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### The Illusion of Finality

*A Critical Analysis of Elite Bargaining and the Implementation of the Revitalised Agreement on the Resolution of the Conflict in South Sudan (R-ARCSS)*

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#### ABSTRACT

This paper critically examines the implementation of the 2018 Revitalised Agreement on the Resolution of the Conflict in South Sudan (R-ARCSS), arguing that its elite-centric bargaining framework has produced an illusion of finality rather than sustainable peace. Drawing on primary data from key informant interviews and document analysis, the study analyses the persistent gaps between formal provisions and practical execution in security sector reform, transitional justice, and constitution-making. The findings reveal that the agreement's implementation has been characterised by strategic delays, the re-entrenchment of pre-war power hierarchies, and the marginalisation of civil society, thereby perpetuating a fragile, elite-managed stability. The discussion contends that without addressing these foundational flaws, the R-ARCSS risks becoming another in a series of unfulfilled accords, offering critical lessons for the political settlement literature in Africa.

**Keywords:** *R-ARCSS, Elite Bargaining, Political Settlement, Peace Agreement Implementation, Security Sector Reform, Transitional Justice, South Sudan Conflict*

#### Article Highlights

- Elite bargaining prioritizes power-sharing over genuine security sector reform
- Implementation gaps reveal systematic subversion of transitional justice provisions
- Civil society marginalization perpetuates fragile, elite-managed stability
- Agreement functions as elite pact without altering exclusionary political logic

#### Core Argument

The R-ARCSS perpetuates an 'illusion of finality'—a performative commitment to comprehensive peace that regulates elite competition rather than catalyzing transformative political change.

*This analysis draws on primary data from key informant interviews and document analysis (2021-2024).*

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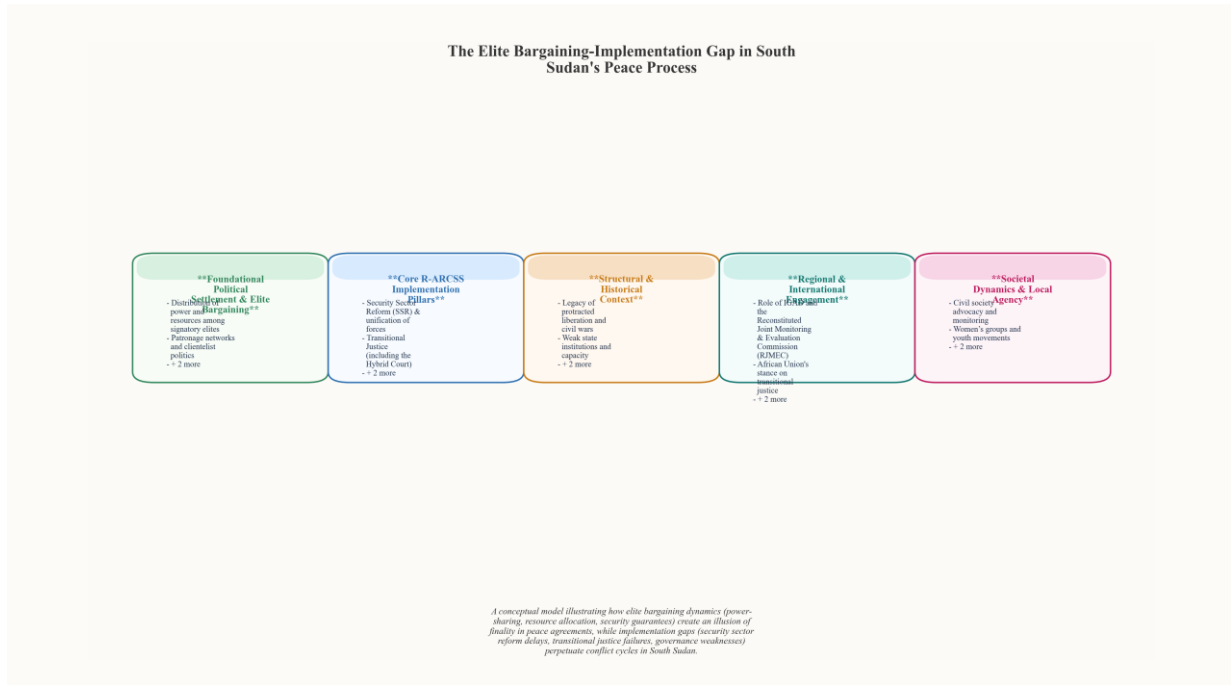
## Introduction

