh, “Structural Adjustment, Authoritarianism and Human Rights in Africa,” *Comparative Studies of South Asia, Africa and the Middle East* Vol. XIX No.1 (1999)

¹¹⁴ Rose Wanjiru et.al., *IMF Policies and Their Impact on Education, Health and Women’s Rights in Kenya ‘The Fallacies and Pitfalls of IMF Policies’* (Nairobi: Actionaid International Kenya, 2009): 12-21; Perlez, op.cit.

exacerbated Africa's economic woes and also perpetuated neo-colonialism through government control to secure foreign interests and those of their accomplices in Africa's governments.¹¹⁵ It is observed that Africa's new leaders lacked the resources, goodwill and/or experience necessary to steer new states to political, economic and social stability on their own or simply worked at sustaining reciprocal ties with their erstwhile masters to assure and safeguard the latter's economic interests on the continent in return for resources necessary for regime survival.¹¹⁶ Ultimately, they opened their doors to paternalistic associations that the independence struggle sought to terminate.

The end of the Cold War birthed new challenges of a magnitude that the newly independent states in Africa and the OAU were inept at tackling.¹¹⁷ With the end of the United States (US) - Soviet Union rivalry, the two powers and their allies disengaged from the region and redirected their attention to emerging democracies in Eastern Europe. The continent's political protégé system that had cropped up to benefit the East-West divide of the Cold War period was stripped of the support and protection vital to the survival of their regimes, most of which enjoyed weak legitimacy, thrived on corruption and patronage systems and were dictatorial.¹¹⁸ The vulnerability was not lost to political dissidents who then capitalized on it to launch armed insurgencies that quickly made the peace dividends expected from the end of

¹¹⁵ African Union Commission, *Agenda 2063: The Africa We Want*, 49

¹¹⁶ Fonkem Achankeng, "Conflict and Conflict Resolution in Africa: Engaging the Colonial Factor," *ACCORD* (12 July 2013), www.accord.org.za/ajcr-issues/conflict-and-conflict-resolution-in-africa/; Frantz Fanon, "The Pitfalls of National Consciousness," in *The Wretched of the Earth*, trans. Constance Farrington (London: Penguin Books, 1967); Christian Ani Ndubuisi, "African Solutions to African Problems: Assessing the African Union's Application of Endogenous Conflict Resolution Approaches," PhD Dissertation, University of KwaZulu-Natal (10 March 2016): 103, https://researchspace.ukzn.ac.za/bitstream/handle/10413/13990/Ani_Ndubuisi_Christian_2016.pdf?sequence=1&isAllowed=y

¹¹⁷ Neil Henry, "From Angola to Ethiopia, End of Cold War Transforms Africa," *Washington Post*, 31 May 1991, <https://www.washingtonpost.com/archive/politics/1991/05/31/from-angola-to-ethiopia-end-of-cold-war-transforms-africa/d1ebc387-77f7-42f3-b8f3-66c81f7c3e31/>

¹¹⁸ Amadu Sesay, "The African Union: Forward March or About Face-Turn," *Department of Peace and Conflict Research Uppsala University Claude Ake Memorial Papers* No. 3 (2008): 13, www.per.uu.se/digitalAssets/65/c_65805-1_1-k_camp3_Sisay.pdf

the Cold War illusory. The emerging conflicts were markedly different from those of the Cold War era in the sense that they occurred mainly within states, were waged by non-state actors and had their origins in deep-seated issues of real or perceived imbalances in the distribution of political power and socio-economic resources that were linked to identity differences in terms of race, religion and language etc.¹¹⁹

The international community's delayed response, or lack thereof, to the likes of the conflicts in Rwanda, Somalia, Liberia and the Democratic Republic of Congo (DRC) was one of the earliest signals to the detachment of non-African actors from the continent's affairs. Henceforth their engagement on the continent has been distant if not strategic. From the wording of its Charter, the OAU did not anticipate internal conflicts and was ill prepared to respond. The detachment of the international community laid bare a greater impediment thus the OAU's strict adherence to the principles of "sovereignty, territorial integrity and independence of member states" that translated to the norm of non-intervention and impassiveness to turmoil. At the same time the economic problems afflicting the continent impacted the OAU's effectiveness in tackling the rising conflicts as most of its members could not meet their financial commitments thereby driving it to rely significantly on sporadic and/or conditioned aid from non-African donors.¹²⁰

The disengagement of the international community from Africa with the fall of the Berlin Wall in the midst of the pressures of globalization, glaring economic and security challenges for Africa pushed OAU member states to re-examine the competences of the organization to meet the challenges of the century and the prospects of regional integration. Salim Ahmed Salim, the then OAU Secretary-

¹¹⁹ Peter Harris and Ben Reilly, ed., *Democracy and Deep-Rooted Conflict: Options for Negotiators* (Stockholm: IDEA, 1998): 9-12; Solomon Dersso, "The Quest for Pax Africana: The Case of the African Union's Peace and Security Regime," *ACCORD* (11 June 2011): 17-8.

¹²⁰ Muyangwa and Vogt, op. cit. 24-6.

General, took the lead eventually presenting the 1990 “*Report of the Secretary General on the Fundamental Changes Taking Place in the World and the Implications for Africa: Proposals for an African Response*” based on consultations with Africa Heads of State and Government and the civil society. Salim advocated for African ownership and African leadership to change Africa’s destiny thus confronting the instability on the continent but also the unpredictable external support via Africa’s initiatives.¹²¹ At the 26th Ordinary Session of the Heads of State and Government Assembly, the Assembly relied on the report to craft the “Declaration on the Political and Socio-Economic Situation in Africa and the Fundamental Changes Taking Place in the World”. The declaration acknowledged the new global order post the Cold War and the need for Africa to reposition itself. There was a renewed commitment to revive the ideals of Pan-Africanism.¹²²

The restructuring the OAU can be said to have kicked off then. In June 1991, the OAU adopted the Treaty Establishing the African Economic Community (AEC) also known as the Abuja Treaty stemming from the Lagos Plan of Action and the Final Act of Lagos. Member states aspired to mainly spur integration of African economies with a view of increasing economic self-reliance and promoting sustainable development. The RECs were positioned as building blocks of the AEC. Equally instrumental to OAU reforms were the African Charter for Popular Participation in Development, the 1999 Algiers Declaration on Unconstitutional Changes of Government and the deductions from the Conference on Security, Stability, Development and Cooperation in Africa (CSSDCA) that illuminated

¹²¹ Hallelujah Lulie and Jakkie Cilliers, “Salim at the Organization of African Unity,” in *Salim Ahmed Salim: Son of Africa*, ed. Jakkie Cilliers (2015): 71.

¹²² Organization of African Unity, *OAU Declaration on the Political and Socio-Economic Situation in Africa and the Fundamental Changes Taking Place in the World* (adopted at the 26th ordinary session of the OAU Heads of State and Government on 9-11 July 1990 in Addis Ababa Ethiopia), OAU Doc. AHG/Decl.1 (XXVI): paragraph 12.

governance challenges. In 1999, the Charter of the OAU was reviewed at the fourth extraordinary session of the OAU Assembly of African Heads of State and Government held in Sirte, Libya under the theme “Strengthening OAU capacity to enable it to meet the challenges of the new millennium”. The AU was established pursuant to a proclamation of the Sirte Declaration. The general agreement was that with the full liberation of the continent, the OAU had accomplished a core objective and therefore it was time to move on to a new and pressing agenda: that of bolstering solidarity among African countries, reviving the spirit of Pan-Africanism and establishing a more efficient and effective apex body.¹²³ The Constitutive Act of the African Union (CAAU) was signed in Lomé, Togo on 11 July 2000. The official inauguration of the AU took place in July 2002, in Durban South Africa.

The establishment of the AU was significant as far as it represented Africa taking responsibility for its problems via its own initiative. The AU represents a transformation of the existing framework to reflect most current objectives and to be equipped with organs that can effectively deliver on the said objectives. It aspires greater unity and solidarity with deeper integration and cooperation for Africa and its peoples.¹²⁴ It builds on the prior initiatives for Pan-Africanism to the extent that it contains some provisions of the Charter of the OAU and the AEC Treaty. It stresses Africa’s primary responsibility for and ownership of its affairs. Murithi characterizes the AU as “the third phase of the institutionalization of the Pan-Africanism” after the Pan-African Congress and the OAU.¹²⁵

¹²³ Joram Mukama Biswaro, “African Integration: An Assessment of its Progress and Prospects,” in *The Quest for Regional Integration in the Twenty First Century: Rhetoric versus Reality – A Comparative Study*, (Dar es Salaam: Mkuki na Nyota Publishers Ltd, 2012): 335-6.

¹²⁴ African Union, *Constitutive Act of the African Union 2000*, Article 3.

¹²⁵ Murithi, “Institutionalising Pan-Africanism: Transforming African Union Values and Principles into Policy and Practice,” 3.

2.4 Africa Taking Responsibility for Continental Peace and Security

The peace and security arena represents a key mandate where the utility of continental unity and progress towards attaining the Pan-African objectives for Africa has not only been tested but also is a subject of keen and ongoing discourse. The AU recognizes, in the CAAU preamble, that conflicts in Africa are a major obstacle to socio-economic development on the continent and underscores promotion of peace, security, and stability as a prerequisite to attaining the development and integration agenda. Inversely it has been advanced that a prosperous, integrated and united Africa are among the necessary pre-conditions for a peaceful and conflict-free continent.¹²⁶ Therefore the realization of a conflict-free continent is a strategic joint venture being pursued, initially under the flagship program of “Silencing the Guns in Africa by 2020” along with eliminating all forms of social exclusion and entrenching a culture of peace.¹²⁷ In comparison with the OAU the AU has stepped ahead in designing an elaborate APSA. The PSC is a central pillar of the APSA vis-à-vis high-level political decision-making intended to facilitate efficient and timely responses to conflict and crisis situations in Africa. The AU has gone on to register improved engagement in peace and security challenges on the continent through the APSA.¹²⁸ Various datasets on armed conflicts and trend analysis conclude that the intensity of violent conflict in Africa has been on the decline in the 21st century.¹²⁹

¹²⁶ African Union Commission, *Agenda 2063: The Africa We Want*, 38.

¹²⁷ African Union, *50th Anniversary Solemn Declaration* (adopted by the 21st ordinary session of the Assembly of Heads of State and Government of the African Union Addis Ababa 26 May 2013): E; African Union Commission, *Agenda 2063: The Africa We Want*, 38.

¹²⁸ Sophie Desmidt and Volker Hauck, “Conflict Management Under the African Peace and Security Architecture (APSA): Analysis of Conflict Prevention and Conflict Resolution Interventions by the African Union and Regional Economic Communities in Violent Conflicts in Africa for the Years 2013-2015,” *ECDPM Discussion Paper No. 211* (April 2017)

¹²⁹ David T. Burbach, “The Coming Peace: Africa’s Declining Conflicts,” *Oxford Research Group* (22 September 2016), <https://sustainablesecurity.org/2016/09/22/the-coming-peace-africas-declining-conflicts/>; Jakkie Cilliers, *Violence in Africa: Trends, Drivers and Prospects to 2023* (Institute for Security Studies Africa Report 12, August 2018): 3-8.

However compared to the rest of the world, Africa still leads in the scale and impact of conflicts. Insecurity and instability amid low human development index and diseases remain a major concern for the continent.¹³⁰ From the North to the South, the East to the West, Africa's continental and sub-regional organizations as well as the states that make up the organizations' membership are grappling with socio-political and economic-related crises and conflicts. Across Africa few elections conclude without public protests questioning legitimacy of the elected leaders. More African leaders are manipulating constitutions to favour their longer stay in public offices in contravention of the Charter on Democracy, Elections and Governance. Transnational crimes like terrorism are increasingly a major concern with groups like Boko Haram and Al Shabab unleashing terror on civilian populations. That is besides the lingering violent conflicts in South Sudan, Somalia, Libya, the Sahel and the Eastern DRC, recurrent flare-ups in Central African Republic and Sudan's peripheries and the unrest in Ethiopia's Oromia and Tigray regions to mention a few. The range of catastrophes and impact of the responses provide a lens for assessing progress towards continental unity and facilitation of programmes of joint interest.

The transition to the AU stood out especially for the inward-looking evaluation and admission that the OAU's internal structures were partly to blame for the nonchalance to instability and related human rights violations.¹³¹ Its non-indifference principle challenged member states' devotion to non-intervention principle at the expense of respect for human rights and accountability in governance. By signing the CAAU, AU member states, in theory, surrendered a part of their sovereignty for the collective wellbeing of African people whereby they would open up to scrutiny by

¹³⁰ African Union, *African Union Master Roadmap of Practical Steps to Silence the Guns in Africa by Year 2020 (Lusaka Master Roadmap 2016)*, 1.

¹³¹ Ben Kioko, "The Right of Intervention Under the African Union's Constitutive Act: From Non-Interference to Non-Indifference," *International Review of the Red Cross* Vol. 85, No. 852 (December 2003)

allowing the AU to intervene in internal affairs of individual states.¹³² They pledged to empower common institutions to enable them discharge their mandates effectively. In practice however, many Africa's leaders still hold sovereignty dear, a stance that encumbers execution of the PSC's mandate and casts in doubt the operability of the AU's non-indifference policy.¹³³ While not conspicuously defended, the persisting centrality of sovereignty to African governments can be discerned from the approach to isolating and responding to issues, formulating policies and implementing programs that is skewed towards state-centricism. In the PSC as with other AU institutions, it is the states' presidents that make critical and definitive decisions often provoking concerns about the level of consultation. Otherwise regional institutions' high-ranking personnel, whose appointments are often a political decision, have to guard interests of sponsoring governments and therefore defer to the state leaders for approval of their recommendations on strategic issues. In taking decisions, often national and elite interests tend to take precedence over public and collective goods as a result of which organs in the APSA are crippled from overstepping those interests and acting decisively.¹³⁴

By extension, most African states leaders are still committed to the creed of non-interference albeit the normative shift under the AU. Resolutions about the PSC's course of action often lay emphasis on the necessity for consent to intervene (more so in cases of military deployment) from the government in question.¹³⁵ Oftentimes the approval is not guaranteed as subject states invoke sovereignty and territorial integrity

¹³² Tim Murithi, "The African Union's Transition from Non-Intervention to Non-Indifference: An Ad Hoc Approach to the Responsibility to Protect?" *IPG 1* (2009): 94-5.

¹³³ Desmidt and Hauck, op. cit. 25-6.

¹³⁴ Fritz Nganje, "Moving Beyond Africa's Crisis of Institutions," *South African Institute of International Affairs Occasional Paper 222* (September 2015): 15-16; Benedikt F. Franke, op.cit. 43-44; Young, "Sudan IGAD Peace Process: An Evaluation," 39-43.

¹³⁵ Yolande Bouka, "Missing the Target: The African Union's Mediating Efforts in Burundi," *Egmont Institute Africa Policy Brief No. 15* (June 2016): 5-7.

to frustrate outside interference in internal affairs. For the same reasons member states are reluctant to sanction intervention even in the face of grave circumstances cautious not to set a precedent that could come back to haunt them. Instead member states have tended to take cover in the provisions for peaceful settlement of conflicts and prohibition of the use of force or threat set out in the CAAU and the PSC Protocol. Consequently the PSC's record in addressing crises and conflict situations is also marked by delayed reaction in spite of early warning signs and reports courtesy of the Continental Early Warning System as the case with the armed insurrection in Cameroon, perceived bias in deliberating some while ignoring other catastrophes and also inconsistent decisions especially in cases of unconstitutional changes of government.¹³⁶ That response trend has contributed to countries descending into devastating armed conflicts. At the same time, with an understanding of the dynamics of decision-making, conflict parties have been able veer towards mechanisms/parties where their interests are protected thus frustrating de-escalation efforts.

Fragmentation among member states is also an impediment to Africa's envisaged lead role in and local ownership of a collective continental peace and security agenda. Through an evaluation of the Cote d'Ivoire and Libyan crises of 2010 and 2011 respectively, Apuuli argues that African solutions remain tenuous as a result of divided views among AU member states about appropriate responses that provide a window for actors from the international community to take over and navigate interventions to their advantage.¹³⁷ Anyway Sithole concurs with the argument that AU's marginalization in Libya was self-inflicted.¹³⁸ He observes that a

¹³⁶ Shiwet Woldemichael, "The PSC Should Do More to Respond to Conflicts in 2020," in *Peace & Security Council Report* (ISS Issue 120 December 2019-January 2020): 5-7.

¹³⁷ Kasaija Phillip Apuuli, "The AU's Notion of 'African Solutions to African Problems' and the Crises in Côte d'Ivoire (2010-2011) and Libya (2011)," *ACCORD* (11 June 2012)

¹³⁸ Anyway Sithole, "The African Union Peace and Security Mechanism's Crawl from Design to Reality: Was the Libyan Crisis a Depiction of Severe Limitations," *ACCORD* (11 June 2012),

lack of a unity of purpose, which has eluded members of the organization from the formation of the OAU onward to the AU, worked against the implementation of the AU's roadmap to peace. Members maintained opposing stances, for or against the Gaddafi regime, a weakness which went on to reflect in the passing of resolution 1973 with the support of three African countries serving as semi-permanent members of the UNSC. Eventually the AU recognized the Transitional National Council as Libya's bona fide government in disregard of its normative framework that governs unconstitutional changes of governments. The divisions and rivalries have reflected in undertakings of sub-regional organizations. For instance in the Horn of Africa, similar to the environment that engineered IGAD's creation, progress and fruitfulness of its peace interventions at any given time have tended to depend on degree of cooperation or the extent of divisions and the alliances among its member states.¹³⁹

Whereas promotion of democracy and good governance on the continent has gained momentum as other avenues of promoting peace and security as well as development, the success of peace and security undertakings is undermined by an embedded culture of peer-shielding whereby, in what comes across as a self-serving interpretation of African *esprit de corps* and homegrown solutions, African leaders are unwilling to condemn, stand in opposition to or support indictment and punishment of one another especially on questionable governance practices.¹⁴⁰ Yet most conflicts in Africa are attributed to deficiencies in governance including lack of accountability, transparency and inclusivity as well as inadequate efforts to address poverty and other inequalities.¹⁴¹ The AU's challenge to the International Criminal Court (ICC) indictment of Sudan's President Omar Al Bashir and subsequently

www.accord.org.za/ajcr-issues/the-african-union-peace-and-security-mechanisms-crawl-from-design-to-reality

¹³⁹ Healy, op. cit. 1-6.

¹⁴⁰ Sithole, op. cit.

¹⁴¹ African Union Commission, *Agenda 2063: The Africa We Want*, 83.

Kenya's President Uhuru Kenyatta and his second-in-command William Ruto questioned the organization's and the continent's commitment to the norms of responsibility for human security, respect for human rights, the promotion of democracy and good governance.¹⁴² Vis-à-vis Bashir, Murithi observes that although the AU had a valid argument of protecting the Darfur peace talks underway at the time, "its" position was also politically motivated to avoid a similar backlash for other leaders on the continent.¹⁴³ Starting 2015 a number of African leaders banded together in a renewed call for mass withdrawal from the ICC in protest of what they characterized as targeting of African leaders preferring instead to strengthen continental judicial mechanisms to try international crimes.¹⁴⁴ While this could be an extension of the Pan-African agenda and the search for African solutions, the concern that emerges is whether there is goodwill or merely advocating for mechanisms that shield leaders from accountability. Such a disposition advises the pessimism about grand innovations such as NEPAD and African Peer Review Mechanism (APRM) as merely aimed at shielding regimes from criticism and shunning accountability while targeting foreign support. The culture of elite insulation engenders impunity for autocratic governance and human rights violation especially among state actors and interferes with responses.

The willingness and capacity of the AU and the RECs to generate their own resources remain weak and have sustained dependency on foreign aid. According to the International Crisis Group, only \$169,833,340 of PSC's estimated \$416.9 million 2016 budget was met by the member states' contribution. Non-African partners offset

¹⁴² Philomena Apiko and Faten Aggad, "The International Criminal Court, Africa and the African Union: What Way Forward?" *ECDPM Discussion Paper No. 201* (November 2016); Wambui Ndonga, "Stop Messing With Kenya, AU Tells the ICC," *Capital News*, 12 October 2013, <https://www.capitalfm.co.ke/news/2013/10/stop-messing-with-kenya-au-tells-the-icc/>

¹⁴³ Tim Murithi, "The African Union and the International Criminal Court: An Embattled Relationship?" *Institute for Justice and Reconciliation Policy Brief No. 8* (March 2013): 3.

¹⁴⁴ Apiko and Aggad, *op. cit.* 10-11.

the gap.¹⁴⁵ The concept for the African Standby Force (ASF), as a component of the APSA, emerged in 2003 with an intention of developing Africa's own Peace Support Operation capacity for timely and efficient responses. Despite progress in developing foundational concept and policies, its operationalization still lags behind largely constrained by member states' erratic political will to provide leadership and to internally and jointly mobilize required resources.¹⁴⁶ Notwithstanding decades of initiatives like the US African Crisis Response Initiative and the French *Renforcement des Capacités Africaines de Maintien de la Paix* (RECAMP) along with Africa's increased participation in peacekeeping operations, the sustainability of AU-led peace operations remains heavily dependent on foreign sponsors supplying military equipment, logistical, financial and personnel support. It also follows that reduction or withdrawal of foreign support, financial or otherwise, certainly jeopardizes sustainability of continental operations.¹⁴⁷ The deficits partly inform the transient nature of AU-led peace support operations. Using the case studies of AU Mission in Sudan and AU Mission in Somalia, Dawit Yohannes argues that the tendency for re-hatting (completed or anticipated) disputes aspects of permanency, African ownership and autonomy that African solutions are projected to be or should be.¹⁴⁸ The weakness undermines African solutions and ownership in that it gives the donors the leverage of designing the structure and the mandates based on non-African models and to suit

¹⁴⁵ International Crisis Group, *The African Union and the Burundi Crisis: Ambition Versus Reality*, (Crisis Group Africa Briefing No. 122, 28 September 2016): 3.

¹⁴⁶ Christian Ani Ndubuisi, "Is the African Standby Force Any Closer to Being Deployed," *Institute for Security Studies* (2 November 2018), <https://issafrica.org/iss-today/is-the-african-standby-force-any-closer-to-being-deployed>; African Union, *Communiqué*, Peace and Security Council 960th Meeting PSC/PR/COMM. (CMXL), Addis Ababa, 28 October 2020

¹⁴⁷ Risdel Kasasira, "AU Appeals Over AMISOM Aid Cut," *Daily Monitor*, 8 March 2016, www.monitor.co.ug/News/National/AU-appeals-over-AMISOM-aid-cut/688334-3107242-s9f4py/index.html; Paul D. Williams, "Paying for AMISOM: Are Politics and Bureaucracy Undermining the AU's Largest Peace Operation," *Global Observatory* (11 January 2017), <https://theglobalobservatory.org/2017/01/amisom-african-union-peacekeeping-financing/>

¹⁴⁸ Dawit Yohannes, op.cit. 67.

their interests.¹⁴⁹ Western conceptualization of peacekeeping initiatives and the limited participation of Africans raise reservations on the commitment to empower Africans to maintain continental peace and security without waiting upon the West.¹⁵⁰

Indeed the Kagame report poses the question “How can member states own the African Union and regain their dignity if they do not set its agenda?”¹⁵¹ Consequently, weaning the AU off dependency on foreign donors for funding of its activities is one of the key reform initiatives by President Paul Kagame of Rwanda during his tenure as the AU’s chairperson.¹⁵² A levy of a 0.2 percent tax on eligible imports, if executed, was projected to raise \$1.2 billion against the AU’s annual budget of \$782 million thereby putting the AU on the path for self-sustainability. However reservations abound about attainment and sustainability of the proposed reforms after Kagame completing his one-year term given mixed zeal among the AU heads of state and government.¹⁵³ In 2020, the AU summit took a decision to postpone planned domestic financing of security operations to 2023 in view of unmet targets even as the question of member states share contributions remained unsettled.¹⁵⁴

¹⁴⁹ Paul D. Williams, “The African Union’s Conflict Management Capabilities,” *Council of Foreign Relations* (October 2011): 16; UN Security Council, *Report of the African Union-United Nations Panel on Modalities for Support to African Union Peacekeeping Operations*, A/63/666-S/2008/813, 31 December 2008: para.15 and 16; Christian Ani Ndubuisi, “Evaluating the African Union’s Military Interventionist Role Towards Conflict Management in Africa,” Master’s Thesis in Social Sciences, University of KwaZulu-Natal (20 February 2014): 102, https://researchspace.ukzn.ac.za/bitstream/handle/10413/10720/Ani_Ndubuisi_Christian_2014.pdf?sequence=1&isAllowed=y

¹⁵⁰ Samuel M. Makinda, F. Wafula Okumu and David Mickler, *The African Union: Addressing the Challenges of Peace, Security and Governance*, 2nd ed. (New York: Routledge, 2016): 130; Paul E. Salem, “A Critique of Western Conflict Resolution from a Non-Western Perspective,” *Negotiation Journal* (2007)

¹⁵¹ Paul Kagame, *The Imperative to Strengthen Our Union: Report on the Proposed Recommendations for the Institutional Reform of the African Union* (African Union, January 2017): 24.

¹⁵² African Union, *Background Paper on Implementing the Kigali Decision on Financing the Union* (September 2016); African Union, *Decision on the Outcome of the Retreat of the Assembly on the African Union*, Assembly/AU/Dec.605 (XXVII)

¹⁵³ Allan Olingo, “Will Kagame Reforms at African Union Continue,” *East African*, 16 February 2019, <https://www.theeastafrican.co.ke/news/ea/Will-Kagame-reforms-at-African-Union-Continue/4552908-4985392-12tp188z/index.html> ; Kesa Pharatlhathe and Jan Vanheukelom, “Financing the African Union: On Mindsets and Money,” *European Centre for Development Policy Management Discussion Paper No. 240* (February 2019): 8-11.

¹⁵⁴ Giulia Paravicini, “African Union Delays Plan To Start Using Fund for Security Operations,”

At the same time, the tapestry of RECS along with overlapping memberships therein that are mostly advised by a strategic calculation of alliances that best advance national political and economic interests, question member states' genuine commitment to a continental agenda besides creating counterproductive competition, tension and a strain on resources required to facilitate collaborative ventures such as the promotion and maintenance of peace and security.¹⁵⁵ In resolving conflicts, the RECs have tended to sideline the AU while invoking comparative advantage and the principle of subsidiarity, which in the evaluation of the ISS, tends to devalue the continental sense of collective security and is also criticized for mediators' partiality for sitting governments.¹⁵⁶ The AU has not demonstrated the oversight role conferred to it via the CAAU and the PSC Protocol as the apex body. The web of RECs memberships and mandates certainly challenges fulfillment of such a role. ISS recommends a clear legal and policy framework that will define the roles and streamline partnerships between the two levels.

In 2020, being the initially set deadline for containing arms violence on the continent, the "Silencing the Guns in Africa" programme was rated as having recorded marginal achievements. Moussa Faki Mahamat, the AUC Chairperson, observed that the missed deadline revealed the complex nature of the security problem in Africa.¹⁵⁷ The state of affairs begs for re-evaluation of the nature of conflicts and their unresponsiveness to Africa's improved frameworks and practice in

Reuters 11 February 2021, <https://www.reuters.com/article/us-africanunion-summit-idUSKBN2050D9>

¹⁵⁵ Bruce Byiers, *The Political Economy of Regional Integration in Africa: Intergovernmental Authority in Development (IGAD) Report* (European Centre for Development Policy Management, January 2016): 19; Laurie Nathan, "Will the Lowest be First? Subsidiarity in Peacemaking in Africa", presentation paper at the International Studies Association 2016 Annual Convention Atlanta, 16-19 March 2016, 5-10, www.up.ac.za/media/shared/237/PDFs/Publications/competition-and-subsidiarity-in-peacemaking-in-africa.zp84164.pdf

¹⁵⁶ Institute for Security Studies, "AU Reforms: The Challenge of Clarifying the Roles of the AU and RECs," (15 December 2017), <https://issafrica.org/pscreport/on-the-agenda/au-reforms-the-challenge-of-clarifying-th-roles-of-the-au-and-recs>

¹⁵⁷ Moussa Faki Mahamat, speech at the 36th Ordinary Session of the Executive Council, 6 February 2020, https://au.int/sites/default/files/speeches/38037-sp-speech_ex_council_6_feb_20docx.pdf

conflict prevention, management and resolution. For Faki, what is required is a focus on the root causes of the conflicts and also innovative multi-pronged solutions. With the PSC and a host of other studies consistently linking democratic governance and development deficits to sources of violent conflicts, the imperative to leverage democratic governance to silence guns and moderate wars is equally stressed.¹⁵⁸ Otherwise the burden of peace and security challenges on the continent remains a drawback to the integration agenda insofar as member states' attention and resources are diverted to internal security challenges.

2.5 Conclusion

This section, essentially responding to the first research objective, has traced the rise of Pan-Africanism and its spread to Africa as well as the drivers behind its regenerative spirit within Africa's agenda for political and socio-economic emancipation. One can deduce that the movement and the ideology were the earliest organized and pronounced expression of "African solutions to Africa's problems" as peoples of African ancestry, coalescing around their African identity, common history and destiny, took it upon themselves to reclaim self-rule and further aspired to resolve a host of other problems that they primarily ascribed to white imperialism, repression and exploitation. Its endurance in Africa's policy draws from the belief that Africa and its peoples have a primary responsibility to work out its problems and to transform its destiny.

