FACTORS AFFECTING DIPLOMATIC MEANS OF CONFLICT RESOLUTION IN SOUTH SUDAN

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ABSTRACT

The study was conducted in order to establish the factors that affect diplomatic means of conflict resolution in South Sudan. The research was carried out through a cross-sectional and survey research design, and obtained relevant data from 78 respondents. The researcher found out that successful peace building activities create an environment supportive of self-sustaining. Since South Sudan is prone to internal and conflicts from without, there is need for routine practice of negotiations and mediations so that there is limited impact of ultravires activities such as fighting. Good governance is accountable, participatory, transparent, responsive, effective and efficient, equitable and inclusive and follows the rule of law. The study recommends that South Sudan must maintain good diplomatic relations with Sudan government because of cultural-historical links shared from the era of Nubia both in short term and long term.

Keywords: Diplomatic means, conflict resolution, Diplomacy, South Sudan

INTRODUCTION

The failure of combative methods to change the political landscape within South Sudan has had to be replaced with peaceful and diplomatic solutions. Diplomacy is vital in brokering peace in the various nation, thus helping researchers to understand the factors which did lead to successful conflict prevention in the peace process. More recently, however, scholars have delineated several levels of diplomacy. Official discussions typically involving high-level political and military leaders focusing on how to end fighting hence calling for and supporting cease-fires, peace talks, and treaties as well as other ways of promoting the peace building process.

Diplomatic Means

According to Fisher et al., (2005), the necessity of resolving the conflict through diplomatic means and avoiding military confrontation, as much as possible and start cooperation with the state as other important regional issues, concerns, which in turn is the most effective track for resolving the conflict. Moreover, an example of

resolving the future potential conflicts by diplomatic means as proposed. The conceptual exploration and identification of concepts theoretically applicable in the field of international relations, as means of building peaceful resolution on international disputes. Furthermore, the enforcement of theoretical concepts to a specific and generally complex cases such as the application of diplomatic means in resolving conflicts between SPLA/M versus the SPLM/IO in promoting peace and stability in the country.

Wicquefort (2010) argues that in an informal or social sense, diplomacy is the employment of tact to gain strategic advantage or to find mutually acceptable solutions to a common challenge, one set of tools being the phrasing of statements in a non-confrontational or polite manner. The scholarly discipline of diplomatics, dealing with the study of old documents, derives its name from the same source, but its modern meaning is quite distinct from the activity of diplomacy.

Conflict Resolution

Conflict resolution is a way for two or more parties to find a peaceful solution to a disagreement among them. Bellamy et al., (2010) argues that the disagreement may be personal, financial, political, or emotional. When a dispute arises, often the best course of action is negotiation to resolve the disagreement. The term conflict resolution may also be used interchangeably with dispute resolution, where arbitration and litigation processes are critically involved. Furthermore, the concept of conflict resolution can be thought to encompass the use of nonviolent resistance measures by conflicted parties in an attempt to promote effective resolution.

Conflict resolution, otherwise known as reconciliation, is conceptualized as the methods and processes involved in facilitating the peaceful ending of conflict and retribution (McElwee, 2007). Committed group members attempt to resolve group conflicts by actively communicating information about their conflicting motives or ideologies to the rest of the group for example intentions; reasons for holding certain beliefs), and by engaging in collective negotiation. Dimensions of resolution typically parallel the dimensions of conflict in the way the conflict is processed.

Bannon, et al., (2003) states that cognitive resolution is the way disputants understand and view the conflict, with beliefs and perspectives and understandings and attitudes. Emotional resolution is in the way disputants feel about a conflict, the emotional energy. Behavioral resolution is how one thinks the disputants act, their behavior. Ultimately, a wide range of methods and procedures for addressing conflict exist, including but not limited to negotiation, mediation, diplomacy, and creative peace-building.

