BENEFITS OF USING DIPLOMATIC MEANS OF CONFLICT RESOLUTION IN SOUTH SUDAN

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ABSTRACT

The study was conducted in order to establish the benefits of using 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 the use of diplomatic approach in handling political differences has been systematically handled through negotiations and mediated talks. This has enabled the conclusion of peace treaties between the warring factions within the SPLA/M that is SPLA/M and SPLA/M-IO. This has helped to keep the fighting forces. Diplomacy is vital in the promotion and sustenance of good governance, peace and tranquility in the country. The researcher recommended that South Sudan should maintain cordial working relations with regional peace brokers, mainly IGAD, East African Community (EAC), South African Development Community, Nile Basin Initiative and others in order to proliferate regional corporation and peace. This will guarantee peace and stability in the country for future political, social and economic prosperity.

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

INTRODUCTION

Diplomacy is crucial in the peace-making processes, thus diplomacy describes the only comprehensive way to reach a solution to any conflict in a reasonable manner. Especially if you want to build a lasting peace, without risking millions of human lives, thus in case conflict is violent, it cannot be solved by using violence, something that is characteristic in the approach of the Peace Studies.

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 examine the benefits of using diplomatic means of conflict resolution in South Sudan

Objective

To examine the benefits of using diplomatic means of conflict resolution in South Sudan.

LITERATURE REVIEW

Although global political and social systems are forever changing, the relevance and importance of diplomacy as a tool of international relations remains as pressing as ever. Ministries of foreign affairs (MFAs) and their professionally trained diplomats remain highly significant actors in the conduct of international affairs, despite fundamental changes to the Westphalian state system (Hirbringer, 2014). The institution of diplomacy has indeed shown remarkable resilience and an ability to adapt to change rather than withering away as some observers have suggested. Although it has changed shape to accommodate new actors, concerns and technology, the basic element of diplomacy remains the same, namely the resolution of international conflicts in a peaceful manner by means of communication, negotiation and information-gathering.

The perception of diplomacy as an exclusive privilege of sovereign states is more a political and legal discourse than the actual consequence of empirical reality. The fact is that diplomacy as we know it today is rooted in the customary practices of communication among different political entities that have existed throughout history. These same practices have been going through transformation processes as they have been adapting to the demands of the changing environment. Exclusive attribute of sovereign nation-states is therefore a result of historical transformations, so in its origins, diplomatic law has always been customary and that still remains so (Kurbalija Jovan, 2012). Following this line of reasoning, it is plausible to consider whether the increasing involvement of sub-state authorities in the field of international relations all over the world is going to acquire features of a new customary law. States use diplomacy to resolve disputes, form alliances, negotiate treaties, strengthen economic relations, promote cultural and military exchanges, and for a variety of other purposes.

Diplomacy encapsulates a broad arrangement of shifting rules, etiquette, goals, procedures, and agreements. There are international laws that govern some aspects of diplomacy, while other elements are based on tradition, pragmatism, and expediency. State diplomacy is receiving increasing attention in diplomatic studies and international relations. States are particularly affected by developments which are determined beyond their borders such as climate change, water security and shifts in the global economy (Corgan Michael, 2008). Diplomacy is the main vehicle by which states are able to ensure that their goals are addressed in the global arena. These factors mean that states have strong incentives to support international cooperation.

Nye (2006) writes that non-state actors including but not limited to nongovernmental organizations and multinational corporations play an increasingly important role in diplomatic relations as the tides of globalization shift the international landscape. Yet, no matter how much the international arena changes, diplomacy will always play a central role in dictating how states and other entities interact.

According to Khalidi et al., (2003) unofficial, informal interaction between members of adversary groups or nations that aim to develop strategies, to influence public opinion, organize human and material resources in ways that might help resolve their conflict. Montville emphasized that Track Two Diplomacy is not a substitute for Track One Diplomacy, but compensates for the constraints imposed on leaders by their people's psychological expectations. Most important, Track Two Diplomacy is intended to provide a bridge or complement official Track One negotiations (Nan, 2004; Agha, Feldman, Khalidi, Schiff, 2003). Examples of Track Two organizations are Search for Common Ground, West African Network for Peace building (WANEP), European Centre for Conflict Prevention (ECCP), and many others.

