

Research Article

South Sudan's Election and the Prospect of Post-Electoral Violence

Marial Mach Aduot 

PhD, Deakin University, Australia

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ABSTRACT

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Post-war elections, a crucial step in the journey towards peace, are a cornerstone of rebuilding and stabilising societies after conflict. They lay the groundwork for sustainable peace by fostering legitimacy, promoting reconciliation, ensuring democratic governance, and facilitating economic recovery and development. Despite success in a few cases, post-war elections have not always yielded desirable outcomes, and South Sudan will not be an exception. This paper argues that the anticipated elections in South Sudan are not merely a political event but a potential catalyst for violence. The nascent state is already grappling with violence, fragile political and institutional capacity, and the ongoing conflict and instability in various regions pose significant risks to the safety of voters and election officials. Armed groups and intercommunal violence further exacerbate the situation, on top of power struggles, logistical challenges due to poor infrastructure and the lack of administrative capacity. South Sudan is a divided state, and that has made ethnic tensions one of the critical drivers of inter-ethnic and communal conflicts, which have driven millions away from their homes, hence affecting voter education and participation. Addressing these challenges requires coordinated efforts from the South Sudanese government, civil society, and the international community, whose roles are crucial in creating an environment conducive to free, fair, and peaceful elections. The international community, in particular, plays a significant role in ensuring that South Sudan's elections are conducted in a manner that upholds democratic principles and respects human rights. These challenges highlight the absence of the minimum requirements for conducting successful elections and reducing the destabilising risk associated with post-election situations.

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Introduction

Liberal democracy is characterised by the frequent competition for political power, where citizens exercise their unrestricted choice among political platforms as defined by ideological differences. Thus, elections are crucial pillars in the democratic process, underscoring political participation by the masses, accountability for those entrusted with public offices, and legitimacy. Despite occasional imperfections, democracy has been revered as the quintessential form of governance. Its merits are attributed to its capacity to balance the state's power with individual rights and the rule of law. However, attempts to replicate such types of governance in war-affected states have been more difficult due to the complex interplay of violence and fragility. Civil wars in countries like South Sudan have long-lasting negative impacts on the political and economic conditions of the countries at the receiving end of violence. Studies hint that without improvements in governance to address poverty and reduce the risk of future wars, continued hardships could threaten post-war states' peace (Collier et al., 2003). The inherent risks have led to various international oversight mechanisms that assume supervisory roles over all aspects of the transition process to ensure effective management


of potential dangers. Achieving lasting peace, however, requires an inclusive approach that examines the underlying factors that contribute to conflict.

The complexities outlined above require a deep understanding of the interplay between various socio-political and economic factors that can ignite conflicts, as well as the fundamental necessity of implementing measures to prevent or mitigate the drivers of conflict. One of the key measures pursued by the international community is the promotion of democracy in post-war states. This endeavour is based on the belief that democracy is crucial for the political and economic advancement of fragile states. Marina Ottaway (2003) refers to this approach as "democratic reconstructionism," which has led to the development of a robust industry dedicated to promoting democratic values. However, such aspirations have encountered significant challenges in countries like South Sudan, with wars and institutional deficiencies. Consequently, the paper will emphasise that the political landscape in South Sudan remains complex and unstable, characterised by various challenges and dynamics.

In the aftermath of the 2013 conflict, the 2018 renewed agreement, and the formation of the Revitalised Transitional

*Corresponding Author:

✉ pandepiol@yahoo.com (M. M. Aduot)

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Government of National Unity (RTGoNU), South Sudan grapples with ongoing uncertainty as the transitional government nears its end in December 2024. The country's political landscape is marked by a history of conflict and authoritarian rule, fuelling instability. The militaristic tendencies of the political elite have been evident, particularly during past election campaigns, with aggressive rhetoric leading to rebellions. These same tendencies persist today, raising concerns about the nature of the 2024 election campaigns. In other parts of the world where democracy is the norm, the integral aspiration of allowing citizens to have a clear political choice is paramount. People of every class or social status are equally involved in creating laws regulating the state's activities through the power they delegate to their representatives.

However, South Sudan's current political landscape is undemocratic, with a considerable proportion of government officials and potential candidates for upcoming elections having a history of insurgency. This lack of experience and knowledge regarding the principles of peaceful competition and the democratic electoral process raises concerns about their effectiveness in contributing to a genuinely democratic system. Hartzell and Hoddie (2020) argue that democracy is the most viable institutional option for post-war conflict resolution due to its ability to establish non-violent dispute resolution mechanisms, shifting conflict resolution from the battlefield to the ballot box. Furthermore, democracy's core principle of public consensus replaces coercion and force with peaceful consensus-based governance, making it the best option for conflict resolution. Establishing a democratic system requires certain preconditions, such as a stable and mature political environment and a culture that promotes democratic values.