¹⁵⁸ African Union Commission, *Agenda 2063: The Africa We Want*, 83; African Union, "Press Statement," Peace and Security Council 601st Meeting PSC/PR/BR. (CDI), Addis Ababa, 30 May 2016, <https://www.peaceau.org/uploads/auc-601st-psc-meeting-on-early-warning-30-may-2016.pdf>; African Union, "Press Statement," Peace and Security Council 824th Meeting PSC/PR/BR. (DCCXXIV), Addis Ababa, 5 February 2019, <https://www.peaceau.org/uploads/psc.824.press.statement.silencing.the.guns.5.02.2019.pdf>; Khadiagala, op. cit. 3-6; Wafula Okumu, Andrews Atta-Asamoah and Roba D. Sharamo, *Silencing the Guns in Africa by 2020: Achievements, Opportunities and Challenges* (ISS Monograph 203, August 2020): 15-20.

From the outset continental unity and solidarity have been touted as a vital bedrock for the furtherance of the Pan-African vision. Africa's political leadership agrees with that position but it remains divided about the form and tempo of Africa's unification. The struggle against colonialism and apartheid remains the single most defining moment where solidarity was exhibited. The shared strong belief in the value of total liberation of the continent spurred African states to pool together inland human and material resources to ensure the success of the nationalist struggle.¹⁵⁹ While the search for greater continental unity and the urgency to take primary and collective responsibility for rising challenges remain drivers behind the formation of the AU, the debate on the Union Government for Africa and Agenda 2063; they are not molded around a cogent rallying point that cultivates a stimulus to translate the refined institutional framework and ever-expanding number of protocols into practical action points and results. The deficiency in turn impedes implementation and outcomes on a range of continental aspirations including for peace and security.

¹⁵⁹Emmanuel Akwetey, "Financing the Activities of a Union Government for Africa: Experiences, Challenges and Prospects," in *Towards a Union Government for Africa: Challenges and Opportunities*, ed. Timothy Murithi (ISS Monograph Series No. 140 January 2008): 94.

Chapter Three

African Solutions to Africa's Problems: Rationale and Discourses

Introduction

This chapter connects to the preceding chapter that explored the evolution and development of Pan-Africanism and its aspirations for the solidarity, independence and empowerment for Africa and its peoples. Following the continent's liberation; the effect of globalization, the surge of intra-state conflicts in the Cold War era and Africa's mounting isolation once again impelled the continent to consider internal resources to combat the challenges and sustain the Pan-African agenda. Hence the renewed significance of "African solutions to Africa's problems" in Africa's policy frameworks and endeavor for Africa's renewal and transformation. This chapter will therefore look into the beginnings and the rationale for the notion. It will then explore some of the key scholarly research interpretations of the ideal that strive to address concerns surrounding its entailments as well as its locus in the security and development policies on the continent. This chapter read together with the preceding one will provide a guide for discovering African solutions in practical conflict interventions via the specific IGAD undertaking in the South Sudan conflict in an endeavor to enhance the understanding of "African solutions to Africa's problems" and further to assess their potential and constraints.

3.1 Genesis of the Notion of "African Solutions to Africa's Problems"

At a closer examination, the concept has been a part of Africa's self-emancipation agenda from the 20th century albeit not in the exact words.¹⁶⁰ The slogan has suggested Sierra Leonean origins with adaptations to "back-to-Africa"

¹⁶⁰ Makinda, Okumu and Mickler, op. cit.; Benedikte Franke and Romain Esmenjaud, "Who Owns African Ownership? The Africanisation of Security and its Limits," *South African Journal of International Affairs* Vol. 15, No. 2 (December 2008)

drive and militant African movements of southern Africa even as Martin Delany, as a voyager in West Africa, is recorded to use the phrase “Africa for the African race and black men to rule them” in 1861 which was later associated with, and propagated by, Marcus Garvey.¹⁶¹ It went on to underpin the activism of the likes of Kwame Nkrumah and fellow Pan-Africanists. At the center of Nkrumah’s passionate advocacy for Africa’s unity, was the emphasis that solutions to Africa’s challenges should be generated from within the continent by its people, “We must find an African solution to our problems and that this can only be found in African unity.”¹⁶² Further, a connection is drawn to the OAU era “Try Africa First” which stressed local solutions and capacity as the first call then external assistance as a last resort basically to minimize the risk of external interference particularly within the Cold War context of superpower rivalry.¹⁶³ The Preamble of the OAU Charter stressed “the inalienable right of all people to control their destiny.”¹⁶⁴ In leading the OAU reform campaign, Dr. Salim Ahmed Salim called for invigoration of African solutions to continental problems in African politics and international relations.¹⁶⁵

It is necessary at this stage to point out that African solutions are aspired for a wide range of issues ranging from political, economic to social problems.¹⁶⁶ However, this study will focus on the peace and security angle mainly but with some interfaces with other relevant dimensions in due recognition of the security-development nexus.

¹⁶¹ Hakim Adi, “Pan -Africanism and the Politics of Liberation,” (3 May 2005), www.africanholocaust.net/pan-african-liberation; George Shepperson, “Pan-Africanism and “Pan-Africanism”: Some Historical Notes,” *Phylon*(1960-) Vol. 23, No. 4 (1962): 350, www.jstor.org/stable/274158?seq=13#page_scan_tab_content

¹⁶² Kwame Nkrumah, *I Speak Freedom: A Statement of African Ideology* (London: William Heinemann Ltd, 1961), xi-xiv.

¹⁶³ Amadu Sesay, “Interrogating the Concept and Ideal of African-Centered Solution to African Peace and Security Challenges,” in *African-Centered Solutions: Building Peace and Security in Africa*, ed. Sunday Okello and Mesfin Gebremichael (Addis Ababa: IPSS, 2016), 21.

¹⁶⁴ Organization of African Unity (OAU), *Charter of the Organization of African Unity*, 1963, preamble.

¹⁶⁵ Lulie and Cilliers, op. cit. 70-80.

¹⁶⁶ Laurie Nathan, “African Solutions to African Problems: South Africa’s Foreign Policy,” *WeltTrends, Zeitschrift Für International Politik*, (September 2013): 48.

3.2 Rationale for a Homegrown Approach to Africa's Problems

Drawing from the background above, "African solutions to Africa's problems" has been the driving force behind Pan-Africanism. At the most basic level the desire for self-emancipation and self-reliance for Africa and its peoples is at the core of Pan-Africanism as a spillover of "African solutions to Africa's problems". The determination for Africa to take the lead role in addressing its problems gained traction at the end of the Cold War in the face of political and economic shifts that signaled imminent marginalization of Africa.¹⁶⁷ The outlook did not bode well with the continent given the increase of violent internal conflicts and associated ramifications. The nonchalance of the international community including the UN to the likes of the Rwanda tragedy was a wake up call that Africa could no longer afford to remain indecisive and unreactive in grave situations expecting to be rescued by foreign powers.

"No more, never again. Africans cannot watch the tragedies developing in the continent and say it is the UN's responsibility or somebody else's responsibility. We have to move from the concept of non-interference to non-indifference. We cannot as Africans remain indifferent to the tragedy of our people."¹⁶⁸

African leaders and elites were partly to blame for their passivity in the past and implored upon to assume greater obligation for the challenges and problems afflicting Africa and its peoples.

"Rwanda stands out as a stern and severe rebuke to all of us for having failed to address Africa's security problems... We know it is a matter of fact that we must have it in ourselves as Africans to change all this. We must, in action assert our will to do so."¹⁶⁹

¹⁶⁷ Dersso, "The Quest for Pax Africana: The Case of the African Union's Peace and Security Regime," 13-21.

¹⁶⁸ Ambassador Said Djinnit, AU's Commissioner for Peace and Security, 28 June 2004 as quoted in Dersso, "The Quest for Pax Africana: The Case of the African Union's Peace and Security Regime," 21.

¹⁶⁹ Nelson Mandela of South Africa at the OAU Summit in Tunis, July 1994 as quoted in Dersso, "The Quest for Pax Africana: The Case of the African Union's Peace and Security Regime," 21.

The logic behind this approach is the conviction that local initiatives and actions driven by Africans will assure timely, reliable and effective responses that are context-sensitive and therefore enjoy the commitment and ownership of the affected population and in turn translate into sustainable outcomes wherein the interests of Africa and its people are safeguarded.¹⁷⁰

Alongside the continent-specific exigencies, the gravitation towards homegrown solutions fit squarely in the growing and largely advocated for conflict resolution by regional groupings as a way of supporting the global organization, the UN, shoulder the burden of the rising scale of internal conflicts especially in developing countries.¹⁷¹ Thus the structural transformations in the global security system dictated empowering regional platforms to participate extensively in maintenance of peace and security chiefly by taking charge of conflicts in their backyards given the attraction to dividends of regional peace and stability, familiarity with regional conflict dynamics and receptiveness to regional mediators.¹⁷²

3.3 African Solutions to Africa's Problems in Africa's Policies

As noted above, the ideal predates the 21st century activism. However it is this latter era that marked augmented determination to bring the ideal to fruition especially in the peace and security sphere. In essence, the transformation of the OAU to the AU and accompanying normative (re) formulations are characterized as a policy shift that responded to global dynamics and internal (continental) constraints to finding and/or

¹⁷⁰ Ndubuisi, "African Solutions to African Problems: Assessing the African Union's Application of Endogenous Conflict Resolution Approaches," 3-6.

¹⁷¹ United Nations, *Charter of the United Nations*, 1945, 1 UNTS XVI, Article 52.

¹⁷² Kyu Deug Hwang, "Conceptualising Politico-Security Regionalism," in *The Mechanisms of Politico-Security Regionalism in Southeast Asia and Southern Africa: A Comparative Case Study of ASEAN and SADC*, PhD Dissertation, University of Pretoria (2005): 41-42, <https://repository.up.ac.za/bitstream/handle/2263/28223/02chapter2.pdf?sequence=3>; Carl Skau, Jacob Bercovitch and Ole Elgström, "Regional Organisations and International Mediation: The Effectiveness of Insider Mediators," *ACCORD* (25 June 2003)

applying effective solutions to Africa's problems. The AU emerged as a revitalized continental outfit for pursuing inland solutions.¹⁷³

The unresponsiveness of the international community served to spotlight continental limitations building on the interpretation and application of the sovereignty and non-interference principles in the Charter of the OAU. In keeping with the continental experience of slavery, imperialism and the prevailing Cold War international system; the determination to liberate every state and guard against any future attempts by external parties to meddle in Africa's affairs was at the core of its legal and institutional framework.¹⁷⁴ The member states' self-serving interpretation and application of the principle of non-interference at Article III (2) went on to be the greatest impediment to OAU's performance.¹⁷⁵ A crop of African leaders taking on the reins of power from the colonial masters were eager to have the full control of their states' affairs and therefore sought to protect their sovereignty and internal affairs from any external (colonial-like) interference including during humanitarian crises. The emerging culture of non-intervention served to preserve select individuals in governments, their cronies and interests and shielded them from scrutiny and accountability.¹⁷⁶ It is within this context that the OAU earned the tags like "toothless talking shop" and "Heads of State club". Within the environment of mistrust and self-preservation, continental unity remained elusive as did the collective responsibility for peace and security envisaged in the Preamble of the Charter.

¹⁷³ Kasaija Phillip Apuuli, "The African Union and Regional Integration in Africa," in *Region-Building in Africa: Political and Economic Challenges*, ed. Daniel H. Levine and Dawn Nagar (New York: Palgrave Macmillan, 2016)

¹⁷⁴ Abiodun Alao, "The Role of African Regional and Sub-Regional Organisations in Conflict Prevention and Resolution," *Centre for Defence Studies Working Paper No. 23* (July 2000): 4.

¹⁷⁵ Mehari Taddele Maru, "The Organization of African Unity (OAU)/African Union at 50: The Quest for New Foundations of African Solidarity in the 21st Century," *Pambazuka News* (23 May 2013), <https://www.pambazuka.org/governance/organization-african-unity-oauafrican-union-50>

¹⁷⁶ Kioko, op. cit. 814.

The AU's set of institutions and frameworks aspired to address these constraints. The AU's strong stance vis-à-vis the sovereignty and non-interference clauses represents a key shift from her predecessor. It codified the doctrine of non-indifference with regard to grave circumstances, namely: war crimes, genocide and crimes against humanity by providing for intervention in a member state pursuant to a decision of the Assembly¹⁷⁷, or on the basis of a request by any member state(s) in order to restore peace and security.¹⁷⁸ Of its sophisticated peace and security architecture, the PSC, established in 2004 by the Protocol Relating to the Peace and Security Council of 2002, is mandated to conduct peacemaking, peacekeeping, and peacebuilding. With respect to Articles 4 (h) and (j) of the CAAU the PSC would monitor and evaluate crisis situations with a view of authorizing appropriate AU intervention regardless of whether the member state concerned consents or not. This, in essence, was an acknowledgement that stability and well being of African states are intricately bound with each other. By taking this position, the AU broke the ground of enshrining the Responsibility to Protect in its Constitutive Act ahead of the UN General Assembly in 2005.¹⁷⁹ Theoretically, the position also meant reconceptualization of the principle of sovereignty as a responsibility as presented at paragraphs 2.14 and 2.15 of the International Commission on Intervention and State Sovereignty report.¹⁸⁰

In addition to promoting peace and security, the AU aims at accelerating development of the continent. This stemmed from the realization that neither peace and security nor sustainable development could be achieved separately from the other.

¹⁷⁷ African Union, *Constitutive Act of the African Union* 2000, article 4 (h)

¹⁷⁸ *Ibid.* article 4 (j).

¹⁷⁹ Tim Murithi, "The African Union's Transition from Non-Intervention to Non-Indifference: An Ad Hoc Approach to the Responsibility to Protect?" *IPG 1* (2009): 93.

¹⁸⁰ ICISS, *The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty*, (Ottawa: International Development Research Centre, 2001), 13.

Beyond the Abuja Treaty, the AU adopted the NEPAD advocating for Africa's genuine and fair partnership with global players and also navigating Africa on the path of sustainable development.¹⁸¹ This was based on the assessment that Africa's underdevelopment drew from exploitation by and dependency on developed countries. The initiative emphasizes African identity to the extent that it stresses the imperative for Africa to assume the primary responsibility for articulating its vision for development and self-reliance and that partnerships with non-African development partners should uphold African ownership.¹⁸² To the security-development nexus, paragraph 71 of the NEPAD framework document identifies and includes good governance, democracy, human rights and sound economic management as other pre-conditions for sustainable peace, security and development. It is an acknowledgement of role of weak democracy and poor governance in stagnating the *Pax Africana* agenda. Obasanjo of Nigeria took interest in the quality and the role of governance in Africa's renewal. From the CSSDCA conversations that his African Leadership Forum initiative engineered, one standout self-critique was the elite admission that the unmet goals for African unity and economic integration were a consequence of a political crisis most importantly the lack of public accountability and popular participation in governance and development.¹⁸³ This crop of personalities was thus driving a paradigm shift to take the emancipation agenda beyond the continent's elite to the governed. The CSSDCA dialogue extended to African responsibility and ownership of governance challenges.

The APRM is NEPAD's tool for combating poor governance. It is another supplementary innovation in the search for "African solutions to Africa's problems".

¹⁸¹ DIRCO, "NEPAD Historical Overview," http://www.dirco.gov.za/au.nepad/historical_overview.htm

¹⁸² Landsberg, "Fractured Continentally, Undermined Abroad: African Agency in World Affairs," 5-8.

¹⁸³ Laurie Nathan, "Towards a Conference on Security, Stability, Development and Co-operation in Africa," *Africa Insight* Vol. 22, No. 3 (1992): 216.

It is an assessment tool to which AU member states voluntarily subscribe to and agree to participate in periodic review of their conformity with African and international governance commitments. Its primary purpose is “to foster the adoption of policies, values, standards and practices of political and economic governance that lead to political stability, accelerated sub-regional and continental economic integration, economic growth and sustainable development.”¹⁸⁴ The APRM builds on self-examination, sharing good practices, acknowledgement of internal weaknesses and the initiative to devise solutions. Steven Grudz holds that APRM is an African solution insofar as it departs from reliance on blueprints of non-African actors and instead seeks to promote mutual learning among Africans on the basis of African realities.¹⁸⁵ The underpinnings of NEPAD and APRM and their significance in the search for indigenous solutions draw attention to the fact that weak governance, political and economic inequalities are at the root of a significant proportion of Africa’s crises and conflicts.

The AU’s latest framework, Agenda 2063, is rooted in the Pan-African vision of “an integrated, prosperous and peaceful Africa, driven by its own citizens and representing a dynamic force in the international arena.”¹⁸⁶ It is an amalgamation of the decades’ plans, commitments and lessons learned in the search for political, economic, social and cultural emancipation of peoples of African descent on the continent and in the diaspora. The agenda highlights people-centred approach, self-reliance, visionary, accountable and democratic leadership, democratic developmental states and institutions, mental and attitudinal changes, a Pan-African perspective including pooled sovereignty on critical continental and global issues, an African

¹⁸⁴ African Union, “African Peer Review Mechanism (APRM),” <https://au.int/en/organs/aprm>

¹⁸⁵ Steven Grudz, *The African Peer Review Mechanism: Development Lessons from Africa’s Remarkable Governance Assessment System* (South African Institute of International Affairs Research Report 15, January 2014): 45.

¹⁸⁶ African Union Commission, *Agenda 2063: The Africa We Want*, 5.

approach and ownership of the African narrative as key enablers to Africa's transformation.

3.4 Discourses on the Notion of "African Solutions to Africa's Problems"

The foregoing demonstrates a robust institutional and normative framework that has been one of the benchmarks of the commitment of African leaders to tackling continental challenges. From fighting for decolonization to addressing continental challenges post-independence, Africa's leadership has demonstrated an acute awareness of what stands in the way of the continent attaining its vision for integration, prosperity and peace and gone ahead to make prescriptions. However the appraisal of the homegrown efforts goes beyond the policy and institutional framework to evaluate the extent to which the normative regime actually contributes to redressing the past and attaining the political and socio-economic aspirations envisioned in the Pan-Africanism blueprint.¹⁸⁷ For Murithi, "institutionalization of Pan-Africanism will only be achieved when the ideals that inform this movement begin to manifest as progressive policy prescriptions. In turn, these policy prescriptions have to lead to the implementation of programmes that will actually affect and improve the lives of Africans across the continent."¹⁸⁸

There is a keen interest among researchers and academicians to interrogate the substance and practical implications of the notion. The emerging discourse is instrumental to the endeavor to enhance conceptual clarity and in turn boost policy design, implementation and evaluation. In advocating for African solutions for the Somalia crisis in the early 1990s, Ayittey reflects on the history and the impact of

¹⁸⁷ Laurie Nathan, "The Peacemaking Effectiveness of Regional Organisations," 3-5.

¹⁸⁸ Murithi, "Institutionalising Pan-Africanism: Transforming African Union Values and Principles into Policy and Practice," 1.

foreign intervention on Africa's economic and security affairs.¹⁸⁹ In his assessment, decades of military and development aid to African countries failed to make a positive impact because the root causes of economic and political disasters such as repressive and unrepresentative states remain unaddressed. He states further, "outside attempts to resolve Africa's problems have regularly proven ineffective and even counterproductive" because the recipients are often excluded from the process of identifying and implementing working solutions. In this sense African solutions are characterized by participation of the affected population in identifying underlying sources of conflicts, defining and implementing solutions that in turn guarantees ownership and sustainability.

For Sesay, the ideal is premised on what he terms "hardnosed realism" thus a resolve by African leaders, the regional and sub-regional institutions to be at the helm of ventures to tackle the continent's security challenges on the strength of its collective history, geography, identity and problem-solving traditions.¹⁹⁰ It is these common attributes that, they believe, give them an edge over non-African actors or partners in understanding what troubles the continent and how best to solve the problems. The lead role aspired for Africa is developed from two angles.¹⁹¹ The first is the influence that Africans exercise over the analysis, understanding and definition of the peace and security challenges on the continent. The second dimension refers to African leadership in formulating and implementing appropriate responses thereby asserting the agency of African actors. This seeks to reverse the trend of interventions built on western views, knowledge and values and instead to promote context-specific

¹⁸⁹ George B.N. Ayittey, "The Somali Crisis: Time for an African Solution," *Cato Institute Policy Analysis* No. 205 (28 March 1994)

¹⁹⁰ Sesay, "Interrogating the Concept and Ideal of African-Centered Solution to African Peace and Security Challenges," 27.

¹⁹¹ Dersso, "The Quest for Pax Africana: The Case of the African Union's Peace and Security Regime," 21-25.

responses guided by indigenous analysis and understanding. Franke and Esmenjaud offer yet another perspective of understanding and evaluating the notion thus the underlying drive for *de facto* political control over issues (African ownership) and increasing the extent and quality of African participation in activities and processes (Africanisation).¹⁹² Some studies have gone on to consider corresponding financial responsibility as indispensable if African agency is to make an impact.¹⁹³ Where the funding burden is heavily borne by external partners not only may initiatives be delayed vis-à-vis fulfillment of conditionalities before disbursement but also their framing and execution could be tied to the values and interests of the donors which aspects compromise local ownership.

African solutions are also presented as “Africa’s prioritized values in conflict resolution that may be in line or not in with those of other geopolitical regions, but important enough to promote autonomy, local ownership and a search for sustainable solutions in Africa”.¹⁹⁴ Here the significance that Africa’s traditional conflict resolution approaches could bring to the discourse on African solutions is examined. Albeit the diversity of African societies, it is observed that principles of dialogue, community-centredness, reconciliation and restoration are shared and prioritized in conflict analysis and resolution within and among many African communities.¹⁹⁵ Such values can be incorporated into the practice of African solutions with the added advantage of enhancing commitment and ownership of processes and outcomes as they resonate with the recipient community’s way of life, history and peacemaking traditions. Notwithstanding, attention is drawn to the contemporary African society as

¹⁹² Franke and Esmenjaud, op. cit. 137-158.

¹⁹³ Christian Ani Ndubuisi, “Three Schools of Thought on African Solutions to African Problems,” *Journal of Black Studies* Vol. 50, No.2 (December 2018): 8-9.

¹⁹⁴ Ndubuisi, “African Solutions to African Problems: Assessing the African Union’s Application of Endogenous Conflict Resolution Approaches.”

¹⁹⁵ Christian Ani Ndubuisi, “Re-Empowering Indigenous Principles for Conflict Resolution in Africa: Implications for the African Union,” *Journal of Pan African Studies* Vol. 10, No. 9 (October 2017)

influenced by new and even external cultures and the international system that demand creative mechanisms, approaches and structures that employ indigenous and external universally-accepted values or best practices, singularly or blended as deemed fit to address modern-day challenges.¹⁹⁶ However where non-African approaches and standards are contemplated, validation by the recipients and room for repackaging the ideas to suit the local context are vital in order to preserve local ownership, assure sustainability and further to align with the capacity of local actors to maintain the projects even when external participation and support are rolled back.¹⁹⁷

In a 2014 Africa Peace and Security Programme workshop, a group of experts reached a consensus that ownership, commitment and shared values are the three connected pillars of African-centered solutions.¹⁹⁸ Ownership underscores a society-centered approach in the search for, design, process and practice of homegrown solutions. Thus for the workshop, inclusivity at all levels as contrasted from a narrow supremacy of African-leadership in crafting solutions is a key component of African solutions. Commitment of actors at all levels not only accommodates and supports ownership, but is also crucial for promotion of good governance including through election of suitable leaders. Further it aspires a robust think-tank that is keen on sensitizing citizens on what African solutions entail and strong institutions to accelerate unity and action. Finally concluding remarks from the forum about the pillar of shared values acknowledged the diversity and fluidity of value systems in

¹⁹⁶ Ndubuisi, "Three Schools of Thought on African Solutions to African Problems," 14-7.

¹⁹⁷ Rhodah Nkubah Natukunda, "Ownership at Grassroots Level to Support Regional Commitments: The Case of IGAD and the South Sudan Conflict," *AfSol Journal* Volume 1, Issue 1 (August 2016): 148.

¹⁹⁸ Institute for Peace and Security Studies, *African-centered Solutions for Peace and Security (AfSol)* (IPSSWorkshop Report, September 2014), www.ipss-addis.org/new-ipss/v-file-store/resources/publication/report/afsol_workshop_report.pdf

Africa and globally. Against this background it emphasizes the importance of embracing different actors and their values.

Regarding the isolationism connotation of the ideal, Dersso attempts to dispel the reservations by arguing that ideal intends to control the nature and consequences of foreign activities on the continent in order to safeguard its interests going forward.¹⁹⁹ Komey et al. add their voice to this interpretation by holding that the notion stresses that Africans, in terms of their institutions, leadership and peoples should lead the processes of initiating, designing, and implementing solutions to their problems coupled with the international community playing complementary and supporting roles.²⁰⁰ The UN along with other major global players hold the same perspective.²⁰¹ APSA has consistently acknowledged, in its legal framework and other pronouncements, the importance of partnering with the international community while acknowledging the UN's primary responsibility for international peace and security. Cooperation with global actors is indispensable from the point of view that Africa's problems are not exclusively or distinctively African be it in their origins or impact.²⁰² By advocating for a greater engagement in the search for solutions to continental problems, the ideal does not purport to assert that African actors will always get it right. As Dersso puts it, "the opportunity for erring should be there."²⁰³ After all even external interventions are not effective all the time. It is about the pragmatism to take steps to prevent some things from happening and to foster sustainability of the solution however minimal the impact. Worth noting that former UN Secretary-

¹⁹⁹ Solomon Dersso, "African Solutions to African Problems Should Be More Than Just a Cliché," *Polity* (30 March 2012), www.polity.org.za/article/african-solutions-to-african-problems-should-be-more-than-just-a-clich-2012-03-30

²⁰⁰ Komey, Osman and Melakedingel, op. cit. 6.

²⁰¹ Gebrewold, op. cit. 87-9.

²⁰² Ibid. 80-1.

²⁰³ Carnegie Corporation of New York, "African Solutions to African Problems," 26 June 2018, <https://allafrica.com/stories/201806260091.html>

General Kofi Annan explicated the role of the international community within the reforms thus a challenge to seek innovative ways of supporting Africans in their search for sustainable peace and development.²⁰⁴ Secretary-General António Guterres has often spoken in favour of cooperation, mutual respect and comparative advantage between the UN and AU as one channel of enhancing African capacities in peace and security.²⁰⁵

Based on their field study, Komey et al. suggest what they term as an operational definition of African solutions in thus “a holistic political, socio-cultural, economic, and intellectual endeavour, aimed at managing peace and security challenges in Africa at different levels of African political institutions and social organizations. The endeavour is to functionally be owned and undertaken by, and for, the Africans peoples, their institutions, and leadership but in collaboration with the international community. Most importantly, it is a people-grounded process, enriched by the African traditions, values, beliefs, philosophies and wisdom related to conflict resolutions/management.”²⁰⁶ On the question of who and what is African, respondents to the study by Komey et al. favoured the continental paradigm on the argument that it accommodates the continent’s diversity in terms of race, religion, cultural, political and even economic divergences. Still the study observes that the continent lacks a definite collective identity that poses practical challenges the attainment of objectives of Pan-Africanism including the search for African solutions.²⁰⁷

IGAD respondents recapped the notion as placing on Africa the responsibility for the continent’s problems and by extension the obligation to define solutions and to

²⁰⁴ Kofi Annan as quoted in Global Policy Forum, “Security Council Ministerial Meeting,” 25 September 1997, <https://www.globalpolicy.org/component/content/article/198/32811.html>

²⁰⁵ United Nations, “Secretary-General, at Security Council, Stresses Shared Interest of United Nations, African Union in Stronger Conflict-Prevention Mechanisms,” SC/12915 (19 July 2017), <https://www.un.org/press/en/2017/sc12915.doc.htm>

²⁰⁶ Komey, Osman and Melakedingel, op. cit.84.

²⁰⁷ Ibid. 36, 65-66.

use its resources to solve the problems.²⁰⁸ They also note that while cooperation with the international community is inevitable principally in view of global interconnectedness, the ideal demands of the continent to delineate the role of partners and to protect Africa's interests therein.

3.5 Conclusion

Available documented history locates the advent of "African solutions to Africa's problems" most prominently at the rise of Pan-Africanism. Even then there is anecdotal notation of the "Africa for Africans" phrase as a motto for indigenous African communities on the continent and also the anti-slavery movement prior to the 20th century. Accordingly the notion can be classified as an African invention that agitates for African agency and obligation in shaping a variety of causes in response to problems that disproportionately afflict the continent and its peoples.

From the social constructivism perspective the gravitation towards African solutions signifies a reorientation of the way agency is exerted and by extension the structures in which it operates. From the scholarship above, one gathers that primary responsibility for and ownership of Africa's problems rest with African actors. They are the key defining feature of "African solutions to Africa's problems". African actors (the political leadership, CSOs and the society at large) are to be at the forefront of identifying and defining the problems (including security issues) that the continent faces, to be actively involved in analyzing the problems, prescribing or endorsing appropriate responses and solutions, sponsoring them and being part of the implementation working groups based on the lived experience and their understanding of the local contexts, conflict resolution mechanisms and capacity, values and culture. While external actors have a place in the advancement of African

²⁰⁸ Author interview with respondents from IGAD South Sudan Office

solutions, their role should be supportive and complementary to and guided by primary (African) actors. The drive for “African solutions to Africa’s problems” therefore rests on the belief that such location and role of Africans will secure the interests of the continent and its people. This conviction informs the AU’s institutional and normative framework within which the continent is to harness capacity for collaborative responses to common challenges and towards a shared vision.