Similarly, Agha et al., (2003) noted that preventive diplomacy is a peace making mechanism usually taken to prevent disputes from turning into armed conflict. Other

action types are preventive deployment of peacekeepers in the form of military and/or police personnel; preventive humanitarian action, for example, to manage and resolve a refugee situation in sensitive borders; and preventive peace-building, which itself comprises an array of activities in the political, economic and social fields. All these early peacemaking undertakings have the following commonalities and depend on them for decision: they all depend on early warning that the risk of conflict exists; they require information about the causes and likely nature of the potential conflict so that the appropriate preventive action can be identified; and they require the consent of the party or parties within whose jurisdiction the preventive action is to take place. So where one or all parties refuse preventive intervention, peacemaking would proof difficult to do.

In undertaking preventive diplomacy, Nye (2006) wrote that there is the use of diplomatic means to persuade parties in conflict against the use of force and herd them in the direction of a negotiated peaceful settlement of their dispute. In the process the types of approaches and undertakings for the sole aim of preventive purposes, such as diplomatic peace-keeping, humanitarian aid and peace-building, have their role in creating conditions for successful peacemaking, and implementing and consolidating the negotiated settlement for peace.

Principally the third parties work on two basic objectives: to manage the potential conflicts by seeking an area in which everyone could cooperate, to develop confidence building measures or processes so that the various claimants would be comfortable with one another, thus providing a conducive atmosphere for the solution of their conflict/disputes (World Bank World Development Report, 2011). To this end, efforts are directed towards achieving the transformation of the habit of confrontation into a habit of cooperation. Therefore, it is important to find a common denominator, no matter how slow the process may be or how small was the result at the beginning.

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 government of Sudan opened up negotiations with the then rebels led by John Garang (SPLM/A) to bring everlasting peace. Consequently, the protracted negotiations between the two sides resulted into the Naivasha Accords of 2005 which created peace between the new Juba autonomous regime and the Khartoum government led by field Marshal General Omar Hassan Bashir.   However, soon after South Sudan achieved independence, the hitherto unsolved border issues led to the eruption of war between the two nations, and each side drew its own border claiming territory in either case. Due to diplomatic approaches, the two countries were able to draw border demarcation in Abyei, Upper Nile State and elsewhere through negotiations.

Diplomatic means also improved internal democracy within the Sudanese People's Liberation Army. Brown (1997), states that international conflict resolution is concerned with processes of removing tensions between parties involved in conflicts. This study noted that diplomacy is consistent with continued peaceful pursuit by states of their goals (individual or collective) for example Omar Bashir negotiated for peaceful settlement of political and military issues with Salvar Kiir Mayardit, and a full description of the processes of conflict resolution within a community would entail a full description of the numerous and complex kinds and degrees of the divisive and common concerns among its members. Hirbringer (2014) noted that the peace negotiations for South Sudan could resolve the crisis only through a "genuine and inclusive political dialogue", according to Ethiopia's Foreign Minister, Tedros Adhanom, on behalf of the Intergovernmental Authority for Development (IGAD). This echoes current international thinking within the talks currently underway in Addis Ababa. Inclusivity however is only one factor necessary for achieving a successful settlement.

