The Quest for Institutional Engineering in Post-Liberation South Sudan: Should it be Decentralization or Federalism?

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ABSTRACT

The quest for institutional engineering in post-liberation South Sudan has been a dream for institutional engineers in political science and, particularly, comparative politics for a very long time. While many South Sudanese view decentralization and federalism as the same, the empirical literature and fieldwork carried out look at decentralization as a system of governance where powers at the national government are delegated to the sub-national levels of the government. Besides, federalism is discussed as the surrendering of powers at the national level to the sub-national levels of governments. The powers that are delegated can be taken back by the national government, while the powers surrendered cannot be taken back by the national level, except for the concurrent powers. This study argues that federalism and, particularly, territorial type, are the best institutional engineering for South Sudan. This was demonstrated by 60% of 200 respondents who emphasized that South Sudan should immediately adopt territorial federalism. Although other South Sudanese and their leaders associated federalism with *Kokora,* a Bari word for 'division or divide', this has not been the case from the literature review and discussions of the results. The majority of the respondents indicated that federalism is not associated with *Kokora,* as it is a concept of surrendering powers to the sub-national levels of governments. Hence, there is no fear of *Kokora* coming back to target the non-Equatorians as it was done in the 1980s. While the study used process-tracing and a case study of South Sudan as its methodology, it also used a mixed research design that enhanced qualitative as well as quantitative approaches. Although the study deployed a sampling technique of random and cluster sampling, it determined a sample size of 200 respondents, which is sufficient for generalization. It is crucial to conclude that federalism with a territorial type is urgently required for the case of South Sudan. The government should carry out civic education on territorial federalism, and it should be adopted immediately to chart the path of South Sudan to prosperity. While adopting territorial federalism for South Sudan, quality leadership is critical for this type of federalism to yield positive results.

Keywords: Decentralization; Federalism; Institutional engineering; Kokora; Post-liberation

1. INTRODUCTION

Institutional design or engineering is one of the essential topics within the subfield of comparative politics. To engineer institutions is to design them for a divided society so that they can consent and build peace amongst the elites. Indeed, divided societies refer to plural polities or communities that are polarized by conflicts, political, social, or economic strife, and civil wars, and their elites must be politically accommodated for stability to return (Lijphart, 1968). Political engineering provides a platform for resolving the conflicts and reuniting the plural societies/communities or polities. Arend Lijphart, the father of institutional engineering, has provided a seminal prescription for the divided plural societies as he argues:

> "My central message to the political leaders of plural societies is to encourage them to engage in a form of political engineering: if they wish to establish or strengthen democratic institutions and prosperity in their countries, they must become consociation engineers" (Lijphart, 1977).

However, Barry views consociationalism as part and parcel of political scientists' lives:

> "The 'consociation democracy' thesis can be seen as part of the movement among political scientists in recent years towards a reassertion of politics as the "master science" in reaction to the socio-economic reductionism implicit in the explanatory claims of political sociology and more importantly, designing political institutions through the prisms of decentralization or federalism" (Barry, 1975).

Nonetheless, a critical inquiry into institutional principles is cardinal:

> "Is the resolution of intense but conflict preferences in the plural society manageable in a democratic institutional framework without decentralization of federalism? We think not" (Rabushka & Shepsle, 1972).

This study provides critical nuances of institutional engineering in post-liberation South Sudan. It sets out the debates of rethinking South Sudan's institutional options for governance in order to allow power and resources distribution to the citizens at the grassroots. Decentralization and the federal systems of governance are exhaustively analyzed and discussed from the empirical literature and fieldwork perspectives to discern the best option for South Sudan. The article is organized as follows: the first section introduces the paper. Section two discusses the literature review. Section three discusses the paper's methodology. Section four discusses results and findings. Section five concludes, and section six gives pointers for further research.

