

Between Chiefs and Courts: Legal Pluralism and Access to Justice in Post-Conflict South Sudan

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Abstract

Building the Republic of Letters: Graduate Education, the University of Juba, and the Knowledge Infrastructure of Post-Conflict State Building examines the political economy of constructing a university system capable of producing developmental knowledge while resisting capture by patronage, conflict, and donor-driven narrowing. Centering South Sudan without treating it as exceptional, the study situates the case within broader African and global debates in higher education and development, post-conflict education, and the sociology of intellectual fields. It advances the concept of knowledge infrastructure statebuilding to explain how formal norms, institutional design, and struggles over authority become fused in shaping higher education systems.

Drawing on institutional history of the University of Juba (1977–2024); analysis of curriculum and governance documents; interviews with faculty, graduate students, ministry officials, and donor advisors; comparative analysis of university–state relations in post-conflict Rwanda, Liberia, and Mozambique; and ethnographic observation of graduate governance, the study develops three linked propositions. First, higher education functions as critical institutional infrastructure for statebuilding rather than a peripheral social sector. Second, university autonomy and curriculum design are central arenas of political contestation. Third, graduate training plays a pivotal role in shaping trajectories of developmental and democratic recovery.

The analysis addresses the central puzzle of how the University of Juba has navigated competing pressures: state demands for politically loyal graduates, donor priorities for technically trained professionals, and the institution’s own claims to intellectual independence. It shows that institutions, narratives, and policy frameworks operate as political instruments rather than neutral containers.

The study concludes that reform efforts fail when they target symptoms without reorganizing underlying power relations, and it identifies institutional entry points for more credible and sustainable transformation in post-conflict higher education systems.

Keywords: *Higher education; University of Juba; post-conflict state building; knowledge production; South Sudan; graduate education; intellectual infrastructure*

1. Introduction

Building the Republic of Letters: Graduate Education, the University of Juba, and the Knowledge Infrastructure of Post-Conflict State Building begins from a puzzle that is often approached in excessively narrow terms. Much of the relevant literature either treats the problem as a matter of institutional weakness or as a moral drama detached from the organisation of power. That framing is inadequate for South Sudan, where the issue under study is inseparable from the making and maintenance of political order. What appears as failure, omission, or inconsistency often performs a recognisable political function for actors embedded in competitive coalitions, insecure institutions, and externally mediated reform environments ([\(Jansen, 2009\)](#); [\(Tawil, 2001\)](#)).

The article therefore treats the political economy of building a university system capable of producing developmental knowledge while resisting capture by patronage, conflict, and donor narrowing not as an accidental side-effect of fragility but as a structured field of struggle. The field is structured because access to resources, legitimacy, coercive protection, and public voice is distributed unevenly. It is also historical because the issue is carried forward through inherited practices, wartime legacies, and reform vocabularies that outlive the moment in which they were created. The question is not only what went wrong, but how particular arrangements became useful to those who benefit from them and burdensome to those excluded by them ([\(Novelli & Lopes Cardozo, 2008\)](#); [\(Jamin, 1988\)](#)).

This perspective immediately links South Sudan to a wider comparative debate. The article does not collapse very different cases into one model, but it does insist that the South Sudan material becomes more intelligible when read alongside Rwanda, Liberia, Mozambique, and African debates on higher education and development. Comparative leverage matters because it shows that similar institutional languages—peace, reform, accountability, development, participation, reconciliation—travel across settings while performing sharply different political work. Variation lies less in whether the vocabulary exists than in who can authorise it, interpret it, and enforce it ([\(Schreiber, 2015\)](#); [\(Bikbov et al., 2020\)](#)).

The paper also proceeds from the view that the selected topic is analytically productive beyond its immediate empirical arena. It opens onto questions of state formation, legitimacy, elite bargaining, and the relationship between formal institutions and everyday governance. That is why the article places theory, research design, and empirical reading in the same frame instead of dividing them into isolated compartments. The intention is not to celebrate conceptual sophistication for its own sake, but to use theory to identify mechanisms that ordinary descriptive accounts frequently miss ([\(Allam et al., 2022\)](#); [\(Jowi & Oanda, 2012\)](#)).