Without these prerequisites, the transition to democracy can face significant challenges. According to O'Donnell (2005), democracy is not just about fulfilling material needs or interests. It also involves representative governance, where citizens can exercise their freedoms, such as the right to express themselves without fear and to participate in transparent political acts and procedures. However, this is not the case in South Sudan due to the prevalence of violence waged by cantankerous elites who have monetised and valorised politics. Consequently, the country's political system incentivises violence, creating an unstable environment. In such an environment, creating a genuine democracy to represent both the majority and minority voices becomes challenging. The current system is designed to benefit essential supporters of the ruling protagonists, leaving various ethno-political elites who were not allocated a portion of power by the 2018 revitalised accord without access to power and resources.

The deliberate concentration of power in the hands of a few has led to a volatile political environment, where competing factions vie for wealth through violence. During a recent speech at the United Nations, Nicholas Haysom, the UN Special Representative for South Sudan, underscored the urgency of addressing critical issues related to the upcoming elections. He pointed out that the primary concern is the lack of compromise and consensus among the competing factions, rather than inadequate resources. The fear is rooted in the failure of the two main factions in South Sudan, Salva Kiir's SPLM and Riek Machar's SPLM-in Opposition, to agree on crucial matters such as security arrangements, the election commission, the constitution, and the census, making it nearly impossible to prepare for credible elections. Despite the challenges, civil society groups and most South Sudanese see the elections as a positive step towards peace.

This is because established channels for political opposition have been shown to lower the incidence of armed conflict and minimise social unrest (Kuol, 2023). This argument is valid only

if avenues for political expression and peaceful ways to redress one's grievances are not restricted by violence or the lack of institutional capabilities in the post-war state. In contrast, South Sudan is a fragile state at war. Therefore, the motivation for this paper stems from the challenges that have arisen during post-war elections. The article sheds light on the underlying factors that may hinder South Sudan's progress towards achieving genuine democratic elections. The author argues that the upcoming general elections are at risk of renewed violence, raising doubts about the viability of South Sudan's democratisation project. This argument is rooted in the country's elites, who have been socialised into a martial culture because of their experiences in violent patronage and extractive behaviours. These prebendal practices are likely to drive and trigger sham elections.

Conceptualisation of Elections in a Democratic Context

Election is a core component of democracy. This is because elections provide citizens with the opportunity not only to choose their preferred leaders but also to effect change by replacing elected officials as they see fit. The term "election" refers to the process of selecting a person or persons from among competing candidates for a position, particularly a political office, through a vote. Nwolise (2007) defined election as;

The process of selecting the officers or representatives of an organisation or group by the votes of its qualified members. Such an election may be held in a university seeking a vice-chancellor, a corporate organisation choosing a chairman, a political party conducting its primaries to select its standard bearer for a presidential contest, a nation choosing its president, or an international organisation selecting its secretary-general.

In a democratic system, elections are a fundamental process that allows citizens to exercise their right to vote and choose their representatives. The importance of elections in a democratic context cannot be overstated. They give citizens a voice and a means to hold their leaders accountable. Additionally, elections serve as a peaceful means of transferring power from one government to another, ensuring that the people's will is respected and that the democratic process is upheld. To ensure a free and fair electoral process, citizens must have the right to vote without fear of coercion, and the process must be conducted impartially and unbiasedly. Moreover, the process should be open and accessible, with equal opportunities for all candidates to participate. Overall, the democratic process relies heavily on election integrity.

Therefore, governments must maintain a fair and transparent electoral process accessible to all citizens and candidates (Hartzell & Hoddie, 2020). By doing so, citizens can be assured that their voices are being heard and that democratic principles are being upheld. As Nwolise (2007) explains, elections have technical and social significance. In technical terms, they are how an individual is selected for a position based on the collective opinions of many individuals. Second, elections play a crucial role in connecting individuals to positions of authority, particularly at a social level. Through active participation in the election process, the people can determine who will lead and make decisions that will impact their lives. The concept of government by the people, or majority rule, emerged from the interactive engagement between leaders and the public. This system is based on a contract that entrusts governance to safeguard individuals' legal and political rights (Stokes et al., 2002). By casting their vote, citizens can shape the direction of their society and hold their elected representatives accountable for their actions. In this way, elections serve as a means of ensuring that power is distributed fairly and that the

voices of the people are heard and represented (Kelley & McAllister, 1985).

In a nutshell, elections are a crucial aspect of any democratic society and are primarily distinguished by the social aspect they bring. Elections are not just processes of casting votes but rather processes of governing a society with the consent of the governed. Hence, the critical aim of an election is to confer legitimacy on the elected representatives and ensure that the people have a say in who governs them. The positive outcomes of democratic systems in the Western hemisphere have led to efforts to promote their adoption in other regions, particularly in developing countries. This is to be understood within the context of the “democracy revolution” or “third wave” of democratisation (Huntington, 1993). In the aftermath of the Soviet Union’s dissolution in the late 1990s and the rise of the United States as a dominant global power, there has been a significant push for nations plagued by military and one-party regimes, as well as civil strife, to adopt democratic values (Schmitz, 2004, p. 403). The euphoria of the democratic wave became a wholesale agenda for peace and development, heralded by Western leaders and many international organisations. In his second inaugural address in 2005, President Bush argued that:

The best hope for peace in our world is the expansion of freedom all over the world to seek and support the growth of democratic movements and institutions in every nation and culture, with the ultimate goal of ending tyranny in our world (Cited in Coyne, 2006 p. 2)