Chapter Four

African Solutions to Africa's Problems through the Lenses of the IGAD-Led Mediation in South Sudan

Introduction

The preceding chapters laid out the genesis and advancement of Pan-Africanism as well as of the notion of “African solutions to Africa’s problems” that is the driving force behind the former. Together with the budding debates about the viability of Africa’s aspirations to take charge of and address peace, security and development issues on the continent within its own frameworks, the background provides a foundational barometer to make a practical inquiry into IGAD’s interpretation of an exhibition of homegrown responses in the context of the South Sudan conflict that broke out in December 2013. Specifically this chapter and the succeeding one will review IGAD’s engagement in South Sudan’s conflict resolution from its entry in mid-December 2013 to the latest stage thus the date of concluding this study to isolate selected aspects of the process that reflect “African solutions to Africa’s problems” and further appraise IGAD’s implementation record. The section will also examine the involvement of the international community and its implication to the pursuit of homegrown responses. At the conclusion of the field research, it is anticipated that the data will respond to the key research question and inform recommendations. Note that this study does not purport to cover all markers of African solutions given the breadth of the subject.

4.1 Inauguration and Advancement of the IGAD-Led Mediation of the South Sudan Conflict

4.1.1 Regional Reaction to the 15 December 2013 Juba Clashes

Within days of the eruption of the clashes on 15 December 2013, the regional states' leaders seized the matter. Following Ethiopia's Foreign Minister's meet-up with President Kiir in Juba on 17 December 2013, from 19 to 21 December 2013 a delegation of IGAD Council of Ministers accompanied by the AU Commissioner for Peace and Security and the UN's Special Envoy to the AU engaged the President among other key political actors for fact-finding and to de-escalate the tension and to urge them to embrace peace negotiations to resolve the crisis.²⁰⁹

On 26 December 2013 President Uhuru Kenyatta of Kenya and the then Prime Minister of Ethiopia Hailemariam Desalegn travelled to Juba where they held meetings with President Kiir, members of his Cabinet and some of the detained SPLM leaders (hereinafter also referred to as "former detainees") to probe the political crisis.²¹⁰ On 27 December 2013 IGAD member states convened an extraordinary summit of IGAD Heads of State and Government in Nairobi Kenya for further deliberations on the South Sudan situation. In its communiqué the Assembly mandated IGAD to facilitate peace talks and a political solution.²¹¹ It called upon the AU, the UN and the international community at large to support the regional body in the undertaking. It announced the establishment of the Office of IGAD Special Envoys for South Sudan and appointed General Lazarus Sumbeiywo and Ambassador

²⁰⁹ IGAD, *Communiqué of the Foreign Ministers of Inter-Governmental Authority on Development*, Juba, 21 December 2013

²¹⁰ New Vision, "Kenya President, Ethiopia PM in Juba for Talks," 26 December 2013, <https://www.newvision.co.ug/>; Katrina Manson, "South Sudan Crisis: Kenya President Arrive in Juba to Mediate," *Financial Times*, 26 December 2013, <https://www.ft.com/content/ec242f46-6e26-11e3-8dff-00144feabdc0>

²¹¹ IGAD, *Communiqué of the 23rd Extra-Ordinary Session of the IGAD Assembly of Heads of State and Government*, Nairobi, 27 December 2013

Seyoum Mesfin from Kenya and Ethiopia respectively as chief mediators for South Sudan. A third Special Envoy, General Mohamed Ahmed Mustapha al-Dabi from Sudan was appointed later perhaps in consideration of Sudan's leverage in South Sudan affairs.²¹² The trio was hailed as highly experienced personalities with an edge in the assignment given their rich experience in the CPA negotiations and other diplomacy activities, knowledge of the context of the conflict and pre-existing acquaintances with the conflict parties thereby presenting an element of continuity.²¹³

Through those first steps, ahead of the start of mediation proper, Africans for Africa was taking shape. Neighbouring states grasped the implications, within and across the borders, of an unstable South Sudan. Besides guarding the viability of a young state and averting regional humanitarian crisis, majority if not all of the IGAD member states had distinct as well as interlinked interests ranging from economic and trade motivations to goals of the regional cooperation and integration agenda that were bound to suffer in the event of an all-out war in South Sudan with a possible regional spillover.²¹⁴ The mediation mandate reflected a consensus among IGAD member states about the value of a peaceful South Sudan. They were in agreement that securing those interests entailed taking joint primary responsibility to steer the course of resolving the stalemate. The region responded urgently to the unfolding crisis to set in motion an African-led conflict management effort, an initiative that received continental and international backing in consideration of comparative

²¹² Zach Vertin, "A Poisoned Well: Lessons in Mediation from South Sudan's Troubled Peace Process," *International Peace Institute* (April 2018): 5.

²¹³ David Lanz, Laurie Nathan and Corinne von Burg, *Lessons for IGAD Mediation Arising from the South Sudan Peace Talks: 2013-2015* (IGAD, August 2019), 6; Author interview with respondent 3 from IGAD South Sudan Office, Addis Ababa Ethiopia, 26 September 2019

²¹⁴ Paul Odhiambo and Augustus Muluvi, "Impact of Prolonged South Sudan Crisis on Kenya's Economic and Security Interests," *Brookings* (12 March 2014), <https://www.brookings.edu/blog/africa-in-focus/2014/03/12/impact-of-prolonged-south-sudan-crisis-on-kenyas-economic-and-security-interests/>; Bruce Byiers, "Understanding Economic Integration and Peace and Security in IGAD," *European Centre for Development Policy Management* (March 2017); New Humanitarian, "South Sudan's Crisis Ripples Across Region," 13 February 2014, <https://www.thenewhumanitarian.org/feature/2014/02/13/south-sudan-s-crisis-ripples-across-region>

advantage and subsidiarity principle.²¹⁵ The main protagonists embraced it to the extent that they eventually converged at the negotiation table.²¹⁶

Besides the afore-mentioned appointments, the Special Envoys established a mediation secretariat that boosts political and technical experts as well as logistical and administrative staff mainly drawn from IGAD member states.²¹⁷ An IGAD representative points out that the envoys have laid emphasis on recruitment of personnel from the IGAD region even where the post proposal and remuneration are by foreign partners.²¹⁸ In 2017 the IGAD Assembly appointed Dr. Ismail Wais of Djibouti as IGAD's Special Envoy for South Sudan to steer the peace talks under the High-Level Revitalization Forum (HLRF).²¹⁹ An IGAD official remarks that the fact that the Special Envoys come from the region is a characteristic of African solutions.²²⁰ The bloc's members have also been augmenting the mediation capacity through independent appointments of regional special envoys in the South Sudan peace process banking on appointees' prior experience and networks in South Sudan and/or the region.²²¹ The Joint Monitoring and Evaluation Commission (JMEC) and its successor the Reconstituted Joint Monitoring and Evaluation Commission (R-

²¹⁵ African Union, *Communiqué*, Peace and Security Council 411th Meeting at the Level of Heads of State and Government PSC/AHG/COMM.1 (CDXI)-Rev.1, Banjul, 30 December 2013; UN Security Council, *Security Council resolution 2132 (2013) [on temporarily increasing the overall force levels of UNMISS]*, S/RES/2132 (2013), 24 December 2013

²¹⁶ Sudan Tribune, "South Sudan Peace Talks Begin in Addis Ababa," 1 January 2014, <https://www.sudantribune.com/spip.php?article49404>; Waakhe Simon Wudu, "South Sudan 'Hopeful' on Talks With Rebels," *Gurtong Trust*, 8 January 2014, <http://www.gurtong.net/ECM/Editorial/tabid/124/ctl/ArticleView/Mid/519/articleId/14458/S-Sudan-Hopeful-On-Talks-With-Rebels.aspx>

²¹⁷ Dimpho Motsamai, *Assessing AU Mediation Envoys: The Case of South Sudan* (Institute for Security Studies East Africa Report, February 2017): 7.

²¹⁸ Author interview with respondent 2 from IGAD South Sudan Office, Addis Ababa Ethiopia, 26 September 2019

²¹⁹ IGAD, *Communiqué of the 31st Extra-Ordinary Summit of the IGAD Assembly of Heads of State and Government*, Addis Ababa, 12 June 2017

²²⁰ Author interview with respondent 3 from IGAD South Sudan Office,

²²¹ Collins Omulo, "Kenyan Ex-Vice President Kalonzo Appointed S. Sudan Special Peace Envoy," *East African*, 3 July 2019, <https://www.theeastafrican.co.ke/tea/news/east-africa/Kenyan-ex-vice-president-kalonzo-appointed-s-sudan-special-peace-envoy--1421532>; Xinhua, "South Sudan Welcomes Sudan's Appointment of Special Peace Envoy," 19 October 2018, http://www.xinhuanet.com/english/2018-10/19/c_137542522.htm

JMEC) tasked with monitoring and oversight of the implementation of the Agreement on the Resolution of the Conflict in the Republic of South Sudan (ARCSS) and the Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS) respectively as well as the mandate and tasks of the transitional government have been under the stewardship of African figures.²²²

The IGAD Assembly and the Council of Ministers sustained a noteworthy oversight of the political settlement process if the number of high-level summits deliberating the South Sudan developments is anything to go by. For IGAD this high-level engagement and close monitoring drew from an understanding that “if one country fails, all of us fail” and therefore South Sudan is “our problem”.²²³ The assembly of regional states and leaders on a regional platform to support a neighboring state was remarked as a demonstration “of regional solidarity giving meaning to Thabo Mbeki’s African Renaissance, a period of African solutions to African problems.”²²⁴

4.1.2 Timing of IGAD’s Intervention

Barely a month after the Juba fallout IGAD took up its mandate and announced commencement of formal negotiations in Addis Ababa, Ethiopia on 4 January 2014.²²⁵ IGAD’s fast-paced intervention has been critiqued against the concept of ripeness of conflict for resolution in the face of variously violated

²²² Sunday Standard, “Mogae to Head Monitoring Commission for South Sudan Peace Deal,” 22 October 2015, <https://www.sundaystandard.info/mogae-to-head-monitoring-commission-for-south-sudan-peace-deal/>; Reconstituted Joint Monitoring and Evaluation Commission, “IGAD Appoints Ambassador Lt. General Augustino S.K Njoroge as Acting Chairperson of JMEC,” 8 November 2018, <https://jmecsouthsudan.org/index.php/media-center/news/item/381-igad-appoints-ambassador-lt-general-augostino-s-k-njoroge-as-acting-chairperson-of-jmec>; Eye Radio, “R-JMEC Gets New Interim Chairman,” 12 May 2020, <https://eyeradio.org/r-jmec-gets-new-interim-chairman/>

²²³ Author interview with respondent 3 from IGAD South Sudan Office

²²⁴ Jok Madut Jok, “South Sudan’s Crisis: Weighing the Cost of the Stalemate in the Peace Process,” *Sudd Institute* Policy Brief (12 August 2014): 4.

²²⁵ IGAD, “IGAD Executive Secretary Announces the Commencement of Formal Negotiations Among South Sudanese Parties,” Addis Ababa, 4 January 2014, <https://igad.int/executive-secretary/731-igad-executive-secretary-announces-the-commencement-of-formal-negotiations-among-south-sudanese-parties>

ceasefires while assessing prospects of its success or lack thereof.²²⁶ However as far as the notion of “African solutions to Africa’s problems” is concerned, the timing lived up to the foundation and objective of a homegrown approach. Life is sacred in African societies. This belief corresponds with Africa’s uptake of the Responsibility to Protect and re-contextualization of the principle of sovereignty while advocating for African solutions. The Rwandan genocide was partly a reference point in pushing for domestic responses that are timely in order to preserve human life and everything that goes into making it viable recalling that African leaders shouldered the blame for the massive atrocities over a short span of time that were partly explained against continental inaction. This history feeds into the priority given to stemming loss of lives in violent conflicts on the continent parallel to the dialogues to find a permanent solution.

Specific to IGAD’s intervention in South Sudan, by January 2014 when formal talks kicked off, there were reports of targeted killings and displacement of civilians, looting and destruction of property among other human rights abuses in clashes that were steadily spreading beyond Juba.²²⁷ Having emerged from the decades’ long civil war in the greater Sudan, IGAD and the South Sudanese perceived only too well the consequences of not containing the fighting at the earliest for a young nation already scarred by marginalization, wars and rifts along different facets. Zach Vertin notes that the human cost marked by brutal violence and civilian

²²⁶ Lanz, Nathan and Burg, op. cit. 19-20; Augustino T. Mayai, Jok Madut Jok and Nhial Tiitmamer, “Understanding the Cessation of Hostilities Agreements Violations in South Sudan,” *Sudd Institute Weekly Review* (9 January 2018): 5-6; Madut Albino Majok, “The Hurdles of Mediating with Humanitarian Lens: An Exploration of the Inter-Governmental Authority and Development’s Failed South Sudan 2015 Peace agreement,” MA Thesis, Dalhousie University (2019), <https://dalspace.library.dal.ca/handle/10222/75672>

²²⁷ United States Department of States, *2014 Country Reports on Human Rights Practices – South Sudan* (United States Department of States, 25 June 2015), <https://www.refworld.org/docid/559bd53b12.html>; David Smith, “South Sudan Ceasefire Deal Signed,” *Guardian*, 23 January 2014, <https://www.theguardian.com/world/2014/jan/23/south-sudan-ceasefire-deal-signed>

targeting at the outset of the clashes was such that IGAD and its partners could not simply stand by waiting for the parties to request for mediation, an appeal that was not guaranteed as long as the parties were still bent on a military solution.²²⁸ This alongside connected and unconnected regional interests guided the regional leaders' consensus and promptness to persuade President Kiir, Machar and the detained SPLM leaders (all together the main contenders at the time) to consider assisted intervention to resolve the issues behind the cleavages in the government. The parties were receptive to the proposition with the President underscoring the need to avert loss of lives and to prevent the country from slipping into a civil war. In an interview on SABC News, Kalonzo Musyoka, Kenya's Special Envoy to South Sudan's peace effort speaks in favour of negotiations guided by the principle of saving lives.²²⁹

When the peace talks commenced in January 2014, the sanctity of life was kept in perspective hence IGAD made securing a ceasefire the topmost agenda. The Agreement on Cessation of Hostilities (CoHA) and the Agreement on the Status of Detainees were inked on 23 January 2014. Parties agreed to stop hostilities to curb further loss of lives, human displacement and destruction of property and to enable humanitarian access. IGAD's rapid reaction has been appraised as a best practice on the credit that the move prevented a full-blown escalation of violence and stemmed ramifications of a greater magnitude.²³⁰

IGAD's early entry characterizes an African solution insofar as it diverged from a western framing of mediation fundamentals on the concept of ripe moment. What has been critiqued as a precipitate intervention could in fact demonstrate a regional determination to chart its own course unique to its values, circumstances,

²²⁸ Vertin, *op.cit.* 8.

²²⁹ Kalonzo Musyoka, "Unpacking the South Sudan Peace Agreement," interview by Sarah Kimani, SABC News, 27 February 2020, <https://www.youtube.com/watch?v=BxuWwBIMhnE>

²³⁰ Lanz, Nathan and Burg, *op.cit.* 9.

common understanding and aspirations. The approach does not necessarily impugn Western conceptualization of mediation. Rather it is against the reasoning that unique continental matters necessitate rethinking and constructing distinctive reactions. Africa's emerging mediation methodology could be instrumental to a review, refinement and development of existing concepts including the utility of a hurting stalemate in mediation. In its current connotation, perception of a hurting stalemate and gravitation towards intervention more often than not emerge in the trail of loss of lives, destruction of social, economic and/or political infrastructure.²³¹ More so at a point when a dispute has likely degenerated into a complex conflict; one that becomes an expensive venture for intervention as parties, issues and battlefields multiply.

IGAD's tact of exploiting speedy take-on of the crisis to direct immediate antagonists to an understanding that they can work out differences for the greater good of the society rather than focusing on narrow interests and capabilities of a section of the society to the detriment of greater majority soon precipitated a mediation undertaking as opposed to deferring to conflict parties' preferences, insurmountable costs and brinkmanship. The approach likely appeals to Marieke Kleiboer's equation of ripeness to "a certain moment when all important parties are willing to search for a peaceful settlement" which then defers the debate to what influences the willingness and how can it be cultivated.²³² In the South Sudan's case, shared interests and values - such as the sacredness of life as well as strategic joint and individual interests - along with IGAD's advocacy for intervention appear to have influenced the receptiveness to mediation. This angle provides a leeway for initiating conflict resolution at an earlier stage.

²³¹ UN Security Council, *Report of the Secretary-General on Enhancing Mediation and its Support Activities*, S/2009/189, 8 April 2009, 5-6.

²³² Marieke Kleiboer, "Ripeness of Conflict: A Fruitful Notion?" *Journal of Peace Research* 31, No. 1 (1994): 115.

4.1.3 IGAD's Mediation Strategy: Synopsis and Analysis

Following the Juba mission, the IGAD Council of Ministers relayed IGAD's commitment to facilitate a political dialogue between the South Sudanese with the immediate aim putting an end the hostilities, ensuring protection of civilians and their access to humanitarian aid and for the long term, "ensuring that the issues of political agreement, societal reconciliation, constitution-making, and inclusive and holistic national dialogue" are addressed to attain "peace, stability, democracy and development" for South Sudan.²³³ In its communiqué of the 23rd Extra-ordinary Session the Heads of State and Government expressed partiality for a political solution as they underscored an inclusive dialogue among all concerned stakeholders including the detained SPLM leaders. The approach suggested a takeaway from the censure of the CPA as a product of exclusionary negotiations that centered on key Sudan protagonists (the NCP and the SPLM/A) absent other critical actors such as the South Sudan Defense Force and the civilian constituencies.²³⁴

The substance of the IGAD Foreign Ministers' communiqué echoed the Pan-African peace-security-development pendulum through domestic approaches. The choice of a political dialogue over military engagement resonated with Africans' (preferred) approach to resolving conflicts given the value attached to life and peaceful co-existence.²³⁵ Further, the desirability of dialogue as a mechanism for addressing societal challenges including violent conflicts lies in its inclusivity and

²³³ IGAD, *Communiqué of the Foreign Ministers of Inter-Governmental Authority on Development*

²³⁴ Naomi Pendle, *Elite Bargains and Political Deal Project: South Sudan Case Study* (Stabilisation Unit February 2018): 13-4.

²³⁵ African Union, *Communiqué*, Peace and Security Council 265th Meeting PSC/PR/COMM. 2 (CCLXV), Addis Ababa, 10 March 2011; Dia Tumkezee Kedze, "The 2011 Libyan Crisis: Would the African Solution Have Been Preferred?" *ACCORD Conflict Trends* 2015/1; African Union, "Remarks by the Chairperson of the African Union President Cyril Ramaphosa on the Occasion of Africa Day," 25 May 2020, https://au.int/sites/default/files/pressreleases/38564-pr-statement_of_the_chair_of_union_-_africa_day_2020_en.pdf

participatory principles.²³⁶ Dialogue connotes a platform where affected people converge to openly share and make a discovery of contentions from diverse lenses and strive to build mutual understanding and trust across their differences. Dialogue is not new to South Sudan's history of resolving disputes.²³⁷

In African societies the appeal for oneness lays emphasis on communal interests as opposed to individualistic pursuits. The analogies of the warp and weft and also the spider's web have been used to explain the interconnectedness of relationships.²³⁸ Resultantly the principle is an integral aspect in resolving conflicts with the understanding that since every community member experiences and is affected by a conflict in one way or another, each has a role to play in finding solutions and sustaining peace.²³⁹ IGAD's predilection for an inclusive dialogue that received extensive backing chimed with that principle that if coherently and impartially applied, was aspired to garner popular support and ownership of the process and outcomes. The approach acknowledged that the task of restoring peace and stability is a collective responsibility of stakeholders from the wider South Sudanese society to weigh in on the problem(s) and considered solution(s) particularly since the public is a key guarantor of the eventual settlement.²⁴⁰

²³⁶ Bettye Pruitt and Phillip Thomas, *Democratic Dialogue: A Handbook for Practitioners* (Stockholm and New York: UNDP, International IDEA and OAS, 2007): 31-2.

²³⁷ Republic of South Sudan, Office of the President, *Speech of His Excellency the President Announcing the Commencement of National Dialogue*, RSS/OOP/MO/J/1.E.1, Juba, 14 December 2016, 4-5, <https://paanluelwel2011.files.wordpress.com/2016/12/president-kiir-address-to-the-nation-the-call-for-national-dialogue-initiative-in-south-sudan.pdf>

²³⁸ Birgit Brock-Utne, "Indigenous Conflict Resolution in Africa," a draft presented to the weekend seminar on Indigenous Solutions to Conflicts held at the University of Oslo, Institute for Educational Research 23-24 February 2001: 7, <https://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.460.8109&rep=rep1&type=pdf>; Christian Ani Ndubuisi, "Re-empowering Indigenous Principles for Conflict Resolutions in Africa: Implications for the African Union," 20-1.

²³⁹ Volker Boege, "Potential and Limits of Traditional Approaches in Peacebuilding," in *Advancing Conflict Transformation: The Berghof Handbook II*, ed. Beatrix Austin, Martina Fischer and Hans-Joachim Giessmann (Farmington Hill: Barbara Budrich Publishers, 2011): 447-8.

²⁴⁰ Zacharia D. Akol, "Inclusivity: A Challenge to the IGAD-Led South Sudanese Peace Process," *Sudd Institute Policy Brief* (7 December 2014): 5.

4.1.3.1 Observations on IGAD's Execution of the Mediation Strategy: Phase One of Peace Talks (2014-2015)

4.1.3.1.1 Inclusivity via Representation

The proxy talks that birthed the CoHA and the Agreement on the Status of Detainees had a narrow composition of participants limited to representatives of the key protagonists thus President Kiir for the SPLM – in Government (SPLM –IG) and Machar for SPLM – in Opposition (SPLM-IO) being the two factions that emerged from the fall-out in the ruling party in December 2013. While outlining the mediation framework from 2014 to the interview date in September 2019, IGAD's respondent pointed out that armed parties and other stakeholders in the negotiations have been mapped at various stages of the process to determine who and when different participants are brought into the process and the role they play.²⁴¹ Thus the opening stage targeted the main fighting groups at the time because those two accords were interim agreements to secure first, cessation of hostilities thereby creating an enabling environment for dialogue and second, release of political detainees to participate in the talks. The approach is compelling considering that the parties could not hold genuine and constructive talks while active on the battlefield and/or antagonistic towards one another.²⁴² Note too that within mediation practice, preliminary phases and parallel/informal talks are instances when exclusion of certain actors is a valid option.²⁴³ The release of the detainees in late January and April 2014, secured via the Agreement on the Status of Detainees, was a show of good will that was instrumental to easing political tension between President Kiir, Machar and other estranged

²⁴¹ Author interview with respondent 1 from IGAD South Sudan Office

²⁴² African Union, *Final Report of the African Union Commission of Inquiry on South Sudan*, 244; Vertin, op. cit. 12.

²⁴³ Thania Paffenholz, "Broadening Participation in Peace Processes: Dilemmas and Options for Mediators," *Centre for Humanitarian Dialogue Mediation Practice Series* (June 2014): 8.

political figures ahead of sitting together to resolve their differences and to chart a new political dispensation for the country.²⁴⁴ By acknowledging the importance of involving the detained leaders in the dialogue, preliminary strides towards inclusivity and the spirit of reconciliation emphasized by pre-talks pronouncements were demonstrated.

Despite an early quest for involvement of other sectors of the South Sudanese society in the peace process,²⁴⁵ it was not until May 2014 that the two main parties signed up to inclusion of all South Sudanese stakeholders in the peace process.²⁴⁶ A section of IGAD respondents submitted that the array of representatives reflected the face of different sectors of the wider South Sudanese society hence a step towards society-centred negotiations.²⁴⁷ The assumption is that on the strength of their diverse interactions at different levels of the society the delegates were versed with or could gather the needs, positions and interests of the local communities and that they possessed the legitimacy and goodwill to promote them at the national level negotiation platform.²⁴⁸

The CSOs would also, through their networks, be a conduit for bringing the wider public on board that if strategically engaged was bound to be an influential partner in the search for peace from their experience as actors in the conflict through contribution of human and other resources to the armies, as targets bearing the brunt of aggression and as enablers of an anticipated peace deal. Placing affected

²⁴⁴ Jok Madut Jok, Abraham A. Awolich and Nhial Tiitnamer, "The Release of South Sudan's Political Detainees and Prospects for Peace," *Sudd Institute Weekly Review* (28 April 2014)

²⁴⁵ Gurtong Trust, "Statement on the Crisis in South Sudan By Citizens For Peace and Justice," 15 January 2014, <http://www.gurtong.net/ECM/Editorial/tabid/124/ctl/ArticleView/mid/519/articleId/14588/categoryId/120/Statement-On-The-Crisis-In-South-Sudan-By-Citizens-For-Peace-And-Justice.aspx>; Cordaid, "Peace Brokers Meet with Women Leaders," 24 January 2014, <https://www.cordaid.org/en/news/peace-brokers-meet-women-leaders/>

²⁴⁶ IGAD, *Agreement to Resolve the Crisis in South Sudan*, Addis Ababa, 9 May 2014

²⁴⁷ Author interview with respondents 2 and 3 from IGAD South Sudan Office

²⁴⁸ Rift Valley Institute, *Instruments in Both Peace and War: South Sudanese Discuss Civil Society Actors and their Role*, (London and Nairobi: Rift Valley Institute, 2016): 11-7.

communities and people at the core of the search for peace held prospects of further propelling the regional mediation efforts towards homegrown solutions. Besides having an insight of the causes, dynamics and impact of the conflict distinct from the elite, grassroots are versed with local interventions, capacity and resources that can reinforce national peace efforts. Integrating locally conceived solutions that are popular with a community as an embodiment of its identity and culture in peacemaking and peace building inspires commitment and fosters local ownership both of which underpin sustainable outcomes.²⁴⁹ Specific to South Sudan, records highlight existing and tested local peace building mechanisms and activities whose noteworthy impact is partly attributed to grassroots agency.²⁵⁰

Having underscored the value of inclusivity, it went on to be the earliest test to a genuine commitment to, and ingenuity in, African-driven peace building initiatives vis-à-vis defining and agreeing on who participates, in what capacity, in which phase and on which platform in addition to coping with and managing the aspirations and demands of various stakeholders.²⁵¹ Not long after signing the Agreement to Resolve the Crisis in South Sudan, the government and SPLM-IO appeared to renege on a multi-stakeholder approach framing the negotiation as “their” (armed groups) process.²⁵² A contentious selection process with varied interpretation of ‘civil society’

²⁴⁹ Author interview with respondent 4 from IGAD Somalia Office, Addis Ababa Ethiopia, 26 September 2019

²⁵⁰ Titus Agwanda and Geoff Harris, “People-to-People Peacemaking and Peacebuilding: A Review of the Work of the New Sudan Council of Churches,” *African Security Review* (June 2009); John Ashworth, “The People-to-People Peace Process,” in *South Sudan Peace Agreement and Peacemaking* (Zambakari Advisory Special Issue, 2019); Paul Murphy, “The Delicate Practice of Supporting Grassroots Peacebuilding in Southern Sudan,” in *Peace by Piece: Addressing Sudan's Conflicts*, ed. Mark Simmons and Peter Dixon (London: Conciliation Resources, 2006); Hadley Jenner, “*When Truth is Denied, Peace will not Come*”: *The People-to-People Peace Process of the New Sudan Council of Churches* (Cambridge: CDA Collaborative Learning Projects, 2000); Christopher Milner, *In It for the Long Haul? Lessons on Peacebuilding in South Sudan* (Juba and London: Christian Aid, 2018)

²⁵¹ Lanz, Nathan and Burg, op. cit., 16-8; Phillip Apuuli Kasaija, “Playing for Time in the South Sudan Peace Process,” *Institute for Security Studies*, 23 July 2014, <https://issafrica.org/iss-today/playing-for-time-in-the-south-sudan-peace-process>

²⁵² Jok, “South Sudan’s Crisis: Weighing the Cost of the Stalemate in the Peace Process,” 8; Zacharia D. Akol, op. cit. 5-8.

and ‘inclusivity’ marred IGAD’s optimism about operationalizing inclusivity after the June 2014 multi-stakeholder symposium.²⁵³ Citizens for Peace and Justice castigated IGAD of bias and lacking transparency.²⁵⁴ Warring parties were accused of influencing and/or interfering with the selection of representatives depending on who was sympathetic to whose cause.²⁵⁵ The resultant selection of representatives and composition of CSOs came across as mirroring affiliation to one or the other primary contender thereby raising misgivings about the purpose of a separate civil society representation.²⁵⁶ The peace talks leading to the ARCSS were marked by recurrent boycotts, stalemates and missed deadlines owing to inclusivity disagreements.²⁵⁷

A forum for women leaders advocating for a gender-sensitive mediation process linked instability in South Sudan to a disconnect between the policies in place and the reality on the ground partly because women are not sufficiently involved in policy making.²⁵⁸ Still the gender balance was rated as lopsided as the high-level talks took shape.²⁵⁹ In the initial stages, male dominance was apparent in the composition of not only the negotiating teams but also the IGAD mediation team.²⁶⁰ Despite women’s record of engaging in peacemaking throughout the country’s history of

²⁵³ Jok, “South Sudan’s Crisis: Weighing the Cost of the Stalemate in the Peace Process,” 7-8.

²⁵⁴ Citizens for Peace and Justice, “Open Letter: Civil Society Group Asks to Join Addis Talks,” *Radio Tamazuj*, 12 June 2014, <https://radiotamazuj.org/en/news/article/open-letter-civil-society-group-asks-to-join-addis-talks>

²⁵⁵ Lanz, Nathan and Burg, op. cit. 17.