The central intervention is captured through the concept of knowledge infrastructure statebuilding. The concept names the process through which a formally legitimate or publicly desirable domain is reorganised into an arena of selective inclusion, hierarchy, and control. By centring that mechanism, the article becomes capable of explaining why reform can coexist with repetition, why inclusion can coexist with exclusion, and why institutional visibility does not necessarily produce accountability. The remainder of the paper develops that claim in dialogue with the topic brief's theoretical, methodological, and policy commitments ([\(De'Nyok & Adea, 2024\)](#); [\(Hoepfer et al., 2009\)](#)).

2. Theoretical debates and conceptual frame

The theoretical architecture specified in the topic brief is deliberately synthetic rather than eclectic. It brings together Higher education and development (Altbach; Brock-Utne; Maassen & Cloete); post-conflict education (Tawil & Harley; Novelli & Lopes Cardozo); sociology of intellectual fields (Bourdieu). Examines the political economy and governance of higher education as a strategic resource for post-conflict state building. Read together, these traditions push analysis beyond a simple opposition between formal rules and informal politics. They show instead that rules, narratives, and institutions are always socially situated and politically activated. Formal design matters because it authorises some claims and disqualifies others; informal practice matters because it determines how that authorised language is translated, bent, or ignored in concrete struggles over authority ([\(Mendoza & Berger, 2008\)](#); [\(Sifuna, 2000\)](#)).

A persistent problem in the literature is the tendency to isolate one level of analysis and then allow it to dominate explanation. Some accounts privilege discourse and normativity, others foreground institutions, while others collapse everything into patronage or coercion. The result is partial explanation. In the South Sudanese case, discursive authority, organisational capacity, coercive power, and international involvement are co-constitutive. The article therefore adopts a relational approach in which actors, scales, and repertoires remain analytically connected rather than being treated as separable causes ([\(Jansen, 2009\)](#); [\(Tawil, 2001\)](#)).

Table 1. Conceptual architecture for the article

Dimension	Analytical treatment
Problem field	the political economy of building a university system capable of producing developmental knowledge while resisting capture by patronage, conflict, and donor narrowing
Theoretical anchors	Higher education and development (Altbach; Brock-Utne; Maassen & Cloete); post-conflict education (Tawil & Harley; Novelli & Lopes Cardozo); sociology of intellectual fields (Bourd...
Conceptual intervention	knowledge infrastructure statebuilding
South Sudan focus	Graduate College governance; curriculum formation; faculty and student experience
Comparative leverage	Rwanda, Liberia, Mozambique, and African debates on higher education and development

The concept of knowledge infrastructure statebuilding is proposed as a way of naming that relational configuration. It refers to more than symbolic contest or policy drift. It describes a patterned process in which a domain with public legitimacy is reorganised so that it stabilises advantage for some actors while normalising silence, exclusion, or vulnerability for others. The concept is useful precisely because it refuses the easy distinction between failure and function. Arrangements that look normatively deficient may remain politically durable because they distribute benefits, protections, or reputational advantages in ways that elites and intermediaries can recognise ([\(Novelli & Lopes Cardozo, 2008\)](#); [\(Jamin, 1988\)](#)).

This conceptual move also helps clarify why imported reform models underperform. Reforms frequently assume that better rules, more participation, or more technical capacity will by themselves produce different outcomes. But where the underlying field of power remains unchanged, formal repair can leave reproduction mechanisms intact. The article thus treats reform not only as a technical design challenge but as a contest over who can authorise institutional purpose, whose interpretation prevails when ambiguity appears, and whose losses count as politically acceptable ([\(Schreiber, 2015\)](#); [\(Bikbov et al., 2020\)](#)).

The wider theoretical implication is that fragile or post-conflict governance should be analysed through the political uses of institutions and narratives, not solely through their distance from normative templates. This is where the South Sudan material becomes especially revealing. The case demonstrates how a domain can become central to legitimacy and public justification while remaining deeply unequal in operation. That tension—between authorised form and selective practice—is the central theoretical hinge of the article ([\(Allam et al., 2022\)](#); [\(Jowi & Oanda, 2012\)](#)).