Problem Statement

South Sudan as we know it today is a country born out of political and civil conflicts spanning over 40 years in which the country was and is engulfed in political, social and economic conflicts. With the signing of the Comprehensive Peace Agreement in 2005 (CPA, 2005), the country had enjoyed relative peace until 2013 when conflicts broke out between forces royal to President Salvar Kiir Mayardit (SPLA/M) against his former Vice President Dr. Riek Machar and others in SPLMIO which almost led to the collapse of the political administration. The dominant party in the country that is SPLM/A created a situation of deadly blend of conflict. Despite the peace which was enjoyed for eight years after the signing of the CPA in 2005, conflicts ensued which were rapidly brought down through preventive diplomatic means brokered by external forces such as Inter-Governmental Authority on Development (IGAD) and United Nations. The border conflicts and oil wealth control in Abyei between South Sudan and Khartoum Administration, and this promised peace for the country, but rise of sectional and factional interests within the government of SPLM/A (SPLM/A main stream and SPLMIO) in December 2013 led to deterioration of peace and fighting erupted which almost led to the collapse of the government. Quite often fragile ceasefires and peace talks continued to try to bring the situation back to normalcy but with limited success. Much as all efforts have been attempted to try to stabilize the country through declarations of cease fire, peace talks hosted in the Great Lakes Region (Luma, 2016), and the intervention of the United Nations to stop fighting, several areas of the country remain unstable such as Abyei, Jonglei state and others which diplomatic means have not been able to weed out. Therefore, the study sought to establish the factors that affect diplomatic means of conflict resolution in South Sudan.

Purpose
To establish the factors that affect diplomatic means of conflict resolution in South Sudan

Objective

To establish the factors that affect diplomatic means of conflict resolution in South Sudan

LITERATURE REVIEW

Moons et al., (2009) argues that conflict resolution is a way for two or more parties to find a peaceful solution to a disagreement among them. The disagreement may be personal, financial, political, or emotional. When a dispute arises, often the best course of action is negotiation to resolve the disagreement. The term conflict resolution may also be used interchangeably with dispute resolution, where arbitration and litigation processes are critically involved. Furthermore, the concept of conflict resolution can be thought to encompass the use of nonviolent resistance

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Conflict resolution, otherwise known as reconciliation, is conceptualized as the methods and processes involved in facilitating the peaceful ending of conflict and retribution (MacLeod Calum, 2012). Committed group members attempt to resolve group conflicts by actively communicating information about their conflicting motives or ideologies to the rest of the group for example intentions; reasons for holding certain beliefs), and by engaging in collective negotiation. Dimensions of resolution typically parallel the dimensions of conflict in the way the conflict is processed. Bose et al., (2013) posits that cognitive resolution is the way disputants understand and view the conflict, with beliefs and perspectives and understandings and attitudes. Emotional resolution is in the way disputants feel about a conflict, the emotional energy. Behavioral resolution is how one thinks the disputants act, their behavior. Ultimately, a wide range of methods and procedures for addressing conflict exist, including but not limited to negotiation, mediation, diplomacy, and creative peace-building. This study will examine the various factors that affect diplomatic means of conflict resolution.

Conflict resolution is defined by Fetherston (1994) as the non-coercive application of negotiation and mediation measures by third parties, with the goal to disarm hostilities among adversaries and to support a lasting end to violence among them. From this definition, we evoke the main characteristic of conflict resolution: third parties, who are not involved in the conflict but use their means to resolve it. Their role is essential to identify and give assistance to the parties in conflict and to attain possible peace in more complex processes, in a credible and transparent manner (Ramsbotham, Woodhouse, Miall, 2006). This characteristic is also found in the definition of peace operations mentioned in the Annual Review of Global Peace Operations (2009), which describes them as operations authorized by a multilateral body, multinational in their make-up, with a substantial military component, and launched primarily with the goal of supporting a peace process or managing a conflict.