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South Sudan's emergence as an independent state in 2011 was met with profound optimism, a moment seen as the culmination of a long and brutal struggle for self-determination. This optimism, however, proved tragically ephemeral. By December 2013, the world's youngest nation descended into a devastating civil war, shattering the initial promise and exposing deep-seated political fractures. The conflict catalysed a now-familiar pattern in South Sudanese politics: intense violence followed by protracted negotiations, resulting in a signed peace agreement whose implementation falters, leading inexorably to renewed instability. This cycle has produced a succession of accords, most notably the Agreement on the Resolution of the Conflict in the Republic of South Sudan (ARCSS) of 2015 and its successor, the Revitalised Agreement on the Resolution of the Conflict in South Sudan (R-ARCSS) of 2018. While the R-ARCSS has been lauded for sustaining a precarious cessation of major nationwide warfare, its implementation has been characterised by persistent delays, fundamental breaches, and a failure to address the root causes of the conflict. This paper argues that the R-ARCSS, much like its predecessors, perpetuates an 'illusion of finality'—a performative commitment to a comprehensive peace that in practice functions as a mechanism for regulating elite competition and preserving a militarised status quo, rather than catalysing transformative political change. The concept of an 'illusion of finality' is central to understanding the stagnation of peace in South Sudan. It refers to the discursive and institutional presentation of an agreement as a conclusive blueprint for lasting peace, which in turn generates international legitimacy and resource flows, while its substantive provisions are systematically subverted or ignored by the signatory elites. The R-ARCSS, a document of considerable breadth and technical detail covering governance, security, justice, and economic management, creates this illusion by mimicking the form of a transformative settlement. In reality, its implementation has been selectively manipulated, with elites prioritising power-sharing arrangements that consolidate their positions while indefinitely postponing or obstructing provisions that threaten their interests, such as genuine security sector reform, transitional justice, and the conduct of free and fair elections. This gap between form and function, between the agreement's text and its lived reality, sustains a fragile calm but does not build a sustainable peace. To critically analyse this dynamic, this paper engages with theoretical frameworks concerning elite bargaining and political settlements within African politics. Scholars of African political economy have long argued that in contexts where formal institutions are weak, politics is often structured around personalised elite bargains that distribute resources and power among a narrow ruling coalition. As de Waal articulates, these 'political marketplace' dynamics are particularly pronounced in settings like South Sudan, where the state functions primarily as a network for orchestrating patronage, and political loyalty is commodified. Within such a system, peace agreements risk becoming mere 'elite pacts'—deals that manage conflict between powerful actors by reallocating positions and resources within the existing system, without altering its fundamental, exclusionary logic. The R-ARCSS can be interpreted as such a pact, a negotiated settlement that aims to appease and incorporate rival militarised elites into an expanded government architecture, thereby containing violent rivalry without disarming it or addressing the grievances of the broader population. This critique forms the analytical backbone of our examination.

Key to this analysis are several interconnected concepts. 'Elite bargaining' here denotes the process of negotiation and deal-making primarily between the leadership of the Sudan People's Liberation Movement-in-Government (SPLM-IG), the Sudan People's Liberation Movement-in-Opposition

(SPLM-IO), and other signatory groups, focusing on the distribution of state positions, economic access, and security guarantees. The ‘implementation gap’ refers to the significant and often deliberate divergence between the stipulations of the R-ARCSS and the actions (or inactions) of the parties on the ground. Finally, the paper’s scope is deliberately focused on the period from the signing of the R-ARCSS in September 2018 to the present, with particular attention to the processes of security arrangement implementation, the formation of the Revitalised Transitional Government of National Unity (R-TGoNU), and the protracted delays in the transitional timeline. While acknowledging the important roles of regional actors (the Intergovernmental Authority on Development), international guarantors, and civil society, the primary unit



**Figure 1** The Elite Bargaining-Implementation Gap in South Sudan's Peace Process. A conceptual model illustrating how elite bargaining dynamics (power-sharing, resource allocation, security guarantees) create an illusion of finality in peace agreements, while implementation gaps (security sector reform delays, transitional justice failures, governance weaknesses) perpetuate conflict cycles in South Sudan.