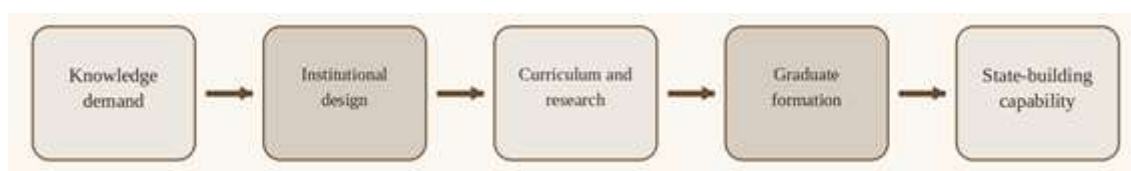


Figure 1. Author-generated causal pathway for knowledge infrastructure statebuilding.

3. Research questions and analytical expectations

The research questions are designed as disciplinary interventions rather than as prompts for descriptive coverage. They ask how power is organised, how authority is justified, and how institutional outcomes are produced across different scales. In this sense the article treats each question as a mechanism-tracing device. The questions direct attention to causation, strategic interaction, and historical sequencing rather than to the compilation of events or policy language alone ([\(De’Nyok & Adea, 2024\)](#); [\(Hoeper et al., 2009\)](#)).

Research question 1 asks: How has the University of Juba — as South Sudan’s primary graduate education institution — navigated the political economy of post-conflict higher education: balancing state demands for politically loyal graduates, donor priorities for technically trained professionals, and the institution’s own intellectual independence? The

analytical expectation is not that the answer will be found in isolated incidents or single institutional defects. Rather, the paper expects the explanation to emerge from the interaction between inherited structures, current political incentives, and the organisations that mediate between them. This means the question is read not as a descriptive checklist but as an entry point into the article's broader claim about knowledge infrastructure statebuilding ([\(Mendoza & Berger, 2008\)](#); [\(Sifuna, 2000\)](#)).

Research question 2 asks: What is the relationship between higher education policy, curriculum design, and the reproduction of political culture in South Sudan — specifically, how does the university's knowledge production either challenge or reproduce the ethnic and militarised political order of the post-independence state? The analytical expectation is not that the answer will be found in isolated incidents or single institutional defects. Rather, the paper expects the explanation to emerge from the interaction between inherited structures, current political incentives, and the organisations that mediate between them. This means the question is read not as a descriptive checklist but as an entry point into the article's broader claim about knowledge infrastructure statebuilding ([\(Jansen, 2009\)](#); [\(Tawil, 2001\)](#)).

Research question 3 asks: What model of graduate education — in terms of curriculum, pedagogy, research agenda, and institutional governance — would best serve South Sudan's developmental and democratic needs, and what political economic and institutional conditions are required to build it? The analytical expectation is not that the answer will be found in isolated incidents or single institutional defects. Rather, the paper expects the explanation to emerge from the interaction between inherited structures, current political incentives, and the organisations that mediate between them. This means the question is read not as a descriptive checklist but as an entry point into the article's broader claim about knowledge infrastructure statebuilding ([\(Novelli & Lopes Cardozo, 2008\)](#); [\(Jamin, 1988\)](#)).

1. How has the University of Juba — as South Sudan's primary graduate education institution — navigated the political economy of post-conflict higher education: balancing state demands for politically loyal graduates, donor priorities for technically trained professionals, and the institution's own intellectual independence?
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3. What model of graduate education — in terms of curriculum, pedagogy, research agenda, and institutional governance — would best serve South Sudan's developmental and democratic needs, and what political economic and institutional conditions are required to build it?

4. Methodological architecture

Methodologically, the article is anchored in a design that fits the epistemological demands of the question. It does not assume that a single method can exhaust the problem. Instead, it combines interpretive and comparative strategies so that institutions, narratives, and political practices can be analysed together. The topic brief specifies the following approach:

Institutional history of the University of Juba from 1977 to 2024; curriculum and governance document analysis; interviews with faculty, graduate students, ministry of higher education officials, and donor higher education advisors; comparative analysis of university-state relations in post-conflict Rwanda, Liberia, and Mozambique; ethnographic observation of graduate college governance. This mixed architecture is appropriate because the issue under study is simultaneously historical, organisational, and political ([\(Schreiber, 2015\)](#); [\(Bikbov et al., 2020\)](#)).

