

# South Sudan: the compelling case for change, how, and towards what outcomes!

For a start, for over 1/1 years (2005-2017) is abundant time for anyone serious enough about seeking relief for the citizens of South Sudan after decades of untold suffering without bitterness. The Kiir leadership has instead lead the people of South Sudan down an abyss from which it is not easy to climb. Worse still, President Kiir is not allowing anybody to climb out or anything to be done by anybody (neighbours, IGAD, AU, UN, etc.) to make it possible or facilitate climbing out of the abyss. Instead of expending efforts on how to get the innocent citizens of South Sudan out of this governmentinflicted misery, placebos such as "a national dialogue" and the "creation of more states" are applied to worsen the situation rather than provide relief. There should be no doubt in the minds of all reasonable people that Kiir and his regime have clearly failed. Worse still, it is also clear that Kiir has neither the capacity nor the political will nor the intent, to end the crisis. The legitimate question now is how can the descent into abyss be stopped; using what means; what are the possible options; and what should be the ultimate outcomes of such an undertaking?

### I. Why - the case against the Kiir Regime!

Kiir and his appointees have shamelessly continued to use the slogan "peoples' liberation movement" at the very time that he was cultivating a new, highly selfish class that ensures its continued existence for the singular purpose of illicitly amassing personal and family wealth, and imposing tribal hegemony on the country. With time, this class has entrenched itself to the extent that the citizen has fallen out of their radar. The creation of a highly influential tribal council (Jieng Council of Elders) was the last nail on the coffin of the ordinary South Sudanese citizen regardless of ethnic origin. Make no mistake about it, even the Jieng people, supposed beneficiaries of such monopoly of power schemes, have suffered along with everybody else. For emphasis, let us look at a few of the acts that



signify gross mismanagement of the affairs of the people of the Republic of South Sudan.

#### i. General Insecurity

Right from the return of the SPLA and other armed groups from the bush, it was evident that there had been little orientation as to why they fought and on whose behalf. Among many of the highest ranking officers down to the least enlisted infantryman, there was the overwhelming conviction that they had been fighting for their personal rewards, rather than "national liberation". These attitudes led to gross and rampant misbehaviours evident in robberies, rapes, fraudulent acquisition of property (our time to eat attitude), and the adoption of an above-the-law culture. Unfortunately, resistance from those who were the victims, often attracted vicious and brutal reprisals leading to injuries, maiming, or even death.

On a less visible scale, yet with far more destructive outcomes within the armed forces were habits of fraudulent promotions, attaching ranks to families including outright literal inheritance of ranks, creation of utterly false payrolls grossly inflated – leading to a total break-down of professionalism in the military - an institution that holds a high reputation for discipline in the rest of the world. It should come as no surprise that the flourishing of armed robberies, often with fatal results, became manifested all over South Sudan – in rural and urban areas alike.

#### ii. Food Insecurity

Incredible as it may sound, a segment of the African savannah ground to a stand-still in food production. South Sudan, a potential bread-basket for its fast-industrializing neighbours, has been rendered fallow land for years for at least 3 reasons: 1) the rampant free-grazing of cattle has made cultivation worthless, even in non-pastoral areas. Resistance by farming communities to cattle-keepers inevitably leads to a confrontation in which the gun-toting cattlemen, plentifully supplied with ammunition and heavy machineguns by senior commanders of the "national" army and other security organs, have the upper hand. 2) Donated food-rations have become such a dependable

source of food in many areas that they have relaxed cultivating food-crops instead of intensifying production for surpluses that could be converted to cash for non-food expenditures of families. 3) Government at all levels nation, state, and local - have abandoned traditional policies and practices that promote food and commercial crop production. Ironically, the value of imported tractors and other implements stop at the level of those fortunate enough to be given the contract to supply the agricultural equipment. To add to the irony, most of these fortunate guys get these tractors free of charge. The unfortunate results of these developments, along with others, such as insecurity at large, have created a food-insecure South Sudan. One could add that the food-supply vacuum thus created had been readily filled in times of peace by the hard-working farmers in neighbouring countries whose only conditions are: securing a generous foreign-exchange regime. And thus, the abundant supply of farm produce from the neighbouring countries gave the illusion of abundant food supplies in South Sudan – until these sources dried up due to intense insecurity - with catastrophic results as evident now in Juba and other urban centres of South Sudan.