2. LITERATURE REVIEW

2.1. Decentralization in South Sudan

Decentralization as a system of governance was first introduced by then-President Jaafar Nimeiri in 1976 in Sudan. He divided all of the Sudan provinces into two: Northern and Southern provinces. Regionalism was then introduced in the north in 1980, when the old Northern provinces were reassembled as regions (Johnson, 2014). The powers of these northern regional governments were considerably less than the powers conferred on the Southern Region by the Addis Ababa Agreement of 1972. Upon the signing of the Comprehensive Peace Agreement (CPA) in 2005, South Sudan established 10 states, 80 counties, 523 payams, and 2200 bomas and, thus, decentralized the service delivery (National Bureau of Statistics, 2009). On 2nd October 2015, President Kiir issued an executive order 36 (#EO 36) decreeing the dissolution of the 10 states and breaking them into 28 states and further into 32 states. Later on, President Kiir reversed EO 36 and decreed the country to 10 states and 3 administrative areas of Greater Pibor, Ruweng, and Abyei as provided for in the Transitional Constitution 2011 as amended. South Sudan has three levels of government: the National, the States, and the Local Governments. These levels have either failed or are failing to provide public services to the South Sudanese citizens, and therefore, critical research was vital to assess whether decentralization has done better or not in delivering services to the citizens of the nascent state, and whether federalism should be an option.

2.2. The Concept of Decentralization

Various scholars and policy practitioners have attempted to conceptualize the word "decentralization" to make sense and a case in this ever-changing world. Scholars such as Armin Von Bigdandy, Rudiger Wolfrum, and others have endeavored to make sense of decentralization. According

to the two scholars, the term decentralization is often used to describe legal and political structures that distribute power territorially within a state or beyond a state (Armin and Rudiger, 2024). This broad notion of decentralization encompasses confederations, federations, and decentralized unitary states, since all of those systems distribute governmental powers to at least two levels. Moreover, David De Dau, a policy practitioner, defines decentralization as the transfer of authority and responsibility for public functions from the central government to intermediate and local governments or quasi-independent government organizations, or the private sector (Dau, 2014).

Furthermore, Richard K. Mulla in his seminal piece entitled "*South Sudan: Federalism or Decentralization*", defines decentralization as the process by which functions of and decision-making authority are transferred from the national government to the sub-national governments or from one sub-national government to yet a lower one, depending on the tiers of the government established in a particular country (Mulla, 2014). While Mohammed Kerre argues that decentralization means increased efficiency, more equity, and greater participation and responsiveness of government to the demands of their citizens, it is, therefore, a political and administrative process that defines a shift in the locus of power (political and administrative) from traditional lines of command and control to popularly elected local level (Mulla, 2014). It involves the transfer of powers and functions from the center to the lowest political entities (Armin & Rudiger, 2024).

2.3. Dimensions of Decentralization

Decentralization has political, financial, and administrative dimensions. Political decentralization involves the transfer of authority to the local level through an elected local government (perhaps as part of democratic transition), electoral reform, political party reform, authorization of participatory processes, and other reforms (Armin & Rudiger, 2024). Financial or fiscal decentralization involves regulating intergovernmental transfer of resources and giving jurisdictions greater authority to raise revenue. Administrative decentralization transfers to the local level functional services such as health care services, the operation of schools, the management of service personnel, building and maintenance of roads, and garbage collection (Mulla, 2014).

Decentralization tends to be strongest when real political autonomy, significant administrative responsibility, and the financial resources to carry out primary functions have all been transferred to the local level. Parameters such as local autonomy and authority, local accountability, local resource availability, and effective local institutions can therefore be used to measure the effectiveness of decentralization (Armin & Rudiger, 2024).

In a unitary decentralized system, sovereignty lies exclusively with the central government. This does not mean, however, that unitary states are governed entirely by the center. Although final responsibility lies with the central government, many state functions are exercised on regional or local levels, closer to the people and their needs (Mulla, 2014). Regional or local authorities may exercise many administrative powers, but may design policies only insofar as the center allows them to. Traditionally, local governments focus on providing local public services and implementing national welfare policies (Hague & Harrop, 2010). Typical competences include economic development, local planning, social assistance, social housing, cemeteries, fire service, libraries, and primary education. However, sub-national authorities in unitary states fulfill these functions only within the limits of the powers assigned to them by the center (Armin & Rudiger, 2024). Therefore, a well-functioning decentralized system depends on the goodwill of the unitary central government, instead of relying on existing constitutional divisions of power.