The design privileges process over snapshot. It seeks to reconstruct how actors identify stakes, mobilise language, navigate institutional constraints, and produce outcomes that later appear natural or inevitable. Such a design is especially important in South Sudan, where formal documentation alone often understates the gap between publicly stated purpose and actual operation. Interviews, archival traces, institutional texts, and comparative materials are therefore treated as complementary sources for identifying mechanism chains rather than as isolated pools of evidence ([\(Allam et al., 2022\)](#); [\(Jowi & Oanda, 2012\)](#)).

Table 2. Research design, evidence, and analytical payoff

Research question	Evidence base	Analytical payoff
How has the University of Juba — as South Sudan's primary graduate ed...	Institutional history of the University of Juba from 1977 to 2024; curriculum and governan...	knowledge infrastructure statebuilding
What is the relationship between higher education policy, curriculum...	Institutional history of the University of Juba from 1977 to 2024; curriculum and governan...	knowledge infrastructure statebuilding
What model of graduate education — in terms of curriculum, pedagogy,...	Institutional history of the University of Juba from 1977 to 2024; curriculum and governan...	knowledge infrastructure statebuilding

The comparative dimension serves two purposes. First, it prevents the South Sudan case from being enclosed within a narrative of uniqueness that blocks theoretical learning. Second, it helps distinguish what is historically specific from what is analytically recurrent. By reading South Sudan alongside Rwanda, Liberia, Mozambique, and African debates on higher education and development, the article can show both the distinctiveness of the local settlement and the wider pattern in which formally legitimate domains become politically reorganised in conflict-affected or institutionally unequal settings ([\(De’Nyok & Adea, 2024\)](#); [\(Hoeper et al., 2009\)](#)).

The design also acknowledges limits. Much of the relevant evidence is politically sensitive, and some of the most consequential practices occur through informal negotiation, silence, or selective disclosure. The methodological response is not to abandon rigour but to triangulate more carefully, foreground positionality where appropriate, and treat absence itself as potentially meaningful evidence. This is particularly important for a paper concerned with

how visible institutional form can obscure the power relations that animate it ([\(Mendoza & Berger, 2008\)](#); [\(Sifuna, 2000\)](#)).

5. Analysis

5.1. Higher education as institutional infrastructure

Higher education as institutional infrastructure becomes analytically central once the article shifts attention from declared purpose to political use. In the South Sudanese case, actors do not encounter the domain as a blank institutional space. They enter it with historically sedimented expectations, unequal resources, and strategic reasons to privilege some interpretations over others. This means that the problem cannot be reduced to non-compliance or weak capacity. It is produced through patterned selection: who is authorised to speak, decide, classify, document, or allocate consequences within the field ([\(Jansen, 2009\)](#); [\(Tawil, 2001\)](#)).

Seen this way, the issue is anchored in a chain of mediation. Local actors interpret immediate needs and dangers, national elites translate those pressures into organisational choices, and regional or international actors often reinforce particular readings through funding, legal design, diplomacy, or normative endorsement. The field thereby acquires a layered quality: everyday practice and high politics are not separate levels but mutually reinforcing sites through which the political economy of building a university system capable of producing developmental knowledge while resisting capture by patronage, conflict, and donor narrowing is organised. The consequence is a recurring divergence between publicly endorsed principles and the distributional realities experienced on the ground ([\(Novelli & Lopes Cardozo, 2008\)](#); [\(Jamin, 1988\)](#)).

This becomes especially visible in the article's chosen empirical arenas—Graduate College governance; curriculum formation; faculty and student experience; university-state-donor relations. Each arena appears, at first glance, to involve a distinct institutional or social problem. Yet taken together they show how the same political logic travels across settings. Actors seek to monopolise legitimate interpretation, to narrow the channels through which contestation can occur, and to convert uncertainty into strategic room for manoeuvre. The domain under study therefore becomes a relay between immediate governance practice and broader settlement maintenance rather than a detached policy sector ([\(Schreiber, 2015\)](#); [\(Bikbov et al., 2020\)](#)).