#### iii. Economic Stagnation and Collapse

Since the CPA and the ascent into the presidency of South Sudan in 2005, the Kiir governments have overseen the steady decline of the production and wealth creation part of the economy, in spite of the sizeable revenue from oil. That revenue immediately began finding its way into private pockets and gluttonous consumption, with budgets and accountability systems only good for window-dressing: no one faced the consequences of misappropriation in spite of massive evidence requiring little cloak-and-dagger methods of investigation. The first post-CPA Minister of Finance was alleged to have committed massive financial fraud and was charged with the same. In a demonstration of lawlessness that was to become common place, youth from his native region forcibly freed him from a government jail – President Kiir followed promptly by honouring him with a seat in the Council of States. No message was stronger than this to indicate that economic development could go to the dustbin as self-enrichment became the order of the day.



Unemployment figures in any polity introduce political instability, and even change of government if it is widely believed that the sitting government has done next to nothing to create jobs through steady investments, productivity and production. Much of the foreign investment in housing, hospitality (hotels) and the South African brewery account for very little employment; above all, handled in such a way as to discourage new investors as well as enrich a few of the government class in shady deals about ownership. There is next to nothing to show in economic development; if anything, the steady decline of the dollar down to 2017 where currency appreciation seems to be conducted by decree (rather than re-adjustment policies) is the final hiccup of a dying economy that never came to be.

#### iv. Security Sector Discord

The discord in the security sector is beyond comedy and is no laughing matter. That different fighting groups were never really merged into one national army is no secret. The post December 2013 drive for recruitment from one ethnic group was attributed to troops deserting with their ethnic commanders. Jurisdiction or core functions of each security sector was abandoned and left to theoreticians. In practice, police did army work, the army did police work, and traffic police were often replaced by military police, not to mention the fact that the core function of traffic officers, became raising funds from innocent road users. Probably the worst legacy of the war days has been the practice that big shots could secure their own security through members of their own ethnic group, rather than a general list of security providers from an appropriate sector provider. Kiir's own reward system, formalized through years of practice, is the promotions to different ranks in any of the security sectors without regard to standard criteria for promotion. Thus, one finds a senior officer in charge of military logistics - but completely illiterate! That offers a glimpse into the state of the security sector.



#### v. Corruption

Corruption is on everyone's lips; the President himself has declared zero-tolerance for corruption countless times. In practice, even the President's Office has been the victim of thefts of large amounts of cash – several times. Huge amounts of cash change hands routinely – some found stored in homes. Others in the kleptocracy are known to have stashed away millions abroad. The Office of the President directly authorizes payments from the Central Bank of South Sudan without the involvement of the Minister of Finance. Of course in such cases there is no need for supporting vouchers. In employment, merit-based recruitment is anathema, as it would prevent the officially expected patronage. Even for high level and highly technical positions, patronage determines the filling of the vacancy. The net-result is a phenomenal level of incompetence resulting in near-zero accomplishment of tasks at hand. In summary, without the rule of law in government in all sectors and actions of governance, institutional corruption takes over and stagnation creeps in and is kept growing across government bureaucracies.

#### vi. Absence of Basic Services

It would be a huge surprise if one would find even 15% of the citizens of South Sudan satisfied with the level of services delivered. There is unanimous agreement that the clearest indication that government has failed is the total disruption in the provision of services. One by one the service sectors have collapsed or are near dead. There are no longer agricultural extension services to assist the cultivators and farmers to boost production for surplus to improve their standard of living. We have already noted that security services for protection of citizens are all but dead – the evidence being the huge numbers of both internally and externally displaced and the phenomenon of the unknown gunmen. In the health service sector even the dead do not get a decent treatment. Drugs are unavailable at government facilities and are unaffordable at the private clinics or pharmacies. Education is not doing any better either. Teachers are poorly paid, pupils are not fed, schools are not inspected, and even universities have joined the queue for decline as evidenced by events at the University of



Juba. There is little evidence that meaningful amounts from the proceeds from oil have reached any of the service sectors. Judging by the widespread roaming of cattle, it is doubtful that any veterinary or animal husbandry services have reached the communities lured into thinking that they were the ruling class. Veterinary services are poorer and of more limited reach now than they were during the 20 plus years of the liberation war.