Although public opinion suggests that democracy is the preferred form of government for most people worldwide, the specific liberal democracy model that President Bush was discussing is challenging to transplant into stable, non-democratic states, let alone violent and fragmented countries. Despite having multiparty elections in war-affected countries, the transition to an effective democracy remains a challenging endeavour. According to Dawn Brancati and Jack Snyder, the lack of institutionalised democracy in post-war situations increases the likelihood of electoral “losers” refusing to accept the results (Brancati & Snyder, 2013). While some issues leading to resistance may be resolved in specific post-war scenarios, state-building and democratisation are distinct yet interrelated processes. This view has been supported by a range of empirical studies, highlighting the importance of political institutions, civil society, and economic development in shaping the trajectory of democratic transitions. Although there has been some debate around the details of this theory, it remains a central framework for understanding the dynamics of democratisation (Schmitter & Terry, 1996). Thomas Carothers (2002, p.18) aptly describes this approach as follows:

A whole generation of democratic aid is based on the transition paradigm, above all, the typical emphasis on an institutional “checklist” as a basis for creating specific programs and the creation of nearly standard portfolios of aid projects consisting of the same discuses set of efforts.

Since the 1970s, scholars have widely accepted that new democracies are unlikely to follow the exact path of their predecessors (Schmitter & Terry, 1996). This perspective is reflected in current democratisation policies, which prioritise country-specific strategies over universal solutions. Moreover, past attempts at democratic transitions have yielded lacklustre outcomes, causing donors to shift from overly ambitious governance programs to a more practical approach (Grindle, 2007). The prevailing belief is that the challenges faced during elections in developing nations stem from inadequate institutional frameworks. However, certain nations are confronted with intricate socio-political situations in which the outcomes of elections and the credibility of governance rely on elite-constructed bargains. This is a process where the

perception of power distribution is based on the interests of competitors (Hartzell & Hoddie, 2020, p. 1).

In the past, individuals such as Charles Taylor in Liberia and Jonas Savimbi of Angola, both former rebel leaders, threatened not to accept the election results (Lyons, 2004). In the case of Liberia, there were concerns that Taylor would resume war if he lost the election, which he ultimately won. Although his triumph averted war in the short term, peace was brief (Kaufmann, 1996; Reilly, 2001; Horowitz, 1994). After the Bicesse Accord was signed in Angola in 1991, a British news crew interviewed Jonas Savimbi, the leader of the Union for the Total Independence of Angola (UNITA). In that interview, he reportedly said he would not accept defeat if he lost an election (Pycroft, 1994). He went on to say that he would send his men back to the bush to fight again. This statement served as a warning of the potential violence if UNITA lost the election.

Unfortunately, when Savimbi lost the election, he rejected the outcome and followed through on his promise, sending Angola back into civil war. That war resulted in the loss of countless lives and the displacement of many. Post-war elections are often susceptible to violence for multiple reasons. In the case of Angola, the return to conflict was primarily driven by Savimbi’s longstanding grievances against the government, a lack of trust in institutions, and power struggles within the country. Wars often leave behind unresolved grievances and animosities, which can resurface during elections, leading to violence between factions or ethnic groups. Moreover, post-war societies frequently suffer from a lack of trust in political institutions and processes. When people perceive elections as rigged or biased, they may use violence to express dissatisfaction or contest the results. In this context, post-war elections are often viewed as high-stakes battles to control the state and its resources. Competing factions may resort to violence to intimidate opponents, influence the outcome, or consolidate their power. The resumption of civil war after post-war elections has prompted many scholars to examine the subject in order to determine how to harness democracy’s benefits for peace while mitigating its risks.

Previous research has suggested solutions such as power-sharing and carefully timed elections (Hartzell & Hoddie, 2020; Kovacs, 2001). However, further exploration is needed to determine whether election outcomes affect the durability of a state’s transition from war to peaceful order. Such research is fundamental in light of the evolving nature of civil wars and the actors involved in them. Examining the potential for warring factions to resume hostilities following an electoral contest is crucial in a country like South Sudan, which faces numerous challenges, including a weak rule of law and ethno-political divisions. In post-war societies, the rule of law is frequently ineffective, resulting in a lack of accountability for election-related violence. This absence of repercussions can embolden political actors to resort to violence as a tactic. Furthermore, wars often worsen ethnic or sectarian divisions, turning elections into a battleground for power and representation, leading to potential violent confrontations among different groups. One major obstacle is the lack of a codified constitution, which leaves the country without a clear legal framework for governance.

Moreover, the lack of clear electoral boundaries and resettlement strategies for those returning to their homes adds a layer of complexity to an already delicate situation. The safety of citizens is a crucial matter that requires a competent security force. However, the intricate nature of elections in unstable nations presents significant obstacles to preventing chaos and ensuring that government institutions can efficiently carry out their essential duties, such as safeguarding the well-being and security of individuals. Building a stable system based on democratic values is a challenging task that requires a socially

and politically mature population that values tolerance and acceptance as core democratic principles. Creating that culture necessitates those democratic institutions be firmly anchored in a constitution that protects people's rights to protest peacefully and express their opinions without fearing retaliation or punishment. Only by valuing and safeguarding these rights can a society claim to be democratic.

