

#### IV. THE HOUSE OF NATIONALITIES

The proposed bi-cameral parliament in the South Sudan and in particular the concept of the ‘Upper Chamber’ as they have been discussed in the Aberdare-seminar may be the most appropriate organ of power for satisfactorily resolving the nationality-question in the South Sudan. In the context of the South Sudan, this involves the recognition of all the national groups and defining their relations to each other in a democratic manner. It is imperative at this point to elaborate and develop the mechanics for operationalising it.

The Aberdare-seminar and the ideas generated there form a strong basis for political debate among the different sections of South Sudan society. In the context of the above described political divisions and ethnic conflicts, similar seminars could attract larger participation; the risk would be that the discussions – unless zeroed down to practicalities – could degenerate into academic exercise that could inflame passions and hence prevent the building of a consensus on the future of the South Sudan.

One should always remain conscious of the fact that the central and sensitive point in all these divisions and conflicts is ethnic or national identity – the desire to preserve one’s identity as expressed by language, beliefs and other cultural values. These conflicts could endure ad infinitum unless acceptable organs and instruments of governance are created and put in place for mediating these crucial issues of identity as the source of diversity and hence of conflict, and for transforming them into a collective identity, – a national culture reflecting the country’s diversity.

In this vein, the *House of Nationalities*, an institution as well as an instrument of governance, is being proposed for serious and purposeful debate among the South Sudanese, whether they live at home in different parts of the Sudan or whether they are in the Diaspora, whether they speak out as private individuals or as members of organisations of civil, military or political movements. It is assumed that a consensus on the urgent necessity to create unity in the South Sudan will be reached and that the idea to establish a House of Nationalities as a means of kicking off the process of constitution-making will be accepted as a first step towards good governance.

##### *Composition, competence and legitimacy of the House of Nationalities*

By definition, the composition of the House of Nationalities shall include all the nationalities and national groups which populate the South Sudan and which have been enumerated in *Table 1*. It goes without saying, as a factor which will have to be considered in the debate, that there are large nationalities, indeed nations in their own right, which number more than one million (such as the Dinka) and small national groups whose numbers run only in a few thousands or some tens of thousand.

The number of representatives of each nationality can be determined in the discourse for the establishment of the House of Nationalities at the different administrative levels. However at the South Sudan level and as a basis for kicking off the debate, a certain minimum number of representatives is being proposed as shown in *Table 3*. The table may give a *preliminary* idea about possible representation, but there will be obviously need to find a consensus on how this House of Nationalities will be organised

In addition to the above mentioned fact of big differences in the size of the ethnic communities, it is important to note that some of the larger nationalities (e.g. the Dinka and the Nuer) comprise sections, sub-sections and clans, some of which are not only numerically larger than some of

the small nationalities but more significantly consider themselves independent of the other Dinka sections (even though they must have had a common origin in a not so distant past).

A question that may arise as a result of these factors – though possibly only in the domain of representation – is whether or not these sections, sub-sections or clans with some degree of autonomy should

Table 3: *Proposed representation in the House of Nationalities.*

	Nationality	District	Proposed Representation
01	Acholi	Torit	1
02	Aja	Raga	1
03	Anyuak	Pibor; Akobo	1
04	Atuot	Yirol	1
05	Avukaya	Maridi	1
06	Bai	Wau; Raga	1
07	Baka	Maridi	1
08	Balanda Bor	Wau, Raga	1
09	Balanda Bviri	Wau; Raga	1
10	Banda	Wau; Raga	2
11	Bari	Juba	2
12	'Beli ( <i>Jur-Bel</i> )	Rumbek; Mundri	1
13	Binga	Wau; Raga	1
14	Bongo	Tonj	1
15	Didinga	Kapoeta	1
16	Dinka	Aweil Bailiet Bentiu Bor Fangak Gogrial Renk Rumbek Tonj Yirol	3 1 1 2 1 2 1 2 2 2
17	Dongatona	Torit	1
18	Feroghe	Raga	1
19	Gollo	Raga	1
20	Horiok	Torit	1
21	Imatong	Torit	1
22	Jiye	Pibor	1
23	Jurchol ( <i>Luo</i> )	Aweil; Wau	1
24	Jur-Mananger	Gogrial	1
25	Kakwa	Yei	1

	<b>Nationality</b>	<b>District</b>	<b>Proposed Representation</b>
26	Keliku	Yei	1
27	Kreish	Wau, Raga	1
28	Kuku	Yei	1
29	Lango	Torit	1
30	Larim	Kapoeta	1
31	Logir	Torit	1
32	Lokoya	Torit	1
33	Lolubo	Juba	1
34	Lopit	Torit	1
35	Lugbwara	Yei	1
36	Maban	Renk	1
37	Madi	Torit	1
38	Makaraka	Yei	1
39	Moro	Maridi, Mundri	2
40	Mundari	Juba	1
41	Mundu	Maridi, Yambio	1
42	Murle	Pibor	1
43	Ndogo	Wau, Raga	1
44	Nuer	Akobo Bentiu Fangak Nasir	2 4 2 2
45	Nyangatom	Kapoeta	1
46	Nyangwara	Juba	1
47	Otuho	Torit	1
48	Päri	Torit	1
49	Pöjulu	Yei	1
50	Sere	Raga	1
51	Shatt	Wau	1
52	Shilluk	Kodok; Malakal	1
53	Suri	Pibor	1
54	Tenet	Torit	1
55	Teuth	Kapoeta	1
56	Tid	Kapoeta	1
57	Toposa	Kapoeta	3
58	Uduk	Renk	1
59	Yulu	Raga/Wau	1
60	Zande	Maridi Tambura Wau Yambio	1 2 very thin 3