There has been negotiation of treaties to bring peace between South Sudan and her neighbors which had enabled the country to achieve lasting peace and stability which is currently (2015-2016) creeping in for the good of humanity. Intensified efforts to

negotiate a settlement make it clear that important international players have lost patience with the two warring factions, so they demanded that negotiations take place for peace to prevail. The two adversaries thus increasingly have reasons to worry about their standing in the international arena. The recommitment to the Cessation of Hostilities Agreement in May, 2014 was a result of the rapidly mounting international pressure, including visits by US Secretary of State John Kerry, and UN General Secretary Ban Ki Moon to Juba, and the threat of sanctions against the key protagonists of the crisis. In many instances negotiations and mediations have been adopted internally and externally to create peace and hence safe passage for the traders and their items from Uganda, DR Congo and from other areas into South Sudan so that they can provide merchandise into the market of the country. Likewise, South Sudan has allowed technically proficient professional to take up jobs in the country such as working in Non-Governmental organizations and other instances. This has been acceptable through the use of diplomacy as means to strengthen economic ties by treaties (East African Community, January, 2016) and bilateral protocols in which she has allowed neighbouring countries to export their merchandise for example food items from Uganda.

DISCUSSION OF FINDINGS

The research study revealed that the use of diplomatic approach to issues that were political and economic had been handled systematically through negotiations and mediated talks and treaties between the warring factions within the SPLA/M that is SPLA/M and SPLA/M-IO. This has helped to keep the fighting forces and now the National Army firmly behind the defense of the country, and on the current stage, the Force royal to Rick Machar and Salvar Kiir are slowly integrating together to strengthen the natural Army. To date peace prevails between Sudan and South Sudan, and even internal bickering is handled through negotiations. Hence peace has been achieved. Hirblinger (2014) added that there are indications that The research study revealed that the use of diplomatic approach to issues that were political and economic had been handled systematically through negotiations and mediated talks and treaties between the warring factions within the SPLA/M that is SPLA/M and SPLA/M-IO. This has helped to keep the fighting forces and now the National Army firmly behind the defense of the country, and on the current stage, the Force royal to Rick Machar and Salvar Kiir are slowly integrating together to strengthen the natural Army. Kiir's government prefers clear fault-lines over complexity. Recent developments in Jonglei State are indicative that co-opting rivals through local deals may be a strategy of Salvar Kiir's government. Parallel to the first Kiir–Machar meeting in Addis, the government negotiated and signed, on 9 May 2014, a peace agreement with David Yau Yau's South Sudan Democratic Movement/Army (SSDM/A)-Cobra Faction. The deal calls for the establishment of the Greater Pibor Area and concedes greater autonomy to the region. These developments will lead to a reform of the governance arrangements in Jonglei state and are thus encouraging for a political settlement to the crisis in the state. The signing of the deal however

also has the effect of eroding the underlying causes of the insurgency in Jonglei State from the current negotiations in Addis. But with diplomacy, the country is on course to achieve long lasting peace and strengthening of the internal rule within the SPLA/M government and its factions for the good of the country.

Mediation as a process has been used in restoring broken relationship between SPLA/M and SPLA/M-IO led by Kiir and Machar respectively with the efforts of regional power brokers that is Uganda, Ethiopia and other members of Inter-Governmental Authority on Development (IGAD). It is a process that begins with the voluntary acceptance by the parties in a conflict of third-party assistance with a view to reaching a mutually acceptable solution to their conflict. The third party could be individuals, representatives of states, regional organization or international organization who enter a dispute as a result of their own initiative or in response to a call from the adversaries. Normally mediation is used in the heightened phase of a complex conflict when antagonists are seeking a way to break a stalemate. The Addis-Ababa accords of 2015, and the recognition of power sharing between the Riek and Kiir sides in the country was a result of mediation which has restored relative peace in the country.

In the discussion thereof, the use of the various fields and levels of diplomacy can be useful and well elaborated for any one or scholar to propose in a study and real political situation which have been applied in South Sudan where some have been successful like track one, track 6 and track 8 diplomacy, whereas others have not been attempted because the conflicts have always seemed to be on wider context.