Based on the earlier points, I will explore the common hurdles during post-conflict election processes. My focus will be on the upcoming elections in South Sudan, as detailed in the 2018 R-ARCSS, and the potential for these elections to reignite armed conflict. As previously discussed, the absence of a formal post-war constitution in South Sudan, combined with inadequate institutions to ensure fairness and inclusivity after an election, presents significant challenges. To foster healthy political conditions, all parties must be free to participate in the political process, regardless of who emerges victorious. However, obstacles such as violent ethno-political divisions witnessed in South Sudan could undermine the democratic system.

Elections in the Post-War Environment

In his 1947 speech to the House of Commons, Winston Churchill famously stated, "Democracy is the worst form of government, except for all those other forms that have been tried from time to time". Churchill's argument rested on a crucial premise: that all citizens are equal and entitled to fundamental freedoms and that governments only control them with their consent. This belief is vital to the functioning of democratic states. However, Churchill also recognised that informed citizens must do more than participate in collective decisions. They must also be part of the political organisation that authorises the institutions of governance through which mutual decisions are made and exercised (Aduot, 2021). Democracy, thus, has two essential aspects: who decides and what must be decided. In a real democracy, people are the constituents of authority, the organisation that authorises the institutional arrangements through which they are governed.

In this context, the public is considered the master of the state, a concept rooted in the perception that sovereign people are sufficiently free to hold their governments accountable (Daly, 2022; Reilly, 2008). The emphasis is that while elections are not a panacea for the challenges facing post-war states, they provide at least a vision to address political conflicts that often instigate civil wars. Hartzell and Hoddie (2020) saw democracy as the only viable institutional option because "it can move the competition from the battlefield to the ballot box by establishing rules for peaceful resolution of disputes." The foundation of this argument is rooted in the core principle of democracy—that the people's agreement should dictate government directives rather than the imposition of authority. This principle highlights the importance of establishing legitimate governance and resolving leadership issues in transitioning post-war states to democracy.

Challenges that arise in political systems can often lead to crises of legitimacy. Legitimacy refers to the perception that the actions of an entity align with socially constructed norms, values, beliefs, and definitions (Suchman, 1995). Electing leaders without resorting to force reinforces consensus, cohesiveness, and acceptance of government authority, all of which are critical for promoting peace and upholding the rule of law. This perspective is rooted in the belief that democracies can resolve conflicts peacefully by allowing ballots to replace armed struggle (Hegre, 2014). Democracy, which empowers "the people to rule" (Bollen, 1993, p. 120), offers an alternative to dictatorship, as citizens determine how they should be governed. The "people's rule" principle demonstrates that power is vested in the entire community, where citizens have a voice and are occasionally called upon to participate in governance by personally

expressing their wishes to representatives (Mill, 1993). In many democracies, elections, however intensely competitive they may be, are often not too contentious.

No individual leader can choose themselves or possess unlimited authority to maintain their power. The international community has been attempting to establish this principle of governance in post-war countries, but has encountered numerous failures, as seen in Liberia and Angola in the 1990s, Libya, and the Central African Republic. The outcomes in those cases seemed to be the fate awaiting South Sudan's transition. While elections can play a pivotal role in determining the legitimacy of a government, it is essential to note that legitimacy relies on more than just the electoral process. In situations where instability and fear have firmly taken root, elections not only fail to establish democratic governance but can also rekindle conflict. When it comes to elections, three key aspects should be taken into consideration. Firstly, elections must be conducted peacefully, ensuring a smooth transfer of power to the winning candidate or party. This upholds the democratic process and reflects the will of the people.

Secondly, elections should not be viewed as a one-time event, but rather as a means to contribute to the development and strengthening of democratic institutions over time. This involves ensuring that the electoral process is transparent, accessible, and fair and that all citizens can participate in the democratic process. Lastly, elections should offer voters meaningful alternatives regarding the country's direction. These conditions require parties to present distinct policy platforms that address the issues crucial to voters. By doing so, voters can make informed decisions that reflect their values and priorities, ultimately shaping the future of their state. Scholars contend that "successful democratisation necessitates not only widespread support for democracy but also citizens possessing norms and behaviours that foster democracy" (Tessler et al., 2002, p. 197). Samuel Huntington asserts that the beliefs, principles, and actions of ordinary citizens play a crucial role in the success of democracy (Huntington, 1993).

However, Hartzell and Hoddie (2020) caution against promoting democracy as the sole solution for rebuilding institutions in post-conflict societies. They argue that ignoring the disruptive forces that oppose peace can impede the transition to democracy. Hartzell and Hoddie (2020) stress that introducing democracy can potentially trigger groups or individuals seeking to reignite hostilities. Furthermore, in post-war nations, democratic participation may emerge in an environment where peaceful dispute resolution is a relatively recent norm, and governments may lack the means to ensure non-violent political competition. Given these challenges, conducting effective elections can be problematic, especially with existing political divisions, often exacerbated by discrimination against minority groups that are not yet fully integrated into society. As a result, the division of society is a widespread concern, and it is critical that the justice system, including law enforcement, judges, and correctional facilities, remain impartial and independent defenders of the law.

