

The Division of Policy, Training and Evaluation of the Department of Peace Operations is pleased to invite you to a brown-bag discussion on:

“Traditional conflict resolution mechanisms and the role of UN peacekeeping missions,”

10 March 2020, 13:00-14:30

“Rediscovery, Revitalization and Utilization of Traditional Conflict Resolution Mechanisms (TCRMs) in South Sudan”

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Background to the Background

- 1) I am a social anthropologist who started fieldwork in the Southern Sudan 1978 among the Pari people of Eastern Equatoria, and has maintained associations with Pari and other South Sudanese friends throughout the wars and up to the present. Many of my friends who had survived became ministers, MPs, and generals after 2005. I have also engaged with local peace and reconciliation projects with various capacities.
- 2) We need to admit that peacebuilding programs that were implemented during the CPA period (2005-2011) in the Southern Sudan proved to be a total failure, regardless of the massive resources poured in, when we look at what has happened after December 2013. We need a thorough examination of what went wrong.
- 3) As the new Government of National Unity is going to be established soon, we shall start peacebuilding programs all over again. Where we stand is much worse than that of 2005. What do we learn from the past and how do we start?

Background

- 1) Deep divisions and grave hostilities among the people since 1983
Not only between ethnic groups, but also among sub-divisions of an ethnic group (“tribes,” clans, sub-clans, village communities and even within a village community. Dissemination of small arms and light weapons. Proliferations of local armies, ethnicized “self-defense groups,” militias and

vigilantes. Shifting identifications and alliances, and a variety of complex and cross-cutting dividing lines.

2) Persistent statelessness and distrust of state/government: a historical pattern

Most of societies in South Sudan are “stateless” or “acephalous”. The South Sudanese have practically never been governed by any government. From the people’s point of view, state or government is essentially evil at most, or it is better to keep away from it at least.

3) People’s remarkable ability of survival and resilience of communities

Means of livelihood is multiple subsistence economy: agriculture, pastoralism, fishing, hunting and gathering. Autonomous and self-reliant. Survival in the bush. Deep and practical knowledge about natural resources and environment. Significance of shared commons, natural resources, grasslands, woodlands, forests, rivers and swamps, in borderlands between ethnic groups and different communities. Seeking refuge in neighboring communities is another means of survival. Free movements are essential for the realization of survival strategy and resilience.

4) Rural insecurity and instability

It makes the people’s means of livelihood very difficult. Malfunction of survival strategy and resilience. It is a major reason why a bulk of South Sudanese repeatedly became refugees and IDPs and why they do not go back “home.” Restoration of rural security and stability is indispensable for the rehabilitation and reconstruction of local communities and also for the repatriation of refugees and IDPs.

1. What are TCRMs?

Indigenous systems of peacemaking and reconciliation. Restorative, not retributive, justice. Consensual, based on negotiations between the parties to the conflict. Reconciliation is achieved by ritual acts of purification and reunification, and sacrifice of a domestic animal, followed by a communal feast, and the payment of compensation, mostly in the form of cattle. The number of cattle is usually equal to that of bride wealth (marriage payment from the groom side to the bride side). A variety of systems and mediators who are authorized by the people. Compensation is essential as most of the South Sudanese do not feel that justice is done only by the fact that the assailant is imprisoned. When he is released, he will be put in danger of being revenged. The only way to avoid a vicious cycle of violence is to pay compensation. When it is done, people feel that justice is done.

Indigenous peace and reconciliation mediators are different from place to place and time to time. They are: “prophets” (in particular in the case of Nuer and Dinka), hereditary chiefs, “rain-makers,” clan elders, *monyomiji* (ruling age grade, in the case of East Bank Equatoria), etc. The home of prophets and chiefs are considered sanctuary or *asyl* where violence is prohibited and assailants can seek asylum. Otherwise, an assailant is in danger of being attacked by family or clan members of the victim for revenge. A peace-maker can be a war-maker according to the context.

TCRMs are neither almighty and omnipotent. They may not work well, in particular, when they deal with a case in which a big number of people were killed in a situation where it is difficult to tell “who killed who,” when the two communities to the conflict have different systems of TCRMs. It is not easy to tell how “traditional” a TCRM is. It may be rather new. What is important is that they are constantly being revised and modified to meet the changing need of people and to cope with the new situation.

2. “Peace from Below” or “People to People Peace” Initiatives

Proliferated during the last phase of the Sudanese Civil War, but declined after the CPA (2005). Primarily based on the people’s own desire for peace, out of necessities of daily life, for the restoration of means of livelihood. Mediated and facilitated by churches and church-based organizations, supported by International NGOs. Local SPLA commanders were also involved. Preparation of a peace and reconciliation conference takes time and mediators and facilitators need to convince all stakeholders to come and sit down together with their enemies. Often it was held in the “bush.” It cannot be concluded in a couple of days, and usually it takes weeks participated by hundreds of people. So, logistics is important and co-existence of the two parties in conflict needs to be secured.

There were many conferences and workshops. Some were successful and others were not. What was proved was that they need to be organized again and again until reconciliation is achieved and peaceful coexistence of the two formerly conflicting parties may be guaranteed.

3. Shortcomings and failures of Peacebuilding and Reconstruction during the CPA Period (2005-2011)

Emphasis on state-building at the expense of nation-building, and reconciliation and peacemaking at the local level. Very limited recognition of local political and judicial systems by the UN agencies and thus little efforts to coordinate with them. “People to people peace” or “Peace from below” became discontinued. The SPLM/SPLA led government of Southern Sudan did not put much efforts to set up a democratic structure of local administration. It also failed to deliver basic services to the people. An initial operation by the SPLA to disarm the Lou Nuer militia, or “White Army,” turned to be a fatal disaster, only making those Lou Nuer “enemy” to the government. Regardless of the “peace” that was achieved between Khartoum and Juba, “communal conflicts” became rampant and serious. Many of them were not simply “communal” but manipulated and instigated by the politico-military leaders.

These shortcomings and failures may explain how quickly, when a fighting among presidential guards happened, followed by selective mass killings against Nuer citizens in Juba in December 2013, the SPLA and SPLM automatically broke up into pieces and the new civil war appeared to be an ethnic war. In other words, peacemaking and reconciliation had been properly done, the rivalries at the top of SPLM/A should not have developed into a full scale civil war.

4. Bridging the Gap between Peace from Below and Peace from Above

In order to rehabilitate and reconstruct deeply divided and seriously hostile communities in South Sudan, there is a sheer necessity to harmonize the two approaches, Peace from below and Peace from above. There should be a comprehensive and integrated program both at the national and local levels. If it were done, it would strengthen the means of livelihood and subsistence economy, facilitate the repatriation of refugees and IDPs, and ultimately to build up a peaceful, stable and prosperous nation.