²⁵⁶ Zacharia D. Akol, op. cit. 10; Jérôme Tubiana “Civil Society and the South Sudan Crisis,” *International Crisis Group* (14 July 2014): 9-10, <https://www.crisisgroup.org/africa/horn-africa/south-sudan/civil-society-and-south-sudan-crisis>

²⁵⁷ Nicholas Bariyo, “South Sudan Rebels Boycott Peace Talks,” *Wall Street Journal*, 11 February 2014, <https://www.wsj.com/articles/south-sudanese-rebels-boycott-peace-talks-1392106949>; Sudan Tribune, “South Sudanese Peace Talks Adjourned Over Inclusivity Crisis,” 23 June 2014, <https://sudantribune.com/spip.php?article51444>; Waakhe Simon Wudu, “The Swings and Roundabouts of South Sudan’s Peace Talks,” *VOA*, 2 September 2014, <https://www.voanews.com/africa/swings-and-roundabouts-south-sudans-peace-talks>

²⁵⁸ Cordaid, “Peace Brokers Meet with Women Leaders,”

²⁵⁹ Lanz, Nathan and Burg, op. cit. 18; Esther Soma, *Our Search for Peace: Women in South Sudan’s Peace Processes, 2005-2018* (Oxfam, UN Women and Born to Lead, 2020), 23-28.

²⁶⁰ Marthe van der Wolf, “Women Take Role in South Sudan Peace Talks,” *VOA*, 16 January 2014, <https://www.voanews.com/africa/women-take-role-south-sudan-peace-talks>; Soma, op. cit. 30.

conflict,²⁶¹ the patriarchal southern Sudanese society and entrenched power positions gave the male counterparts a sense of entitlement to decision-making hence stifled women's representation and participation in the latest peace process.²⁶² Youth mobilization and representation in high-level peace talks were nominal.²⁶³ Four youths, two for the government and two for the opposition, are reported to have participated in the negotiations that culminated in the ARCSS. Yet over 70% of South Sudan's population is youth below 30 years old according to the country's last population census in 2008 also as noted in the R-ARCSS. Representation of marginalized groups and persons living with disabilities was observed as deficient.²⁶⁴

IGAD holds that through its stakeholder mapping exercises interested South Sudanese had an opening to express interest in participating in the peace talks, framing issues and setting the agenda and that the final list was by consensus of attendees.²⁶⁵ However this self-appraisal runs alongside observed limiting factors like the low degree of pre-forum sensitization and mobilization within South Sudan and in the diaspora besides the location of high-level negotiations in a foreign land bringing about challenges associated with transport and accommodation logistics for interested parties. Michelle Barsa et.al. hold that the low enthusiasm for an inclusive, gender-balanced process built on mediation team's failure to popularize broad-based peace talks at the outset.²⁶⁶

²⁶¹Helen Kezie-Nwoha and Juliet Were, "Women's Informal Peace Efforts: Grassroots Activism in South Sudan," *Chr. Michelson Institute* Brief No. 7 (November 2018), <https://www.cmi.no/publications/file/6700-womens-informal-peace-efforts.pdf>; Soma, op. cit.12-9.

²⁶² Soma, op. cit.20.

²⁶³ Kennedy Tumutegyeize and Chuol Gew Nyial, *Youth Perspectives on Peace and Security: South Sudan* (Conciliation Resources, 2018): 3, 14.

²⁶⁴ CEPO, "Observation Report on IGAD led High Level Revitalization Forum," 20 September 2018, <http://cepo-southsudan.org/news/observation-report-igad-led-high-level-revitalization-forum>;

²⁶⁵ Author interview with respondent 2 from IGAD South Sudan Office

²⁶⁶ Michelle Barsa, Olivia Holt-Ivry and Allison Muehlenbeck, "Inclusive Ceasefires: Women, Gender, and a Sustainable End to Violence," *Institute for Inclusive Security* (2016): 17.

4.1.3.1.2 Inclusivity through Participation

Beyond numerical representation the value of inclusivity lies in quality participation whereby all stakeholders have a genuine space to freely, openly and meaningfully share their needs and aspirations and that the contribution is integrated in the peace process. Leading to the ARCSS, CSOs expressed dissatisfaction with the scope and impact of inclusivity pointing out that the main protagonists frustrated meaningful participation. Some proceedings were limited to the three SPLM factions thus the SPLM-IG, SPLM-IO and the former detainees as CSOs delegates were relegated to observers or entirely excluded from the proceedings.²⁶⁷ South Sudan's security agents invoked the 2014 National Security Service Law to limit the space for civil society groups.²⁶⁸ Government agents blocked opposition political parties' delegates from travelling to the negotiation venue.²⁶⁹ Consequently by August 2014 the group tagged "other political parties" was edged out of the talks that would then be dominated by SPLM-IG and SPLM-IO and to a lesser extent the former detainees. Apart from periodic appeals to parties to embrace inclusivity neither the IGAD leadership nor the chief mediators strongly condemned or took tough measures against these obstructive activities, which raised questions about IGAD's dedication and competence to steer the inclusivity agenda.²⁷⁰ The contribution of other stakeholders came across as of minimal impact in view of cautious articulation of

²⁶⁷ Zacharia D. Akol, op. cit. 12-3.

²⁶⁸ Charles Mutasa and Kudrat Virk, *Building Peace in South Sudan: Progress, Problems, and Prospects* (Cape Town: Centre for Conflict Resolution, June 2017): 28; Committee to Protect Journalists, "South Sudanese President Salva Kiir Threatens to Kill Journalists," 17 August 2015, <https://cpj.org/2015/08/south-sudanese-president-salva-kiir-threatens-to-kill-journalists/>

²⁶⁹ Charlton Doki, "Opposition Says Delegates Barred From Attending South Sudan Peace Talks," *VOA*, 6 June 2014, <https://www.voanews.com/africa/opposition-says-delegates-barred-attending-south-sudan-peace-talks>; Lam Akol, "The South Sudan Government Prevented Me from Attending Ethiopia Talks," *Nation*, 23 December 2014, <https://nation.africa/kenya/blogs-opinion/opinion/-the-south-sudan-government-prevented-me-from-attending-ethiopia-talks-1054202>; Radio Tamazuj, "Diplomats 'Concerned' After S Sudan Politicians Blocked from Traveling to Peace Talks," 14 September 2014, <https://radiotamazuj.org/en/news/article/diplomats-concerned-after-s-sudan-politicians-blocked-from-traveling-to-peace-talks>; Zacharia D. Akol, op. cit. 11-3.

²⁷⁰ Zacharia D. Akol, op. cit. 8-11.

issues of a contrary viewpoint for fear of repercussions in a climate of limited freedom of expression.²⁷¹ Building on the interference in the stakeholder mapping exercise, there have been reservations about the chosen representatives being knowledgeable about and capable of cogently and unwaveringly advancing interests of ordinary citizens generally and for specific groups such as women and youth.²⁷²

Vis-à-vis concerns that the peace talks centred on the two principal parties, a respondent pointed out that the mapping exercises considered stakeholders' identities, interests and more so power dynamics to inform the leverage that different parties wielded in the conflict and relationships among them and so from the findings a higher level of attention was accorded to parties with greater sway and/or with broken relationships.²⁷³ In IGAD's view, the segment became the focus of media coverage and appraisal of the process whereas there was extensive engagement with other stakeholders.²⁷⁴ While the justification has its merits within mediation practice, the disquiet is more about other participants' considered disproportionate engagement in the negotiations coupled with lack of information about the participation model(s) and the guiding principles as well as low level of transparency about the objective and outcome of those exclusive and parallel talks and their impact on the main dialogue.

IGAD came across as largely engrossed with the country's political and military elites and lacking a defined strategy to engage with and link the wider

²⁷¹ Knowledge Platform Security and Rule of Law, "Civil Society, Democratisation, and the Closing of Civic Space - Experiences from South Sudan," 20 April 2020, <https://www.kpsrl.org/blog/civil-society-democratisation-and-the-closing-of-civic-space-experiences-from-south-sudan>; Radio Tamazuj, "Sudan Civil Society Chairman Has Theory Why He Was Shot," 18 September 2014, <https://radiotamazuj.org/en/news/article/s-sudan-civil-society-chairman-has-theory-why-he-was-shot>

²⁷² Institute of Social Policy and Research, "National Youth Representative to the High Level Revitalization Forum," Debriefing Report, Juba, 1 March 2018, <http://docplaver.net/187492688-National-youth-representative-to-the-high-level-revitalization-forum-debreifing-report-march-1-regency-hotel-juba-south-sudan.html>; Tumutegyereize and Nyial, op. cit. 3; Omar S. Mahmood, *Nobody Came to Ask Us: South Sudanese Refugee Perceptions of the Peace Process* (Institute for Security Studies, December 2018): 14.

²⁷³ Author interview with respondent 1 from IGAD South Sudan Office

²⁷⁴ Author interview with respondent 1 and 2 from IGAD South Sudan Office

population to the Track One peace negotiations abroad. Public surveys conducted within and outside the country and a cross-section of expert and academic appraisals of the IGAD-led mediation indicate that the general public was not sufficiently involved in the national peace dialogue to express their interpretation of the conflict and to influence the solutions.²⁷⁵ Consultations that the mediation team conducted inside South Sudan were confined to few cities and lacked coverage to connect other parts of the country to the proceedings.²⁷⁶ In the absence of adequate information sessions, feedback loops, regular public communication and within the obtaining climate of government censorship; majority lacked in-depth understanding of and information about the national level peace proceedings to stimulate a constructive public engagement.²⁷⁷ Women peace advocates highlighted the futility of grassroots discussions in the face of fast-paced Addis Ababa sessions that often moved to the

²⁷⁵ Thijs Van Laer, *'We Do Not Honour Agreements': Dialogue and Peace Agreements in South Sudan*, (International Refugee Rights Initiative, November 2018); Mahmood, op. cit.; David K. Deng, Belkys Lopez, Matthew Pritchard and Lauren C. Ng, *Search for a New Beginning: Perceptions of Truth, Justice, Reconciliation and Healing in South Sudan* (South Sudan Law Society and UNDP, 2015): 21-3; African Union, *Final Report of the African Union Commission of Inquiry on South Sudan*, 242-3; Kelly Case, "Without Inclusion, No Hope for Peace in South Sudan," *Institute for Inclusive Security*, 17 August 2015, <https://reliefweb.int/report/south-sudan/without-inclusion-no-hope-peace-south-sudan>

²⁷⁶ Lanz, Nathan and Burg, op. cit.18; Aly Verjee, "The Future of South Sudan and the Peace Agreement," remarks delivered at the Royal Institute of International Affairs (London, October 2016): 3, <https://www.chathamhouse.org/sites/default/files/events/2016-10-26-future-south-sudan-peace-agreement-transcript.pdf>

²⁷⁷ Donald Booth, "South Sudan's Peace Process: Reinvigorating the Transition," remarks delivered at the Royal Institute of International Affairs (London, February 2016): 4, <https://www.chathamhouse.org/sites/default/files/events/2016-02-09-south-sudan-peace-process-reinvigorating-transition-transcript.pdf>; Amnesty International, "The Price of Silence": Freedom of Expression Under Attack in South Sudan," August 2014, <https://www.refworld.org/docid/53e1f02d4.html>; African Arguments, "The South Sudan Peace Process: Prospects for 2015," 6 January 2015, <https://africanarguments.org/2015/01/the-south-sudan-peace-process-prospects-for-2015/>; Anyieth D'Awol, "IGAD Mediators, the South Sudanese People Have the Right to Know," *African Arguments*, 16 February 2015, <https://africanarguments.org/2015/02/igad-mediators-the-south-sudanese-people-have-the-right-to-know-by-anyieth-dawol/>; Shelagh Daley, "What's Happening with the South Sudan Peace Process? Nobody Seems to Know," *Safer World*, 5 June 2015, <https://www.saferworld.org.uk/resources/news-and-analysis/post/160-whatas-happening-with-the-south-sudan-peace-process-nobody-seems-to-know>

next theme before completion of in-country consultations and transmission of related inputs.²⁷⁸

Mediation practice recognizes that it is not always possible to accommodate all relevant groups at the negotiation table.²⁷⁹ A mediator has to look beyond direct representation to auxiliary channels of linking the wider community to the search for peace. The CoHA provided for a monitoring and verification mechanism with a native civilian component in the Monitoring and Verification Teams (MVT) and local committees besides generally collaborating with local communities in the ceasefire monitoring operations.²⁸⁰ Civilians are an asset as partners in ceasefire implementation in that they pick up intricate details of the drivers and dynamics of local conflicts on the basis of their everyday interactions at family and community levels. They can provide real time situation reports on occurrences in remote, hard-to-reach or even covert military locations. There is also the considered utility of popular pressure on belligerent parties to honour ceasefires and commit to peace talks.²⁸¹ However, limited headway in mobilizing support for peace beyond the combatants and foreign monitors weakened monitoring operations and outcomes in South Sudan.²⁸² With a weak and erratic engagement of the local communities and absent feedback on their basic input, the operation and the mediation missed their vital contribution.

Away from engaging in the national-level peace talks, the civil societies in South Sudan - both formal and informal, local community-based organizations and

²⁷⁸ Soma, op. cit.28.

²⁷⁹ Paffenholz, op. cit.; United Nations, *United Nations Guidance to Effective Mediation* (New York: Mediation Support Unit, 2012): 11.

²⁸⁰ IGAD, *Agreement on Cessation of Hostilities Between the Government of the Republic of South Sudan (GRSS) and the Sudan People's Liberation Movement/Army (In Opposition) (SPLM/A IO)*, Addis Ababa, 23 January 2014: section 6.

²⁸¹ Barsa, Holt-Ivry and Muehlenbeck, op. cit. 35-6; African Arguments, "The South Sudan Peace Process: Prospects for 2015,"

²⁸² Aly Verjee, "Ceasefire Monitoring in South Sudan 2014-2019: 'A Very Ugly Mission'," *United States Institute of Peace* No. 150 (August 2019): 11-5.

faith-based organizations - have registered community level presence addressing local conflicts, promoting reconciliation and peaceful relations and supporting communities to rebuild livelihoods notwithstanding challenges of coordination, funding, capacity, ethnic and political allegiances.²⁸³ But the IGAD-led mediation did not exhibit robust visibility in embracing, promoting and empowering local peace building initiatives and in turn routing their unique capacities and inputs to the high level interactions.²⁸⁴ The mandate of African Union Commission of Inquiry on South Sudan (AUCISS) to “investigate the human rights violations and other abuses committed during the armed conflict in South Sudan and make recommendations on the best ways and means to ensure accountability, reconciliation and healing among all South Sudanese communities,” that was presented and welcomed as a facet of African solutions being an initiative of the continent, a first of its kind for the AU, propelled by an African taskforce and to be grounded in an African experience provided a channel for engaging the wider population.²⁸⁵ Having widely benefited from perspectives of civilians, the call to defer publication of its report came across as downplaying the sacrifice and contribution of the society.²⁸⁶

The South Sudan National Dialogue held prospects of redressing the weak link to Addis Ababa peace talks and promoting participation of the wider society in the search for peace against an observation that the SPLM Reunification Agreement and

²⁸³ Mutasa and Virk, op. cit. 27-9; Tumutegyereize and Nyial, op. cit.; Milner, op. cit.; Anjili Parrin, “Looking Beyond IGAD in South Sudan,” *New Humanitarian*, 23 June 2014, <https://www.thenewhumanitarian.org/analysis/2014/06/23/looking-beyond-igad-south-sudan>

²⁸⁴ Milner, op. cit. 21; Emmaculate Asige Liaga, “Situating ‘the Local’ in Peacebuilding in South Sudan,” *Southern Voices Network for Peacebuilding* Research Paper No. 20 (November 2017), https://www.wilsoncenter.org/sites/default/files/media/documents/publication/research_paper_-_situating_the_local_in_peacebuilding_in_south_sudan.pdf

²⁸⁵ African Union, *Report of the Chairperson on the Situation in South Sudan*, Peace and Security Council 416th Meeting PSC/AHG/3(CDXVI), Addis Ababa, 29 January 2014; Deng, Lopez, Pritchard and Ng, op. cit. 8.

²⁸⁶ David K. Deng, “The Silencing of the African Union Commission of Inquiry on South Sudan,” op-ed, <https://www.dailymaverick.co.za/article/2015-02-06-op-ed-silencing-of-the-african-union-commission-of-inquiry-on-south-sudan/>

the ARCISS had only tackled power and military aspects of the conflict.²⁸⁷ The President made a specific note of the weak social fabric, shrinking economy and overlooked grassroots grievances. The initiative envisioned a bottom-up approach placing the public in the driver's seat of defining the issues and solutions and could complement the elite political settlement. Still the proposed National Dialogue was received with skepticism at its announcement including questions about its objectivity with President Kiir as the patron and inconsistencies about inclusivity and conciliation most striking being the President expressly stating that Machar could only participate through a representative.²⁸⁸

Overall the regional mediation squandered opportune auxiliary platforms for reinforcing inclusivity and dialogue, managing competition for representation and related deadlocks on the national dialogue arena, discovering underlying sources of conflict and viable responses from diverse lenses, bolstering leverage on warring parties and spoilers and most importantly furthering African solutions by integrating South Sudan's grassroots mechanisms, initiatives and experience in peace building into the IGAD conflict resolution endeavors. Respondents to the AUCISS pointed out that unless peace conversations in Addis Ababa open up to the general population for extensive perspectives on grievances and the desired framework for justice and reconciliation for instance, any peace attained is likely to be short-lived.²⁸⁹ The AUCISS concluded that the search for homegrown solutions must engage affected communities and draw on community-based initiatives.²⁹⁰ While underscoring the

²⁸⁷ Republic of South Sudan, Office of the President, *Speech of His Excellency the President Announcing the Commencement of National Dialogue*

²⁸⁸ Parach Mach, "South Sudan President Starts National Dialogue Process," *Anadolu Agency*, 22 May 2017, <https://www.aa.com.tr/en/africa/south-sudan-president-starts-national-dialogue-process/823742>

²⁸⁹ African Union, *Final Report of the African Union Commission of Inquiry on South Sudan*, 242-3, 272.

²⁹⁰ *Ibid.* 271-2.

centrality of local ownership in the advancement of African solutions, Rhodah Nkubah Natukunda points out that,

“Without enhancing the capacity of African citizenry to contribute to and own solutions at the local level, the sustainability of such solutions might be undermined however afro-centric.”²⁹¹

4.1.3.1.3 Inclusivity in Terms of Addressing the Issues Underlying the

Conflict

The conflict in South Sudan predates the fallout in the government in December 2013. Section 1.8.1.1 above provides an overview of the conflict’s history, actors, motivations and trajectory. Numerous studies define South Sudan’s as a complex crisis characterized by multi-level dependent conflicts. Respondents to the AUCISS connected the 2013 conflict outbreak to memories of past wars and distress about related unresolved grievances including human rights violations and abuses also governance and economic exclusion.²⁹² The unaddressed injustices and the accompanying resentment against perpetrators, their supporters and beneficiaries have often provided a fertile ground for mobilization of individuals and communities and been an incentive for retaliatory attacks. The SPLM/A Split, the Bor massacre and others dotting the conflict history of the region propagated ethnic divisions, factionalism and societal distrust that have underpinned political agendas and even localized conflicts over resources going forward. This environment has been cited to explain the speed and brutality with which the violence that broke out in Juba on 15 December 2013 diffused to other parts of the country.²⁹³ Besides the issues internal to South Sudan, the relationship between the two Sudans has mostly been tenuous wrapped in suspicions alongside enduring military and economic impasses. The

²⁹¹ Natukunda, op. cit. 139.

²⁹² African Union, *Final Report of the African Union Commission of Inquiry on South Sudan*, 34-80, 230-241.

²⁹³ *Ibid.* 239-240.

AUCISS went on to conclude, "... South Sudan is a deeply divided society..." and that "... the current armed conflict merely excavated buried cleavages within society."²⁹⁴

With the renewed violence in South Sudan, the CPA came under the spotlight to rationalize why the past remains a menace to the new state. Eruption of violent conflict in South Sudan has been ascribed, in part, to suggested shortcomings of the CPA (process, outcome and implementation).²⁹⁵ Critics have described the CPA as a quick fix elite settlement that overlooked the root causes of the conflict mainly because it was a product of narrow representation in order to secure interests of the US and the key protagonists.²⁹⁶ The approach suited the two primary contenders who were keen on maintaining a monopoly on power and resources and also guard against responsibilities they would rather avoid especially those related to justice and accountability. Having secured dominant control of the governments on their respective divides, the political will to implement the CPA provisions or to address outstanding issues affecting the two Sudans or internal to each territory was generally lacking. The SPLM focused on preserving its rule through integrating dissenting voices into the party to secure political stability. This approach merely provided a respite as long as the arrangement served self-interests of a handful of individuals while the grievances of the larger society remained unaddressed. The conduct of the 2010 elections and disarmament drives and the drafting of the 2011 transitional Constitution came across as regime-centred and exclusive.²⁹⁷ Organized attempts for national dialogue and reconciliation emerged in 2012 but were confronted with

²⁹⁴ Ibid. 237.

²⁹⁵ Ibid. 20, 235-7; Jok Maduk Jok, "The Paradox of Peace in Sudan and South Sudan: Why the Political Settlements Failed to Endure," *Berghof Foundation Inclusive Political Settlements Papers* 15 (September 2015): 8-12.

²⁹⁶ Ylönen, op. cit.; Pendle, op. cit.

²⁹⁷ Pendle, op. cit.; Luka Biang Deng Kuol, "Lessons from a Decade of South Sudanese Statehood," *Africa Center for Strategic Studies* (29 June 2021)

opposition and contestations between the two principals as well as disgruntlement over political stewardship of and inclusivity in the initiative and therefore legitimacy deficits hence eventually grounded to a halt.²⁹⁸

Therefore since several issues were being carried over from mediated conflict of the greater Sudan to another mediation also overseen by IGAD, there is interest in what the regional bloc does differently to achieve different results from the CPA and to disrupt the cyclic conflicts. The multi-stakeholder framework was one of the remedial measures that the mediation adopted. The rationale for championing a broad-based process in South Sudan is that engaging a wide spectrum of stakeholders in the search for peace facilitates joint and detailed discovery of underlying sources of a conflict and its drivers and crafting responses that engender sustainable peace.²⁹⁹ Indeed traditional African systems grasped the value of participatory processes in establishing the roots of a conflict. To this end peacemaker(s) would engage the entire community to establish the nature of individual and group relationships predating the prevailing conflict and in so doing expose long-standing rivalries and grievances and also provide insight into similarities and differences in their needs, interests, aspirations and/or motivations for conflict.³⁰⁰

In the latest undertaking, IGAD's high-level negotiations towards a preferably comprehensive peace deal started off on a fairly consultative tone engaging different stakeholders through face-to-face negotiations, thematic committees and other methods.³⁰¹ Similar to the CPA process, the mediation adopted an incremental

²⁹⁸ African Union, *Final Report of the African Union Commission of Inquiry on South Sudan*, 254-56; Kwesi Sansculotte-Greenidge, Emile Yanaki Taban and Nhial Gogok, "Reconciliation Without Regret: National Healing and Reconciliation in South Sudan," *ACCORD Policy and Practice Brief Issue 27* (November 2013)

²⁹⁹ UN Security Council, *Security Council Resolution 2155 (2014) [on extension of the mandate of the UN Mission in South Sudan (UNMISS) until 30 Nov. 2014]*, S/RES/2155 (2014), 27 May 2014

³⁰⁰ Brock-Utne, op. cit. 8-9; Ndubuisi, "Re-empowering Indigenous Principles for Conflict Resolutions in Africa: Implications for the African Union," 20-1.

³⁰¹ Lanz, Nathan and Burg, op. cit. 21.

strategy in which a series of intermediary bargains on substantive issues are locked consecutively to culminate into a final comprehensive agreement.³⁰² The approach laid emphasis on establishing peace first ahead of delving into the underlying sources of the conflict hence the priority given to securing the cessation of hostilities agreement. The centrality of peace would further be exemplified in the consideration of transitional justice. Issues pertaining to transitional justice, reconciliation and healing made it to the agenda of the South Sudan's peace talks concretely starting with the 25 August 2014 agreement.³⁰³ Consideration and publication of the AUCISS's report were deferred for several months after Desalegn, Ethiopia's Prime Minister and IGAD's Chairperson at the time, moved a motion on grounds that it would have jeopardized the peace process underway.³⁰⁴ Earlier on, in an op-ed article Thabo Mbeki and Mahmood Mamdani had argued that prioritization of retributive justice is characteristic of Western societies with the potential of diverting attention from issues driving a conflict and also disincentivising some parties from negotiations and reform agenda as it runs counter dialogue and compromise.³⁰⁵ This school of thought did not rule out criminal accountability. Rather it held that the pursuit of criminal responsibility is less efficient when conducted in the midst of conflict and/or by a nonfunctioning political system.

The incremental and sequencing mediation strategy suggested awareness of and sensitivity to the South Sudan context ranging from intricacies of the conflict to

³⁰² Ibid.14-6.

³⁰³ IGAD, *Protocol on Agreed Principals on Transitional Agreements Towards Resolution of the Crisis*, 25 August 2014: article 23 and 24; Chama Cha Mapinduzi, *Agreement on the Re-unification of the SPLM*, Arusha, 21 January 2015: clause 2,3,11 and 15.

³⁰⁴ David K. Deng, "No Peace, No Justice: How African Union is Failing South Sudan," *African Arguments*, 2 February 2015, <https://africanarguments.org/2015/02/no-peace-no-justice-how-the-african-union-is-failing-south-sudan-by-david-k-deng/>; Peter Fabricius, "Juggling a Hot Potato in South Sudan," *Institute for Peace and Security*, 30 July 2015, <https://issafrica.org/amp/iss-today/juggling-a-hot-potato-in-south-sudan>

³⁰⁵ Thabo Mbeki and Mahmood Mamdani, "Courts Can't End Civil Wars," *New York Times*, 5 February 2014, <https://www.nytimes.com/2014/02/06/opinion/courts-cant-end-civil-wars.html>

tenuous commitment of parties. It held potential of curving out a domestic approach. However a poorly constructed and executed methodology together with the disposition of warring parties and IGAD member states undermined its effectiveness. Apart from lack of enthusiasm to involve non-armed stakeholders and continuing ceasefire violations, armed parties comprehended and took advantage of lack of unity of purpose and competing interests among the IGAD member states as well as lack of muscle on the part of the IGAD special envoys and mediators to derail the momentum of the peace talks.³⁰⁶ IGAD leadership came under the radar for encouraging forum shopping and summit diplomacy an alternative that made parties disinclined to engage in constructive dialogue.³⁰⁷ Unilateral decisions and changes to mediation outcomes at IGAD summits and other leadership forums undercut mediation's credibility.³⁰⁸

The transition from IGAD to IGAD-Plus in June 2015, a proposed bridge between an "African solution" approach and a concerted high-level, wider international engagement was a reaction to foregoing challenges.³⁰⁹ Ahead of unveiling IGAD-Plus, Ambassador Mesfin, the Chief mediator announced that the Addis Ababa peace talks had collapsed due to the vested economic, security and political interests of countries in the region besides lack of political will by the warring parties.³¹⁰ IGAD envisaged that the weight of the wider international community would shore up confidence of the South Sudanese in IGAD's undertaking,

³⁰⁶ International Crisis Group, *South Sudan: Keeping Faith with the IGAD Peace Process* (International Crisis Group Africa Report No. 228, 27 July 2015)

³⁰⁷ Lanz, Nathan and Burg, op. cit. 13; Vertin, op. cit. 15-7.

³⁰⁸ Nihal Tiitnamer and Abraham A. Awolich, "Deconstructing the Protocol on Agreed Principles and the Peace Process," *Sudd Institute Policy Brief* (4 December 2014): 8-9; Lanz, Nathan and Burg, op. cit. 13; International Crisis Group, *South Sudan: Keeping Faith with the IGAD Peace Process*, 13; Fleischer, "Spoils of War, Spoilers of Peace: Changing the Calculus of South Sudan's Deadly Conflict," 2.

³⁰⁹ Government of Ethiopia, "Prime Minister Hailemariam Launches the IGAD-Plus Mediation on South Sudan," 15 June 2015, *Relief Web*, <https://reliefweb.int/report/south-sudan/prime-minister-hailemariam-launches-igad-plus-mediation-south-sudan>; International Crisis Group, *South Sudan: Keeping Faith with the IGAD Peace Process*, ii.

³¹⁰ Fred Oluoch, "IGAD to Involve New Players in South Sudan Peace Talks," *East African*, 14 March 2015, <https://www.theeastafrican.co.ke/news/Igad-asks-more-countries-to-join-South-Sudan-peace-talks/2558-2653010-view-printVersion-w4gsi7z/index.html>

keep in check the divergent interests and exert necessary pressure on the parties to come to an agreement. But resorting to a partnership that goes beyond the continent to contain competing interests among IGAD member states and armed parties' intransigence appeared to pass over a problem-solving responsibility and therefore stood at variance with African solutions for Africa's problems.³¹¹

Within the narrow and controlled civic space and weak interface with the wider population, the peace talks appeared to focus on addressing the proximate cause of the conflict thus the leadership crisis in the government only giving subtle attention to the underlying sources of the conflict and grassroots grievances.³¹² Power sharing gained foothold as a means of dealing with the divide in the government.³¹³ The top competitors redirected their focus to power-sharing ratios in the proposed transitional unity government.³¹⁴ Hardline positions persisted on the expanded platform. Consequently the mediation team abandoned the consultative approach on the inference that the parties were unable to reach a consensus on disputed texts.³¹⁵ The team proceeded to draft a "compromise" agreement that parties had a limited window to negotiate contested provisions. When they could not generate consensus again a unilaterally modified document was re-presented to the parties for signature on a "take it or leave it" basis albeit their explicit objections to some provisions.³¹⁶ The

³¹¹ John Young, "A Fractious Rebellion: Inside the SPLM-IO," *Small Arms Survey* (September 2015): 51.