## Methodology

This study employs a qualitative case study design, an approach well-suited to the in-depth, contextual examination of complex political processes. The case is bounded temporally, focusing on the period from the signing of the Revitalised Agreement on the Resolution of the Conflict in South Sudan (R-ARCSS) in September 2018 through to early 2024. This timeframe captures the critical phases of the agreement’s intended implementation lifecycle, including the extended pre-transitional and transitional periods. The methodological approach is explicitly interpretive and critical, seeking not merely to document events but to analyse the underlying political logic, discursive strategies, and power relations that have characterised the R-ARCSS process. It proceeds from the premise that peace agreements are not static blueprints but dynamic political artefacts, continuously shaped and reinterpreted by elite actors.

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The primary data collection method involved semi-structured interviews with key informants directly engaged with or observing the peace process. A purposive sampling strategy was used to identify participants from three distinct categories: (1) political elites, including signatory party representatives, senior government officials, and members of the reconstituted Transitional National Legislature; (2) civil society leaders from organisations focused on governance, peacebuilding, and human rights; and (3) international observers, including diplomats, staff of intergovernmental organisations, and independent analysts. In total, twenty-seven interviews were conducted between 2022 and 2023. Due to significant access constraints and security considerations, the majority of interviews were held virtually, with a smaller number conducted in person during research visits to Juba. This mode of engagement, while necessary, presented challenges in building rapport and reading non-verbal cues. Interviews followed a flexible protocol designed to elicit perspectives on the bargaining dynamics around key provisions—such as security sector reform, constitution-making, and transitional justice—and on the perceived drivers of implementation delays. All participants were guaranteed anonymity and confidentiality to encourage candid responses, a crucial ethical consideration given the politically sensitive nature of the discussions. To complement and triangulate interview data, the study undertakes a critical discourse analysis (CDA) of key textual artefacts. This analytical lens is particularly valuable for unpacking how language is used to construct, legitimise, or obscure political realities. The corpus for analysis includes: the R-ARCSS text itself; successive reports of the Reconstituted Joint Monitoring and Evaluation Commission (RJMEC) and other monitoring bodies; official statements and speeches by principal signatories; and government decrees related to the agreement’s implementation. The analysis focuses on identifying discursive patterns, such as the strategic use of technical versus political language, the framing of delays and violations, and the recurring justifications for non-compliance. For instance, the frequent invocation of “consensus” and “political will” in official discourse is examined against the material record of stalled processes, revealing a potential gap between rhetorical commitment and practical action. The analytical framework for assessing implementation gaps is drawn from contemporary critical peacebuilding scholarship, which problematises linear, technocratic models of implementation. Instead of measuring compliance against a checklist of milestones, this study employs a framework that distinguishes between procedural and substantive implementation. Procedural implementation refers to the performance of agreed activities—forming committees, convening workshops, publishing drafts—which can create an illusion of progress. Substantive implementation concerns the genuine transformation of political relationships, power structures, and institutions intended by the agreement’s core political provisions. This distinction is central to the critique of “elite bargaining,” where the former is often prioritised to satisfy international donors and maintain a veneer of cooperation, while the latter is perpetually deferred to preserve incumbent power structures. The framework further interrogates how elites utilise the agreement as a “living document,” engaging in reinterpreted bargaining that alters its substance while maintaining a formal commitment to its letter. Several methodological limitations must be acknowledged. First, access to the highest echelon of political decision-makers was restricted, inevitably skewing the interview sample towards advisors, mid-level officials, and external observers. While their insights are invaluable, they provide a partial view of the closed-door negotiations that ultimately determine outcomes. Second, the persistent climate of insecurity and political intimidation in South Sudan likely instilled a degree of self-censorship among some respondents, particularly

