

Re-Thinking Inclusive Governance in South Sudan



Independence Day celebrations in Juba, South Sudan.

1.0 Background/Context

Inclusive governance is significant to the realization of democracy and peace dividends in states emerging from conflict. In principle, it offers platform for equitable representation of the ethnic majority, minority, marginalized and indigenous groups in public decision making bodies as well as ensuring that these groups benefit equally from development initiatives. Article 21 of universal declaration of Human Rights (adopted 1948) provides for democratic participation of everyone in the governance of his/her country whether directly or through freely chosen representatives. Article 2 of the same instrument entitles everyone to all rights and freedoms set forth in the declaration, without distinction of any kind, such as race, color sex, religion,

political or other opinion, national or social origin, property, birth or other status.

Essentially, inclusivity ensures non-discriminate enjoyment of peace dividends in post conflict states such as South Sudan by affording her citizens equal treatment and equal rights before the law.

Practically, inclusivity is characterized by the meaningful participation of the poor and rich, women and men, ethnic and religious minorities and majorities, indigenous peoples and other disadvantaged in the governance processes and decisions that affect them. It is also expected that the established governance institutions, legislations and policies are accessible, accountable and responsive to the needs of various population segments, protecting their interests and providing diverse populations with equal opportunities for public services. The African Charter on Human and Peoples' Rights provides ground-breaking protection for the rights of peoples in its Articles 19–24. These cover the rights of peoples to self determination, existence, freedom from domination, to freely dispose of wealth and natural resources, cultural development, peace and security, and a satisfactory environment. Examined from this cue, critical examination of ethnic and minority representation in the public service of post-conflict South Sudan remains paramount as a measure of inclusive government.

Inclusivity could also be viewed in the realm of creating spaces for citizens' voices in development and decision-making processes.

This space is important in improving the socio-economic and political opportunities for citizenry as espoused by Mwayu (2007). Put in the context of post conflict states, participation of the citizens in development process is not only significant in building consensus on real needs of the people but also bringing the reality of peace dividends closer to the communities. Such dividends when realized and lived, will defer feelings of rebellion against the incumbent government and a possible relapse to violent conflict.

2.0 The challenges of inclusive governance in South Sudan

In South Sudan, the exercise of inclusivity has been marred with contradictions between constitutional provisions and extant practices, for example, political parties are found to be the foci for rewarding the ‘warlords’ dubbed as freedom fighters at the expense of participatory civilian structures, the nerves of ethnic factionalism over nationalism, exercise of centralized nomination system, all of which breed disaffection and tensions among the citizenry. Moreover, the observed militarization of public service, perception of ethnic favoritism in public employment and appointments, the ‘felt’ development marginalization of regions and unequal share of national resources comprise practices that violate the foundations of inclusive governance.

Achieving political stability and development of South Sudan depends largely on how the socio-economic and political

factionalism capped with open rebellion is handled. This has to begin with the political elite loosening up their grip on power, embracing all-encompassing political completion, delivering the social goods to citizenry, de-ethnicizing and demilitarizing the public service. Hence, GoSS has to embrace a national dialogue aimed at re-uniting the citizens to nationalistic values, resurrecting the public trust in governance and its leadership and managing the peace dividend expectations.



South Sudanese children perform a dance routine to celebrate independence from Sudan. Juba, Sudan

3.0 Recommendations



Error! No text of specified style in document. President Salva Kiir, left, former Vice President Riek Machar, right, and religious leaders attending a ceasefire ceremony in Addis Ababa, Ethiopia.

- The GoSS should put strategic measures to meet the different development demands of its states by devolving additional equalization funds to states with high poverty indices. This demands discussion with state leadership, citizens and development partners on competing priorities and introduce ‘discriminate measures’ aimed at delivering much needed development interventions as per the lenses of beneficiaries.
- GoSS establishes an independent public service commission in its permanent constitution mandated to look into the issues of ethnic balance and professionalizing the public Sector. A key interest would to ensure that the sector is de-scaling the militarization of public service and striking equitable ethnic balance in

the sector to restore inclusive feeling amongst the general public.

- Political parties as institutions of mobilizing citizen agenda on national issues need to adopt the democratic principle of universal suffrage as espoused both in the TCSS (2011) and the political parties Act (2012). The registrar of political parties in the GoSS must closely monitor the political party activities on the extent to which constitutionalism is adhered to and advise where blatant violations of the law are committed.
- The permanent constitution should make affirmative provisions for women, youths and ethnic minorities in terms of their representation in public leadership with clearly spelt legal sanctions for non-compliance. Investment in the education of the youth and women should be prioritized to ensure meaningful and full participation in the governance affairs of South Sudan.
- There is need to hold consultative workshops with the citizenry across states on the contents of the permanent constitution. This should be spearheaded by the NRC and civil societies so as to consolidate citizen participation, ownership and identity with document rather than making the whole process elite-driven.

- The GoSS has to form a bipartisan committee to work with the NRC to debate a workable model of sub-national governance structures that will fit South Sudan. More importantly, the model has defined the issues of powers between national government and states, the development planning and resource allocation and inter-governmental relations. A clear federal schedule in the permanent constitution needs to spell out the functions and objectives of federalism.



**African Research and Resource
Forum (ARRF)**

**Hse.No.305 Mountain-view Estate,
Off Waiyaki Way**

P.O Box 57103-00200, Nairobi Kenya.