	Nationality	District	Proposed Representation
<b>Total</b>			ca. 95

be represented in their own right in the House of Nationalities. However, this is an issue that could be resolved by the replication of the House of Nationalities at the different levels, e.g. District [populated by more than one nationality or sections that consider themselves autonomous]<sup>1</sup>, regional and national levels in the South Sudan.

*The House of Nationalities could settle fundamental questions of national (ethnic) identity, language and culture which may contribute to create conditions for unity, justice and stability in the South Sudan.* Each and every nationality shall have the right and means of developing their respective language and culture. In this connection, the House of Nationality shall become an avenue for cultural exchange.

It shall moreover be a vehicle for promoting reconciliation and peace among the different nationalities and communities, through the transformation, management, prevention and resolution of conflicts.

Its legitimacy shall lay in its acceptability by all the nationalities in the South Sudan. However, *it is absolutely crucial that it gains recognition by the different political and military forces* as presently being the optimal basis for unity and institution building in the South Sudan.

Moreover, *the House of Nationalities may be the possible means of mobilising external support for the reconstruction of the physical, social and economic infrastructure.* The South Sudanese peoples should be able to demonstrate their ability and determination to create viable institutions and instruments of governance in order to gain international recognition and respect.

#### *Functions of the House of Nationalities*

It shall be *an instrument of peace and harmony* among the different nationalities.

It may be necessary to assign some functions to the House of Nationalities at the different levels. These include:

##### *a) Conflict-mediation and conflict-resolution*

It shall be the duty of the House of Nationalities to mediate between conflicting parties with the express aim of promoting unity enriched by ethnic, linguistic, cultural and political diversity. It should mediate between the different political and military groups currently operating in the South Sudan.

At the district level, the House of Nationalities shall be a vehicle for exploring the past, view the present and evolve a framework through which a future can be approached in a spirit of understanding, reconciliation, tolerance and unity.

The House of Nationalities could acquire the status of a *Truth & Reconciliation Commission*. The members share perceptions, attitudes and experiences from their respective nationalities with the objective of forging new perceptions and attitudes commensurate with peaceful coexistence.

This mediation-role shall be used to encourage *co-operation rather than competition* between the different political/military groups by harmonising their political objectives and moderating their differences in order to bring about reconciliation and eventual unity of purpose.

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<sup>1</sup> Rumbek, for instance, shall have a District House of Nationalities comprising the Agar, Gok, Pakam, and 'Beli.

For example, the coexistence in *Akobo* of elements of the SSLM, the SPLA, the SPDF and the NIF militia was only possible because of the council of Lou elders and chiefs. Having established peaceful co-existence, efforts were made to initiate peaceful contacts with the Murle in order to resolve the cattle-rustling practices which had created insecurity between the two ethnic groups.

The concept could also be extended to bringing together in peace and harmony the three neighbouring nationalities of the *Nuer*, the *Anyuak* and the *Murle*. A regional House of Nationalities would be established to which the Anyuak, the Murle and the Nuer would send their representatives – their chiefs, elders, women and youth. The House would meet for every season during which they could make agreements on how to relate to each other.

Similarly, the situation in *Yirol* provides another example how the concept of the House of Nationalities could easily take roots. The *Dinka* sections of Aliab and Ciec, and the *Atuot* inhabit Yirol district. The Ciec are divided into the three sub-sections of Adior, Gok and Koc Lou. The *Atuot* are also divided into the sections of Luac, Kuac, Akot and Apak. Resulting from the rivalry and competition among the elite, these internal divisions have been the source of tension and lack of administrative stability in the district. The House of Nationalities would moderate and mediate between these conflicting groups.

The situation in *Akobo*, *Yirol* and *Rumbek* referred to above replicates in nearly all the districts in the South Sudan, particularly where there is more than one nationality. But even in a district like *Gogrial*, the different sections and sub-sections of the *Dinka Rek*: Awan, Adhiang, Amoic, Marial, Nyang, Wuny, etc., recognise themselves as autonomous entities.

In *Tonj* district the *Dinka* sections of *Luac* and *Rek* [Akok, Kuac Thii and Jowier] conflict among themselves. The presence of the *Bongo* would become a moderating factor in the House of Nationalities in the district.

#### b) *Sharpening the national consciousness*

*The building of a South Sudanese national consciousness among the different nationalities* is an important task that should be undertaken *concurrently* as the promotion of ethnic identity. It shall be the duty of the House of Nationalities to promote unity in diversity by encouraging and developing programmes that sharpen national consciousness as a sum total of the values of the constituent nationalities.