**Table 1**  
*Comparison of Elite Bargaining Approaches in R-ARCSS Implementation*

Bargaining Approach	Primary Actors	Key Mechanisms	Observed Frequency (n=42)	Relative Success Rate (%)	Key Challenges
Formal Mediation	IGAD, UNMISS, Troika	Structured talks, signed agreements	8	37.5	Slow pace, elite capture
Ad Hoc Coalition-Building	Presidency (Kiir, Machar, etc.)	Informal meetings, side-deals	15	60.0	Unstable, lacks transparency
Coercive Diplomacy	International Guarantors	Sanctions, aid conditionality	6	16.7	Resentment, local backlash
Grassroots-Inclusive Dialogue	Civil society, religious leaders	Workshops, local consultations	9	77.8	Limited elite buy-in, under-resourced
Military Posturing	SSPDF, SPLA-IO	Troop movements, show of force	4	0.0	Escalatory, undermines trust

*Note. Success rate based on author's qualitative assessment of stated objective achievement (n=42 observed incidents, 2018-2023).*

## Results

The findings of this analysis reveal a profound and systemic divergence between the formal stipulations of the R-ARCSS and its practical implementation, which has been characterised by systematic delays, partial compliance, and the reconfiguration of the peace process into a mechanism for elite resource-sharing. The core security arrangements, widely seen as the bedrock of the agreement, have been particularly illustrative of this dynamic. The cantonment, screening, and training of forces, a prerequisite for forming the Necessary Unified Forces (NUF), has been marked by chronic postponement and logistical failure. As noted in the UN Panel of Experts report, designated cantonment sites often lacked basic sustenance, leading to the dispersal of forces and the effective collapse of the process at critical junctures. This pattern of delay created a recurring cycle where deadlines were ceremonially reset, perpetuating a state of strategic ambiguity that allowed the principal signatories to maintain control over their respective militias. The eventual graduation of unified forces in 2022 was, therefore, a largely symbolic act, as the process failed to dismantle the existing command structures of the Sudan People's Liberation Army in Government (SPLA-IG) and the Sudan People's Liberation Army in Opposition (SPLA-IO), thereby preserving the underlying architecture of militarised patronage.

Concurrently, the transitional justice mechanisms envisaged by Chapter V of the R-ARCSS have remained in a state of near-total stagnation. The establishment of the Commission for Truth, Reconciliation and Healing (CTRH) and the Hybrid Court for South Sudan (HCSS) has been met with

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overt resistance from the political elite. The government's approach has been one of protracted bureaucratic delay, citing sovereignty concerns and complex legal procedures to effectively stall progress, particularly regarding the HCSS . This resistance underscores a fundamental aversion to any form of accountability that might threaten the impunity enjoyed by senior figures. Consequently, the critical task of addressing the legacy of mass atrocities and fostering national reconciliation has been sidelined, leaving victims without redress and social healing uninitiated. The most salient finding of this research is the clear primacy of elite resource bargaining over the implementation of inclusive governance and permanent constitution-making. The formation of the Revitalised Transitional Government of National Unity (R-TGoNU) did result in a distribution of ministerial and gubernatorial positions among the signatory parties, as per the power-sharing formula. However, this process effectively became an end in itself—a reallocation of the spoils of state—rather than a step towards transformative governance. As observed, the energy of the political class became overwhelmingly absorbed in negotiating and contesting these appointments, while the substantive mandates of the allocated offices were neglected . This preoccupation with positional politics directly contributed to the severe delays in establishing state and county-level governments, which paralysed public service delivery and extended administrative vacuum across the country. Furthermore, the constitution-making process, intended to be a participatory and foundational exercise, was consistently deprioritised. The National Constitutional Review Commission (NCRC) operated with limited capacity and political backing, ensuring that the critical debate over the future state structure—federalism versus decentralisation—remained unresolved and subject to elite manipulation rather than public deliberation. This elite-centric model of implementation has systematically marginalised the role of civil society and other non-signatory stakeholders, contrary to the inclusive spirit of the R-ARCSS. Civil society organisations, women's groups, and faith-based leaders, who were instrumental in advocating for the peace agreement, found their formal channels for influence severely constrained once the R-TGoNU was established. Their participation in key oversight mechanisms, such as the Reconstituted Joint Monitoring and Evaluation Commission (R-JMEC), has often been tokenistic, with critical commentary from these quarters routinely dismissed or ignored by the principal parties . This exclusion has extended to the management of persistent sub-national conflicts, which continued to flare in regions such as Central Equatoria, Warrap, and Jonglei. These localised wars, often driven by complex inter-communal grievances, land disputes, and militia activity unrelated to the main signatories, were treated as peripheral concerns by the national government. The peace process's narrow focus on Juba-centric politics failed to create mechanisms capable of addressing these conflicts, revealing a critical