#### vii. Personalized Constitution

In every country worth calling a nation-state, the constitution is enshrined as the basic law of the country. It is supreme and above all – citizens, institutions, and office holders including the President. It has clear-cut procedures for amendments through time-line requirements. In South Sudan, owing to a very poor understanding of international principles about constitutions, the President thinks he is the principle author and beneficiary of the constitution. Many a time, the President becomes the constitution. Thus in the post-referendum amending process, Kiir had the audacity to call the document before parliament as "my constitution" demanding it be passed as submitted by his sycophants: his interest being to be granted the power to abolish state legislatures and dismiss states' elected governors. Where the constitution demanded that replacements be carried out through elections within 60 days it has never been done and the President has remained silent in spite of his fundamental role as the governance officer who took an oath to uphold the constitution.

The constitution-writing or amending process has been severely flawed through poor methods such as the selections of members to bodies so charged – their commonality, being absolutely green in such matters. Finally, under such circumstances, what use are the laws and regulations if the chief custodian and guardian of the constitution becomes the leading law-breaker as can be convincingly shown.



#### viii. Tribal Loyalty: A Recipe for Disintegration and Chaos

Brow (2008) defines tribe as a grouping of people whose loyalty to the group is greater than their loyalty to a nation. Therefore tribalism should not be allowed to metastasis beyond the group to national institutions. Belonging to ethnic group is a natural phenomenon over which no one has authority. It is just one of the identities an individual has as a member of the society. Thus, belonging to a tribe is neither negative nor positive. Identities usually turn negative only in cases of competition and abuses. In tribalism, individuals feel that their tribe is better than the others. This might extend to the feeling that one's tribe is the only one capable of leadership or deserves leadership. Tribal loyalties that are not consciously evolving to embrace, tolerate and coexist alongside other nationalities are a hindrance to proper social development and unity of the country.

The concept of tribalism i.e. loyalty and dedication to one's group or tribe is evident to some extent, in every part of daily life. South Sudan tribal diversity could undermine attempts at Unity if not wisely managed. South Sudan has about 64 different ethnic groups. Currently South Sudan has totally disintegrated along tribal lines, which has laid the foundation for interethnic warfare. However, it is worth noting that before South Sudan independence in 2011, "you didn't see the kind of things that you see in the December 2013 and after events, the systematic massacre of people, summary executing of people, raping of women and young girls simply because they belong to a particular tribe."

#### ix. Human Rights Abuses

While Human Rights are the foundation of Freedom, Justice and Peace in the World, in South Sudan there is no room for practice of Human Rights. The basic Human rights such as access to basic education, basic health services, food and legal advice are denied, including not only freedom of speech and belief but also freedom of not speaking (silence). Other than a couple of clergymen who continue to preach against the ills being committed by the Government, to the chagrin of the Government of course, it is only



people who speak President Kiir's language who are allowed to speak freely; it is only demonstrations organized to support Government positions and decrees that are permitted by the National Security. Fear is the order of the day. Those who criticize the Government and those who are perceived to be opposed to President Kiir's or the Jieng Council of Elders' (JCE) views and positions are subjected to harassment, detention, torture. They may even be killed for their pain.

#### x. Humanitarian Emergency

There is little need to explain that we are in desperate need of help! Even Freud would not understand anyone who cannot understand that. Whether you grew up eating wild leaves and fruits, shooting birds, digging up rats and roasting them, or drinking milk straight from the udders of a cow, it is doubtful that you can recall anything mimicking the present hunger crisis. Only those who keep thousands, if not millions of dollars under their mattress, would even dare deny that. We also know the current tragedy is NOT the result of some strange phenomena such as global warming! It is a combination of MAN-MADE causal factors: a clique of bigots holding the reigns of state power who continue to prosecute a senseless war to achieve the objective of ethnic domination, monumental leadership failure, bad governance, deliberately orchestrated disorder and lawlessness. The results: economic collapse, 2 million refugees, 1.5 million internally displaced persons (in Protection of Civilian camps), an unknown number of people hiding in bushes and swamps (displaced), 5 million food-insecure South Sudanese. These figures are continually rising. Credible international bodies and institutions have warned about the danger of genocide and disintegration of the country looming on the horizon.