#### c) *Development of a national culture*

The promotion of ethnic languages and dialects in a manner that they can contribute to the evolution of a national consciousness is an important task for the House of Nationalities. There is need for a national consciousness that promotes progressive elements within the indigenous cultures, which works for peace and harmony and which allows a better communication between the communities in view of forgiveness and reconciliation. This will help to build up trust and confidence and will allow the people to recognise and to respect own values and to discover that to generate positive attitudes towards others lies in their own interest.

#### *Practical considerations*

For sure, the concept of the House of Nationalities, like anything new, will attract resistance. Particularly the quarters that benefit from the status quo may not immediately appreciate its advantages, especially the one of being a mechanism for conflict-resolution, reconciliation, peace and unity<sup>2</sup>.

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<sup>2</sup> A certain resistance may also be expected from the side of Sudanese intellectuals who have adopted the unfortunate and sad habit to link all ideas, good or bad, to the person (or the ethnic group) they stem from, thus giving more importance to personal enmities than to the issues in question. The meeting in Aberdare was a wonderful exception to this “rule”, reason to hope that it will be possible to continue to discuss the idea of creating a House of Nationalities - without delay - in a sober and positive spirit.

*The process of establishing a House of Nationalities must, for all practical purposes, begin at the grassroots level – preferably at the district level.* Its very concept must of course first gain acceptability by the ethnic entities: it is them who need to get convinced that this new institution will be the right place to address their aspirations, concerns and worries, and that it is the best means for resolving local conflicts.

The formation may not take place simultaneously in the whole of the South Sudan, but it could be envisaged as a series of quantum steps; it would only be initiated in places where it is readily accepted and where people are willing to internalise and operationalise the concept. With the process gaining momentum, the neighbouring districts would then form *a regional House of Nationalities* where regional issues would be addressed. In this way and over a period of time, the process would lead to other constitution-making-processes – until it arrives at the level of the South Sudan where the House of Nationalities will be realised as a result of free election and/or selection of representatives by the respective nationalities.

The number and the procedure of the selection/election of the representatives of each nationality shall have to be agreed upon in the process of the establishment of the local (district or regional) House of Nationalities. The seat of the district-level House of Nationalities can be the district Headquarters or whichever place may be chosen by the people themselves. The choice of the site would probably also depend on logistics and the funding of the business of the House of Nationalities.

At the district-level, *the local administrative and traditional authorities* will have to put it upon themselves to mobilise the necessary resources for the functioning of the House of Nationalities, which must be seen and understood as something necessary and important and which belongs to all nationalities in the district.

The role played by *the civil society organisations, the NGOs and the church* in the district will be crucial, particularly in the areas of awareness-raising and resource-mobilisation.

The role of *the international NGOs and the donor communities* will only consist in the facilitation and in topping up the resources which have been mobilised locally or in the provision of materials that can't be found locally.

*Ways of starting the process to roll*

'*Every beginning is difficult*', so goes the adage, but once begun on the correct footing and getting the right institutions to push the idea, the process could quickly gain momentum so that the House of Nationalities may soon get opened. It is therefore imperative and really of paramount importance that the following issues are carefully addressed:

a) *Enlisting the co-operation of all the ethnic entities in the South Sudan and to gain their acceptance of the concept of the House of Nationalities.*

This is a serious matter given the present context in which some ethnic groups (or their representatives) may feel intimidated and will not freely articulate their aspirations. The process therefore must be conducted in such a manner that people read in it their individual and collective interests. This will require concerted efforts of *conscientisation* and awareness-raising among the civil society, organisations and groups, opinion leaders in the communities, the traditional leadership and other power-structures (e.g. the age set groups in east bank Equatoria), the civil authority linked to the political movements, the intellectuals and the groups in the Diaspora.

The usefulness of the House of Nationalities must become obvious to all the ethnic entities so that people understand that it essentially serves their own well-being and gives them hope for a prosperous future for their children and future generations.

b) *Enlisting the co-operation of all military movements, their officers and political leaders and to gain their active support or at least their passive co-operation.*

This may be a very delicate task as the House of Nationalities could be – *very wrongly!* - perceived as threatening the power of military movements. The leaders and members of politico-military movements should get convinced that the House of Nationalities will bring stability to the region, thereby facilitating the task of the military force or of the local police.

- c) *The process of conscientisation and awareness-raising about the House Nationalities links with the ongoing processes of peace-making, conflict- resolution, reconciliation and unity in the South Sudan.*

The movement for peace and unity is gaining momentum in several places and the concept of the House of Nationalities at whatever level should be perceived as a means of consolidating the movement for peace and unity.

- d) *The distribution of the booklet on the House of Nationalities should kick off the debate among the intellectuals and enlightened section of the South Sudanese at home as well as in the Diaspora.*

The process will require a core-group, made up of members of the civil society who are willing to push the process through debates; there may be need to manage an electronic discussion-forum for the dissemination of the concept, thereby establishing the links with the South Sudanese living in the Diaspora.