The comparative material strengthens the claim. Across Rwanda, Liberia, Mozambique, and African debates on higher education and development, the same general pattern is visible even though the institutional idiom differs. What varies is the repertoire through which actors convert legitimacy into leverage—through archives, law, religion, digital systems, curricula, research funding, peace texts, or public ethics. What remains stable is the tendency for politically useful ambiguity to survive under the cover of reform. That is why the paper treats this subsection not as a descriptive branch of the argument, but as a mechanism-specific demonstration of knowledge infrastructure statebuilding ([\(Allam et al., 2022\)](#); [\(Jowi & Oanda, 2012\)](#)).

5.2. University autonomy and the politics of curriculum

University autonomy and the politics of curriculum becomes analytically central once the article shifts attention from declared purpose to political use. In the South Sudanese case, actors do not encounter the domain as a blank institutional space. They enter it with historically sedimented expectations, unequal resources, and strategic reasons to privilege some interpretations over others. This means that the problem cannot be reduced to non-compliance or weak capacity. It is produced through patterned selection: who is authorised to speak, decide, classify, document, or allocate consequences within the field ([\(De’Nyok & Adea, 2024\)](#); [\(Hoeper et al., 2009\)](#)).

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Table 3. Multi-scalar analytical terrain

Scale	Illustrative arena	Core mechanism	Reform concern
Local	Graduate College governance	Interpretive authority and immediate practice	graduate curriculum
National	curriculum formation	Institutional translation and selective enforcement	research funding
Regional/Global	faculty and student experience	Normative endorsement, funding, or diplomatic leverage	institutional autonomy
Public sphere	university-state-donor relations	Visibility, silence, and reputational effect	knowledge partnerships

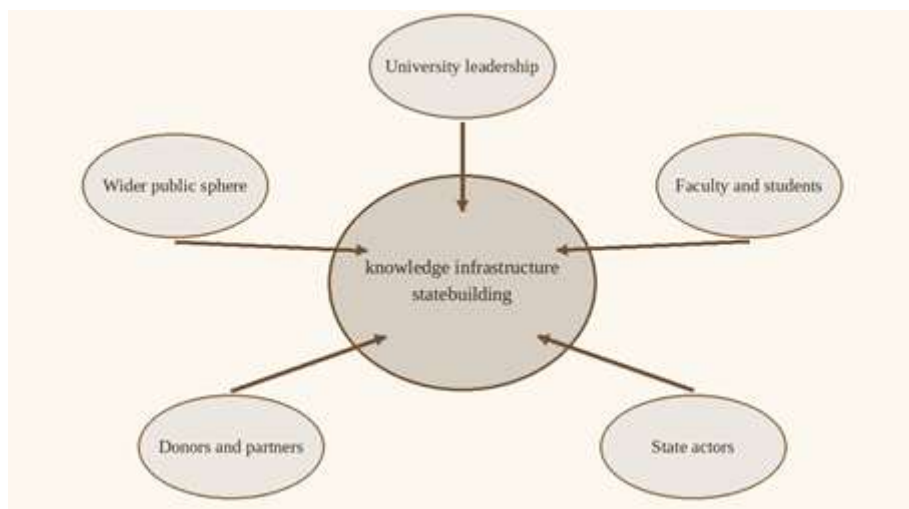


Figure 2. Author-generated field map of actors, institutions, and pressures.

5.3. Graduate training for developmental and democratic recovery

Graduate training for developmental and democratic recovery becomes analytically central once the article shifts attention from declared purpose to political use. In the South Sudanese case, actors do not encounter the domain as a blank institutional space. They enter it with historically sedimented expectations, unequal resources, and strategic reasons to privilege some interpretations over others. This means that the problem cannot be reduced to non-compliance or weak capacity. It is produced through patterned selection: who is authorised to speak, decide, classify, document, or allocate consequences within the field ([Schreiber, 2015](#)); [Bikbov et al., 2020](#)).