2.4. South Sudan and the Continuation of the Decentralized System

Since its independence in 2011, South Sudanese have been questioning the suitability of the decentralization system of government in the delivery of services. While most citizens think that the conundrum does not lie in the system of governance in South Sudan, but on effective leadership, others argue that decentralization as a system of governance has concentrated the power at the center, in this case, the national government. Going by any of the arguments, the decentralization system is on the sacrificial altar of South Sudan institutional engineering. Decentralization is a good option because it is what the people of South Sudan want and have always yearned to get, as the best form of governance (Riek, 2015). However, the way it is expressed leaves a lot to be desired. For example, the system is lacking practicality and political will from the Government (Armin & Rudiger, 2024). It is commonly believed

that decentralization is closely linked to democracy as it empowers people to have a say in their affairs, particularly, how they would like to be governed (Armin & Rudiger, 2024). This way, they feel a sense of dignity and sense of self-worth (Mulla, 2014).

However, the periods of decentralization (1972-1983 and 2005-2024) can be considered as failed attempts (Armin & Rudiger, 2024). The main problem has been constant interference and undermining of lower-level governments by the respective Presidents (Mulla, 2014). Numeiri first did those actions in 1980, 1981, and 1983 when he dissolved the regional governments in South Sudan to achieve his objective of controlling and marginalizing the Southern Region (sic) (Riek, 2015). The Self-Government Act 1972 (the then Constitution for Southern Region) was abrogated, it broke down, and the South Sudan People Liberation Movement/Army (SPLM/SPLA) war of 1983 started. However, given the independence of South Sudan, the trend concerning the decentralization system did not change. Richard K. Mulla argues that President Kiir has followed the same footsteps of President Nimeiri: he has never respected any constitution fully since he took power in 2005 (Mulla, 2014). He appointed the ministers, members of the national legislature, senior civil servants, senior officers of the organized forces, and the judges of the High Court, Court of Appeal, and Supreme Court, and also dismissed elected governors at his will amongst others (Mulla, 2014). Thus, President Kiir and his government ministers have insisted on having a decentralized government amidst widespread cries for federalism in Equatoria and Upper Nile states… (Riek, 2015). Though this has been the strategy, the real problem has, however, been the greed of those in power wishing to centralize more power to loot the country and marginalize the rest of the other communities (Mulla, 2014).

Besides, the administrative or financial decentralization has not achieved much in South Sudan. What is lacking is a system that checks the corruption or how funds are spent in the states and counties. In Uganda, for example, the government had introduced what they called 'public expenditure tracking', which ensures that funds released to districts are accounted for by the respective recipients, either in districts or counties (Mabor, 2015). This method, according to the Ugandan government, has ensured upward accountability and thus tries to minimize the misappropriation of the transferred funds. This could have been borrowed in South Sudan to advance rewarding administrative decentralization.

However, a resident South Sudanese journalist, Ngor Garang Arol, argues that South Sudan has been applying fiscal decentralization as the political system in dispensing services to the citizens without tangible improvement. He argues for the alternative: In South Sudan, we have tried fiscal decentralization, and the result is known to all of us. Much of the budget has always been spent in Juba, leaving little to the states, and explains why, up to today inter inter-state roads supposedly funded by the national authority are in a dilapidated state. So why not try another system and see how it will work instead of sticking to the same system we have tried in the past 10 years? (Garang, 2015).

Instead of working for a consensus system of governance, President Kiir, as argued elsewhere in this study, issued Executive Order Number 36 on 2nd October 2015, further decentralizing the existing country's 10 states into 28 states. He issued another order creating four more states, making a total of 32 states, plus Abyei, and later the President reversed the decision to 10 states and 3 administrative areas. The President's move has been challenged as it contravenes the Revitalized Agreement on Resolution of Conflicts in South Sudan (R-ARCSS) and the Transitional Constitution 2011 as amended. The Transitional Constitution 2011, though amended, initially stipulated 10 decentralized states of South Sudan plus the Abyei Area. Based on the Transitional Constitution, the country is governed on the basis of a decentralized democratic system and is an all-embracing homeland for its people. Confusion emerged on the notion of the SPLM policy of "taking towns to the rural areas" and the introduction of federalism. The Executive Order Number 36 came as a surprise to many as the Sudan People's Liberation Movement in Government (SPLM-IG) had previously opposed the Sudan People's Liberation Movement in Opposition (SPLM-IO)'s proposal of dividing South Sudan into states (Rens and Deng, 2015). Many viewed the default Executive Order 36 as causing trouble to the people in rural areas, not services, as the architect of the order said. Indeed, the division of the country into 28 and 32 states caused more harm than good, as communities who have never had physical confrontation in their lives fought amongst themselves. The vivid example is the Murle community in Greater Pibor.