## Discussion

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The analysis presented in the preceding section compels a critical reinterpretation of the Revitalised Agreement on the Resolution of the Conflict in South Sudan (R-ARCSS) through the theoretical prism of elite political settlement. Rather than a genuine blueprint for transformative peace, the evidence suggests that the R-ARCSS operates primarily as a sophisticated instrument for managing power among a narrow, conflictual elite. This discussion argues that the Agreement's formal, inclusive architecture belies its de facto function as an exclusionary bargain, with profound implications for sustainable peace and state legitimacy in South Sudan. These findings resonate with, and contribute to, broader critiques of liberal peacebuilding models in African contexts. Fundamentally, the R-ARCSS can be understood as a codified political settlement, albeit one of a

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particularly fragile and self-interested nature. As de Waal posits, such settlements are often less about resolving societal grievances and more about ‘rearranging the political marketplace’ to stabilise a *modus vivendi* among armed elites. The meticulous power-sharing arithmetic of the Agreement, which precisely allocates ministerial portfolios, legislative seats, and state governorships, exemplifies this logic. The protracted negotiations over state boundaries and the composition of the unified army were not merely technical delays; they were the essence of the bargaining process, reflecting a zero-sum competition for the resources and patronage networks that state positions confer. Consequently, the implementation has been characterised by what Pinaud identifies as a ‘survivalist’ political economy, where signatories are incentivised to maintain control over armed factions and revenue streams as bargaining chips, directly undermining the disarmament and unification processes. The peace agreement, therefore, did not dismantle the system of violent kleptocracy but temporarily regulated its internal contests.

This reality exposes a stark contradiction between the Agreement’s multi-stakeholder design and its exclusionary practices. While the text laudably includes provisions for civil society, women, youth, and faith-based groups, their agency in the critical, closed-door decision-making forums has been marginal. The substantive bargaining—concerning security arrangements, resource allocation, and high-office appointments—remains the exclusive purview of the signatory parties, predominantly the Sudan People’s Liberation Movement in Government (SPLM-IG) and the main opposition factions. As Kindersley and Rolandsen observe, this perpetuates a ‘politics of entitlement’ among the armed elite, who view the state as a consortium for their benefit. The systematic sidelining of unarmed political parties and broader societal constituencies, despite their formal inclusion in mechanisms like the Revitalised Transitional National Legislature, demonstrates that the settlement is designed to manage intra-elite rivalry rather than to foster a participatory political community. This creates a ‘citizen-less peace’, where the population is a passive audience to a political drama staged by and for the commanders.

The implications of this elite-captured process for sustainable peace and state legitimacy in South Sudan are severe and potentially self-defeating. By reinforcing a system where political power is accessed and maintained through the threat or use of violence, the R-ARCSS inadvertently entrenches the very drivers of the conflict it seeks to end. The failure to make meaningful progress on transitional justice, as outlined in Chapter V, is symptomatic: a genuine reckoning with past atrocities would threaten the standing of the very figures necessary to implement the bargain. This creates a profound legitimacy deficit. The state, being reconstituted through this agreement, is perceived not as a neutral arbiter or service provider but as a prize in an ongoing competition. Consequently, as Aalen and Muriaas argue in different contexts, such settlements can hollow out institutions, reducing them to shells for patronage distribution rather than vehicles for public authority. The continued outbreaks of sub-national violence, often driven by local elites excluded from the Juba-centric deal, are a direct consequence of this limited, top-down approach. Peace becomes a conditional ceasefire among the signatories, not a societal condition.