³¹² Abraham A. Awolich, "The Fundamental Problem of South Sudan," *Sudd Institute Weekly Review* (26 April 2018): 6; Zacharia D. Akol, op. cit. 12.

³¹³ Abraham Awolich, "The Mediation Pendulum and the Challenges that Underlie the Peace Implementation in South Sudan," *Sudd Institute Policy Brief* (2 December 2015): 8; Lanz, Nathan and Burg, op. cit. 24; Young, "A Fractious Rebellion: Inside the SPLM-IO," 35-6; Lesley Warner, "South Sudan's Warring Parties Agree to Agree on a Peace Agreement," *Washington Post*, 5 February 2015, <https://www.washingtonpost.com/news/monkey-cage/wp/2015/02/05/south-sudans-warring-parties-agree-to-agree-on-a-peace-agreement/>

³¹⁴ Tiitnamer and Awolich, op. cit.; Francis Onditi, Kizito Sabala and Samson Wassara, "Power-sharing Consociationalism in Resolving South Sudan's Ethno-Political Conflict in the Post-Comprehensive Peace Agreement Era," *ACCORD AJCR* 2018/1; Zacharia D. Akol, op. cit. 5-8.

³¹⁵ Lanz, Nathan and Burg, op. cit. 21-3.

³¹⁶ Karin Zeitvogel, "South Sudan Peace Talks Resume with IGAD Plea for Compromise," *VOA*, 6 August 2015, <https://www.voanews.com/africa/south-sudan-peace-talks-resume-igad-plea-compromise>

two main protagonists signed the ARCSS with reservations under threats of sanctions.³¹⁷ The reluctance to sign the agreement indicated a lack of good will and forgiveness among the warring parties and most regrettably dissatisfaction with the peace deal. Even as the world celebrated the delivery of the ARCSS accord, the process was faulted for overlooking objections raised by Kiir and from other quarters that alluded to low commitment and buy-in for popular implementation of its provisions.³¹⁸

The mediation has been criticized for prioritizing securing agreements and negative peace without concomitant measures of addressing broken relations even as the uneasy relationship between President Kiir and Machar was obvious and societal cohesion wanting.³¹⁹ Leading to the ARCSS, much of IGAD's efforts to assuage the divide and mistrust were directed at select individuals in South Sudan's political leadership. As noted above, IGAD defended the approach as guided by a consideration of power relations. Even then those attempts were neither sustained nor well coordinated. Both Kiir and Machar publicly and repeatedly declared their reluctance to accommodate and work with the other as peace talks gearing for a coalition government continued. The strife was replicated among the negotiation delegations and contributed to bottlenecks in the advancement of the peace talks.³²⁰

The initiative to reconcile SPLM factions via the SPLM dialogue process so as to bolster the IGAD-led process instead faced inclusivity criticism, became politicized

³¹⁷ Author interview with respondent 1 from IGAD South Sudan Office; GRSS, *The Reservations of the Government of the Republic of South Sudan on the "Compromise Peace Agreement on the Resolution of the Conflict in South Sudan*, Juba, 26 August 2015, <https://carleton.ca/africanstudies/wp-content/uploads/GRSS-reservations.pdf>; Tesfa-Alem Tekle, "Machar Calls on Kiir to Drop his Reservations in Favour of Peace in South Sudan," *Sudan Tribune*, 28 August 2015, <https://sudantribune.com/spip.php?article56207>

³¹⁸ Clayton Hazvinei Vhumbunu, "Conflict Resurgence and the Agreement on the Resolution of the Conflict in the Republic of South Sudan: A Hurried and Imposed Pact?" *ACCORD Conflict Trends* 2016/3

³¹⁹ Lanz, Nathan and Burg, op. cit. 15.

³²⁰ Ibid. 22.

and was not properly linked to, supported by and overseen by IGAD but rather provided an alternative forum for parties to lobby for exclusive interests.³²¹ Existing community initiatives to mend relations lacked extensive geographical coverage, effective coordination, critical support from and linkages to the national platform for a concrete affect. A take-away from indigenous peacemaking systems such as the church-led People-to-People Processes would be that of integrating confidence-building measures and reconciliation in peace building from the outset the rationale being that it paves the way for a genuine exhaustive dialogue and that without stability and cohesion within and between societal levels, any settlement reached at the political level is fragile. Preliminary and sustained reconciliation initiatives have crosscutting advantages especially for security sector reforms including unification of forces and DDR.

The mediation did not exploit opportunities for incorporating interim building blocs for reforms and peace dividends that all together would have buttressed the final agreement alongside progressively building confidence in the peace process, making reconciliation appealing and consolidating joint post-conflict reconstruction. South Sudan's socioeconomic development is ranked as extremely low and among the lowest in the world thanks to decades of violent conflict; marginalization of the South while still a part of the greater Sudan added governance and economic challenges that the new state grapples with.³²² Amid high levels of poverty, lack of employment opportunities, in a country awash with weapons and a weak security sector; engaging in violence and criminality has become attractive especially to men and the youth.³²³ Most field commanders, fighters and the rank and file of armed groups and non-allied

³²¹ International Crisis Group, *South Sudan: Keeping Faith with the IGAD Peace Process*, 19-20; John Young, "A Fractious Rebellion: Inside the SPLM-IO," 37-40.

³²² Bertelsmann Stiftung, *BTI 2020 Country Report — South Sudan* (Gütersloh: Bertelsmann Stiftung, 2020): 4.

³²³ Tumutegyereize and Nyial, *op. cit.* 9-12; Mutasa and Virk, *op. cit.* 14.

citizens are struggling for day-to-day survival in view of inequitable distribution of power and resources. This divergence of needs between the national-level leaders and the rest of the population has been referred to in explaining recurrent ceasefire violations.³²⁴ A nexus has been made between unsuccessful DDR exercises and persisting security gap, economic challenges and ethnic rancor.³²⁵ Whereas power sharing may address the needs of the ruling class, the general population craves for basic security conditions that guarantee the right to life and also allow them to pursue mainstay livelihood activities like agriculture and trade besides access to primary services like healthcare. Failure to deal decisively with ceasefire violations along with the decision to withhold the AUCISS report in its entirety sanctioned the culture of impunity, undermined interim peace returns and diminished confidence in the peace process. The tension between peace and justice shaped by a narrow conception of transitional justice as simply encompassing criminal justice, partly explains the focus on written agreements devoid of intervening holistic and strategic peace building activities through other facets including reparative, political, economic and social justice.³²⁶ Deals struck at the top, if not inclusive in terms of the spectrum of interested parties and substantive issues, are likely to be temporary as disaffected individuals and groups resort to violence again.

Although the ARCSS's sub-chapters fairly reflected the root causes of the conflict, the approach deferred the bulk of the reforms to post accord signature. The success of this model fundamentally depends on the relations among the components of government and the genuine willingness to implement the agreement's provisions. Yet, in addition to estranged relations, the proclivities of key figures in the projected

³²⁴ Mayai, Jok and Tiitmamer, op. cit. 5.

³²⁵ Emmanuel Okot and Daniel Danis, "South Sudanese React to Past and Present Calls for Disarmament," *Eye Radio*, 10 July 2020, <https://eyeradio.org/south-sudanese-react-to-past-and-present-calls-for-disarmament/>

³²⁶ African Union, *Final Report of the African Union Commission of Inquiry on South Sudan*, 247-8.

transitional government, for instance on transitional justice, hinted the limited political will to implement an array of the ARCSS provisions. Among the government's reservations about the ARCSS the provision for reparations and compensation was opposed on grounds that it was expensive and susceptible to abuse as it was likely to attract a huge number of petitions.³²⁷ In an op-ed article (which content Machar disavowed the contents four days after publication) Kiir and Machar appeared to shift positions preferring truth, reconciliation and amnesties over justice and accountability on the opinion that the latter would destabilize nation-building and unification project.³²⁸ Such views cast doubts on the genuineness and motives of African leaders in championing the peace before accountability sequence.³²⁹

As the case would be, the climate of distrust and rivalry and their ramifications manifested in the ARCSS implementation leg with a unilateral presidential decree in October 2015 to divide the country into 28 administrative states and later 32 states up from 10 states, the standoff over the number of troops and the weaponry Machar could bring to Juba ahead of forming the Transitional Government of National Unity (TGoNU) onward to the gunfire exchange between forces loyal to the two principals on 8 July 2016 that precipitated the disintegration of the unity government and the replacement of Machar with Taban Deng Gai a former chief opposition negotiator besides the continuing unrest around the country.³³⁰ The

³²⁷ GRSS, *The Reservations of the Government of the Republic of South Sudan on the "Compromise Peace Agreement on the Resolution of the Conflict in South Sudan"*, 8.

³²⁸ Salva Kiir and Riek Machar, "South Sudan Needs Truth, Not Trials," *New York Times*, 7 June 2016, <https://www.nytimes.com/2016/06/08/opinion/south-sudan-needs-truth-not-trials.html>

³²⁹ Jon Temin, "Immunity Cannot Allow Impunity," *United States Institute of Peace*, 4 August 2014, <https://www.usip.org/publications/2014/08/immunity-cannot-allow-impunity>; David Deng, "No, South Sudan's Citizens Want Trials and Need Trials," *African Arguments*, 9 June 2016, <https://africanarguments.org/2016/06/no-south-sudans-citizens-want-trials-and-need-trials/>

³³⁰ Mabior P. Mach, "Learning from the Past: The Way Out of South Sudan's Crisis," in *South Sudan Peace Agreement and Peacemaking* (Zambakari Advisory Special Issue, 2019): 45; Brian Adeba, "Splitting South Sudan into 28 States: Right Move, Wrong Times?" *African Arguments*, 7 October 2015, <https://africanarguments.org/2015/10/splitting-south-sudan-into-28-states-right-move-wrong-time/>; Justin Lynch, "South Sudan: Riek Machar 'Delay Over Weapon Dispute'," *Al Jazeera*, 21 April

absence of trust and cooperative political relationship especially among the principal political leaders deemed critical in power sharing arrangements rendered implementation difficult.³³¹ Onditi, Sabala and Wassara hold that while power sharing as a model for conflict resolution has succeeded in resolving European conflicts, it is less suited for Africa's context.³³² For South Sudan in particular, the pitfalls to this model range from the kleptocratic governance thriving on ethnic divisions in a very ethnically diverse society and on military dominance, disconnect between governance institutions and socio-economic and cultural needs of the society and lack of buy-in from the general population.

2016, <https://www.aljazeera.com/news/2016/4/21/south-sudan-riek-machar-delayed-over-weapons-dispute>; Jill Craig, "Distrust Remains as South Sudan Forms Unity Government," *VOA*, 27 April 2016, <https://www.voanews.com/africa/distrust-remains-south-sudan-forms-unity-government>; Jacey Fortin, "Riek Machar , South Sudan Opposition Leader, Returns as Part of Peace Deal," *New York Times*, 26 April 2014, <https://www.nytimes.com/2016/04/27/world/africa/riek-machar-south-sudan-opposition-leader-returns-as-part-of-peace-deal.html>

³³¹ Lanz, Nathan and Burg, op. cit. 24; Onditi, Sabala and Wassara, op. cit.

³³² Onditi, Sabala and Wassara, op. cit.

Chapter Five

African Solutions to Africa's Problems through the Lenses of the IGAD-Led Mediation in South Sudan

5.1 IGAD's Mediation Strategy: Synopsis and Analysis

5.1.1 Observations on IGAD's Execution of the Mediation Strategy: Phase Two of Peace Talks (2017-2021)

The IGAD Heads of State and Government via the 31st extra-ordinary summit mandated the IGAD Council of Ministers to revitalize the ARCSS in response to the JMEC's briefing that pointed to increased hostilities among parties, a proliferation of opposition and armed groups and further, the deteriorating political, security, humanitarian and economic situation and related problems.³³³ JMEC recommended that the revitalization process enhances inclusivity paying attention to political realities, that the regional bloc pushes for a political solution with one voice and commit to concrete measures to ensure compliance with the ceasefire.

The mandate for the ARCSS revitalization was limited to securing a recommitment to cessation of hostilities, reviewing some provisions of Chapters 1 and 2 (relating to governance issues and security arrangements) that had expired and/or to accommodate new groups and their interests and revising the implementation timeline and schedule. The government backed this approach arguing that the TGoNU had already rolled out implementation of the deal.³³⁴ Others, especially opposition groups and CSOs, rooted for fresh negotiations that focus on addressing root causes of the conflict on the contention that the ARCSS did not

³³³JMEC, "Statement by H. E. Festus G. Mogae, Chairman of JMEC, to the 31st Extraordinary Summit of IGAD on 12th June 2017," 12 June 2017, <https://www.jmeesouthsudan.com/index.php/jmec-statements/item/146-statement-by-h-e-festus-g-mogae-chairman-of-jmec-to-the-31st-extraordinary-summit-of-igad-on-12th-june-2017>

³³⁴Sudan Tribune, "South Sudan Rejects Plan to Renegotiate Peace Agreement," 9 July 2017, <https://sudantribune.com/spip.php?article62941>

achieve the same as it was premised on exclusive power sharing.³³⁵ The HLRF proceeded on the interpretation that the ARCSS revitalization was not intended to open up the entire agreement for renegotiation given that some provisions were not in dispute. Against this background the exercise was poised to retain the power-sharing model. Therefore the attention would be on the amendments and improvements that the mediation crafts to ensure that a resultant peace settlement is widely acceptable, enforceable and transformative.

Pre-forum consultations to map participants and interests of various stakeholders, elicit positions on the revitalization and develop the agenda for the HLRF preceded the launch of the HLRF on 18 December 2017.³³⁶ The upshot was a third warring group, South Sudan Opposition Alliance, a conglomeration of 9 opposition groups alongside other estranged armed and non-armed formations and other stakeholders that expressed interest in the revitalization process.³³⁷ The new bid also saw an elevated high-level lobbying as prominent figures from the region made contact with not only Machar, whose significance in the peace talks the mediation had downplayed thus far, but also President Kiir.³³⁸ This appeared to respond to appeals

³³⁵ Meressa K. Dessu, "Can South Sudan's Peace Agreement Be Revitalised?" *Institute for Peace and Security*, 8 December 2017, <https://issafrica.org/iss-today/can-south-sudans-peace-agreement-be-revitalised>; CEPO, "Observation Report on IGAD led High Level Revitalization Forum," Radio Tamazuj, "South Sudan Opposition Groups Demand New Inclusive Peace Deal," 13 July 2017, <https://radiotamazuj.org/en/news/article/south-sudan-opposition-groups-demand-new-inclusive-peace-deal>; Xinhua, "South Sudan Rebels Urge Revitalization Process to Focus on Root Cause of Violence," 17 October 2017, http://www.xinhuanet.com/english/2017-10/17/c_136686970.htm.

³³⁶ Author interview with respondent 1 from IGAD South Sudan Office; IGAD, "IGAD Started the Consultation on the High-Level Revitalization Forum with Parties to the Agreement and Estranged Groups," 3 October 2017, <https://igad.int/programs/115-south-sudan-office/1667-igad-started-the-consultation-on-the-high-level-revitalization-forum-with-parties-to-the-agreement-and-estranged-groups>; Gurtong Trust, "IGAD's Envoy on 'Pre-High Level Revitalization' Meet on ARCSS," 24 November 2017 <http://www.gurtong.net/ECM/Editorial/tabid/124/ID/21099/Default.aspx>; Ismail Wais, *Report of Pre-Forum Consultations on the High-Level Revitalization Forum Submitted to Chairperson IGAD Council of Ministers* (Addis Ababa: Office of the Special Envoy for South Sudan, 2017)

³³⁷ Wais, *Report of Pre-Forum Consultations on the High-Level Revitalization Forum Submitted to Chairperson IGAD Council of Ministers*, 14; David Deng, *Compound Fractures: Political Formations, Armed Groups and Regional Mediation in South Sudan* (Institute for Security Studies East Africa Report 21, December 2018): 13-4.

³³⁸ Melha Rout Biel and Donnas Ojok, *IGAD, Political Settlements and Peace Buildings: Lessons from the 2018 Peace Process* (Konrad-Adenauer-Stiftung, South Sudan Report, 2018): 12-3.

from a cross-section of peace supporters that neither could be excluded from the process if genuine peace is to be attained. Related thereto President Kiir softened his initial reluctance to collaborate with Machar and was receptive to IGAD's proposed face-to-face meetings.³³⁹ Eventually IGAD lifted Machar's house arrest in South Africa to participate in the revitalization initiative albeit with specifications about interim residential location.³⁴⁰ In essence the region was remedying one flaw of the prior leg - that of isolating Machar with international backing especially after the collapse of the ARCSS.³⁴¹

IGAD demonstrated significant strides in pushing the agenda for a multi-stakeholder peace process in the revitalization phase in comparison with the negotiations that led to the ARCSS.³⁴² There was notable enhancement of consultations going by the number of sessions and interlocutors and geographical coverage. Nevertheless, IGAD notes that in line with conflict sensitivity the expansion of the negotiation table kept to stakeholder mapping results for a systematic progression and to tame spoilers' ambitions.³⁴³ It is against this background that, when Paul Malong broke off to form the South Sudan United Front

12-13; John Tanza, "IGAD Softens Position on Riek Machar's Attendance at Peace Forum," *VOA*, 5 December 2017, <https://www.voanews.com/archive/igad-softens-position-riek-machars-attendance-peace-attendance-peace-forum>

³³⁹ Abdur Rahman Alfa Shaban, "South Sudan President Forgives Exiled Ex-Deputy, Asks Him to Return," *Africa News*, last updated 7 May 2018, <https://www.africanews.com/2018/05/07/south-sudan-president-forgives-exiled-ex-deputy-asks-him-to-return/>; Deng Chol, "South Sudan: President Kiir Agrees to Meet Rebel Leader Machar for Peace Talks," *Africa News*, last updated 5 June 2018, <https://www.africanews.com/2018/06/05/south-sudan-president-kiir-agrees-to-meet-rebel-leader-machar-for-peace-talks/>

³⁴⁰ IGAD, *Communiqué of the 61st Extra-Ordinary Session of IGAD Council of Ministers on the Situation in South Sudan*, Addis Ababa, 26 March 2018

³⁴¹ International Crisis Group, *Salvaging South Sudan's Fragile Peace Deal* (International Crisis Group Africa Report No. 270, 13 March 2019): 2; Ed Cropley, "Exclusive: South Africa Holds South Sudan Rebel Machar as 'Guest'," *Reuters*, 13 December 2016, <https://www.reuters.com/article/us-safrica-southsudan-exclusive-idUSKBN1421YZ>

³⁴² Deng, *Compound Fractures: Political Formations, Armed Groups and Regional Mediation in South Sudan*, 7; Laer, op. cit. 20-3; Protus Onyango, "South Sudan Peace Talk Process Now Includes More Groups," *Standard*, 11 October 2017, <https://www.standardmedia.co.ke/world/article/2001257013/n-a>

³⁴³ Author interview with respondent 1 from IGAD South Sudan Office

(SSFU) subsequent to a mapping exercise conducted when he was still a part of the government, mediators turned down SSFU's numerous requests to join the peace talks.³⁴⁴ Women representation improved although concerns that women and youth quotas are still disproportionate to the two segments' country population tally to comprehensively advance their agenda remain.³⁴⁵ Furthermore, there are expressed misgivings that the improvements were confined to the high-level proceedings with blurred bottom-up connections, unsatisfactory level of citizen participation and awareness of peace proceedings.³⁴⁶

When the HLRF agenda transitioned to consideration of the governance and security provisions, the mediation was once again confronted with varied opinions, entrenched positions and stalemates over power-sharing formulas, security arrangements, Machar's and Kiir's inclusion in the upcoming government and also demands to adopt a conflict resolution and society transformation perspective as opposed to conflict management through realignment of power positions.³⁴⁷ Some appraisals of the 2014-2015 process attributed the deadlocks and ceasefire violations to IGAD's "soft" mediation tactics and therefore urged the HLRF to exert pressure on parties for commitment to the revitalization and compliance with ceasefires and other negotiation conclusions.³⁴⁸ Yet the fate of the 2015 settlement evidenced the peril of a deal secured under coercion and deadlines in disregard of outstanding contentious

³⁴⁴ Ibid.

³⁴⁵ Soma, op. cit. 35-41; Tumutegereize and Nyial, op. cit.

³⁴⁶ Thijs Van Laer and Omar Mahmood, "South Sudan Peace Deal: 'Whose Power Are They Sharing Anyway?'" *New Humanitarian*, 13 November 2018, <https://www.thenewhumanitarian.org/opinion/2018/11/13/south-sudan-peace-deal-whose-power-are-they-sharing-anyway>

³⁴⁷ John Tanza, "South Sudan Opposition: Government Lacks Will to Work for Peace," *VOA*, 16 February 2018, <https://www.voanews.com/archive/south-sudan-opposition-government-lacks-will-work-peace>; Eye Radio, "Intra-South Sudanese Dialogue Fails to Resolve Conflict," 22 May 2018, <https://everadio.org/intra-south-sudanese-dialogue-fails-resolve-conflict/>; Sudan Tribune, "Phase-2 of South Sudan Peace Revitalization Talks End Without Deal," 24 May 2018, <https://sudantribune.com/spip.php?article65466>; AFP, "South Sudan Power-Sharing Deal Delayed Over Differences," 20 July 2018, *East African*, <https://www.theeastafrican.co.ke/news/ea/South-Sudan-rivals-fails-to-make-breakthrough-in-power-sharing/4552908-4672574-6vxlw9z/index.html>

³⁴⁸ Laer, op. cit. 19.

clauses. It should be recalled that President Kiir had publicly warned that in view of the intimidation and threats to secure signatures, "... the implementation of some of the provisions of the Agreement will be confronted by practical difficulties that will make it inevitable to review or amend such provisions."³⁴⁹ The imperative for the HLRF validated the statement. Accordingly even as the international community maintained pressure through sanctions on parties to reach a deal,³⁵⁰ there was an apparent regional commitment to building broad consensus through dialogue and out of a free will. The mediation deferred to different fora and techniques all seeking to bridge the gaps on contentious issues.³⁵¹ The dialogue cut across several rounds of negotiation facilitated by IGAD, South Sudan Council of Churches and Sudan's President Omar al-Bashir (mandated by the IGAD Heads of State and Government 32nd extra-ordinary summit) with the support of Uganda's President Yoweri Kaguta Museveni. The talks were buttressed by shuttle diplomacy undertaken by the IGAD Special Envoy for South Sudan, HLRF taskforce, the Council of Ministers and other key figures from IGAD member states. The intervention also featured high-level political consultations, Intensive Interlinked Consultations and technical workshops.

After the failed first round facilitated by Ethiopia's Prime Minister Abiy Ahmed, the Khartoum-facilitated sit-downs between President Kiir and Machar registered remarkable progress and were acclaimed for contributing to building trust

³⁴⁹ Republic of South Sudan, *Statement of H.E. President Salva Kiir Mayardit to the Nation on the Agreement of the Resolution of the Conflict in the Republic of South Sudan*, 15 September 2015, Juba https://sudantribune.com/IMG/pdf/20150915_statement_of_h_e_presidentsalva_kiir_mayardit.pdf

³⁵⁰ Gardiner Harris, "U.S. Imposes Arms Ban on South Sudan as Civil War Grinds On," *New York Times*, 2 February 2018, <https://www.nytimes.com/2018/02/02/world/africa/us-arms-ban-on-south-sudan-.html>; United Nations, "Security Council Decides to Renew Sanctions Against Officials in South Sudan by Vote of 9 in Favour, with 6 Abstentions," Security Council 8273rd Meeting SC/13361, 31 May 2018, <https://www.un.org/press/en/2018/sc13361.doc.htm>; AFP, "UN Slaps Arms Embargo on South Sudan," 13 July 2018, *East African*, <https://www.theeastafrican.co.ke/news/ea/UN-slaps-arms-embargo-on-South-Sudan/4552908-4661876-mj6f08/index.html>

³⁵¹ Author interview with respondent 1 from IGAD South Sudan Office; Festus Gontebanye Mogae, *Report on the Status of Implementation of the Agreement on the Resolution of the Conflict in the Republic of South Sudan for the Period April 1st - June 30th 2018* (Juba: JMEC, 2018); Soma, op. cit.

and confidence not only between the two principals but also between the Sudans.³⁵² Bashir's and Museveni's pronounced role injected useful leverage in the negotiations considering the sway they have over an array of rival conflict parties.³⁵³ Building on outcomes from prior rounds they engaged the two protagonists as well as other armed and non-armed stakeholders to strike a middle ground and inked a series of agreements that culminated into the signing of the R-ARCSS on 12 September 2018.³⁵⁴ IGAD's non-coercive approach propagated reciprocal commitment from more armed parties and other stakeholders so that despite divergences they participated in a series of fora and cumulatively chipped away at the differences.³⁵⁵ Unlike the 2015 peace deal, the mediation endeavored to find and define a way out of the reservations expressed by the opposition on which assurance the process moved to signing of the deal.³⁵⁶ The President among others commended the consensus-

³⁵² Al Jazeera, "South Sudan: Salva Kiir, Riek Machar Meet in Khartoum for Talks," 27 June 2018, <https://www.aljazeera.com/news/2018/6/27/south-sudan-salva-kiir-riek-machar-meet-in-khartoum-for-talks>; Khalid Abdelaziz, "South Sudan Rivals Sign Peace Agreement in Khartoum," *Reuters*, 27 June 2018, <https://www.reuters.com/article/us-southsudan-unrest-idUSKBN1JN1I9>

³⁵³ Kuol, *Navigating the Competing Interests of Regional Actors in South Sudan*; Ahmed H. Adam, "Opinion: Why is Omar al-Bashir Mediating South Sudan Peace Talks?" *Al Jazeera*, 5 July 2018, <https://www.aljazeera.com/opinions/2018/7/5/why-is-omar-al-bashir-mediating-south-sudan-peace-talks/>

³⁵⁴ Sudan Tribune, "South Sudan Peace Parties Sign Khartoum Declaration of Agreement," 28 June 2018, <https://sudantribune.com/spip.php?article65744>; Radio Tamazuj, "Government, SPLM-IO Sign 'Preliminary' Power Sharing Deal," 25 July 2018, <https://radiotamazuj.org/en/news/article/government-splm-io-sign-preliminary-power-sharing-deal>; Deutsche Welle, "South Sudan Factions Sign Peace Deal, Riek Machar to Return to a VP Post," 5 August 2018, <https://www.dw.com/en/south-sudan-factions-sign-peace-deal-riek-machar-to-return-to-a-vp-post/a-44962462>; Radio Tamazuj, "Machar to Sign Final Peace Deal 'With Reservations'," 30 August 2018, <https://radiotamazuj.org/en/news/article/machar-signs-final-peace-deal-with-reservations>; Aaron Maasho, "South Sudan's President, Rebel Leader Sign Peace Deal," *Reuters*, 12 September 2018, <https://www.reuters.com/article/us-southsudan-unrest-idUSKCN1LS2PW>

³⁵⁵ Anglican Communion News Service, "Archbishop Welcomes Ceasefire Agreement as South Sudan Peace Talks Continue," 23 May 2018, <https://www.anglicannews.org/news/2018/05/archbishop-welcomes-ceasefire-agreement-as-south-sudan-peace-talks-continue.aspx>; Sudan Tribune, "Khartoum Extends South Sudan Talks Until 12 July," 9 July 2018, <https://sudantribune.com/spip.php?article65820>; Michael Atit, "Rebel Leader Machar Refuses to Sign South Sudan Peace Deal," *VOA*, 28 August 2018, <https://www.voanews.com/archive/rebel-leader-machar-refuses-sign-south-sudan-peace-deal>

³⁵⁶ Author interview with respondent 1 from IGAD South Sudan Office; Carol Van Dam Falk and Michael Atit, "After Delay, Rebel Leader Inks South Sudan Peace Deal," *VOA*, 30 August 2018, <https://www.voanews.com/archive/after-delay-rebel-leader-inks-south-sudan-peace-deal>

building approach as vital for a widely acceptable pact.³⁵⁷ Still some parties snubbed ratifying the agreement on grounds that it does not address the root causes of the conflict.³⁵⁸

Beside the primary task of prevailing upon the two South Sudanese leaders to engage in dialogue to resolve their differences and further to jointly support the regional effort to find lasting solutions to South Sudan's problems, the assignment strategically positioned the principals of the three countries to touch on the location of Khartoum and Kampala in South Sudan's instability and inversely its impact to those two countries. Subsequent to separation, contested borders that mask a deeper interest thus the quest to retain ownership of disputed areas and with it the access to and control of natural resources deposits thereon are still a source of standoffs between Sudan and South Sudan characterized by military incursions in disputed territories, economic wars and support of proxy wars on each other's territory.³⁵⁹ With oil revenues being the backbone of the economies of both countries, the reduction of oil fields under control of the Sudanese government after South Sudan's secession and subsequent recurrent oil production shutdowns have had dire consequences in both countries. In Sudan for example austerity measures ignited public protests.³⁶⁰ Although criticism of pro-government political and military engagement has been

³⁵⁷Denis Dumo, "South Sudan's Salva Kiir: New Peace Deal Will Not Collapse," *Reuters*, 3 August 2018, <https://news.trust.org/item/20180803155940-qhr7k/>

³⁵⁸Fred Oluoch, "Juba Deal Ignored Root Causes of Conflict, Rewarded Political Elite," *East African*, 13 March 2019, <https://www.theeastafrican.co.ke/tea/news/east-africa/juba-deal-ignored-root-causes-of-conflict-rewarded-political-elite-1414158>

³⁵⁹France 24, "Sudan's President Orders Opening of Borders with South Sudan," 7 October 2012, <https://www.france24.com/en/20121007-sudans-president-orders-opening-border-with-south-sudan>; Sudarsan Raghavan and Colum Lynch, "Sudanese President Vows War Against South Sudan," *Washington Post*, 19 April 2012, https://www.washingtonpost.com/world/sudanese-president-threatens-force-against-south-sudan-over-oil-field/2012/04/19/gIQAJO8ST_story.html; France 24, "Sudanese President 'Halts Oil Transfers' from South," 8 June 2013, <https://www.france24.com/en/20130608-sudan-stop-oil-transfers-south-tensions-bashir-khartoum>; Andrew Green and Khalid Abelaziz, "South Sudan to Shut Down Oil Production by End of July," *Reuters*, 20 July 2013, <https://www.reuters.com/article/us-sudan-south-oil-idUSBRE96J04M20130720>

³⁶⁰Sudan Tribune, "Sudan Announces 15-month Economic Austerity Programme," 25 October 2018, <https://sudantribune.com/spip.php?article66490>

more prominent, there is evidence that Uganda equally has considerable economic attractions in South Sudan.³⁶¹

Therefore the Khartoum Declaration of June 2018 signed at the kickoff of the Bashir-supervised Kiir-Machar meet-ups provided for, among other provisions, rebuilding of the economy of the Republic of South Sudan through bilateral cooperation with Sudan.³⁶² In this regard the two governments agreed to rehabilitation and security of the oil fields, resumption of oil production and scrutiny of outstanding issues related to the oil sector deemed key to improving the livelihoods of South Sudanese but also undeniably pivotal to revamping Sudan's ailing economy. Nonetheless being a deal midwived by Sudan and Uganda it was received with suspicion about the two upholding the interests of South Sudan. Pessimists regarded the Khartoum Declaration as one more elite-driven compromise to be negatively exploited to reinforce existing power relations and benefits. A reportedly biased, coercive and exclusionary mediation style in Khartoum that focused on SPLM-IG and SPLM-IO but barely allowing space for other actors further augmented the apprehension about Sudan's and Uganda's intentions.³⁶³

IGAD does not deny existence of member states' partisan interests but holds that members stand to benefit more from a stable South Sudan than when it is engulfed in violence for which reason they should be motivated to work for peace.³⁶⁴ There was also a reasoning that expected rewards of a constructive role in the process in the form of revised foreign policies from the US and other Western countries

³⁶¹ Berouk Mesfin, "The Regionalisation of the South Sudan Crisis," *Institute for Peace and Security East Africa Report Issue 4* (June 2015); Justine Fleischner, "Neighborhood Watch: Mobilizing Regional Action for Peace in South Sudan," *Enough Project* (June 2015): 9-11.