Diplomatic conflict resolution can hardly be successful without a good dose of pressure and thus imposition. While arbitration and adjudication can hardly be imposed if they are not based on convincing arguments at least in the international sphere. Diplomatic conflict resolution can include arbitration (Ury, 2000). In the 19th Century the Swiss Federal Council was for instance asked to fix the border between Brazil and British Guiana and between Colombia and Venezuela. Courts can find themselves to some extent in a mediating role, so the International Court of Justice in the North Sea Continental Shelf Case of the Federal Republic of Germany against the kingdoms of Denmark and the Netherlands in 1969. And diplomatically mandated adjudicating commissions, like the UN Boundary Commission for Ethiopia and Eritrea, established by the Algiers cease-fire agreement in 2000, can find themselves in the uncomfortable position of being bound by their mandate, like a court by the law, to take a decision in this case over the little town of Badme which

they themselves do not find necessarily the most appropriate and wise under the circumstances and which may well fuel the conflict rather than resolve it.

Violence prevention re-emerged in the theoretical literature in the early 1990s, initially without significant practical application. It was presented as an official policy of the United Nations by then-Secretary General Boutros Boutros-Ghali (1992 Agenda for Peace). The focus was on short-term preventive interventions. At about that time, the end of the Cold War had suggested that the international community could intervene flexibly and effectively to prevent the explosion of conflicts, an impression that was reinforced by subsequent failures to prevent violence in Yugoslavia and Rwanda. It was commonly believed that different behaviour by neighbouring countries, in the case of Yugoslavia, and a limited but robust military intervention in Rwanda, could have saved hundreds of thousands of lives. A subsequent successful U.N. deployment in Macedonia confirmed this idea.

The concepts of security community, and Galtung's (2007), "Warm Peace," as well as theories of integration and international regimes, identify the structural foundations of a peaceful international community. The structure of such a community does not consist of elements of pure power, but rather of norms, values, and shared interests. Similarly, the peaceful interaction among different groups within a state can be fostered by structural initiatives of constitutional engineering, economic development, institution building, and education.

Some authors do not agree that structural prevention is a necessary part of violence prevention. Lund (2009), for example, focuses his attention on prompt, short-term, interventions to avoid the potential escalation of a dispute to violent conflict. His definition is more focused on preventive diplomacy, and he considers structural prevention to be too broad a concept, difficult to distinguish from more general processes of democratization or economic development, and eventually closer to the concept of peace building.

As another tool among diplomatic interventions, fact-finding missions offer the international community an opportunity to gain first-hand knowledge of a particular situation and to raise broader awareness of an impending crisis. For example, the UN dispatched a fact-finding mission to Abkhazia, Georgia, in the early 1990s prior to establishing its own permanent operation there, while the OSCE deployed such a mission to Kosovo in a last-ditch effort to avoid a military intervention against Serbia.

In some cases, fact-finding missions are deployed ex post facto as was the case with the EU-sponsored Independent International Fact-Finding Mission on the Conflict in Georgia (Borisoff, 1998).

Mediation can follow fact-finding in an effort to intensify prevention efforts, but can also be applied as an approach to aid de-escalation once conflict parties on the ground have decided that they cannot resolve their dispute through violence. Joint EU/NATO mediation in Macedonia in 2001 is an example of successful mediation

while the Rambouillet negotiations on Kosovo in 1999 failed (EU, 1999). In some cases, mediation succeeds in achieving a negotiated agreement between the parties, while the agreement itself subsequently breaks down. The AU-mediated Arusha Accords for Rwanda are one of the most tragic illustrations of this.

Confidence-building measures often accompany other forms of diplomatic, economic and/or military intervention. They are designed to enable parties to begin rebuilding trust between them and often involve a variety of different actors, including political elites, the private sector and civil society groups. Above all, they aim at making the actions and intentions of different parties more transparent in order to reduce fear and increase a sense of security, for example through regular meetings and day-to-day coordination of activities, such as in the case of the Joint Control Commission established after the 1992 Sochi Agreement on South Ossetia or the UN-facilitated Coordinating Council established in Abkhazia in 1997 (Ury William, 2000). They can also involve civil society initiatives, such as the so-called Standing Technical Working Groups established by the European Centre for Minority Issues, an NGO, in Kosovo after 1999 to enable Albanians, Serbs, and members of other communities to deal with both very pragmatic issues, such as healthcare and economic development, and highly sensitive issues, such as education and refugee return.