#### Conclusion

The above series of observations about the failures of the Kiir regime through wilful violations of the Constitution, commissioning crimes against the people of South Sudan with utter impunity, and the rewarding of failure in public service with better opportunities for mismanaging the affairs of the



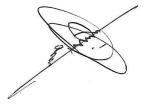
citizens of the Republic of South Sudan must come to a stop. The National Salvation Front (NAS) strongly believes that the Kiir regime has no political will, no capacity, and certainly has no plans to turn things around for the people of South Sudan. It must therefore be stopped by being changed or removed from power by all means necessary – this would be the unanimous will of all citizens, freely expressed, if they were asked; some have already been expressing themselves through walking away from South Sudan to neighbouring countries, many others by retreating and hiding in the deep recesses of South Sudan's forests and swamps, others by focusing on self-preservation, yet others by seeking sanctuary internally under the protection of the UNMISS managed Protection of Civilian Camps.

#### II. How Can the Regime be Changed or Removed?

Due to the uncertainties that accompany desires for change, many will shy away from dialoguing on this topic. NAS is convinced this is too vital a governance issue to silence. The continues evaluation of governance processes, regardless of whether the conclusions are positive or negative is an inherent right of citizens through opinion polls, elections, outright protests, or downright right to rebel and institute a government that reflects the will of the people in its ways. The Constitution of the Republic of South Sudan 2011 provides for, among other things, a citizen to defend the constitution when it is under threat. Flagrant, repeated and wilful violations of the Constitution by the President can legally attract and justify action in defence of the Constitution by citizens! There are largely four options by which to deal with the crises brought about by the incessant failures of the Kiir regime, its relentless violation of the constitution and callous disregard for the dignity of the South Sudanese person:

#### 1. Dialogue for Maintaining the Status Quo

Most people who have the capacity and the space to express themselves have generally called for dialogue to resolve a national crisis. True Dialogue (not Tea Party conversation amongst friends) is good if it produces results and there is commitment to respect the results. In the recent past, we have



used dialogue from trying to unite the fighting groups of South Sudan from the CPA to the agreement that created the Pibor Administrative Area. Subsequent events after such agreements tend to show that such dialogues have been more about "buying time" than "resolving" differences. The Kiir regime has excelled in expressing its preference for dialogue, however fruitless they generally are. The regime has even succeeded to somehow convince many in the international community, including our immediate neighbours that Kiir's "National Dialogue" that was launched recently, would succeed if given a chance. After all, there is nothing to lose in a situation that is already hopeless.

After hundreds of thousands of atrocities against civilians the Kiir regime has lured the churches and some community elders to take the lead in dialogues towards a fake and deceptive peace and reconciliation process—never entertaining the notion of justice and retribution as a part of constructive dialogue. Now, with the country on fire from north to south and east to west, Kiir has decreed another dialogue as if they could right all the wrongs his regime has committed and continues to commit against innocent civilians all over South Sudan. NAS says enough is enough; dialogue with such a man at the head of such a regime is futile and will bear no lasting fruits. After all, how can there be true dialogue when Kiir has appointed himself Patron; when he has singlehandedly defined the framework and agenda of the dialogue; when he has hand-picked the Advisors, the Steering Committee, the Secretariat, all by decree; when he has set the ground rules by himself without reference or consultation with others, especially those he disagrees with? This is a Still Birth!

#### 2. A Coup from within Kiir's own ranks

There is a naïve belief among some that change could come from within Kiir's own circle. Nothing could be further from the truth. One should not forget that the governance institutions of South Sudan are dominated by the Executive – even, perhaps more so, the political parties which are supposed to be vehicles of change. The current problems arose from a group within the SPLM who had wanted procedures to be democratic including the use of



the "secret ballot! For that they were labelled rebels and planners of a coup—which Kiir's circle repeated often enough till it became the truth for them. Nor can internal change be expected from other non-party quarters. The current army leadership would seek to impose a continuation of the status quo in spite of public resources continuing to ooze out of what should be the national coffers. While Kiir continues to preside over a collapsing and disintegrating South Sudan, the regime, through its actions and the actions of those who benefit from it freely, tarnish the name of the Jieng tribe, most of who are innocent and have no clue as to what is happening in Juba—yet are expected to believe the false propaganda that opposition to Kiir and attempts to remove him amounts to an expression of hatred for the Jieng people. This assertion, besides insulting the intelligence of an average person, is so grossly unfair to all the ethnic groups of South Sudan who see change as positive, not inter-ethnic conflict. Change from within is simply not an option.