³⁶² IGAD, *Khartoum Declaration of Agreement Between Parties of the Conflict in South Sudan*, Khartoum, 27 June 2018

³⁶³ John Prendergast and Brian Adeba, "Neo-Colonialism and a Faustian Bargain Undermine South Sudan's Peace Deal," *Enough* (September 2016); International Crisis Group, *Salvaging South Sudan's Fragile Peace Deal*, 10.

³⁶⁴ Author interview with respondent 2 from IGAD South Sudan Office

considering too economic benefits (in view of economic crises that Sudan and South Sudan grappled with at the time of mediation) and security benefits that would accrue to Sudan and Uganda from a peaceful South Sudan would motivate the two to work for a peaceful South Sudan.³⁶⁵ A developing shift towards improving bilateral relations around the region not just between Sudan and South Sudan but others in the region such as Sudan and Uganda then Ethiopia and Eritrea provided further impetus to regional support for the renewed peace initiative for South Sudan.³⁶⁶ The repositioning of Sudan and Uganda on the mediation platform that essentially brought together two potent figures, allies of opposing sides of the South Sudan conflict, alluded to regional awareness of those dynamics and hence the move to leverage them to drive the process forward.

By entrusting Sudan and Uganda with a pronounced role in the HLRF process, there is an implicit conception that regional actors and the issues that link them to South Sudan's complex conflict cannot be dissociated from the peace process if a comprehensive and durable peace is to be achieved.³⁶⁷ Besides the specific responsibility to facilitate resolution of issues internal to South Sudan, the framework opened a window to look into issues driving interlinked conflicts in the two Sudans and in other IGAD member states and in turn an opportunity to mitigate the competition that has derailed the process in the past.³⁶⁸ The assumption is that the responsibility to contribute to a successful peace process obliges Bashir and Museveni

³⁶⁵Deutsche Welle, "Uganda and Sudan Begin Mediation Talks in South Sudan's Conflict," 25 June 2018, <https://www.dw.com/en/uganda-and-sudan-begin-mediation-talks-in-south-sudans-conflict/a-44386274>; Sandra Tombe, "Revitalising the Peace in South Sudan: Assessing the State of the Pre-transitional Phase," *ACCORD Conflict Trends* 2019/1; Dabanga, "Mediating South Sudan Accord is in Sudan's Best Interests," 8 August 2018, <https://www.dabangasudan.org/en/all-news/article/mediating-south-sudan-accord-is-in-sudan-s-best-interests>

³⁶⁶Taylor and Copeland, op. cit.; International Crisis Group, *Salvaging South Sudan's Fragile Peace Deal*, 6-7.

³⁶⁷ Author interview with respondent 1 from IGAD South Sudan Office; Onditi, Sabala and Wassara, op. cit.

³⁶⁸Taylor and Copeland, op. cit.

to promote a settlement that secures the interests of their states too. During the 5 August 2018 signing ceremony in Khartoum Bashir noted the imperative for Sudan to enable the bid for South Sudan's stability in view of the interconnectedness of the two countries.³⁶⁹

To be established under the agreement is a Revitalized Transitional Government of National Unity (R-TGoNU) as a first step towards securing sustainable peace, security and development in the country through devolving powers and resources to lower levels of government, enhancing public participation and service delivery. A federal system of government reflects, in the wording of the agreement, "a popular demand of the people of the Republic of South Sudan ..."³⁷⁰ The R-TGoNU comprises the incumbent TGoNU and opposition parties (including new participants) signatory to the R-ARCSS represented in the Executive, the Legislature and other government institutions in designated proportions and slots. Under the agreement the parties are directed to reflect national diversity, gender and regional representation in the selection of nominees. Whereas concerns have been aired about the bloated government, the R-ARCSS explicitly states that the high number of members of the Executive and Transitional National Legislative Assembly is limited to the transitional period.

Through the structures and tasks outlined in the agreement, the South Sudanese are to embark on a transition and transformation journey by resolving the causes of the conflict. National elections to be conducted sixty days prior to the end of a three-year transitional period are projected to facilitate a peaceful transition in

³⁶⁹Radio Tamazuj, "Sudan's Bashir Makes Moral Case to Help S Sudan Rebuild in Peace," 6 August 2018, <https://radiotamazuj.org/en/news/article/sudan-s-bashir-makes-moral-case-to-help-south-sudan-rebuild-in-peace>; Sudan Tribune, "President Kiir, Opposition Groups Sign South Sudan Governance Agreement," 6 August 2018, <https://www.sudantribune.com/spip.php?article65994>

³⁷⁰IGAD, *Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan*, Addis Ababa, 12 September 2018: preamble.

leadership and usher in a regular constitutional order. Elections will provide a platform for any party dissatisfied with the state of affairs to vie for office.³⁷¹ Free and fair elections will allow the South Sudanese to vote in leaders of their choice and are, in the words of Museveni, "... the ultimate cure for politically motivated instability by promoting accountability among leaders."³⁷² IGAD respondents emphasize that ultimately the South Sudanese have the primary responsibility to solve their problems as the region and international community support them. Notably the personnel in the R-TGoNU institutions are mainly South Sudanese with few openings for external expertise as deemed necessary.

In contrast to the ARCSS where IGAD's role ceased and the Office of the Special Envoys for South Sudan was disbanded upon signing of the agreement, an IGAD respondent lauded the continuity of IGAD Special Envoy office under the R-ARCSS and noted its relevance in the implementation stage including ensuring that formation of implementation mechanisms and institutions adheres to the agreement provisions, pursuing resolution of outstanding issues including the number of states and boundaries and also tackling the stalemate with hold-out groups.³⁷³ The region remained attentive to, and actively engaged in, the issues that were stalling establishment of the R-TGoNU. IGAD and regional Special Envoys, regional leaders and partners held meetings to review the progress and deliberate on the way forward. They issued joint statements calling for commitment to implementation of the provisions the agreement.³⁷⁴ Handling of requests to delay formation of the

³⁷¹ Author interview with respondent 3 from IGAD South Sudan Office

³⁷² Daniel Danis, "Only Elections Will End S Sudan Problems – Museveni," *Eye Radio*, 15 July 2020, <https://eyeradio.org/only-elections-will-end-s-sudan-problems-museveni/>

³⁷³ Author interview with respondent 1 from IGAD South Sudan Office

³⁷⁴ CGTN Africa, "IGAD Urges Progress Towards Implementation of South Sudan Peace Deal," 3 June 2019, <https://africa.cgtv.com/2019/06/03/igad-urges-progress-toward-implementation-of-south-sudan-peace-deal/>; Xinhua, "IGAD Envoy Urges S. Sudanese Factions to Fulfill Pending Tasks Ahead of 100-days Deadline," 20 November 2019, http://www.xinhuanet.com/english/africa/2019-11/20/c_138569989.htm; IGAD, "Meeting Of Special Envoys On The Peace Process In South Sudan,"

government of national unity paid attention to the weight of the outstanding issues and their implication to the sustainability of the peace deal and reflected a departure from western practice of deadline diplomacy.³⁷⁵ Key personalities in the region reached out to President Kiir and Machar to appeal for amenability and compromises on contentious issues.³⁷⁶ Further face-to-face meetings between the two principals inside and outside South Sudan subsequent to signing the agreement were crucial in sustaining confidence-building efforts and maintaining the momentum towards implementation.³⁷⁷ These activities unlocked formation of a coalition government on 22 February 2020. An IGAD respondent had opined that should the regional body deliver the unity government,

“... it will be a good model to demonstrate that the regional organization can with active political support from member states and regional leadership can resolve any problem.”³⁷⁸

While concerns abound about the slow pace of the implementation of the R-ARCSS, there are notable milestones.³⁷⁹ Of the activities lagging behind,

<https://igad.int/programs/115-south-sudan-office/2267-meeting-of-special-envoys-on-the-peace-process-in-south-sudan>; IGAD, “IGAD Welcomes Progress of the South Sudan Peace Process,” 22 February 2020, <https://igad.int/programs/115-south-sudan-office/2368-igad-welcomes-progress-of-the-south-sudan-peace-process>

³⁷⁵ Deutsche Welle, “South Sudan Rivals Delay Forming Unity Government,” 4 May 2019 <https://www.dw.com/en/south-sudan-rivals-delay-forming-unity-government/a-48599332>; Aggrey Mutambo, “S. Sudan Warring Parties Agree to Delay Unity Government by 100 Days,” *East African*, 7 November 2019, <https://www.theeastafrican.co.ke/news/ea/South-sudan-warring-parties-agree-delay-unity-government/4552908-5340730-3pdmxbz/index.html>;

³⁷⁶ East African, “Kenya Envoy in South Sudan to Push for Peace Implementation,” 9 August 2019, <https://www.theeastafrican.co.ke/tea/news/east-africa/kenya-envoy-in-south-sudan-to-push-for-peace-implementation-1424598>

³⁷⁷ Philip Pullella, “Pope Kisses Feet of South Sudan Leaders, Urging Them to Keep the Peace,” *Reuters*, 11 April 2019, <https://www.reuters.com/article/us-pope-southsudan-idUSKCN1RN27G>; AFP, “South Sudan Rivals Meet in Bid to Salvage Stalled Peace Deal,” 2 May 2019, *East African*, <https://www.theeastafrican.co.ke/tea/news/east-africa/south-sudan-rivals-meet-in-bid-to-salvage-stalled-peace-deal-1417096>; United Nations Peacekeeping, “Kiir and Machar Meet in What’s Seen as ‘Commitment to Peace’,” 10 September 2019, <https://peacekeeping.un.org/en/kiir-and-machar-meet-whats-seen-commitment-to-peace>; Daily Monitor, “South Sudan’s Kiir, Machar Meet Museveni in Entebbe,” 7 November 2019, <https://www.monitor.co.ug/uganda/news/national/south-sudan-s-kiir-machar-meet-museveni-in-entebbe-1857802>

³⁷⁸ Author interview with respondent 2 from IGAD South Sudan Office

³⁷⁹ United Nations, “South Sudan’s Peace Process ‘Linked to Strength of International Engagement’, Special Representative Tells Security Council,” UN Press Release Security Council SC/14386, 15 December 2020, <https://www.un.org/press/en/2020/sc14386.doc.htm>; Charles Tai Gituai, *Report on the Status of Implementation of the Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan for the Period 1st October to 31st December 2020* (Juba: JMEC Report No. 009/20,

operationalization of transitional security arrangements especially the unification of armed forces and the consequent DDR are troublesome given their significance to sustainability of a power-sharing government, of the ceasefire and enabling public security and voluntary returns. Funding and resources constraints are some explanations advanced for the slow pace.³⁸⁰ South Sudan itself had pledged \$100 million to facilitate the peace process out of which reports as at February 2020 indicated that close to \$80 million had been disbursed through the National Pre-Transitional Committee.³⁸¹ However its allocation and spending were shrouded in lack of transparency and accountability and potential misappropriation. Contributions from bloc members are reportedly minimal. However an IGAD respondent is of the opinion that with South Sudan's natural resources wealth added the size of IGAD member states' economies and augmented by non-monetary measures such as collective resolve not to harbour rebels, financing challenges should not be an obstacle if leaders express the political will to support African solutions.³⁸²

Pursuant to the directive of the IGAD Council of Ministers, there are ongoing regional efforts aided by Sant'Egidio Community of Rome to rally non-signatories to support the peace deal with significant headway the latest being, shortly before

2020): Al Jazeera, "South Sudan Leaders Reach Key Deal on Control of States," 17 June 2020, <https://www.aljazeera.com/news/2020/6/17/south-sudan-leaders-reach-key-deal-on-control-of-states>; Waakhe Simon Wudu, "South Sudan President Appoints 1 Woman Among 8 Governors, 3 Administrators," *VOA*, 30 June 2020, <https://www.voanews.com/africa/south-sudan-focus/south-sudan-president-appoints-1-woman-among-8-governors-3-administrators>; Sudan Tribune, "South Sudan's Kiir Appoints Upper Nile Governor, Deputy," 30 January 2021, <https://sudantribune.com/spip.php?article70405>; Jale Richard, "Cabinet Approves Establishment of Hybrid Court," *Eye Radio*, 30 January 2021, <https://everadio.org/cabinet-approves-establishment-of-hybrid-court/>

³⁸⁰ Fred Oluoch, "South Sudan Peace Process: It's Down to (Lack of) Finances, Political Will," *East African*, 12 October 2019, <https://www.theeastafrican.co.ke/tea/news/east-africa/south-sudan-peace-process-it-s-down-to-lack-of-finances-political-will-1429246>

³⁸¹ AP, "South Sudan Allocates \$40M to Help Integrate Rival Forces," 13 December 2019 <https://apnews.com/article/c00fe9fc565d4f771238ba9a1f2603de>; Sam Mednick, "South Sudan Peace Deal Deadline Looms as Questions Linger on Financial Transparency," *The New Humanitarian*, 14 February 2020, <https://www.thenewhumanitarian.org/investigation/2020/02/14/South-Sudan-peace-funding-coalition-government-war-IGAD-displaced-NPTC-UN>

³⁸² Author interview with respondent 1 from IGAD South Sudan Office

conclusion of the study, two main rebel groups represented by Pagan Amum and Paul Malong committing to a ceasefire and to rejoining the Unity government.³⁸³ The National Dialogue was launched in May 2017. Over time concerns around its stewardship and independence (see 4.1.3.1.2 above) were addressed and it gained sizable endorsement. At its conclusion in November 2020 it was rated as people-centered, transparent, reliable and largely free of interference.³⁸⁴ It permitted frank conversations on what went wrong and what should be done with the most striking indictment being a ‘failure of leadership’ and proposals for President Kiir and Machar to step down from office immediately or pledge not to run for office after the transitional period.³⁸⁵ The President pledged that the final recommendations will be a guide to constitution making.

Poor outcomes from the ARCSS implementation appear to have left external partners disillusioned about the South Sudan peace process hence a seemingly moderated engagement in the HLRF phase onwards as they peg concrete support on

³⁸³ IGAD, *Communiqué of the 66th Extra-Ordinary Session of IGAD Council of Ministers Somalia and South Sudan*, Addis Ababa, 16 November 2018; IGAD, “IGAD Special Envoy Reaches Out to Non-Signatory Parties To The South Sudan Peace Agreement,” 11 December 2018, <https://igad.int/programs/115-south-sudan-office/2015-igad-special-envoy-reaches-out-to-non-signatory-parties-to-south-sudan>; Radio Tamazuj, “Ex-Military Chief Malong, IGAD Envoy Hold Consultative Meeting,” 19 December 2018, <https://radiotamazuj.org/en/news/article/ex-military-chief-malong-igad-envoy-hold-consultative-meeting>; Agence de Presse Africaine, “IGAD Pursues Milita to Deepen Peace in South Sudan,” 27 February 2019, <http://www.apanews.net/en/news/igad-pursues-milita-to-deepen-peace-in-south-sudan>; Antony Gitonga, “Hopes as South Sudan Peace Talks Kicks Off in Naivasha,” *Standard*, 11 March 2021, <https://www.standardmedia.co.ke/africa/article/2001406027/hopes-as-south-sudan-peace-talks-kicks-off-in-naivasha>; David Mayen, “South Sudan Rebel Groups Left Out of 2018 Deal Commit to Rejoin Govt,” *East African*, 13 March 2021, <https://www.theeastafrican.co.ke/tea/news/east-africa/south-sudan-rebel-groups-left-out-of-2018-deal-commit-to-rejoin-govt-3321572>

³⁸⁴ Augustino T. Mayai, “The South Sudan National Dialogue: What Next?” *Sudd Institute Weekly Review* (1 December 2020): 3; UNDP, “National Dialogue Reaches Consensus on Recommendations to Redefine Unity in South Sudan,” 17 November 2020, https://www.ss.undp.org/content/south_sudan/en/home/presscenter/pressreleases/2020/national-dialogue-south-sudan-final.html; UNHCR, “UNHCR Welcomes the Participation of Refugee and Internally Displaced Persons in South Sudan’s National Dialogue Conference,” Press Release, 3 November 2020 <https://data2.unhcr.org/en/documents/details/82675>

³⁸⁵ Sudan Post, “Full-Text: Final Report of South Sudan’s National Dialogue,” 17 December 2020, <https://www.sudanspost.com/final-report-of-south-sudans-national-dialogue/>; Augustino T. Mayai, “The National Dialogue Final Resolutions: What the Presidency Should Do,” *Sudd Institute Weekly Review* (19 January 2021): 1-2.

tangible results from revitalization phase.³⁸⁶ Conspicuously, the UN was the only international partner that signed the agreement. In that context, even though the revitalization initiative continued under IGAD-Plus, regional states prominently piloted the process. IGAD reasserted its role as custodian of the peace process and IGAD's leadership and mediation team sustained engagement with the parties and stakeholders, which is fairly reflective of African agency and commitment to the search for lasting peace. Unlike the leg leading to the ARCSS where it has been argued that extended and dormant mediation hiatuses allowed primary parties to contemplate a possibility of a military win and to renege on previously agreed positions, the revitalization phase was rated as consistently continuous from June 2017 to September 2018 with a chain of activities even during brief breaks.³⁸⁷ In the assessment of an IGAD respondent, IGAD has made good progress if African solutions are defined from the angle of being African-led.³⁸⁸

5.2 Location of External Actors in Homegrown Peace Processes

The impetus for “African solutions to Africa’s problems” is the ambition to look inward (to Africa) for control, capacity and resources to tackle its problems. In practice however non-Africans continue to play a pivotal role in managing Africa’s peace, security and development challenges. From the initial response to the South Sudan crisis in December 2013 and as the mediation has progressed IGAD has continually rallied for support from and solidarity with the international community via its communiqués, briefings and statements. IGAD’s current peace building effort in the country features international partners via the IGAD-Plus, the UN, the IGAD

³⁸⁶ Sudan Tribune, “Troika and EU Threaten to Stop Support for South Sudan Peace Bodies,” 27 July 2017 <https://sudantribune.com/spip.php?article63085>; International Crisis Group, *Salvaging South Sudan’s Fragile Peace Deal*, 29-30.

³⁸⁷ Awolich, “The Mediation Pendulum and the Challenges that Underlie the Peace Implementation in South Sudan,” 7; Author interview with respondent 3 from IGAD South Sudan Office

³⁸⁸ Author interview with respondent 1 from IGAD South Sudan Office

Partners Forum, the EU and the Troika (US, UK and Norway) but also Japan, China and Russia among other Western governments in their individual capacities. The span of the mediation records influential representatives of Western governments led by the US and high level delegations from international organizations visiting South Sudan for meetings with its leaders and the community besides deliberating on the South Sudan peacebuilding developments in forums outside South Sudan inputs that have aided in lending legitimacy to the IGAD peace building initiative, breaking impasses and providing leverage to advance the process.³⁸⁹ The peace process has also featured external advisors and experts with country specific knowledge and thematic expertise. Over the course of the peace process IGAD has been acknowledging support of non-African partners in peacekeeping, provision of humanitarian assistance, technical support as well as mobilizing political, diplomatic and financial support.³⁹⁰

Does the participation of non-Africans negate African solutions? IGAD respondents to this research appear to converge at the understanding that African solutions are not exclusively by African actors.³⁹¹ The reasons for that deduction are varied. One of the respondents observes that in a global community it is impractical to

³⁸⁹Peter Baker and Marc Santora, "Obama Gathers Leaders in Effort to End South Sudan War," *New York Times*, 27 July 2015, <https://www.nytimes.com/2015/07/28/world/africa/obama-ethiopia-south-sudan.html>; UN News Service, "Put Peace Above Politics' Ban Tells Leaders of South Sudan," 25 February 2016, <https://www.refworld.org/docid/56d00c8d411.html>; UN News, "UN Security Council Concludes 'Very Positive' Three-day Visit to South Sudan," 5 September 2016, <https://news.un.org/en/story/2016/09/538322-un-security-council-concludes-very-positive-three-day-visit-south-sudan>; United Nations Peacekeeping, "UN Security Council Visit to South Sudan Provides a Fresh Opportunity to Secure Lasting Peace," 20 October 2019 <https://peacekeeping.un.org/en/un-security-council-visit-to-south-sudan-provides-fresh-opportunity-to-secure-lasting-peace>; Mutasa and Virk, op. cit. 30-33.

³⁹⁰ Radio Tamazuj, "Full Text: IGAD Summit Decisions on South Sudan Crisis," <https://radiotamazuj.org/en/news/article/full-text-igad-summit-decisions-on-south-sudan-crisis>; IGAD, *Communiqué of the 26th Extra-Ordinary Session of the IGAD Assembly of Heads of State and Government on the Situation in South Sudan*, Addis Ababa, 10 June 2014; Lanz, Nathan and Burg, o. cit. 526-28; Donald Booth, "Independent South Sudan: A Failure of Leadership," testimony of Special Envoy for Sudan and South Sudan before the Senate Committee on Foreign Relations, 10 December 2015, https://www.foreign.senate.gov/imo/media/doc/121015_Booth_Testimony.pdf

³⁹¹ Author interview with respondents from IGAD South Sudan Office

operate independently. To this end, factors such as a common interest to end wars and shared economic interests besides a view that Africa's problems derive, in part, from colonial foundations came up. Another respondent reasons that external actors are not just state governments and international organizations but also multinational corporations whose activities on the continent are driven by interests some of which shape the problems on the continent. From this angle, international partners carry the global voice and provide pressure to curtail illicit activities that fan violent conflict such as arms dealing. Specific to the case study it was submitted that a myriad of South Sudan's problems ranging from governance and security sector reforms, constitution-making, justice and accountability to economic transformations are expensive ventures that necessitate international community's backing to tackle. The inference drawn from the foregoing is that whereas the objective to deliver indigenous solutions endures, partnership with external stakeholders remains indispensable at least in the short- to mid- terms.

To what degree then is IGAD able to operationalize and exhibit homegrown solutions and what is their potential within the African-Western partnership if "African solutions to Africa's problems" seek largely to depart from foreign influence, dependency and methodologies in conflict resolution? This study explores the conundrum through the execution of leverage on conflict parties in the IGAD mediation. Starting with the CoHA, belligerents violated a succession of ceasefire agreements making it difficult for IGAD to advance the peace talks.³⁹² At its extraordinary summits the IGAD leadership acknowledged persisting armed violence in disregard of ceasefires, related human rights abuses and humanitarian impact and

³⁹² BBC News, "South Sudan Ceasefire 'Ends' Amid Malakal Fighting," 18 February 2014, <https://www.bbc.com/news/world-africa-26238849>; BBC News, "South Sudan Ceasefire Violated, Rebels and Government Say," 11 May 2014, <https://www.bbc.com/news/world-africa-27362508>; Agence France Press, "South Sudan War: A Long List of Broken Deals," 15 December 2015, *Capital News*, <https://www.capitalfm.co.ke/news/2015/12/112527>

warned of punitive measures on individuals and groups breaching agreements and obstructing attainment of peace.³⁹³ It went ahead to specify possible penalties including travel bans, asset freezes and even military intervention.³⁹⁴ The PSC separately expressed its readiness to support sanctions and other measures that IGAD may recommend.³⁹⁵ But the declarations remained a paper objective.³⁹⁶

In contrast, barely five months into the mediation the US moved to impose sanctions on two military commanders.³⁹⁷ More sanctions followed including from the EU and eventually the UN.³⁹⁸ However the externally generated measures made limited impact as the belligerents continued to spark hostilities. The peace talks collapsed in March 2015. Negotiations resumed in the second half of 2015 under IGAD-Plus and perhaps with a renewed sense of responsibility and urgency to deliver peace to South Sudan to make up for the region's dithering, international partners imposed a deadline for signing a peace deal and threatened imposition of more

³⁹³ IGAD, *Communiqué of the 25th Extra-ordinary Session of the IGAD Assembly of Heads of State and Government on the Situation in South Sudan*, Addis Ababa, 13 March 2014; *Communiqué of the 26th Extra-Ordinary Session of the IGAD Assembly of Heads of State and Government on the Situation in South Sudan*; *Communiqué of the 27th Extra-ordinary Session of the IGAD Assembly of Heads of State and Government on the Situation in South Sudan*, Addis Ababa, 25 August 2014; *Communiqué of the 32nd Extra-ordinary Summit of the IGAD Assembly of Heads of State and Government on the Situation in South Sudan*, Addis Ababa, 21 June 2018

³⁹⁴ IGAD, *Resolution by the 28th Extraordinary Summit of the IGAD Heads of State and Government*, Addis Ababa, 7 November 2014

³⁹⁵ African Union, *Communiqué*, Peace and Security Council 440th Meeting PSC/PR/COMM. (CDXL), Addis Ababa, 12 June 2014; *Communiqué*, Peace and Security Council 474th Meeting PSC/PR/COMM. (CDLXXIV), Addis Ababa, 5 December 2014; *Communiqué*, Peace and Security Council 484th Meeting at the Level of Heads of State and Government PSC/AHG/COMM.1 (CDLXXXIV), Addis Ababa, 29 January 2015

³⁹⁶ Fred Oluoch, "IGAD to Involve New Players in South Sudan Peace Talks," *East African*, 14 March 2015, <https://www.theeastafrican.co.ke/news/Igad-asks-more-countries-to-join-South-Sudan-peace-talks/2558-2653010-view-printVersion-w4gsi7z/index.html>

³⁹⁷ Michael R. Gordon, "U.S. Imposes First Sanctions in South Sudan Conflict," *New York Times*, 6 May 2014 <https://www.nytimes.com/2014/05/07/world/africa/us-imposes-first-sanctions-in-south-sudan-conflict.html>

³⁹⁸ Carl Odera, "EU Imposes Sanctions on South Sudanese Military Leaders," *Reuters*, 10 July 2014, <https://www.reuters.com/article/instant-article/idUSKBNOFF19520140710>; Government of Canada, "Canada Imposes Sanctions Against Both Sides of South Sudan Conflict," 30 October 2014, <https://www.canada.ca/en/news/archive/2014/10/canada-imposes-sanctions-against-both-sides-south-sudan-conflict.html>; Government of Norway, "Norway for Sanctions Against South Sudan," 3 March 2015 https://www.regjeringen.no/en/aktuelt/sanctions_south_sudan/id2398390/; UN Security Council, *Resolution 2206/2015*, S/RES/2206 (2015); BBC News, "South Sudan Conflict: UN Imposes Sanctions on Generals," 2 July 2015, <https://www.bbc.com/news/world-africa-33360495>

sanctions should the parties fail to comply.³⁹⁹ On 8 September 2015, the US (backed by France and the UK) tendered a proposal under Resolution 2206 to extend targeted sanctions to two more South Sudanese as a response to reported breaches of the ceasefire.⁴⁰⁰ The move amplified reservations, including from a section of the international community, about targeted sanctions supporting the regional search for peace.⁴⁰¹ Coming a few weeks after the signing of the peace deal, the bid barely afforded the parties time to demonstrate willingness to implement the deal. It failed to appreciate characteristic loose command structures and control of South Sudan's militia and armed groups coupled with low discipline within forces, informal chains of command and divergent grievances among the patrons, field commanders and the rank and file.⁴⁰² On top of those there is the deficient information flow regarding developments on the high-level talks that has dogged the mediation. The insistence on sanctions, with the peace agreement at its infancy, risked driving parties critical to implementation of the deal to hardline positions and countered the promotion of inclusivity as a vehicle for garnering popular support and ownership of the process and outcomes.⁴⁰³ More so since the ARCSS was a tenuous agreement, having been

³⁹⁹ France 24, "S. Sudan Suspends Peace Talks Despite Sanctions Threat," 14 August 2015, <https://www.france24.com/en/20150814-sudan-government-suspends-peace-talks-despite-sanctions-threat>; East African, "US, Britain Push for UN Sanctions on South Sudan," 19 August 2015, <https://www.theeastafrican.co.ke/news/ea/US--Britain-push-for-UN-sanctions-on-South-Sudan/4552908-2838490-view-asAMP-dtpwndz/index.html>

⁴⁰⁰ Security Council Report, "South Sudan Sanctions Committee: Proposal for New Designations Put on Hold," 16 September 2015, <https://www.securitycouncilreport.org/whatsinblue/2015/09/south-sudan-sanctions-committee-proposal-for-new-designations-put-on-hold.php>

⁴⁰¹ BBC News, "South Sudan Sanctions 'Blocked by Russia and Angola'," 16 September 2015, <https://www.bbc.com/news/amp/world-africa-34267405>; Matthew LeRiche, "How the Use of Targeted Sanctions Can Undermine Peace in South Sudan," *ACCORD Conflict Trends* 2015/4

⁴⁰² Jok, "South Sudan's Crisis: Weighing the Cost of the Stalemate in the Peace Process," 10; Al Jazeera, "S Sudan's Machar Unable to Control Rebels," *AFP*, 1 June 2014, <https://www.aljazeera.com/news/2014/6/1/s-sudans-machar-unable-to-control-rebels>; International Crisis Group, *South Sudan: Jonglei- "We Have Always Been at War"* (International Crisis Group Africa Report No. 22122, December 2014); De Waal, "When Kleptocracy Becomes Insolvent: Brute Causes of the Civil War in South Sudan," 353-8.