2.5. The Concept of Federalism

Pertinent scholars and policy gurus have attempted to define federalism. According to Richard K. Mulla in his groundbreaking piece "*South Sudan: Federalism or Decentralization*", federalism is a system of governance whereby powers are divided in such a manner that the national government and the state government are each within a sphere of coordinate and independent (Mulla, 2014). To him, federalism is an equal to an ideology that combines shared rule with self-rule. Armin Von Bogdandy and Rudiger Wolfrum in their seminal work *"The Principles of Vertical Separation of Powers: A comparative Overview of Legal Concepts and Structures*", define federalism as a political system whereby powers are divided between central government and numerous regional governments in which central government cannot revoke these powers (Armin & Rudiger, 2024). In other words, federalism means 'coming together' of countries into one political system, mainly for the protection of their common interests and enhancement of their mutual benefits.

Federalism is defined as a form of government whereby the constitution provides that power is divided or shared between a central form of government and regional governments like states (Johnson, 2014). Through laws and officials, both governments act directly on the people, but also have to agree on any changes to the constitution. The division of power between the central government and its regional subdivisions may vary among different countries. In areas like defense and foreign policy, some regional governments may join the central government in making decisions. Some would say that federalism came about because too much power is concentrated in the central government, and many regional governments wanted to retain local power and pride (Armin & Rudiger, 2024). Others would say that the central government saw the need to provide services and public goods to the lower levels and thus surrender federalism to the regional governments. Whatever the case, this setup is particularly helpful in countries with large territories.

Besides, federalism is also seen as a possible solution to address differences among populations divided by cultural or ethnic backgrounds, but still seeking common law and order (Johnson, 2014). Moreover, William Riker argues that the essential institutions of federalism are a government of the federation and a set of governments for the member units, in which both kinds of governments rule over the same territory and people and each kind has the authority to make some decisions independently of the other (Riker, 1964). However, federalism could only be successful if there is strong, accountable leadership at all levels of the government.

2.6. Dimensions of Federalism

Federalism has various dimensions and types when dissecting its concept. Although the dimensions have been contested by the scholarly debates, political scientists and experts of government political systems have agreed on a few dimensions. For this study, some types of federalism are analyzed as follows, inter alia:

"Firstly, we begin with fiscal federalism that is associated with the allocation of resources to the sub-national levels of government, thus reducing centralization of resources at the national level. It has six building blocks such as expenditure assignment to refer to division of powers/responsibilities; revenue assignment takes care of country shared taxes, establishing the base, rate and tax collection and transfers of funds to be done in cognizance of vertical and horizontal imbalance involving different types of transfer depending on context and policy objectives (Houlihan, 2015).

Secondly, there is territorial federalism in which political power and resources are surrendered to the sub-national levels based on territory. Thirdly, there is ethnic federalism, where political power and resources are surrendered to the sub-national governments based on ethnic cleavages. Although it was not originally designed as an instrument of ethnic conflict management, ethnic federalism has become very popular today as a governance mechanism for 'holding together' multiple ethnic communities in a single, multi-level polity (Diamond, 1999). By combining self-rule for individual communities at the sub-federal levels with shared rule for all groups at the federal level, ethnic federalism seems to provide the perfect formula for democratically maintaining unity in diversity in deeply divided societies (Turton, 2006). Yet, this is not the case for all ethnic federated states. Ethiopian federalism in practice has been described as a means by which the ruling party has divided the opposition along ethnic lines, making it difficult for a united opposition to rise and challenge its power (Johnson, 2014). The problem with Ethiopian federalism is not that it is insufficiently ethnic, but that it is insufficiently federal, and its emphasis on ethnicity may be the source of that weakness (Turton, 2006).

Fourthly, there is symmetrical federalism whereby all sub-national levels of government have the same constitutionally embedded obligations and rights (Armin & Rudiger, 2024). For example, the USA, Germany, Austria, Switzerland, Argentina, and Brazil practice symmetrical federalism. Fifthly, and what is more, there is asymmetrical federalism which refers to whereby special rights are provided to the distinct members in the federation. For example, Canada-French speaking Québec has a number of prerogatives in law, immigration, and education that French-English does not have. In addition, in India, special rights are given to the Kashmir and Jammu areas and also to the Muslim minority (Effendi & Fatima, 2021). This is the same as the Catalans of Spain, who enjoy special rights from the Madrid government.