Similarly, as noted in Özerdem's (2016) study, the OIC has frequently used confidence-building measures such as the provision of good offices, mediation, fact-finding missions, and conciliation. International judicial measures, finally, are a relatively recent addition to the set of diplomatic instruments available to the international community when it comes to dealing with ethnic conflicts.

They can either involve prosecution for crimes committed during a conflict after a settlement has been achieved, such as in the cases of Yugoslavia and Rwanda, or they can be used as a tool of intervention in an ongoing conflict, such as the indictment of Sudanese President Omar al-Bashir by the International Criminal Court in 2008 or that of Muammar Gadhafi, one of his sons and a close associate in 2011. International judicial measures serve two purposes: they are meant to be punitive for crimes already committed and to have a deterrent effect for future conflicts.

Areas that in the past used to support the actual force have now assumed increased relevance and are perceived as being crucial, given that the main role of military forces is that of creating and maintaining a safe and stable atmosphere that enables the remaining sectors participating in the process to act. In an integrated approach system to conflict, the aim is that military forces attain and ensure safety conditions, and guarantee the necessary support so that other agents can come up with the most appropriate solutions to address the causes of conflict (Durch, 2006).

In peace building scenarios, military forces operate primarily after political solutions to conflicts have been attained. In general, their role centres on creating a safe and

stable environment that allows civilian agencies to focus their efforts on reconciliation and the process of peace building (IESM, 2007). Conflict resolution experts defend that the presence of military forces after the signing of a peace agreement is fundamental, and if their presence does not occur in an effective manner within six to twelve weeks following the signing, the agreement may lose its effectiveness (Durch, 2006). The previously described approach to operations is based on a sequential conceptualization, based on the idea developed by Fisas (2004) that when a conflict crosses the threshold of armed violence and enters the reactive phase of its resolution, the objective of the first phase is to reach an end to violent hostilities, and then enter into the phases of peacekeeping and peace building, until reaching a stable peace.

METHODOLOGY

Research Design

The research was carried out through a cross-sectional and survey research design. According to Oso and Onen (2009), a cross-sectional research design where populations are investigated by selecting a sample to analyze and discover occurrences at certain point in time. A survey provides numeric description of events of some part of the population and explains the events as they were and how they will be, whereas the cross-sectional design helps to obtain data from a given section of the respondents at certain time in the research process.

Data Analysis

Data was analyzed using computer program mainly Statistical package for Social scientists (SPSS) which was used so as to give a clear presentation of the various responses and the significance of each response depending on the magnitude of the corresponding number and frequency percentage of total responses and conclusions were drawn on the basis of those frequencies. Analysis was based on both descriptive and inferential statistics techniques where the researcher examined the findings and explained them to give meaning to the findings.

Raw data was collected, coded, grouped and presented in tables and graphs. The data was analyzed using chi-square($x2$) method and Pearson correlation coefficients of data analysis. The researcher was prompted to use this method because it analyses data to draw thorough conclusions. This study was based on two research hypothesizes to find out whether they were true or not, thus prompting the researcher to use this data analyzing tool.

FINDINGS

The research study examined that the political situation in South Sudan since the country seceded from Sudan in 2011 is characterized by chaos, fighting between the

dominant parties/ ethnic Dinka and Nuer. The research study further revealed that promoting good governance often requires integrated programming through diplomatic means such as negotiations. The diplomatic approach allows for better and good relations between the persons concerned on both sides for example in December 2015, Salvar Kiir ordered the demobilization and release of over 608 people suspected of having been collaborating with rebels of the SPLM-IO. The country of South Sudan as a former part of Sudan experienced a lot of fighting, killing of people, exile, refugee crisis which had kept the region very underdeveloped. From the study, 100% or all respondents agreed that the people were fed up and are fed up of fighting, so they always resort to negotiations whenever conflicts break out. The conflicts over Abyei were resolved through negotiations between the north and the south.