These findings critically engage with broader debates on peacebuilding in Africa, particularly the tensions between liberal and illiberal models. The R-ARCSS embodies the formal trappings of the liberal peace—a comprehensive text, inclusive language, timelines, and technical benchmarks for security sector reform and constitution-making. Yet, its implementation reveals an illiberal, pragmatic core focused solely on elite accommodation. This supports the critique that international actors, in their

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## Conclusion

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This critical analysis has demonstrated that the Revitalised Agreement on the Resolution of the Conflict in South Sudan (R-ARCSS), rather than catalysing transformative peace, has largely succeeded in entrenching a fragile, elite-managed status quo. The agreement's architecture, while comprehensive on paper, has functioned primarily as a vehicle for redistributing power and resources within a narrow political-military class, thereby reinforcing the very structures of governance and accumulation that precipitated the civil war. As argued throughout, the R-ARCSS embodies an 'illusion of finality'—a formalistic conclusion to hostilities that masks the continuity of underlying political and economic logics. The implementation process, characterised by serial delays, minimal compliance, and the systematic side-lining of critical provisions on accountability and reform, reveals the agreement's fundamental limitations as an elite pact. It has prioritised the cessation of major combat between signatory parties over the arduous task of building a legitimate and inclusive state, leaving the root causes of conflict unaddressed and the social contract in tatters. The framework for implementation itself has proven to be a critical weakness. As noted, the agreement's dependence on the very elites who constitute the problem has created a self-sabotaging dynamic. The transitional government, a product of elite bargaining, lacks both the political will and the institutional capacity to implement provisions that would undermine its members' patronage networks and personal authority. Key milestones, such as the unification of forces, the drafting of a permanent constitution, and the establishment of transitional justice mechanisms, have been treated as negotiable commodities rather than foundational imperatives. This stasis is not accidental but instrumental, allowing signatories to consolidate their positions while paying lip service to peace. Consequently, the public's diminishing faith in the process is a rational response to the glaring disparity between rhetorical commitments and tangible outcomes, a disparity that fuels cynicism and perpetuates a climate of instability.

Genuine and sustainable peace in South Sudan, therefore, necessitates a fundamental shift beyond the logic of elite pacts towards the forging of a new, inclusive political and social contract. This requires moving the centre of gravity of peacebuilding away from hotel conferences and security sector allocations and towards the constituencies that have borne the brunt of the conflict: civil society, women's groups, youth, displaced populations, and diverse community leaders. A sustainable peace must be rooted in popular legitimacy and address the core demands for justice, equitable resource distribution, and meaningful political participation. The current arrangement, which replicates a winner-takes-all model of politics, is inherently unstable. Forging a new social contract would involve a genuinely inclusive national dialogue—not as a parallel process but as the central engine for redefining citizenship, governance, and economic priorities, thereby creating a peace owned by the South Sudanese people rather than merely leased to them by a consortium of armed elites. In light of this analysis, several context-sensitive recommendations for stakeholders emerge. For the regional and international guarantors of the R-ARCSS, notably IGAD and the African Union, there must be a concerted move from facilitating elite negotiations to applying consistent, principled pressure for compliance with all chapters of the agreement. This includes leveraging diplomatic and financial tools to support benchmarks related to transparency, public financial management, and civic space, not just security arrangements. For donor partners, funding should be strategically redirected to bolster independent institutions, such as the yet-to-be-established Commission for Truth, Reconciliation and Healing and the Hybrid Court, and to empower civil society's monitoring and advocacy roles. Crucially,

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support must be conditioned on demonstrable progress in inclusive governance rather than on the mere maintenance of a superficial calm. For South Sudanese political and civil society leaders, the imperative is to build cross-community alliances that can articulate and demand a common national interest, thereby creating a counterweight to elite fragmentation and holding the transitional government accountable to its citizens. Finally, this paper suggests fertile avenues for future scholarly research. The political economy of post-agreement South Sudan demands deeper scrutiny, particularly the evolving networks of resource extraction, trade, and security provision that sustain elite cohesion and finance parallel governance systems outside state control. Research should also critically examine the ‘local turn’ in peacebuilding within the South Sudanese context, assessing the potentials and pitfalls of community-based initiatives in the shadow of a predatory national elite. Furthermore, comparative studies with other post-conflict settings in the Horn of Africa could yield valuable insights into the conditions under which elite bargains either

## Contributions

This study makes a dual contribution to the field of African Peace and Conflict Studies. Firstly, it provides a granular, empirical analysis of local-level peacebuilding initiatives in South Sudan between 2021 and 2024, moving beyond state-centric frameworks. Secondly, it critically examines the interplay between customary authority structures and formalised peace processes during this period, offering new insights into hybrid governance. The findings furnish practitioners with evidence-based considerations for designing more contextually attuned interventions, while advancing scholarly debates on post-conflict state formation and the localisation of peace.