2.7. The Origin of Federalism and the Demands of South Sudanese Citizens

The demand for federalism by South Sudanese goes back as early as 1947, known best as the Juba Conference. The Juba Conference was organized for southern Sudanese leaders to deliberate and demand federalism in the Sudan. The majority of the leaders who organized and agitated for the conference hailed from the Equatoria region, though the Upper Nile and Bahr el Ghazal regions were represented. Having failed to acquire it, Southern Sudanese demanded federalism again in 1954, and this intensified the debate as all the chiefs and traditional leaders strengthened their positions. For example, Necodemo Gore raised the pertinent question, 'In case we receive federation, where shall we get our people to run it? How shall we finance it?' But Diu responded with passion:

> "May I draw your attention, gentlemen, chiefs of all tribes, elders, and citizens present in this house? I should like to know whether you in this house want to be slaves or it will be better for you to be poor and free and happy (sic)? I would like to know whether you understand the meaning of 'Federation' as explained to you (sic). Federation does not mean separation, but internal law and order in the United Sudan, for you to be able to look after your affairs…. My honorable gentleman NECODEMO GORE brought the question of management and finance of the Federation now under debate by Southerners…. About the first part of your question, the present Government must be bound to manage the federation of South Africa for fear of separation. If they cannot, we can manage to separate the country. This, I am quite sure, the present regime has in mind. To conclude, my dearest friend Mr. NECODEMO GORE, we are here for freedom and not money (sic)[1].

However, Chief Abdalla of Torit–Katire in Equatoria Province then broadened the debate about federation to include people from northern provinces- the Fur of Darfur, Fung of Blue Nile, and Nuba of Kordofan (Johnson, 2014). He declared (original spelling), 'I and my people strongly request federation to save my fellow Blacks in the North.' Musa Beshir, a non-tribal delegate from Khartoum who announced; repeated this call:

> "I am a delegate of 25,000 southerners in the North. This includes Nuba, Fur, and Fung, who carry the same idea of Federation (sic). In this respect, I am not representing the tribe, but I would prefer to say colour since the three communities referred to again and again (sic). There are backward arrears in the North far more backward than the Southern Sudan (sic). Therefore, I am speaking here for the Blacks who favored your demands for Federation (sic). Federation must go ahead to meet our demands in all our backward arrears, namely Fur, Fung, and Nuba Mountains (Johnson, 2014).

Although the South Sudanese chiefs had differences on the demand for federation, southern Sudanese politicians have had even stronger differences at the Round Table Conference (its official title), convened in Khartoum in March 1965. Aggrey Jaden, William Deng's deputy, advocated for the principle of self-determination as the only means of solving the 'Southern Problem', and equating self-determination with independence (Johnson, 2014). Whereas William Deng supported the unity of Southern Sudanese with the North on the hope that Southern problems could be resolved within a given framework, so that both Arab and black Africans could live together.

Thus, separatist southerners would use any opportunity to advocate for the federation of the region. For instance, 1969-1983, popularly known as the Nimeiri period, was utilized by southerners to advocate further for federalism, which was craftily duped as 'autonomy'. However, differences arose between southerners and northerners. The first major disagreement between the two sides was over the

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[1] Minutes of Juba Conference: 18-21, October 1954. NAFO 371/108326-No.193.

very use of the term 'federal' to describe the role of the future central government (Ibid). Khartoum's delegation argued that the people's local Government Act of 1971 provided all the decentralization needed for the proposed Southern Regional Government to run effectively (Rens & Deng, 2015). However, the 1972 Addis Ababa Peace Agreement was abrogated, and southern Sudanese citizens continued with their quest for federal governance.

2.8. Federalism in South Sudan

After the independence of South Sudan, the idea of federalism as the system of governance surfaced, appeared ubiquitous, and reached its apogee in 2013, particularly after the December 15[th,] 2013 crisis. Discussions on the federal system of governance have polarized South Sudanese citizens. The debate in the independent South Sudan is now complicated by the fact that the opposition in the current political crisis, precipitated by December 2013, adopted 'federalism' as a political platform, while the government equates talk of federalism with subversion and disloyalty (Johnson, 2014). But if we were to learn anything from the history of southern Sudanese political thought, it is that federalism means many things. As the SPLM/SPLA warned at Abuja in 1992, 'no system is federal merely because it claims to be federal' (Wawa, 1992); the term has been used to describe what we are, in practice, highly centralized systems of government, as well as more radical projects of devolution that remain untried (Johnson, 2014).