Mediation is a very common form of diplomatic practice or approach which is indeed a sure way in which conflicts are resolved amicably to bring peace to the country as agreed by all respondents. Deng Luel (2012) posits that non-coercive, and voluntary, which makes it less threatening than other possible conflict management options. It is non-evaluative and non-judgmental and it is particularly suited to the reality of international relations, where states and other actors guard their autonomy and independence quite jealously. It offers both parties the prospects of a better outcome without necessarily having any direct meetings with a sworn enemy. It is also a process that leaves the ultimate decision on any outcome to the parties themselves. These aspects of mediation make it a very attractive method for dealing with intractable conflicts. Therefore, diplomatic approaches are the sure way in which conflicts are resolved to bring peace to the country.

DISCUSSION OF FINDINGS

South Sudan has been known for long as a battle ground between the South and the North, and with the attainment of independence in 2011, it ended the 55 years of conflicts which had plagued the region. This was achieved by the 2005 Comprehensive Peace Agreement (CPA) which set the ground for the much-anticipated flight to peace. The only way for the country to attain peace was the use of diplomacy to resolve the political, social and economic conflicts. As noted by one of the key respondents, "Committed parties in the conflicts in the country are Riek Machar and Salvar Kiir whose group members have often attempted to resolve group conflicts by actively communicating information about their motive for peace". Dimensions of resolution typically parallel the dimensions of conflict in the way the conflict is processed. Bose et al., (2013) added that cognitive resolution is the way disputants understand and view the conflict, with beliefs and perspectives and understandings and attitudes. Emotional resolution is the way disputants feel about a conflict, the emotional energy. Behavioral resolution is how one thinks the disputants act, their behavior. Ultimately, a wide range of methods and procedures for addressing conflict exist, including but not limited to negotiation, mediation,

diplomacy, and creative peace-building.

The resolution of South Sudan conflicts has been successful with pressure from her neighbours and Intergovernmental Authority on development (IGAD). Therefore, diplomatic conflict resolution can hardly be successful without a good dose of pressure and thus imposition. While arbitration and adjudication can hardly be imposed if they are not based on convincing arguments at least in the international sphere. Diplomatic conflict resolution can include arbitration (Ury, 2000). So, peace makers under IGAD and other African players have always enforced ceasefire agreements in order to give negotiations, mediations and other diplomatic approaches a chance to prevail and both Uganda and Ethiopia have taken the initiative.

CONCLUSIONS

Successful peacebuilding activities create an environment supportive of self-sustaining, durable peace; reconcile opponents; prevent conflict from restarting; integrate civil society; create rule of law mechanisms and address underlying structural and societal issues. Since South Sudan is prone to internal and conflicts from without, there is need for routine practice of negotiations and mediations so that there is limited impact of ultravires activities such as fighting. Good governance is accountable, participatory, transparent, responsive, effective and efficient, equitable and inclusive and follows the rule of law. It assures that corruption is minimized, the views of minorities are taken into account and that the voices of the most vulnerable in society are heard in consensus-oriented decision-making. Right from the era of General Lazarus Kambasu (2003 to 2005), the successful negotiations between SPLM/A and Khartoum, the side-lining of Hassan Al Turabi who had orchestrated wide suffering of people by prolonging the conflicts in the country, IGAD has been instrumental in bringing warring parties in the country for example forces royal to the Juba regime to come to agreement with those at loggerheads for example when the country was fighting over the control of Abyei old oil belts, IGAD   worked very hard to settle the conflicts in 2014 and 2015, hence peace is seen creeping back into the country.

RECOMMENDATIONS

South Sudan must maintain good diplomatic relations with Sudan government because of cultural-historical links shared from the era of Nubia both in short term and long term. This should be done through interstate trade relations; improving communication networks and sharing of intelligence information among all stake holders between the two states. This will help to stabilize and maintain cohesion economically, socially and politically within the country, between South Sudan and Sudan as well as with her geographically proximal and distant neighbours in the Great Lakes region of Africa, Africa and globally.

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