Figure 2: The diplomatic cycle.
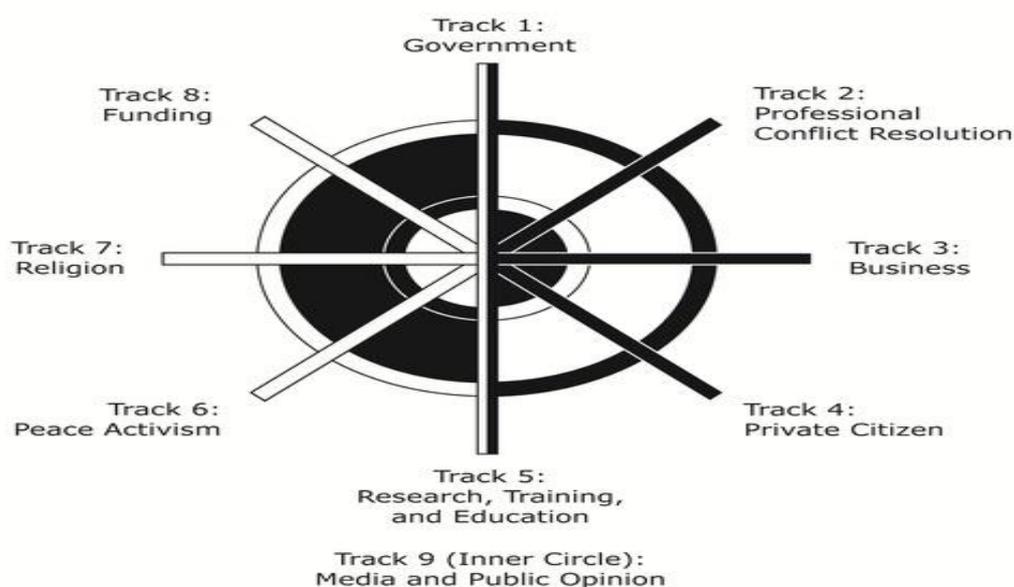
The leaders and those in opposition in South Sudan have been able to create alliances within the country and in the region/ Great lakes region of Africa in order to get a bigger pie of the national cake. So the sides have formed alliances, negotiate treaties, strengthen economic relations, promote cultural and military exchanges, and for a variety of other purposes. Diplomacy encapsulates a broad arrangement of shifting rules, etiquette, goals, procedures, and agreements. There are international laws that govern some aspects of diplomacy, while other elements are based on tradition, pragmatism, and expediency. Likewise, South Sudan has allowed technically proficient professional to take up jobs in the country such as working in Non-Governmental organizations and other instances. This has been acceptable through the use of diplomacy as means to strengthen economic ties by treaties (East African Community, January, 2016) and bilateral protocols in which she has allowed neighboring countries to export their merchandise for example food items from Uganda and elsewhere.

CONCLUSIONS

Diplomacy is consistent with continued peaceful pursuit by states of their goals (individual or collective) for example Omar Bashir negotiated for peaceful settlement of political and military issues with Salvar Kiir Mayardit, and a full description of the processes of conflict resolution within a community would entail a full description of the numerous and complex kinds and degrees of the divisive and common concerns among its members. Therefore, diplomatic activities improved internal democracy within the Sudanese People's Liberation Army. Hirbringer (2014) concretized this study by noting that the peace negotiations for South Sudan could resolve the crisis only through a genuine and inclusive political dialogue. The use of diplomatic approach to issues that were political and economic within the SPLA/M party had facilitated better binding of force royal to Salvar Kiir Mayardit and John Garang as well as the current Chief of Defense Force (CDF) General Marlong. To date peace prevails between Sudan and South Sudan, and even internal bickering is handled through negotiations. SPLA/M and Sudan government have been able to draw border demarcation in Abyei, Upper Nile State peacefully. In order to achieve peace, amicable resolution of conflicts is not a choice but a must, hence in this study diplomacy is consistent with continued peaceful pursuit by states for peaceful settlement of political and military issues.

RECOMMENDATIONS

South Sudan should maintain cordial working relations with regional peace brokers such as IGAD, East African Community (EAC), South African Development Community, Nile Basin Initiative and others to the effect of supporting the non-proliferation of light weapons and small arms which will help in preventing future wars/ aggressions in the country, with her neighbours and international players. This will guarantee peace and stability in the country, in the East African Region, Africa and the world for the political, social and economic prosperity.

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