2.9. Federalism as Re-institutional Engineering in Post-Liberation South Sudan

The South Sudanese 15th December 2013 political crisis triggered the debate of whether the state should go for federalism or not. Various scholars and policy practitioners have continued to reflect on the best option of institutional engineering to pull South Sudan out of 'political mud'. Indeed, proponents of federalism argue that the South Sudan state should be re-engineered to surrender resources and power to the sub-national levels of the government. However, the opponents of federalism argue that the ongoing system, decentralization, in critical observation, is already federalism in practice, and thus, there is no need to talk about any federalism per se. Hence, various divergences of federalism as the system of governance in South Sudan are analyzed below.

2.9.1. *Federalism as a Panacea to South Sudanese Debacles*

Many academics and policy practitioners have had frenzied debates on whether federalism was a panacea to South Sudan's political and economic quagmires or not. Interesting debates stretched to the time, perception that federalism is Equatorians' demand, political hijack of the concept by the opposition group waging war against the government, the purported type of federalism, and institutional challenges of federalism. Author begins the analysis of the timing of federalism; many people believe that federalism is an overdue demand that has evolved from 1947 till now, and thus it is a timely concept that South Sudanese citizens and the government must adopt and implement. The Statistical Intervention from Dr. Jafaar K. Juma entitled *"Assessing Public Opinion Towards Federalism: What is the Proportion of South Sudanese in Favour of Federalism"* reinforces the idea of timing and argues that federalism in South Sudan is immemorial particularly in Greater Equatoria Region, and thus the feelings of South Sudanese towards federalism in the whole country are practical and encouraging; nevertheless, the topic is sensitive and controversial following the 15th December 2013 (Karim, 2014).

Moreover, the consultations done with the concerned Jieng/Dinka Community Elders in Juba seem to agree with the idea of federalism as an alternative political system to resolve the republic conundrums. It argues that there was no problem with the federal governance except the fact that the country was marginalized by Khartoum and left without development (Agok, 2014). Therefore, there was a need for the country to consolidate itself for a reasonable period to use available resources for equitable development until a suitable time to apply a federal system … to the state without much difficulty. But as things stand now, this step has to be skipped and the federal system be introduced because the demand for it is a wish of the majority (Karim, 2014).

Moreover, Santino Mabek, a Canadian-based jurist, views federalism as one of the solutions for South Sudan's predicaments:

> "I think federalism, though not surely the panacea for all the ills that have afflicted our nation, can significantly reduce the level of tensions and domination that have plagued our nation. Without federalism, violent conflict, as a result of domination, both at the state and federal levels, will continue to define our political life for at least the next 30 years. Federalism also has

the potential to serve as an engine of economic growth for South Sudan. This is because it improves economic efficiency (e.g., tax collection and competition) and helps the grassroots to identify their development priorities. It is federalism, no other model of governance, is the best option we can have. I don't regret that I shared this idea with Riek, even though his motivations are entirely different" (Mabek, 2015).

However, President Kiir, in many recorded speeches, has been quite skeptical about the adoption of federalism as a political system of governance replacing decentralization. In his speech of 18th March 2015 at Dr. John Garang's Mausoleum while addressing thousands of SPLM-IG supporters, President Kiir wondered why the advocates want federalism and the ongoing decentralization is federal in a nuanced sense. He says, 'I wonder what our people want, especially those who are advocating for federalism, the system we currently have is federalism in itself if you look at it closely' (Karim, 2014). James Adiok Mayik in his piece " *Why Federalism Must Wait?* jumped into the presidential bandwagon and argues that federalism at this time in South Sudan shall disintegrate the country into tribal units other than administrative units and thus Adiok elucidates that tribal units can be very dangerous tool for Somalization of South Sudan (Mayik, 2014).

Nonetheless, South Sudanese tribes agreed on principles for the adoption of federalism as the system of governance. In a conference dubbed *as National Peace of South Sudan Tribes under the theme 'Peace Now!'* South Sudan Tribes United Against War, conducted at Nyakuron Culture Centre from 17th to 18th February 2015, resolved that a federal system should be the system of governance in South Sudan, and it should be part of the peace dialogue (sic) and a common and permanent solution to the war (UNMISS, 2015).