#### 3. Trusteeship (by African Union or the United Nations)

Mahmood Mamdani, in a dissenting opinion (AU Commission of Enquiry), and more recently, Ambassador Lynman and Kate Anquist of the United States Institute of Peace have proposed that South Sudan be placed under the trusteeship of the United Nations or the African Union for a defined period (10 – 15 years for example) to enable it develop institutions of governance. This proposal has gained only limited currency within South Sudanese circles. Whatever the reasons underlying this limited acceptance (in circles of the elite) what is clear is that the international community as well as South Sudan's neighbours in IGAD and AU appear to have no appetite for the idea of trusteeship. Hence this idea is unlikely to fly.

#### 4. Citizen-imposed Change

The people of South Sudan have not waited for a signal for them to rise up and topple the Kiir regime. Those who could vote with their feet chose to leave the country or moved away from the control of the Kiir regime. Others, provoked without cause all over South Sudan have taken it upon themselves



to resist government forces in-kind. Thus, a citizen-imposed change is looming; they have been only waiting for a call to unified resistance against the regime using all means that are available; that are feasible; that are effective. The National Salvation Front believes this is the time and calls upon Kiir to vacate office without further ado or face the arrival of the forces of the citizens of South Sudan. Needless to emphasize, the task ahead is enormous, it begins with putting right all that has been wrong – and then immediately commencing on development tasks simultaneously with the requisite humanitarian assistance to settle citizens in their homes and engage them in productive work.

### III. What Outcomes Expected Through a New Dispensation?

The establishment of the National Salvation Front (NAS) is geared towards establishing a truly federal, democratic, secular, multi-ethnic, personcentred system of governance anchored on a constitution that is above all, not exempting the President, and that promotes the same. This is the expectation of all citizens, that their system of government and those in charge of governance would facilitate progressive well-being for them in mental and physical terms in their villages and in their towns. In short, the development of a modern South Sudanese state with productive and satisfied citizens is the primary objective, complex as it maybe. It is hoped, and no efforts will be spared to persuade all groups, civil or armed, to join hands towards the fulfilment of this noble goal. The following will be among the key outcomes of this much desired change.

i. Public Security: Immediate restoration of personal and community security is a priority task. Without personal and community security life is disrupted, people are not able to depend on their own efforts and must turn to private and official begging. Security is the number one commodity to secure in order to return life to normalcy – which includes freedom of movement in order to perform the tasks required to sustain the welfare of the people. Another task more complicated and demands unhesitant re-organization is to separate "National"

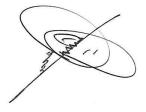


Security" functions (securing the safety of the nation) from "Public Security" functions – normal functions of the police. The organ called "National Security" has gotten out of hand and has been rendered the number one cause of personal insecurity for countless citizens. National Salvation Front will provide sustainable security by developing and enforcing a comprehensive public security policy.

- ii. Constitution: Simultaneous with other critical measures to end the woes of South Sudan is the need for crafting and adopting, through a wide consultative process, a modern, democratic, truly federal constitution with institutional checks and balances! Due attention will be given to the facilitation mechanism to achieve this, including: competent membership, adequate human and material support, adequate timelines in spite of urgency, and the absolute free space and wide consultations requisite for developing a document to survive political upheavals.
- iii. Unity by Combating Tribalism: NAS will institute a national policy framework to address ethnic hegemony, marginalisation in all its forms in the entire public and private sectors. This framework will be aimed at: restoring the unity and nationalism manifested during the referendum in 2011; mobilising and motivating citizens to embark on nation building without the disabling bondage of the past that engineered divisions and failures.