These obstacles may arise in vulnerable states with poor governance, where poverty and inequality hinder people's access to social justice. In addition, without international assistance in managing the electoral process, significant resources and time are required to establish the necessary political and technical infrastructure. Ultimately, the success of election preparations should be evaluated based on whether citizens are given a fair and meaningful voice throughout the process. Therefore, electing a government must only mark the beginning of democracy's true potential as a viable alternative to violence (Brancati & Snyder, 2002). The above emphasis is centred on overcoming the risk that electoral losers will return to war. However, focusing on the structural dimensions of the elections,

studies of post-conflict politics and war prevention posit—but do not empirically assess—a series of suppositions about the relationship between post-war election outcomes and the decision by the ex-belligerents to resume hostilities (Toft, 2009). Such an evaluation has been conducted in Africa regarding how and why post-war elections fail, although not in great detail, as was the case in Liberia in 1996.

Election Challenges in Post-War Situations

In 1989, the tiny West African nation was plunged into a violent conflict that had been building for years under President Samuel Doe's authoritarian rule (Lyons, 2004). During the devastation of tyranny, the public had become increasingly frustrated and hopeless, leading to a violent insurrection led by Charles Taylor, leader of the National Patriotic Front of Liberia (NPFL) (Sesay, 1996). The oppressive nature of Doe's regime garnered widespread support for Taylor's military campaign, which quickly gained momentum. Within a year, Taylor's forces consolidated their position and seized almost the entire country, threatening to capture Monrovia, the national capital. The fear of atrocities if the rebels seized the capital prompted international intervention under the Economic Community of West African States (ECOWAS) to prioritise ending the armed conflict.

After nearly ten years of civil conflict that resulted in countless fatalities and caused many to seek refuge in neighbouring countries, the peace agreement in Liberia brought a much-awaited sense of relief to West Africa in 1996 (Sesay, 1996). With peace established, efforts focused on rebuilding the nation and its infrastructure. To prevent a return to violence, peacekeeping forces were deployed to prevent further bloodshed. This approach was driven by the harsh lessons learned from Angola and Rwanda, where peace deals ultimately fell apart, leading to even greater violence. However, such plans immediately caused a huge setback due to Charles Taylor's refusal to disband his armed factions. His near victory in toppling the government gave him the illusion that the political situation in Liberia was determined by military force (Lyons, 2004).

Taylor's NPFL continued to unleash violence targeting the newly created transitional administrations, as well as the international forces. The turmoil in Liberia was attributed to the absence of legitimate authority, leading to the call for an election to establish a government with a democratic mandate. Thus, the significance of elections in Liberia was twofold. Firstly, to ensure a broad democratic perspective is perceived as a distinct form of governance by the people rather than any specific group. Elections were also seen as an opportunity for public participation in the governance process, a crucial aspect that empowers the people and ensures a more representative leadership. This public involvement serves as a means for the peaceful transfer of power to a leader appointed by the public who would have national and international legitimacy and be well-equipped to lead the country's reconstruction efforts.

However, the outcomes were the opposite of what was expected. Instead of establishing a credible government, the elections intensified conditions for war. This raised questions about whether democratic transitions in fragile environments cause more harm than contribute to peace-building. For instance, the 1992 election in Angola resulted in renewed conflict after the rebel group, the National Union for the Total Independence of Angola (UNITA), claimed that the election had been rigged. Similarly, the 2020 presidential and legislative election in the Central African Republic sparked renewed civil war when opposition factions formed a coalition and began a military march on the capital. Despite these setbacks, it is essential to remember that post-conflict elections have the potential to make significant contributions to peacebuilding.

The failure of the elections in these cases is attributed to the lack of "appropriate conditions" for the democratic transition (Ragin, 1987). Scholars have identified multiple and sometimes conflicting goals that post-conflict elections aim to achieve. These goals include ending the war and democratisation (Lyons, 2004). The termination of war involves the cessation of violence at a national level. At the same time, democratisation necessitates the establishment of new political norms and a power-sharing structure accepted by all involved parties. Furthermore, successful elections can signify the consolidation of elite and mass-level consent to the new political structure. For the international community, elections serve as a convenient exit strategy, as foreign countries may hesitate to provide security assistance without a clear end to their commitments. Consequently, elections carry significant expectations that may not always be fully met. This is due to the potential for recurring conflicts to escalate when there is insufficient investment in financial or diplomatic resources (Fearon & Laitin, 2004). The legitimacy of an election's outcome and its potential to lead to peace or war can be influenced by the established power-sharing arrangement or political pacts (Lyons, 2004).