⁴⁰³ LeRiche, op. cit.

signed with reservations under duress and threats.⁴⁰⁴ The relapse into violence in July 2016 suggested that the ratification was calculated to sidetrack consequences.

Remarkably, the externally generated penalties appear to be at odds with the history and dynamics of the conflict, realities of the South Sudanese society as well as its peace making values. One problematic aspect to IGAD's mediation efforts is the fact that South Sudanese society is polarized at different levels from the community to military to political circles; a product of protracted, multiple and intertwined conflicts. The cleavages have propagated patronage networks, mostly along tribes and regions, which have a significant bearing on the current conflict. Navigating this terrain is a delicate venture but one that the mediation cannot lose sight of because how the mediation handles it impacts on the headway made in fostering social cohesion and on whether the peace talks advance and the resultant peace settlement holds by delivering the desired transformation. Foreign sanctions commencing barely five months into the mediation appear to have downplayed prevailing societal fractures and the need to bring about the trust necessary for the parties to engage in a genuine and constructive dialogue. They reflected a partiality for coercion to expedite restoration of negative peace absent a holistic analysis of the context of the conflict.

It should be recalled that the South Sudan peace talks built on strong diplomatic engagement from the region that persuaded armed parties to defer to a negotiated settlement rather than at the invitation of the parties having exhausted unilateral channels of securing a desired end. Taken together with low levels of trust within and between groups, the parties' level of commitment to negotiations was bound to be equally shaky at the beginning. Consequently pockets of clashes and

⁴⁰⁴ Author interview with respondent 1 from IGAD South Sudan Office; Vhumbunu, op. cit.; Annette Weber, "Back to Square One: Fighting Resumes in South Sudan," *Stiftung Wissenschaft und Politik SWP Comment* (2016), https://www.ssoar.info/ssoar/bitstream/handle/document/47923/ssoar-2016-weber-Back_to_square_one_fighting.pdf?sequence=1&isAllowed=v&lnkname=ssoar-2016-weber-Back_to_square_one_fighting.pdf

violation of truces were likely to persist in the early stages of the negotiations as belligerents vacillated on the possibilities of a military victory or deferred to the battlefield as a tactic to push their position in the negotiations or by factions that were yet to be accommodated at the high-level mediation table particularly as IGAD had adopted a phased inclusion of stakeholders. Attaining a sufficient degree of confidence in and commitment to negotiations called for 'strategic patience' and incentives rather than hasty and uncoordinated threats.⁴⁰⁵ In so doing the mediation also buttresses the deficits of early entry discussed in 4.1.2 above.

For Matthew LeRiche, the push for sanctions failed to appreciate South Sudan's social structures wherein long liberation wars have not only made resistance a way of life for communities and individuals but also bred loyalties for the likes of Paul Malong and Johnson Olony.⁴⁰⁶ He argues that their isolation is only likely to amplify cleavages and perpetuate resistance, hostility and spoilers that in turn undermine desirability for a political settlement and sustainable solutions. Considering South Sudan's political marketplace as well as the weak and loose command structures of armed groups, disjointed deterrents directed at a handful of individuals and/or who are not in influential political positions have the potential of advancing internal competition and further estrangements.⁴⁰⁷ In such a setting poorly constructed sanctions could ignite wrongful revenge simply from the belief that the sanctions, partially predicated on alleged commission of war crimes, are discriminatory in targeting some while others believed to be culpable remain free considering that South Sudanese society is still alive to, troubled and shaped by

⁴⁰⁵ Lanz, Nathan and Burg, op. cit. 21.

⁴⁰⁶ LeRiche, op. cit.

⁴⁰⁷ Alex de Waal, "South Sudan: Why a Political Crackdown Accompanies a Peace Agreement," *African Arguments* (11 September 2015), <https://africanarguments.org/2015/09/11/south-sudan-why-a-political-crackdown-accompanies-a-peace-agreement/>

unaddressed historical atrocities and grievances.⁴⁰⁸ An IGAD respondent sums up that “Afrisol works in the absence of pressures that undermine regional efforts”.⁴⁰⁹

The results registered between January 2014 and August 2015 lie partly in the regional leadership. At the inauguration of the IGAD-Plus mediation mechanism Ambassador Mesfin had pointed out that despite restructuring, the process remained an IGAD-led peace process providing an African solution to the crisis but with partners playing their own role to support the peace process.⁴¹⁰ However IGAD leadership and technical team have struggled to apply themselves decisively and unambiguously to provide the direction and support expected of the declared leadership role along with supposed comprehension of the conflict setting, on the most suitable leverage to alter the behavior of recalcitrant parties along with defining a framework for execution. IGAD has for the most part been reticent on the place of power diplomacy in the search for peace in South Sudan. While it has gone as far as threatening punitive measures on anyone scuttling peace efforts, there have been signals from the region’s different platforms that IGAD is not for strong arm tactics. In November 2014 the chief mediator pointed up that attaining peace should be the focus of the mediation rather than punishing parties.⁴¹¹ Uganda went on to actively lobby against sanctions and an arms embargo at the UN Assembly in May 2015.⁴¹²

⁴⁰⁸ LeRiche, op. cit.; BBC News, “South Sudan: EU Sanctions Peter Gadet, Santino Deng,” 11 July 2014, <https://www.bbc.com/news/world-africa-28262592> ; Radio Tamazuj, “South Sudan’s President Responds to Sanctions Threat: Bring It On,” 18 March 2015, <https://radiotamazuj.org/en/news/article/south-sudan-s-president-responds-to-sanctions-threat-bring-it-on>

⁴⁰⁹ Author interview with respondent 2 from IGAD South Sudan Office

⁴¹⁰ Government of Ethiopia, “ Prime Minister Hailemariam Launches the IGAD-Plus Mediation on South Sudan,”

⁴¹¹ Aaron Maasho, “IGAD Mediator Says not Keen on Sanctions in South Sudan,” *Reuters*, 6 November 2014, <https://www.reuters.com/article/us-southsudan-unrest-idUSKBN0IQ2BJ20141106>; Sudan Tribune, “S. Sudan Praises China and Russia over Rejection of UN Sanctions,” 29 January 2016, <https://sudantribune.com/spip.php?article57837>

⁴¹² Ugandan Ministry of Foreign Affairs, “ Keynote Address by H.E. Yoweri Kaguta Museveni, President of the Republic of Uganda, at the High Level Thematic Debate on ‘Strengthening Cooperation Between the United Nations and Regional and Sub-Regional Organizations,’ New York, 4 May 2015,

Then at the 29th extraordinary summit of the IGAD Heads of States and Government one of the proclamation was that

“... an arms embargo or sanctions on South Sudan will not provide the solution being sought for permanent peace and stability in the country and stresses that what is required is dialogue, reconciliation and commitment by all South Sudanese parties to faithfully implement the ARCSS and for the region and the international community to support them”.

IGAD’s pronouncements giving precedence to dialogue and reconciliation seemed to appreciate the South Sudan conflict fragmentation and fragility and resonated with the search for African solutions. Conflict management mechanisms prevalent in indigenous African communities have a conciliatory and restorative outlook geared towards mending the broken relationships, facilitating reintegration of errant member into society and enhancing social cohesion for the long term.⁴¹³ Activities to this end aim to gradually build trust and confidence and to assist parties to transcend antagonistic relationships and to desire coexistence. Within this approach there is less emphasis on punitive measures and more on absolution and compensation. But beyond the rhetoric, the regional mediation has struggled to foster harmony across different levels of the society, consistently commit a significant segment of the conflict society to the peace talks and provide a functioning alternative to punitive measures to tame spoilers. Mediation’s failure to harness ceasefire-monitoring reports and take appropriate measures weakened confidence in the region’s lead even as the parties took advantage of mediators’ lack of leverage.⁴¹⁴

<https://www.mofa.go.ug/data/dnews/162/Keynote%20address%20by%20H.E.%20Yoweri%20Kaguta%20Museveni%20President%20of%20the%20Uganda%20at%20the%20high%20level%20Thematic%20Debate%20on?option=dnews&id=162>

⁴¹³ Brock-Utne, op. cit.; Kwaku Osei-Hwedie and Morena J. Rankopo, “Chapter 3: Indigenous Conflict Resolution in Africa: The Case of Ghana and Botswana,” *IPSHU* English Research Report Series, No.29 (March 2012) page.33-51; Ndubuisi, “African Solutions to African Problems: Assessing the African Union’s Application of Endogenous Conflict Resolution Approaches,” 180-3.

⁴¹⁴ Verjee, “Ceasefire Monitoring in South Sudan 2014-2019: ‘A Very Ugly Mission’,” 11-5.

Limited impact of designated deterrents has been a consequence of IGAD's inadequate internal coherence on the most suitable approach with national and individual interests seemingly playing a decisive role.⁴¹⁵ Some regional governments are accused of clandestinely supplying weapons to South Sudan belligerents notwithstanding an arms ban. Regional states chiefs are reluctant to second and enforce penalties against comrades or ones that compromise exclusive interests. In the absence of a consensus and the region's unambiguous endorsement or support for enforcement, sanctions and arms ban have come across as externally forged unilateral pressure tools. Parties got the sense that they were being forced into compliance and more so by foreigners. Also attuned to the regional states' interests, competition and divisions, warring parties found no motivation to adjust their behavior but instead exploited the divide to achieve their interests.⁴¹⁶

The conflicting approach between IGAD and its non-African partners denoted absence of constructive engagement on a fitting and jointly acceptable leverage and the execution format. The region's blurred disposition also comes across as calculated to give an impression that the region is relevant and determined to find a solution to the South Sudan problem while in reality moderating external imperiousness but also ensuring that benefits from foreign governments to regional regimes are not terminated on grounds of passivity. In the face of seeming regional inertia, external actors seized the process and steered it on their terms and conflict management frameworks. An IGAD respondent is of the view that under the IGAD-Plus arrangement, the externally driven pressure on the parties in the course of the

⁴¹⁵Patrick Müller & Julian Bergmann, "Orchestrating peace in South Sudan: Exploring the Effectiveness of the European Union's Mediation Support," *European Security*, Vol. 29, No. 2 (2020)

⁴¹⁶Fleischner, "Spoils of War, Spoilers of Peace: Changing the Calculus of South Sudan's Deadly Conflict," 6.

mediation undermined African agency.⁴¹⁷ However it appears that the region itself somehow, through its actions or inaction, ceded control of the process to secondary actors.⁴¹⁸

The foregoing discussion should not be taken to mean that sanctions have no place in African conflict resolution processes and solutions. Rather it draws attention to the need for a common understanding on the right sanctions and enforcement modalities to make them acceptable and effective in the specific context. Whereas pressure and incentives are some of the tools available to a mediator to steer a mediation process ahead, application of deterrents in particular calls for careful consideration of the added value and further the possible impediments to implementation and efficacy.⁴¹⁹ The remarks of Antonio Guterres appear to persuade a homegrown arrangement,

“... Implementation of the very important achievements that were reached, thanks to IGAD leadership, might require tougher measures and I don’t think those tougher measures can be originated outside in the context of the UN or the Security Council. I think they need to be originated in the region and I think that the leadership of IGAD is absolutely essential together with the African Union”.⁴²⁰

5.3 Conclusion

In this section the researcher endeavoured to establish the interpretation and practical expression of “African solutions to Africa’s problems” via IGAD’s mediation facilitation in the South Sudan conflict (third objective of the study). The

⁴¹⁷ Author interview with respondent 1 from IGAD South Sudan Office

⁴¹⁸ Author interview with respondent 1 from IGAD South Sudan Office; Crispy Kaheru, “Here is why IGAD-Plus Should Play a More Visible Lead Role in the Solving the South Sudan Question,” *Foundation for Human Rights Initiative* (undated), <https://www.fhri.or.ug/index.php/pages/whats-new/item/117-here-is-why-igad-plus-should-play-a-more-visible-lead-role-in-the-solving-the-south-sudan-question>

⁴¹⁹ UN Security Council, *Report of the Secretary-General on Enhancing Mediation and its Support Activities*, 10.

⁴²⁰ United Nations Secretary-General, “Secretary-General’s Remarks at the Consultative Meeting on South Sudan with the African Union, IGAD and the United Nations,” 27 January 2018, <https://www.un.org/sg/en/content/sg/statement/2018-01-27/secretary-generals-remarks-consultative-meeting-south-sudan-african>

IGAD-led intervention in South Sudan embodies a degree of “African solutions to Africa’s problems” portrayed in the regional lead in advocating for a mediated political solution, expeditiously setting in motion peace talks anchored in domestic principles in peacemaking such as value for life, dialogue, inclusivity, peaceful co-existence and consensus building and staying the course to facilitate the peace talks.

In practice however, once the mediation got underway features defining African solutions and the mediation strategy as a whole have only been implemented halfway. While the limited success is attributed to challenges such as the political and military elites’ disinclination to an expanded negotiation table, resource deficits as well as considered mediation team’s lack of a robust conception of the conflict dynamics resulting in a poor methodology and/or its implementation; they are secondary to calculated gains (clique and personal) or none of enabling the mediation framework. Within that environment local capacities have been sacrificed. African and international partnership, while considered necessary, presently suffers a deficit of a shared vision, unified approach and defined parameters of cooperation and stewardship. Despite notable improvements, there remain trappings of the CPA model in the form of IGAD’s preoccupation with power-sharing model and elitist negotiations and the external actors’ tendency to supplant Africa’s lead role.

Chapter Six

Summary, Conclusions and Recommendations

Introduction

This study examined the connotation of the notion of “African solutions to Africa’s problems” and its operationalization within the IGAD-led mediation for the South Sudan conflict via four specific objectives namely: exploring the rise and development of the notion of “African solutions to Africa’s problems”; reviewing the discourses on the notion; examining aspects of IGAD’s South Sudan mediation framework and practice that promote “African solutions for Africa’s problems” and finally considering the prospects of the regional-led mediation efforts and consequently the viability of African solutions. Two hypotheses were tested in the study: that unity of purpose at the leadership level is a key determinant in the effective operationalization and realization of African solutions and that piecemeal implementation of the components of “African solutions to Africa’s problems” undermines the notion’s actualization and potential. The study was examined within the theoretical framework of social constructivism. This chapter brings to an end this study by recapping the findings on the objectives and guiding hypothesis and then presenting recommendations. On objective one which connected to hypothesis one the study found out that unanimity among pioneer Pan-Africanists and Africa’s immediate post-independence leaders on the necessity for Africa and Africans to assume primary responsibility in the strive for self-rule and self-reliance was instrumental to inaugural accomplishments thus freedom from slavery, attainment of independence for African states and the transformation of continental institutional and normative framework. However while continental unity and solidarity are deemed fundamental to the pursuit of Pan-African vision for the continent’s integration, peace

and development; progress on those pillars is handicapped by cleavages in the political spheres about the framework of continental unity. Objective two is linked to hypothesis one establishing that the genesis and entrenchment of “African solutions to Africa’s problems” in Africa’s renaissance agenda build on a shared and enduring conviction among Africans that the continent, its people and resources must be at the forefront of devising dependable and lasting solutions to the challenges of Africa and its people. For objective three connected to both hypotheses, the study ascertained that whereas regional leaders and global partners concurred on the advantages of a regionally-led mediation, once in motion, prioritization of exclusive interests engendered divisions that frustrated execution of the mediation strategy with considered elements of African solutions being partially and unevenly executed. This chapter wraps up the study with objective four being recommendations that underline a manifold and integrated approach whose success depends on collaboration and complementarity among different players, basically a positive framing of the two hypotheses.

6.1 Summary

As an organized movement, literature notes that Pan-Africanism shot to prominence in the nineteenth century starting with the African diaspora agitating for freedom from slavery before transcending into a vital force in the struggle for decolonization. From that early point African unity was promoted as an essential pillar in the pursuit of a collective agenda for Africa’s transformation. But while the idea of a political cooperation appealed to Africa’s elite, the OAU emerged as a middle ground between a minority in favour of immediate integration and the majority preferring a loose continental organization all held together by the aspiration for national political independence. Post-independence Pan-Africanism morphed from

an ideology into a framework for Africa's integration, peace and development. Despite its resilience, vacillation over the form and speed of continental political unity hamstrings progress of the vision and goals.

The advancement and utility of African unity was examined more precisely via the peace and security agenda. The emergence of new and markedly different security threats on the continent at the end of the Cold War and the considered impact of insecurity on the aspiration for development and integration prompted the continent to review the OAU's capacity to respond to prevailing challenges. Even as member states resolved to assume primary and collective responsibility for preserving continental peace and security they reflected on the hindrances to efficient conflict management occasioned by devotion to national sovereignty and non-intervention principles. The foregoing informed OAU's transformation to the AU and the advent of the APSA to promote peace and security. Member states adopted the non-indifference principle and committed to enable common institutions to discharge their mandates effectively. In practice however, many Africa's leaders still hold sovereignty dear, a stance that among other factors hinders effective continental responses to peace and security.

The usage and influence of "African solutions to Africa's problems" (albeit not in the exact wording) predates the slogan's prominence within the nineteenth century pan-African movements. It has suggested African origins and has been propelled and exploited by peoples of African descent for various causes. From underpinning anti-slavery and decolonization feats, it has gone on to find expression in Africa's continental institutional framework starting with the OAU on to the AU and its expansive legal framework encompassing governance, development, peace and security. The continuing desirability for Afro-centric solutions hinges on the

conviction that local initiatives and actions driven by Africans will assure timely, reliable and effective responses that are context-sensitive.

From existing scholarship the defining features of “African solutions to Africa’s problems” as an approach to transforming Africa include the continent and its people (leadership and the civilians) acknowledging the problems affecting them, being at the helm of isolating and defining them as well as formulating and implementing appropriate responses in addition to mobilizing resources to bring about the prescribed change. Centrality of African responsibility, agency and autonomy derives from the reasoning that collective history, geography and identity give Africa and Africans an edge over non-African agents in understanding what troubles the continent, why and how best to solve the problems. Second they incorporate Africa’s conflict resolution approaches wherein shared principles of dialogue, community-centredness, reconciliation, restoration and peaceful coexistence are prioritized with the advantage of enhancing commitment to and ownership of processes and outcomes as they resonate with the recipient community’s way of life and peacemaking traditions. They in turn translate into sustainable outcomes wherein the interests of Africa and its people are safeguarded. Even then this angle appreciates that contemporary African societies as influenced by new and even external cultures and the international system which then necessitates creative mechanisms and approaches that may incorporate external universally-accepted values or best practices, singularly or blended with local ones along with partnerships with non-African agents as deemed fit to address modern-day challenges.

Barely a week after the crisis in South Sudan broke out in December 2013, IGAD member states moved to propose assisted intervention to resolve the issues behind the crisis in the government. With the main protagonists’ consent IGAD was

given the mandate to lead the negotiations via the Office of IGAD Special Envoys for South Sudan. The initiative received continental and international backing in consideration of comparative advantage and subsidiarity principle. The IGAD leadership provided an abstract of the mediation strategy underscoring a commitment to facilitating an inclusive dialogue and societal reconciliation. Special Envoys selected from the IGAD region have been in charge of the mediation while regularly reporting to and seeking the direction of the IGAD Assembly of Heads of State and Government and the Council of Foreign Ministers.

The peace talks started in January 2014. With the signing of the CoHA, the mediation team moved to expand the negotiation table beyond the key protagonists thus President Kiir's SPLM-IG and Machar's SPLM-IO. However a weak level of receptiveness to multi-stakeholder peace talks retarded progress and expected advantages of the approach as armed parties obstructed meaningful participation of non-military delegates, boycotted negotiations and recurrently violated ceasefires. At the same time warring parties, regional states and the leadership exerted commitment and support to the negotiations through the lenses of competing and divergent interests. The August 2015 Agreement, midwived by IGAD-Plus – the expanded mediation platform comprising international partners supposedly to counter the rifts, was a product of prescriptive mediation and diplomatic pressure minus consensus building. Dissatisfaction with the conduct and outcome of the peace talks are some of the suggested explanations for renewed clashes in July 2016.

IGAD's commitment to restoring the country's stability saw it re-open peace talks under the HLRF. This phase exhibited a degree of improvements in inclusivity, dialogue, consensus building and even the level of collaboration among IGAD member states but all confined to the national platform. However international

community's enthusiasm shrunk due to dissatisfaction with the approach and progress. While the R-ARCSS is lauded as a milestone for African solutions especially as a product of regional effort that precipitated a coalition government, it remains a tenuous pact lacking concrete wider societal backing and given weak political will to facilitate its full implementation.

6.2 Conclusions and Findings

Based on reviewed texts it can be deduced that despite a consensus on the centrality of continental unity and solidarity in the pursuit of the Pan-African agenda as an embodiment of African solutions, the momentum towards the search for continental unity seems to ebb and flow depending on calculated benefits and costs, especially to political security, autonomy and control, of enabling a collective agenda. The ruling class is preoccupied with protecting their political supremacy and addressing internal state threats especially to power to provide unwavering unified support to a continental agenda. Besides the cost-benefit analysis, there is what Rotimi Ajayi and Segun Oshewolo refer to as personality cult that has defined the quest for African integration.⁴²¹ The attention given to the ambition for continental unity and the Pan-African vision overall has over time risen and waned depending on the presence (or lack thereof) of personalities who share a vision and a passion for an integrated, prosperous and influential continent. This is illustrated in literature on the pivotal role of Pan-African voices of the likes of Nkrumah, Gaddafi, Thabo Mbeki, Nelson Mandela and Olesgun Obasanjo.⁴²² The trend threatens consistency in the pursuit of the African agenda and attainment of the ultimate goals in that the exit of

⁴²¹ Ajayi and Oshewolo, op. cit.

⁴²² Mammo Muchie, "Towards a Theory for Re-framing Pan-Africanism: An Idea Whose Time Has Come," *Research Center on Development and International Relations Working Paper No. 83* (2000); Chris Landsberg, "Fractured Continentally, Undermined Abroad: African Agency in World Affairs," a paper presented to the seminar *New directions in the Study of Africa's IR: Perspectives from South Africa* joint seminar hosted by Stellenbosch University and the Open University (12 October 2011), www.open.ac.uk/socialsciences/bisa-africa/files/africanagency-seminar4-landsberg.pdf

such figures has often stalled the cause. The Kagame report singles out leadership as a key determinant of the effectiveness, or lack, of the AU.⁴²³ But then Solomon Dersso makes another significant finding thus the dearth of leadership on the continent along with rival policy positions on key issues, reluctance to integrate continental decisions within national policies and unmet financial obligations are manifestations of weak ideological conviction to the ideals of African unity on the part of political leadership.⁴²⁴ At the African Leadership Forum held in 2018 in Kigali, Kagame is quoted saying "... we need to mobilise the right mindsets, rather than more funding".⁴²⁵ Therefore to the critical role of agency is added the imperative to foster entrenched core values that inspire and sustain commitment to the Pan-African vision in the pursuit of intra-continental responses despite the continent's diversities, divergent interests, global dynamics and above all periodic change in the leadership of structures be it government or other institutions. Ultimately resolving the deadlock on the configuration of political unity and unlocking the value of integration hang on presence of a political will to make requisite decisions and actions.

The notion of "African solutions to Africa's problems" can be classified as an African invention that agitates for African agency and obligation in shaping a variety of causes in response to problems, whether arising from internal deficiencies or externally driven, that disproportionately afflict Africa and its peoples. Therefore the gravitation towards African solutions signifies a shift in the way agency is exercised and by extension the structure in which it operates. From existing and researched scholarship, one gathers that primary responsibility for and ownership of Africa's

⁴²³ Kagame, *The Imperative to Strengthen Our Union: Report on the Proposed Recommendations for the Institutional Reform of the African Union*, 7.

⁴²⁴ Solomon Dersso, "This Question of African Unity: 50 Years After the Founding of the OAU," *Global Development Professional Network* (2013): 6-7.

⁴²⁵ Collins Mwai, "Africa Needs the Right Mindsets, Rather than More Funding – Kagame," *New Times*, 3 August 2018, <https://www.newtimes.co.rw/news/Africa-funding-kagame>

problems rest with African actors. African agency does not eliminate involvement of foreign actors in light of global interconnectedness on multiple fronts, the continent's prevailing financial constraints and that Africa's problems are co-authored with the global community. However their role should be supportive and complementary to and delineated and regulated by primary (African) actors. The drive for responses led or invented by Africa rests on the belief that such location and role of Africans will secure the interests of the continent and its people. IGAD's interpretation of "African solutions to Africa's problems" largely corresponds with existing discourse.

Looking at the IGAD-led mediation of the South Sudan conflict the study concludes that the process so far exhibits a degree of "African solutions to Africa's problems" through the region's declared primary responsibility to find a political solution for the South Sudan crisis, its expeditious move to kick start the search for peace anchored in a political dialogue as opposed to a military solution in view of the sacredness of life in African communities and further in the proclamations to facilitate an inclusive process and harmonious relationships. In practice however, unsystematic, fire brigade and piece-meal execution of the strategy frustrated the full depiction and positive impact of the outlined hallmarks of African solutions. The conduct of the peace talks exposed the deficits in expertise to analyze conflict complexities, manage stakeholder diversity, numbers and interests, to design responsive mediation methodologies and tools, to nurture and utilize grassroots peace building capacities and/or in capacity to roll out comprehensive finance intensive mediation activities. A largely single track, elitist and top-down approach constricted constructive participation of the wider population, sacrificed the advantages of multi-track peace building and diminished ownership of the national process.

Still the drawbacks to implementing the mediation strategy are embedded in other overriding factors for example divergent interests of key actors, stakeholders, mediators and their partners and the weak level of political will to support the mediation process not just diplomatically but also with financial and other vital resources. Resource challenges could explain the fixation on formal talks and quick fixes. Currently vested national interests of IGAD member states and stakes of the elite predominantly define the degree of consensus-building among chiefs particularly of the frontline states (Kenya, Ethiopia, Uganda and Sudan), the nature of decisions they make, the support they extend to or the independence they allow the mediation team to fully apply their competences in the course of their oversight role. Moreover national exigencies to manage challenges in governance such as internal debt burdens, to fight internal threats to regime survival and to contain ethnic and resource conflicts, being just few issues that at least each IGAD member state is grappling with, militate against pooled and sustained commitment and support required by the regional platform to operationalize African solutions. The foregoing mirrors the struggle to advance the Pan-African vision at the continental level. African and international partnership while admittedly indispensable in the pursuit of African solutions presently is undermined by a deficit of a shared vision, defined parameters of cooperation and stewardship as well as competing methodologies and unpredictability of international support that also build on strategic considerations.

The case study shows that a full reflection of “African solutions to Africa’s problems” and realization of its potential remains a work-in-progress. IGAD’s scorecard on effecting selected attributes of the South Sudan’s mediation strategy demonstrates that achievement of African solutions requires a multi-faceted and integrated approach and that the success of a regional mediation process is a function

of multiple factors among which rational calculations of powerful actors along with the political will to promote for collective enterprises, to mobilize essential resources and to make room for harnessing existing sub-national capacities are central.