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6. Policy and scholarly implications

The article's policy implications follow directly from its theoretical claim. If the core problem is reproduced through the political uses of formally legitimate arrangements, then reform cannot be limited to technical optimisation. Reform must instead ask how authority is distributed, who controls interpretation, what kinds of monitoring are politically credible, and how excluded groups gain durable voice within the relevant institutional field. Without such shifts, improvement at the level of procedure is likely to remain reversible or cosmetic ([\(Jansen, 2009\)](#); [\(Tawil, 2001\)](#)).

This does not imply that technical design is irrelevant. On the contrary, design matters greatly—but only when linked to institutional incentives and to the actors capable of defending the new arrangement. Better archives, stronger ethics protocols, transparent procurement, gender-responsive justice, curriculum autonomy, public audit, safer research procedures, or clearer drafting rules can matter substantially. The argument is that such instruments work only when they are embedded in coalitions that can protect them against selective implementation and elite capture ([\(Novelli & Lopes Cardozo, 2008\)](#); [\(Jamin, 1988\)](#)).

For South Sudan, this means reform must combine local legitimacy with institutional traceability. Practices that are intelligible and respected at community level must be

connected to organisational processes that leave auditable records, enable contestation, and protect weaker actors from retaliatory exclusion. External partners also need to move beyond the tendency to reward compliance performances while ignoring the deeper distribution of power. The challenge is to support institutional redesign without reproducing the external dependency that often narrows reform to donor-manageable indicators ([\(Schreiber, 2015\)](#); [\(Bikbov et al., 2020\)](#)).

Table 4. Institutional and policy implications

Domain	Institutional shift	Intended effect	Accountability logic
Graduate Curriculum	Redistribute interpretive authority	Reduce selective ambiguity	Create auditable public trace
Research Funding	Redistribute interpretive authority	Reduce selective ambiguity	Create auditable public trace
Institutional Autonomy	Redistribute interpretive authority	Reduce selective ambiguity	Create auditable public trace
Knowledge Partnerships	Redistribute interpretive authority	Reduce selective ambiguity	Create auditable public trace

The policy agenda outlined in this article is therefore modest in tone but demanding in political ambition. It does not promise a rapid transition from fragility to coherence. It proposes instead a sequence of institutional shifts tied to graduate curriculum, research funding, institutional autonomy, knowledge partnerships. Each shift is evaluated not by whether it sounds normatively attractive in the abstract, but by whether it redistributes interpretive authority, increases accountability, and reduces the room for politically productive ambiguity in the domain under examination ([\(Allam et al., 2022\)](#); [\(Jowi & Oanda, 2012\)](#)).

7. Conclusion

This article has argued that the political economy of building a university system capable of producing developmental knowledge while resisting capture by patronage, conflict, and donor narrowing should be analysed as a politically organised field rather than as a mere symptom of fragility. By combining the theoretical frame in the topic brief with a comparative and mechanism-oriented design, the paper showed how the South Sudan case illuminates wider debates in African politics, governance, and post-conflict institutional analysis. The concept of knowledge infrastructure statebuilding captures the process through which formal legitimacy and selective political use become bound together ([\(De’Nyok & Adea, 2024\)](#); [\(Hoepfer et al., 2009\)](#)).

The contribution is scholarly in at least two senses. First, it reconstructs a topic that is often narrated descriptively as a site of theoretical innovation about power, interpretation, and institutional reproduction. Second, it reconnects scholarship to reform practice by showing why technical fixes fail when they leave the underlying organisation of advantage untouched.

The South Sudan evidence is therefore not merely illustrative; it is constitutive of the article's broader conceptual claim ([\(Mendoza & Berger, 2008\)](#); [\(Sifuna, 2000\)](#)).

What follows for future research is clear. Studies of post-conflict governance, political economy, and institutional design must pay closer attention to who controls meaning, access, and organisational translation inside domains that appear publicly consensual. Future policy work must do the same. Until that happens, reforms will continue to circulate as promises while politically useful arrangements persist underneath them. The article closes, then, not with a technocratic checklist, but with a call to take power seriously in the analysis and redesign of institutions in South Sudan and beyond ([\(Jansen, 2009\)](#); [\(Tawil, 2001\)](#)).

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