In specific scenarios, militia leaders or local warlords may not have the same level of control over their fighters and constituencies as traditional political parties, and their military power may not accurately reflect their level of popular support. This could result in a militarily superior group, with foreign assistance, intentionally sabotaging an election to maintain their status. However, even when a power-sharing agreement is in place, it may not necessarily guarantee peace, as different factions may have varying desires, such as power over the state, financial gain or a specific political system. For instance, the exploitation of natural resources has been a driving factor in many African civil wars, with the right to control these resources often more important than a position in the cabinet (Collier & Hoeffler, 2004). In the case study of South Sudan, I delve deeper into the existing principles influenced by institutional factors. Specifically, I examine previous cases of peace operations to gain a deeper understanding of the subject. The current literature on why elections fail to bring peace prioritises institutional and material factors, like the political arrangement, the presence of international peacekeepers, or access to natural resources.

Unfortunately, the human aspect — namely, how political factions and groups perceive the election and the new political system — is often overlooked. Moreover, while institutional factors are valuable in designing a post-conflict political system, they cannot accurately gauge the success of implementing peaceful competition and respect for the rule of law, nor can they predict if violence will resume. Additionally, prioritising institutional factors over group or individual factors may result in an ineffective central government if it loses popular support after the war. It is commonly believed that a system of reward and punishment is the best method to regulate human behaviour. A well-designed power-sharing arrangement could reward warring parties with equal opportunities for political participation. While these theories seem plausible in facilitating peace, they do not consider the possibility that the ex-foes may not believe in these offers.

According to Whitson et al. (2015), relying solely on rewards and punishments to exercise power can be costly, ineffective, and simplistic. This becomes problematic during a crisis, when a governing authority may struggle to maintain popular support without the resources to exert total control. When applied to post-conflict countries, this may explain why the incentives and sanctions of a new governing authority may not appeal to those who were previously in open rebellion and do not trust the government. For example, in the 1992 Angolan election, UNITA received more from the settlement than any of the losing parties in Mozambique and Liberia did in their respective elections.

However, UNITA still defected from the agreement. Criticisms of UN missions after the resumption of war included a lack of awareness of Angola's political dynamics, highlighting the importance of examining the internal factors at play in war-affected countries.

One of the most pressing challenges is the absence of factors to mitigate the risk of destabilisation during elections. In countries like South Sudan, the political situation remains complex and volatile, characterised by various challenges and dynamics, where the government is too fragile to fulfil essential public functions, such as ensuring the safety of citizens currently and during elections. A recent report by the United Nations identified several obstacles to holding effective elections, including persistent political divisions that predated and persisted after the war, inadequate institutional frameworks, and ethnic conflicts. South Sudan is a country where societal polarisation is a reality, and unfortunately, this is compounded by the fragility of the political system and the inadequacy of state institutions (Aduot, 2021). For example, the security sector cannot impartially enforce and uphold the rule of law, exacerbating the situation.

Although South Sudan faces several critical challenges in organising and conducting elections, public opinion and state-affiliated groups favour conducting timely elections. Analysts have noted that the ruling class has maintained its power through repeated power-sharing deals rather than allowing free and fair elections. They argued that this elite-dominated political system has led to disillusionment among South Sudanese, who feel their voices are not being heard. Luka Biong Deng Kuol, a former minister and a senior member of the SPLM, highlights the growing demand for a democratic system in which leaders are selected based on their ability to serve and represent the people's interests (Kuol, 2023). He suggests that for a successful election in a state like South Sudan, it is essential to have a political will that favours democratic principles.

Nevertheless, having political will alone may not be enough to overcome the challenges in politically unstable countries. The question of why many post-war countries have struggled to achieve a transition to democracy after the end of the transitional government has been long debated. However, the answer often lies in a combination of complex factors, ranging from the internal political culture to the interests and influence of the donors. In the African context, the cause of election irregularities and violence is couched in hustler elite politics, often marred by violent competition and corruption (Tar, 2010). This complexity underscores the need for a comprehensive approach to address the challenges in South Sudan.

Democratisation was not supposed to happen in Africa. It had too little of what seemed necessary for constitutional democratic politics. African countries were too poor, culturally fragmented, and insufficiently capitalist; they lacked the requisite civic culture. The middle classes were typically weak and bureaucratic, rather than entrepreneurial, and they were often co-opted into authoritarian political structures. (Joseph, 1997, p. 363)

While it may seem pessimistic, Joseph presents a sombre outlook on democracy in Africa that, unfortunately, holds some truth. Several African states' political and economic situations are unstable and lack the necessary elements for establishing a thriving liberal democracy. These elements include a self-sufficient middle class, a competitive party system, constitutionalism, a neutral bureaucracy, and a thriving market economy. This complex situation is compounded by the fragility of public institutions, as evidenced by the violence and instability in South Sudan. Despite the intended purposes of an election in South Sudan, those in support have neglected to highlight how it will solidify the armed groups' political parties

as the primary contenders in the political arena and further perpetuate the notion that power is gained through violence.

Despite this criticism, Kuol's approach is realistic about the potential for success in South Sudan's elections. He has raised valid concerns about the lack of critical components necessary for a credible poll, including electoral laws, voter registration, and a secure voting environment. However, his analysis failed to highlight the significance of the political context within which South Sudan's current leadership operates. The SPLM's proclivity for authoritarianism has given rise to several warlord factions and an aggressive scramble for power and resource exploitation (De Waal, 2014). Such scrambling has resulted in a political landscape dominated by warlordism rather than a shift towards normalised politics. The perpetual violence has had a profound impact on the citizens of South Sudan, who are forced to endure years of violence. While the effort to establish a democratic system of governance is a vital endeavour, transforming a socio-political landscape where elites may engage in non-violent power struggles is inherently challenging (Sesay, 1996).