6.3 Adequacy of Theoretical Framework

The study applied the theory of social constructivism. In a nutshell the theory rationalizes that the rise and advancement of international relations are dependent on the shared meanings that agents (states) construct and reconstruct regarding any given situation. Cooperative arrangements and the accompanying normative framework emerge when there is high degree of convergence of identities and interests. The interests, identities and conduct of agents are elements of continuous change apropos the logic of appropriateness: what are deemed as appropriate outfit and action in a given context. The process of transformation of identities and interests in search for cooperative solutions to common problems is not without constraints. The advancement of common arrangements and their goals appeals to an incremental indistinct process, has to contend with self-interests and distribution of power and insufficient congruence in core values of member states. Constructivists acknowledge that the choice, design and functioning of social arrangements to promote collective interests of society cannot be divorced from rational choices of influential actors and their strategic calculations.

Against that background the theory is persuasive in explaining political phenomena such as the rise of and appeal to Pan-Africanism and its institutionalization in Africa that built upon a collective quest to resolve common challenges by a people supposedly connected by shared ancestry, values, history, experience and aspirations. In the words of Murithi, "Pan-Africanism is an invented

notion ... with a purpose.”⁴²⁶ A high degree of identification, as vulnerable and oppressed Africans desirous to change their destiny vis-à-vis the domination by non-Africans by way of slavery, colonization and apartheid then the imminent isolation at the end of the Cold War were rallying points that were instrumental to establishment of the OAU and subsequently the consensus to transform the AU along with restructuring of the normative frameworks. The collective conviction also informs the receptiveness to the various mandates to the AU and the RECs including specific to this study the IGAD-led mediation in South Sudan.

Leading to the present times, the despair in the efficacy of the continental organization and its regional blocs props an inquiry into the completeness and competence of unifying markers. The theory provides a framework for explaining the conundrum. Notwithstanding the collective understandings the uneven and slow progress towards advancement of African solutions are a consequence of cost-benefit calculations of key actors (the ruling class and member states). The value placed on national sovereignty, political security, consequences of accountability in governance and national level exigencies constrain furtherance of collaborative enterprises. Diversities in socio-political and economic strength and ambitions for states as well as individuals militate against immediate pooling of power and resources for collective agenda. The centrality of agency in enabling or hindering the advancement of the Afro-centric solutions is demonstrated by the influence the heads of states and government have on pursuit of the Pan-African vision and undertakings in peace and security. Specific to the case study once the peace talks commenced, despite a promising homegrown mediation initiative; divisions, rivalries, individual

⁴²⁶Murithi, “Institutionalising Pan-Africanism: Transforming African Union Values and Principles into Policy and Practice,”

and national interests among key protagonists, regional mediators and their international partners stymied its full realization and potential.

6.4 Recommendations

Within the current environment of reduced large-scale violence in South Sudan the HLRF must transcend attention to narrow interests of a minority to tackling the root causes of South Sudan's violent conflicts. The AUCISS and the South Sudan National Dialogue final reports, peace agreements ranging from the CPA on to the latest R-ARCSS along with perspectives of think tanks and independent researchers contain a wealth of information about the sources of conflict, appraisals of previous conflict management projects and considered solutions. Taking off from those resources the regional intervention should adopt strategic conflict transformation that maintains momentum for implementation of the peace deal while accruing peace dividends along the peace-security-development nexus in the short- to mid- to long-terms across all levels of the society.⁴²⁷ This framework demands a holistic conception of the conflict and envisions synergetic multi-actor engagement and multilateral activities. It also reckons that working solutions and capacity exist locally so that resolution of the South Sudan conflict using domestic mechanisms is viable with an enabling environment. Hence the project makes the following recommendations:

6.4.1 Comprehensive Approach to Lasting Peace for South Sudan

Despite shortcomings of the HLRF especially marginal participation of the wider society and misgivings about its product the R-ARCSS as a quick-fix solution that caters for the vested interests of a narrow elite, with the right mindset and

⁴²⁷ Author interview with respondent 1 from IGAD South Sudan Office

political will, it could be a stepping stone to galvanizing lasting peace.⁴²⁸ The power sharing arrangement addresses the immediate problem that is power wrangles and has in turn moderated violence. In tow to this milestone, IGAD and its partners should sustain efforts to obtain agreement buy-in from the holdout groups and to ensure the permanent ceasefire holds to consolidate reliable security for civilians to return to and remain in their homes, for survival and functioning of the interim government and for preparation and conduct of general elections at the end of the transitional period. South Sudan's security sector reforms and restructuring including the intended cantonment and unification of forces and DDR must appreciate the history of armed forces formation i.e. integration of militia groups into the SPLA as a strategy to tame dissent and the abortive force transformation, political motivations, alignments and manipulations behind the rise of ethnic militias and also economic survival-driven community insurgencies. From that perspective prioritizing healing and reconciliation at the political and community levels along with provision of basic conditions for economic rebirth break the primary opportunities for mobilization to violence thus antipathy and poverty and in turn undergird regeneration of a security sector that is professional and apolitical. Connected thereto, pending consensus on the approach to historical injustices, the leadership of the day should demonstrate a political will to enforce the rule of law especially against new cases of human rights violations and systemic political corruption to tame impunity and unyielding peace spoilers.

Within a stable security environment along with popular support for the peace deal, the interim government should escalate its commitment to the agreement by implementing the next critical set of tasks under its purview in the highest interest of the people of South Sudan. Among them delivery of a permanent Constitution, from a

⁴²⁸ Mach, "Learning from the Past: The Way Out of South Sudan's Crisis," 46.

inclusive process vis-à-vis participation and consensus of all South Sudanese, as an expression of the people's will and wishes for peaceful co-existence, governance and state structure along with the basis and values thereof informed by their history, norms, values, traditions and aspirations will provide a foundation for state-building, renewing a social contract with the citizens and state legitimacy along with a system of checks and balances aspects whose absence has contributed to poor governance and cyclic conflicts.⁴²⁹ The interim leadership should be concerned with reconstructing, strengthening and professionalizing state institutions including the public service, the national army and police force to provide people-centred, non-partisan and value-based services to accompany equitable devolution of power and resources. The transitional government with the support of IGAD and the international community should leverage on the current cordial relationship and averred desire to strengthen cooperation between Juba and Khartoum to scale up implementation of a collection of bilateral agreements so far secured and to resolutely and exhaustively resolve any outstanding and/or contentious issues as a pillar to sustainable peace in both countries.⁴³⁰ Still it is imperative to diversify from an oil-dependent economy to inclusive and potentially potent sectors like agriculture. It is also incumbent upon the RTGoNU and other peace supporters that free, fair and credible elections are held at the end of the transitional period without any further

⁴²⁹ Remember Miamingi, "Root Causes of the Conflict in South Sudan," in *The Future and Implementation of the R-ARCSS in South Sudan* (Zambakari Advisory Special Issue, 2020): 5-9; Kuol, "Lessons from a Decade of South Sudanese Statehood," UNMISS, "Stakeholders Call for Honest, Transparent, and Inclusive Debate on New Constitution at UNMISS Workshop," 9 September 2021 <https://unmiss.unmissions.org/stakeholders-call-honest-transparent-and-inclusive-debate-new-constitution-unmiss-workshop>

⁴³⁰ Benjamin Takpiny, "Sudan, South Sudan Revisit Cooperation Agreement," *Anadolu Agency*, 12 September 2019, <https://www.aa.com.tr/en/africa/sudan-south-sudan-revisit-cooperation-agreement/1580286>; United Nations, "Sudan, South Sudan Must Make Greater Progress on Status of Abyei, Given their Increased Cooperation, Under-Secretary-General Tells Security Council," Security Council 8644th Meeting SC/13993, 24 October 2019, <https://www.un.org/press/en/2019/sc13993.doc.htm>; Xinhua, "South Sudan's Machar Urges Implementation of Cooperation Deal with Sudan," 11 January 2021, http://www.xinhuanet.com/english/africa/2021-01/11/c_139656675.htm

postponement or interference to usher in a popular government equally committed to carrying on the process of reconstructing South Sudan to bring about lasting peace.⁴³¹

6.4.2 Civilian Empowerment and Participation

It is vital that going forward, peace building efforts for South Sudan genuinely open up to the participation of the general public. The importance of an engaged citizenry in the search for peace has been reiterated by regional and international community with the Troika arguing at one time that, “the best hope for sustainable peace is a process inclusive of ordinary men and women, civil society, religious leaders, ethnic minorities, and other excluded groups.”⁴³² Obstructions to the multi-stakeholder approach have so far been calculated to limit competition over power and resources while ensuring that the general population remains vulnerable to support divisive and violent causes on the account of poor economic conditions and a weak social fabric. Enhancing public participation will disrupt the chain. Community consultations are critical to reach widely acceptable conclusions on sensitive issues like transitional justice including how far in history to go in addressing human rights violations and the forms of redress and restitution. While the elite remain edgy and non-committal on implementation of agreement provisions on justice and accountability⁴³³, meaningful participation of all stakeholders key among them the South Sudanese could in fact provide a lifeline with one AUCISS respondent remarking,

“... it would be the community to decide what should be done with the people. Let the community take control, if they want to forgive them and say it is okay, let us forget and reconcile, fair enough. But if the community feels that the

⁴³¹ Ezekiel Lol Gatkuoth, “A Free and Fair Election is the Solution to South Sudan’s Woes,” *Africa News*, 21 October 2020, <https://www.africanews.com/2020/10/21/a-free-and-fair-election-is-the-solution-to-south-sudan-s-woes-by-ezekiel-lol-gatkuoth/>

⁴³² Foreign and Commonwealth Office, South Sudan Peace Talks: Troika Statement,” 10 August 2018, <https://www.gov.uk/government/news/troika-statement-on-the-south-sudan-peace-talks>

⁴³³ Amnesty International, “Do You Think We Will Prosecute Ourselves?” *No Prospects for Accountability in South Sudan* (October 2019)

people who are responsible should be prosecuted, should be held responsible and the law should take its course, it should be respected ...⁴³⁴

The challenges to expanding the national level mediation table can be overcome by diversifying participation platforms and uptake of ongoing initiatives. Acknowledging public contributions to the AUCISS and the National Dialogue is one way of projecting public voice into the process. The mediation should recognize and capitalize on community level peace building mechanisms and resources by CSOs, FBOs and Non-Governmental Organizations that have the potential of reducing community-level conflicts, promoting cohesion and pressing for state reforms.⁴³⁵ With the breakdown of formal institutions, diminishing confidence in national leadership and pessimism about its intentions; customary authorities and religious leaders for instance remain significantly popular and trusted at the grassroots and have extensive reach in the country and will be instrumental to linking the public to the peace initiatives.⁴³⁶ Besides economic empowerment, awakening political consciousness and empowerment of CSOs in preventive diplomacy and mediation will boost civilian involvement and oversight of state apparatus.⁴³⁷ Championing for peace and Pan-Africanism studies in school education curricula and fostering creativity to address problems specific to the region and the continent along with civic education to the general public will promote mindsets that appeal to peace.⁴³⁸ In fact a society-centered approach qualifies as the engine of African solutions on the strength

⁴³⁴ African Union, *Final Report of the African Union Commission of Inquiry on South Sudan*, 272.

⁴³⁵ Maria J. Stephan and Nicholas Zaremba, "In South Sudan, Nonviolent Action is Essential to Building Peace," *United States Institute for Peace* (22 February 2019), <https://www.usip.org/publications/2019/02/south-sudan-nonviolent-action-essential-building-peace>; Safer World, "Support for Local Peacebuilding is Critical for the Future of South Sudan," 21 September 2019, <https://www.saferworld.org.uk/resources/news-and-analysis/post/838-support-for-local-peacebuilding-is-critical-for-the-future-of-south-sudan>

⁴³⁶ Knopf, *op. cit.*; Rift Valley Institute, "South Sudan Customary Authorities Project," <https://riftvalley.net/projects/south-sudan-customary-authorities-project>; Lutheran World Federation, "Churches in South Sudan Promote 'Three Pillars of Peace,'" 24 April 2019, <https://www.lutheranworld.org/news/churches-south-sudan-promote-three-pillars-peace>

⁴³⁷ Author interview with respondent 1 from IGAD South Sudan Office

⁴³⁸ *Ibid.*

of communities' wealth of knowledge of conflict context and of local conflict resolution mechanisms that are relatable and less finance intensive, their capacity to detect and respond swiftly to local-level peace and security challenges and to provide broad and forceful insurance for peace accords thanks to a sense of local ownership and commitment that derives from involvement and emancipation.

6.4.3 A Leadership in the Interest of South Sudan

It is not lost to the South Sudanese leadership (in government and the opposition) that comprehensive conflict resolution is not only desirable but also viable through homegrown efforts. However the pursuit for exclusive power and resource control has to date dictated its willingness to negotiate in good faith and to fulfill proclaimed resolutions in the interest of the entire country. It is a conception of the threat popular participation poses to those narrow interests that has guided obstructive negotiations, delaying tactics, selective issue-framing and erratic commitment to accords. Different results call for a paradigm shift in the political calculi. In the words of Jok Madut Jok, South Sudan needs a "... leadership that can reimagine the nation-state to be built on new foundations, new ideologies and new commitments that go beyond the "liberators" entitlement."⁴³⁹ Goodwill messages upon signing of the R-ARCSS and as the country marked a decade of independence in 2021 have stressed the critical role of leadership urging South Sudan's leaders to put their people first, to honour commitments they have made to each other, to the world and to their countrymen.⁴⁴⁰ It is only then that they can be facilitators, drivers and genuine

⁴³⁹ Jok Madut Jok, "South Sudan and the Peace Agreements No One Swears By," in *The Future and Implementation of the R-ARCSS in South Sudan* (Zambakari Advisory Special Issue, 2020): 18.

⁴⁴⁰ USAID, "South Sudan 10 Years After Independence: A Call on Leaders to End Conflict, Hunger, and Impunity," Statement by Administrator Samantha Powers (9 July 2021), <https://www.usaid.gov/news-information/press-releases/jul-9-2021-south-sudan-10-years-after-independence-call-leaders-end-conflict>

partners in post-conflict reconstruction and not averse to competitive political offices and to checks and balances in governance.

Unfortunately this is far from being demonstrated with President Kiir's remarks in an interview on the eve of the country's 10th anniversary indicating that his relationship with Machar remains strained.⁴⁴¹ Further observations are made from the conduct of business in the R-TGoNU wherein despite the two principals insisting that they support and are working for a peaceful country, their statements and initiatives to that effect are scarcely from a joint platform. Explicit public statements depicting one another negatively remain rampant among leaders. Persisting fall-outs and defections in armed factions reflect persisting divisions and competition among the elites and thin control that commanders of armed parties have.⁴⁴² The resurgence of subnational violence has been attributed to elite machinations to gain political mileage and secure other personal interests.⁴⁴³ The foregoing does not augur well for the functioning of a unity government and overall projections of the political settlement considering that the South Sudanese society is still conspicuously defined by loyalty to specific leaders. The Steering Committee of the South Sudan National Dialogue was categorical about the central role of the two principals in particular and the SPLM leadership generally in moving the peace process forward by demonstrating the political will and moral leadership capacity to break political deadlock. It is only when the politico-military elite takes the lead to bury the hatchet, ceases individualistic competition for power and resources and obstructions to constructive dialogue that supporters will be amenable to work for peace. Proven responsible and

⁴⁴¹ Salva Kiir Mayardit, "South Sudan 10th Anniversary," interview by Jeff Koinange, Kenya Citizen TV, 8 July 2021, <https://www.youtube.com/watch?v=8d0ugvThDac>

⁴⁴² Abdi Latif Dahir, "Deadly Clashes Threaten South Sudan's Shaky Peace Deal," *New York Times*, 9 August 2021, <https://www.nytimes.com/2021/08/09/world/africa/deadly-clashes-threaten-south-sudans-shaky-peace-deal.html>

⁴⁴³ Dan Watson, "Surface Tension: 'Communal' Violence and Elite Ambitions in South Sudan," *ACLEDA* (19 August 2021)

visionary leadership that safeguards different interest groups in the society could in fact garner the ruling elite political security and legitimacy through popularity rather than through subversion.

6.4.4 IGAD Institutional Empowerment

Continuous capacity building will equip IGAD umpires and their teams with skills to comprehensively and continuously analyze conflict context and its intricacies besides developing a good understanding of conflict society's internal values, practices and tools. Thus equipped they will be able to exhibit the comparative advantage of regional conflict resolution structures argued for by designing mediation strategies that respond to the settings and dynamics and also in tackling and managing dilemmas like those pertaining to operationalizing inclusive mediation processes while demonstrating the ability to manage attendant complexities. They will also step up the role of assessing and providing direction for instance on areas and phases to capitalize on local peacemakers and peace building systems or on international actors and practices whether independently or as a combination or on application of inducements (positive or negative) tailored to the context or guarding against prescriptive and deadline peace deals. Extending the knowledge and skills to other stakeholders will strengthen conflict resolution efforts through a multiplier effect. Ongoing periodic capacity building workshops by the IGAD Mediation Support Unit in conjunction with internal and international partners are a step in that direction that should be supported and sustained.⁴⁴⁴

⁴⁴⁴IGAD, "IGAD - EU Mediation Team Meet to Share Experiences and Knowledge on Best Practices in Mediation," 24 January 2019, <https://igad.int/divisions/peace-and-security/2036-igad-eu-mediation-team-meet-to-share-experiences-and-knowledge-on-best-practices-in-mediation>; "IGAD Provides Training of Trainers on Conflict Prevention and Mediation for Sudanese Women from Nuba Mountains and Blue Nile Regions," 3 February 2020, <https://igad.int/divisions/peace-and-security/2347-igad-provides-training-of-trainers-on-conflict-prevention-and-mediation-for-sudanese-women-from-nuba-mountains-and-blue-nile-regions>; "IGAD Mediation Support Unit Introduces its Roster of Technical Experts to Mediation and Mediation Support," 10 February 2020,

IGAD should also augment its knowledge repository and make use of the extensive research on regional peace interventions undertaken to reflect on strengths, weaknesses and gaps and on the headway in grounding African solutions. This is an important learning resource apropos disapproval of exclusionary, top-down and single-track mediation framework and also discontent with the approach to transitional justice and militarization that have been attributed to IGAD recycling prior mediation template. The regional Conflict Early Warning and Response Mechanism should be empowered to stay abreast with regional security developments and catalyze timely response from member states to prevent escalation to violent conflicts. In the case of South Sudan there are observations that simmering tensions and signs of impending government fallout were apparent but were not picked out by IGAD. Lately the fallout in the SPLM-IO ranks and spike in communal violence has been ascribed to IGAD overlooking warning signs and/or failing to react accordingly including decisively dealing with peace spoilers.⁴⁴⁵ Most importantly it is the willingness of IGAD region to transcend the premium placed on mediators with political gravitas and to invest in robust technical expertise that is accorded sufficient and steady political support with restrained political interference shielding narrow agendas that will create room for projecting domestic peace building capacities and evolution of creative African solutions. As Tiekü points out, mediation is a science wherein systematic and strategic thinking are critical.⁴⁴⁶

<https://igad.int/divisions/peace-and-security/2357-igad-mediation-support-unit-introduces-its-roster-of-technical-experts-to-mediation-and-mediation-support>

⁴⁴⁵Bol Khan, "Is IGAD Partly Responsible for Current Confusion in South Sudan," *Sudan Tribune*, 21 August 2021, <https://www.sudantribune.com/spip.php?article69973>

⁴⁴⁶Thomas Kwasi Tiekü, "Lessons Learned from Mediation by an African Regional Organization," a paper presented at the BISA Africa and International Studies Working Group seminar on Peace, Conflict and Intervention at University of Birmingham, 7 April 2011, https://peacemaker.un.org/sites/peacemaker.un.org/files/LessonsLearnedfromMediationbyanAfricanRegionalOrg_Tiekü2011.pdf

6.4.5 Developing Coordination and Complementarity Within

African/International Partnership

The advocacy and implementation of sanctions including the manipulation exerted to bring about the ARCSS flagged dissimilar interests, objectives, assessment of the conflict context and mediation approaches within and between the two levels and exposed lack of a well-developed and common mediation approach. Whereas it is fitting that international partners exert their responsibility as guardians of global peace and security and to protect their interests at the same time, their genuine buy-in of African solutions to Africa's problems will be demonstrated by ensuring that those considerations do not infringe on the regional lead role, discount local knowledge of the context or undermine local peacemaking values, norms and practices. Rather than explicitly projecting misgivings about the capacity of African actors to fashion and implement credible and effective African responses and so withdrawing from the undertaking when approaches are at odds, authentic endorsement for African responses will be exhibited when international partners stay the course and exercise patience while consulting with local actors on sources of frustration and seeking consensus on the best way forward.

It has been suggested that sanctions from within the region would be more effective taking into consideration factors such as South Sudanese elites' significant investments in regional states and also their limited travel outside Africa.⁴⁴⁷ Alternatives to punitive measures such as reforms to political systems and state institutions should be given due consideration as incentives for peace as they reflect a

⁴⁴⁷ Gerrit Kurtz, "The Right Sanctions in South Sudan," *Global Public Policy Institute*, 12 July 2015, <https://www.gppi.net/2015/07/12/the-right-sanctions-in-south-sudan>; Emmanuel Kisiangani, "The Doubled Edged Sword of Sanctions," *Institute for Peace and Security*, 18 March 2015, <https://issafrika.org/iss-today/the-double-edged-sword-of-sanctions>; Fleischner, "Spoils of War, Spoilers of Peace: Changing the Calculus of South Sudan's Deadly Conflict," 6-7.

dissection of the specific circumstances of South Sudan for example.⁴⁴⁸ Related thereto there are observed opportunities in regional economic integration and collective development agenda.⁴⁴⁹ However viability of such options depends on the political will and collective agreement of IGAD member states to bypass elite preservation and exalt collective interests or a balance of national interests and also the willingness of external partners to give regional options a chance. The thinking of Ambassador Donald Booth thus “if the region is not part of the solution, it will be part of the problem” is cogent.⁴⁵⁰

External actors should remain attentive to resolution of structural causes of conflict. Foreign support should balance between availing humanitarian aid and transitioning to development aid to facilitate multilevel peace building and aid post-conflict reconstruction towards self-reliance. Within the reality that African-led projects still require foreign aid, the international community’s dedicated support through funding, technical and advisory assistance for institutional reforms, constitution making and election processes will cushion advancement of African solutions.⁴⁵¹ An effective partnership requires the region articulate a uniform policy that guards a shared vision as it guides the member states’ interactions with external powers, to speak with one voice and in so doing limit subversion.⁴⁵² An IGAD official holds that it is “the ability of our leaders to convince each other to have a common position on certain matters that will make Afrisol to succeed”.⁴⁵³

⁴⁴⁸ Jok Madut Jok, “Economic Sanctions are not an Effective Instrument for Political Pressure,” *Wilson Centre Africa Program Occasional Paper* (February 2020): 3-4.

⁴⁴⁹ Author interview with respondent 1 from IGAD South Sudan Office; Fleischner, “Neighborhood Watch: Mobilizing Regional Action for Peace in South Sudan,”

⁴⁵⁰ Booth, “South Sudan’s Peace Process: Reinvigorating the Transition,”

⁴⁵¹ Xinhua, “UN Vows Support for Roadmap Toward Elections in South Sudan,” 4 June 2021, http://www.xinhuanet.com/english/2021-06/04/c_139987750.htm

⁴⁵² Chinedu Thomas Ekwealor and Ufo Okeke-Uzodike, “The African Union Interventions in African Conflicts: Unity and Leadership Conundrum on Libya,” *Journal of African Union Studies* Vol.5, Issue 1 (2016)

⁴⁵³ Author interview with respondent 1 from IGAD South Sudan Office

6.4.6 Importance of a Shared Vision for the IGAD Region

It is critical that regional states project a singular vision for the region and the political will to ensure the success of its undertakings.⁴⁵⁴ This will happen when the member states conceive socio-political and economic interests of each state as tied to each other in the interest of regional peace and stability. Related thereto shared core values will ensure that the pursuit of national interests and foreign policy does not undermine those of others but rather feeds into and promotes them and the overall shared vision. From this confidence it will be possible for the Assembly to support the task of the IGAD office allowing it the independence to discharge its functions free from influence and coercion to serve state and elite interests. A genuine commitment to values of democratic governance will not only curb peer-shielding but also see to it that forums such as leadership summits and the SPLM Reunification are seized by regional leaders to put South Sudanese elite to task about the rule of law, transparency and accountability thereby cushioning the aspirations of APRM. Regional states should remain strongly and visibly engaged in stabilizing countries emerging from conflict beyond signed agreements by supporting post-conflict reconstruction programmes and capacity building for leadership and state institutions. Tenuous stability in Somalia in Sudan and protracted cross-border disputes between Sudan and South Sudan build on this gap. The region's eagerness to actively generate and extend own resources for internal responses and therefore wean off external funding in the long run will pave way for their impact. Most importantly IGAD member states should jointly and severally commit to addressing intra-state challenges that breed instability and derail the progression of African solutions.

⁴⁵⁴ Author interview with respondent 2 from IGAD South Sudan Office

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APPENDICES

Appendix 1: Letter of Introduction



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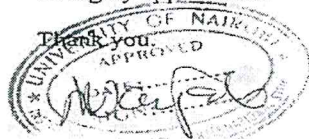
TO WHOM IT MAY CONCERN

RE: CHRISTYN NGANGA – R52/82178/2015

This is to confirm that the above-mentioned person is a bona fide student at the Institute of Diplomacy and International Studies (IDIS), University of Nairobi pursuing a Master of Arts degree in International Conflict Management. She is working on a research project titled, "EXAMINING THE INTERPRETATION AND PRACTICE OF AFRICAN SOLUTIONS TO AFRICA'S PROBLEMS VIA THE IGAD-LED MEDIATION IN SOUTH SUDAN".

The research project is a requirement for students undertaking Masters' programmes at the University of Nairobi, whose results will inform policy and learning.

Any assistance given to her to facilitate data collection for her research project will be highly appreciated.



Professor Maria Nzomo,
Director, IDIS

&
Professor of International Relations and Governance

Appendix II: Interview Guide

Research topic

Examining the interpretation and operationalization of ““African Solutions to African Problems”” via the IGAD-led mediation in South Sudan

Research objectives

1. To examine aspects of IGAD’s frameworks and practice that promote “African Solutions for Africa’s Problems” within the South Sudan mediation process
2. To reflect on the prospects of the IGAD-led mediation efforts in South Sudan vis-à-vis the viability of ““African Solutions to African Problems””

Research questions

1. Does IGAD refer to/invoke “African Solutions to African Problems” in its interventions in peace and security and development issues in the region?
2. What is IGAD’s interpretation of “African Solutions to African Problems”?
3. In its efforts to resolve the South Sudan’s conflict(s), what does IGAD perceive to be the root cause (s) of the cyclic conflict; the one (s) that IGAD seeks to address in order to restore stability in the country?
4. What factors inform the choice of solutions to the current dispute?
5. What aspects (in terms of the parties, process, solutions etc.) of the current South Sudan mediation process reflect “African Solutions to African Problems”?
6. What advises the choice of mediation participants?
7. What considerations informed the expansion of the South Sudan IGAD mediation team to IGAD-Plus then High Level Revitalization Forum?
8. In what ways has the mediation ensured that the wider South Sudanese society and other stakeholders are involved in the search for solutions?
9. The state-centric nature of the mediation team composition i.e. limited involvement of the citizenry that is a key component of “African Solutions to African Problems”, is observed as one of the key challenges and drawback to the progress of South Sudan mediation. What is IGAD’s take on that?
10. There are also concerns that the mediation is focusing on the main protagonists thus President Salva Kiir (the government and the ruling party) and Riek Machar (the main opposition group) leading to fragile peace settlements. What is IGAD’s take?
11. In what ways, if any, is the current undertaking enhanced compared to the one that delivered the CPA?
12. How has IGAD ensured continuity of and implementation of the CPA provisions especially with regard to resolving outstanding North-South issues that perhaps contribute/drive the current conflict?
13. What is IGAD’s view about ethnic, cultural, social, economic and political diversity of the region and competing member states’ interests as drawbacks to finding lasting peace in South Sudan?
14. Does the notion connote exclusivity of “problems” and “solutions” to Africa as has been argued by some analysts?
15. If universal, how so?

16. It has been argued that inclusion of non-African parties in the mediation undertaking undermines “African Solutions to African Problems” ? What is IGAD’s view on that position?
17. How does IGAD ensure that non-African partners provide the necessary support without compromising the interests of the recipients?
18. How is the IGAD mediation process funded?
19. What plans/strategies are in place to ensure that IGAD is self-sufficient in terms of financial and material capacity as well as expertise?
20. In what specific ways does IGAD contribute to African solutions to African problems in its pursuit for peace in the region?
21. What challenges has IGAD encountered, or those that it foresees, in the quest for “African Solutions to African Problems” ?
22. From the South Sudan experience, is ““African Solutions to African Problems” ” a viable approach to peace and security and development agenda in Africa?
23. What propositions does IGAD have, from its experience, for enhancing the utility of “African Solutions to African Problems” ?

Name of Respondent: _____

Occupational title: _____

Name of institution: _____

Contact: _____

Date: _____

Can your name/institution to be acknowledged in the final research?

Yes

No

A Critical Examination of the Interpretation and Operationalization of the Notion of "African Solutions to Africa's Problems" Through the Lenses of the Inter-Governmental Authority on Development (IGA)

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