In particular, such framework shall provide a robust basis for elimination of all forms of discrimination based on tribe, creed, gender, political affiliation and religion.

iv. Food Security: Promotion of house-hold production and private agro-business is a matter of urgency. South Sudanese are still a resilient people who can easily re-take responsibility for feeding, clothing, housing and doing whatever is needed for their families. With their security assured, together with a vigorous supply of



implements and seedlings, the South Sudanese citizen can commence marketing their own crops within a short term.

- v. Emergency Assistance: NAS will prioritize emergency humanitarian assistance wherever it is needed. It shall spare no efforts to secure medicine, food, shelter and safe drinking water as it simultaneously strives to ensure a stable security environment. Emergency Assistance shall be gradually phased off in order to avoid cultivating a culture of dependency. With a leadership that combines authority and vision with technical know-how, NAS is confident that the present famine and other anticipated emergency needs will be easily addressed.
- vi. Economic Growth: Upon securing the country and restoring stability, public security, law and order and peace, the promotion of formal and informal domestic industry shall commence with urgency. Production, productivity and skills development are key to national wealth creation - particularly through basic agricultural industries. International trade focusing on parity in trade will be vigorously pursued through encouragement of foreign and domestic investment without the legal and bureaucratic impediments that were characteristic of the Kiir regime to benefit his circles only. NAS recognises the absolute value of sound macro-economic planning coupled with responsible and prudent fiscal and monetary management as basic tools of economic development. In the area of capital formation, reliance should not be placed on domestic sources alone; foreign sources, including our diaspora, shall be vigorous pursued.
- vii. Security Sector Reform: a total review of the sector (army, police, prisons, wildlife and fire brigade) through right-sizing, training and professionalism in service delivery anchored on human rights protection shall be performed. Pursuant to a post-conflict DDR



program, those so affected shall be availed opportunities for retraining in new skills for the rising domestic industry. All national security agencies shall reflect the National Character. NAS shall utilise both domestic and international resources to accomplish its policies in this crucial sector.

- viii. Anti-Corruption: NAS shall not pay lip service to fighting corruption as it will have no tolerance of any corruption in its midst. A robust and aggressive anti-corruption regime centred on the Rule of Law with a level ground for all and in all sectors of governance will be instituted and sustained through a highly transparent, documentable, and executable regime in which everyone high and low are equal before the law and accountable to the law! NAS underlines the cardinal importance of political will and leadership in the fight against corruption, utilising institutions and people of integrity.
- ix. Basic Services: Education, Health, Clean water, shelters and other services are what earns any policy-maker/implementer the trust and confidence of citizens. Government cannot afford to be seen as an anarchistic authority on spending which must be properly planned, executed, and accounted for. Clearly, such service programs can only be accomplished through the establishment of professional bodies manned by competent and professional personnel.
- x. Infrastructure: the success of all programs for building a modern state are pinned on an efficient network of roads, river, rail, electronic and other forms of communication. Such networks facilitate the movements of people, goods and services thus resulting in a vigorous rising economy. Economic growth, to the level desire is nearly impossible without power and communications infrastructure that amply cover the nation, the states and localities. The strategic value of above forms of communications and power infrastructure are unfathomable.



xi. International Relations: Moving forward as a nation united under one flag South Sudan will aggressively seek to establish robust and dynamic relations with its immediate neighbours, regionally, within Africa and globally.

xii. Human Rights: General, Gender, Child and the Disabled: The National Salvation Front is keenly conscious of the fact that it arose in response to gross human right abuses. Therefore it will ensure that the Constitution of the Republic of South Sudan spells out internationally recognized rights and conventions; that they are domesticated and vigorously enforced. All perpetrators under its jurisdiction shall be prosecuted. NAS shall recognize and enforce all rights of the woman, the child and the disabled as enshrined in the national Constitution and in the international conventions.

The above are by no means an exhaustive list of desirable national outcomes that demand immediate action, sacrifice through deferred gratification, and an evolving vision of a modern state in South Sudan. The missing factor thus far that NAS brings to play is a conscious, intelligent, rational and citizen-empathic leadership with a vision that will leave no stone unturned to bring fulfilment, satisfaction, dignity and joy to the lives and faces of citizens, and instil pride in being South Sudanese for the first time!

Gen. Thomas Cirillo Swaka, Chairman and Commander-in-Chief

The National Salvation Front

South Sudan

6th March, 2017