This challenge is particularly daunting in South Sudan, where a violent power struggle increasingly dominates the political climate. Sadly, the haggling has resulted in a vicious cycle of subordination among rival ruling-class elements, which poses significant challenges for developing a stable and democratic culture. Conducting elections in unstable situations can be a perilous task, as it can exacerbate the chaos and lead to a resurgence of violent conflict. The political environment in South Sudan is deeply divided. The potential for violence during these elections, slated for the end of 2024, is a grave concern, as it could have disastrous consequences for an already fragile country. Unfortunately, zero-sum politics accompanying a violent division have entrenched a situation where political leaders nationalise the risk and privatise the gains from the war. The reality of violence, whether political or otherwise, appears to have overshadowed the imperatives of political reform, notably the transition to democracy in South Sudan.

Potential Hindrance to Successful Election in South Sudan

For the past eight years, South Sudan has been grappling with a civil war that has caused immense harm to its developing institutions and forced countless individuals to flee to neighbouring nations. With the first election since its independence slated for December 2024, the nascent state's challenges are immense. In a recent report, Jean-Pierre Lacroix, Under-Secretary-General for Peace Operations, warns that "a myriad of factors will likely affect elections in South Sudan," underscoring the crucial role of the UN in this process (United Nations, 2024). The report highlighted the escalated conflicts over natural resources, soaring unemployment, political rivalries within the ruling class, heightened incidences of inter-ethnic clashes, and the added burden of accommodating refugees fleeing the crisis in Sudan. The report underscored the need for meticulous planning and execution of the 2024 elections, cautioning that if elections are not managed carefully, there is a potential for violence with disastrous consequences. Based on that observation, South Sudan faces several critical challenges in organising and conducting elections, including the following:

1. **Security Concerns:** Ongoing conflict and instability in various regions pose significant risks to the safety of voters, candidates, and election officials. Armed groups and intercommunal violence further exacerbate the situation.
2. **Political Instability:** The power struggle between political factions, including the fragile peace agreement between President Salva Kiir and opposition leader Riek Machar, adds to the uncertainty and complicates the election process.

3. *Logistical Issues: Poor infrastructure, limited transportation networks, and a lack of resources complicate the distribution of election materials, making it challenging to reach remote areas. This is further complicated by the country's vast and often inaccessible terrain.*
4. *Administrative Capacity: The country's electoral commission may lack the experience, training, and resources to effectively manage and oversee the election process, including voter registration, distribution, and vote counting.*
5. *Ethnic and Regional Tensions: Deep-seated ethnic divisions and regional rivalries can lead to disputes and violence, undermining the credibility and fairness of the elections. Ensuring representation and inclusivity remains a significant challenge.*
6. *Voter Education and Participation: Many citizens may lack awareness or understanding of the electoral process, their rights, and the importance of voting. High illiteracy rates and limited access to information further hinder the effectiveness of voter education campaigns.*

Addressing the above challenges requires coordinated efforts from the South Sudanese government, civil society, and the international community to create an environment conducive to free, fair, and peaceful elections. Due to its weak democratic culture and entrenched violence, South Sudan may struggle to address any of the above issues before elections slated for December this year. If such a hypothesis comes to fruition, rebellion and counter-rebellion may occur as some, primarily armed opposition parties, may decry a lack of voices, inclusion, and power differentials. These interlacing issues affect the perception of the legitimacy of leaders and the state's right to assume what Max Weber referred to as "the accumulative bureaucratisation of coercion" (Malesevic, 2017). This argument is closely linked to popular sovereignty, which holds that the collective will of the people is the supreme authority of the state.

However, informed citizens must do more than participate in collective decisions. They must also be part of the political organisation that authorises the institutions of governance through which mutual decisions are made and exercised. Therefore, the democracy of who decides and how decisions are made is flanked by a democracy of what must be decided (Aduot, 2021). In democracies, citizens are the constituents of authority, the organisation that authorises and establishes the institutional arrangements through which they are governed. According to Benjamin Reilly, the fundamental purpose of elections is to facilitate the selection of representatives and executives and to confer legitimacy on a political system (Reilly, 2008, 2012). In a mature democratic system, the preeminence of legal norms ensures that political leaders or stakeholders acknowledge electoral defeat (Conway, 2023).

Without such means, even the best electoral management system can be subverted by informal incentives, such as elite bargaining, to maintain the status quo. Biong Deng's argument highlights the concept of elevated expectations among the South Sudanese population. While Reilly recognises the importance of setting clear timelines for transitions in post-war societies, he emphasises that the primary objective of elections should be to establish a competent governing regime capable of implementing decisions (Reilly, 2013). Instead of relying on universal rules for conducting elections in post-conflict countries, it is crucial to consider each country's unique political, economic, and institutional conditions. The distinctiveness of South Sudan as an emerging and fragile state serves as the foundation for all the challenges affecting its politics, especially those related to peace and democracy. Of the

issues mentioned, the primary obstacle impeding South Sudan's advancement towards peace and democracy is its adversarial political militarisation. Without effective demilitarisation of politics, as it currently stands, all the election campaigns will be viewed from a dismissive and bargaining political perspective by all parties.

While Robin Luckham has discussed the militarisation of politics in Africa, I shed light on the detrimental impact of militarisation, which not only distances political leaders from the public but also entices them to engage in confrontational political competition (Luckham, 1994). Consequently, militarisation is a significant barrier to the transition of African nations. In the context of South Sudan, politicised ethnic militias, or leaders who felt marginalised, have resorted to leveraging the military to vie for political power. The main objective is to analyse how the militarisation of politics contributes to the perpetuation of corrupt political governance in South Sudan. It argues that for the upcoming 2024 elections, it is likely that candidates, whether from traditional governing parties or in opposition, will resort to violence to attain political power due to the absence of a political education process that promotes peace, democracy, responsible leadership, and a commitment to one's nation.

The relevance of this section is reflected in the security threat posed to the region as a result of the potential for failed political outcomes that could emerge from the upcoming elections in South Sudan. The notion of constitutional democracy is inherently diverse, encompassing a range of institutional structures and regulatory frameworks that are normatively defensible. However, certain combinations of these elements can prove detrimental to the preservation of liberal and constitutional democracy. Unfortunately, those who rely on violence to maintain political power exploit these combinations with alarming frequency, and that has been the case in South Sudan (Kuol, 2010). According to Jairo Munive,

South Sudanese politics is interwoven with low-intensity warfare, inter-ethnic violence and norms of authority grounded in violence. This violence is designed to generate loyalty, fear and legitimacy within a region or an ethnic group vis-à-vis those in power. The army in South Sudan holds tremendous importance, both as a platform for politics and as a "welfare provider" within the nascent state. Furthermore, the army's make-up reflects the country's divided politics (Rincon, 2014).

Munive's analysis examines the consequences of excessive factionalism within the military on the patronage-based political networks of South Sudan. The reliance on factional militarism has fuelled violent confrontations among South Sudanese elites and exacerbated insecurity. In the absence of well-established political institutions that foster tolerance during political rivalries, it is conceivable that violent patronage could become normalised. This type of patronage highlights the growing connection between kleptocracy and civil war, where the national government and armed factions share economic and personal interests in engaging in combat.

As a result, the informal economy of armed conflict has become intertwined with the national war economy. The government is utilising state resources to compensate tribal-based militias for fighting against the opposition. Therefore, lack of transparency in the resource sector and hostility among political leaders have become integral to South Sudanese violent political militarism (Rolandsen & Daly, 2016). The point here is simple: the militarisation of South Sudanese politics was further ensured by the rule that anyone joining the SPLM/A during the war—and, after the peace agreement in 2005, anyone appointed to elite civil service positions within the regional government—had to hold a military rank. Since 2005, little progress has been

made in establishing a significant separation between the South Sudan government and the military. As a result, the governance system is primarily informal, militarised, and punitive.

The ongoing prevalence of political and communal violence has forced the government to shift its focus toward counterinsurgency measures rather than pursuing institutional reforms. One strategy that has proven successful for the South Sudanese government is the co-opting of ethnic militias, which has helped to quell armed political opposition (Hazelton, 2021; Holden, 2022). The notion is that achieving success in counterinsurgency operations necessitates good governance, heightened sensitivity to civilian interests, limited utilisation of military force, and increased backing for civilian state-building endeavours. Unfortunately, such attempts have not been successful in South Sudan. Therefore, it is crucial to highlight in the paper that a hastily arranged election will not result in fair and equal governance for the people of a vulnerable state where the government fails to uphold the civil rights of its citizens, nor provide them with adequate security.

Conclusion

Elections can be challenging, risky, and even perilous in nations recovering from war. However, in all countries, it is a spirited and contentious process, serving as a crucial means for citizens to select their representatives in government. Thus, governments or organisers must ensure that elections are conducted to the highest standards possible. Undertaking such a task is quite daunting in countries where politics and warfare are intertwined in a complex web of inter-ethnic power struggles and authority rooted in violence. Considering these circumstances, it is reasonable to conclude that South Sudan lacked the necessary political, social and security tools to reduce the destabilising risk of elections. Despite receiving international and domestic support, the outlook for elections in South Sudan remains as uncertain as ever. While there has been a reduction in open conflict among the main parties to the peace agreement, inter-communal violence persists, and a noticeable lack of trust remains between the rival leaders, forces, and groups.

According to the Revitalised Agreement, a new constitution should be established before the transitional arrangement concludes. While discussions on a constitutional framework may be ongoing, its finalisation appears to be a distant prospect. Additionally, the agreement requires a census to be conducted before the end of the transition period; however, there is currently little discussion about it. When the timing and circumstances of elections are not ideal, the likelihood of peaceful outcomes is significantly reduced, which is the case in South Sudan.

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