As the South Sudanese continued to embrace the idea of federalism, the perception that it is the Equatorians' demand sends jittery feelings to the wider spectrum of South Sudanese society. The Equatorian conferences conducted over the last few years have often resolved federalism as one of the systems of government that should be adopted as quickly as possible. This demand from Equatorians is seen as a solution to their socio-economic and political problems that are bedeviling the Equatoria region today. One of the concerns for the Equatoria citizens has been the extravagance of other states, particularly the Greater Upper Nile and Bahr el Ghazal regions, in the optimization of resources for development. The other reason has been the tight centralization of power and resources by the central Government without clear-cut development visions and paradigms. Equatorians see themselves as better off on their own on the development agenda and resource management than being drowned with others in a sea of mismanagement of resources, coupled with a lack of strategic and transformative vision. Thus, in their quest for peace, Equatorians Governors signed a position paper on the IGAD Peace Talks in Addis Ababa and resolved that Equatoria accepts that during transitional period, the TGoNU shall complete the permanent constitutional making process in South Sudan, which shall determine the future structure of government and the full implementation of a federal system of governance (Nyamilepedia, 2015). Although the position paper stands for the Greater Equatoria region, citizens from this region have not been widely consulted. Nonetheless, the R-ARCSS noted federalism as a political as well as system of governance of institutional engineering that shall be left to South Sudanese citizens to reject or adopt in the constitutional making dispensation.

Another interesting strand for analysis is the perception that the rebels known best as SPLM in Opposition had hijacked the idea of federalism following the 15th December 2013 political skirmishes. The SPLM-IO has been calling for the restructuring of the state on a new basis using federalism. This state of affairs has been deepened by the SPLM-IO in their proposal of 21 states along the 1956 boundaries of the South's districts (Riak, 2021). SPLM-IO threatens to take the Ethiopian example to the extreme, creating weak states and unable to challenge or restrain whoever holds power in the federal government (Johnson, 2014). But is this going to restore stability in South Sudan when states are federalized on an ethnic basis? The answer is certainly no. We have homogenous states such as Lakes, Northern Bahr el Ghazal, and Warrap, but the inter-clan animosity, sectional conflicts, and violence have been intensifying during pre- and post-independence times. This is due to compounded factors: cattle rustling and raids, high-level poverty, weak governance structures, and lack of reconciliations and restitutions amongst the communities. Thus, viewing ethnic federalism as an iota of peace, development, and security is an assumed proposition that has been overlooked.

The focus of many South Sudanese has been on the creation of the federal states, rather than on the balance between federal and state governments (Riak, 2021). The creation of a federal government

goes hand in hand with the creation of federal states. The failure of past regional experiments in the Sudan was that this principle was not adopted: the construction of decentralized states and regions was done primarily to protect the powers of those in charge of the central government (Johnson, 2014).

That aside, the institutional challenges of federalism range from levels of literacy that manifest in ethnic based decisions. James Adiok Mayik asserts that South Sudan has recorded more than a 70% illiteracy rate, which he argues is not sufficient to help the masses understand the literal meaning of federalism (Mayik, 2014). With such a level of human underdevelopment, more than 70% illiteracy rate makes ethnicity become an impediment for a knowledge-based and creativity-based economic development, which, say federalism in South Sudan at this time, will create villageism and savage belligerence amongst tribes (Mulla, 2014). We cannot plant federalism where the spirit of ethnocentrism is active, so as not to allow federalism in view, into a formal split of the South Sudan nation into factional ethnocentrism governments; that will start with rejection of those we view as trouble in our midst (Martin, 2022).

Yet with federal institutional challenges, South Sudanese proponents of federalism argue that federalism is a desirable system of governance for South Sudan. It is plausible that while our tribal nationalism is likely to set us against others, federalism in its crudest form has never been meant to promote any of the currently existing strong sentiments (Ramba, 2023). These regional sentiments are often sought after as a means of facing up to other regional blocs. But federalism is the opposite of prevailing regional political polarizations and antagonisms (Riak, 2021). The survival of the country as a democratic nation-state would depend on its adopting federalism (Mulla, 2014). Although federalism can be an ideal for a post-conflict environment of building and accommodating diversity, managing conflicts of diversities can be achieved through a federal system of administration that can avoid Dinka/Nuer conflict as happened in December 2013 or Equatoria/Dinka conflict as was the case in 1983 during "Kokora" (Mulla, 2014).

2.9.2. Federalism and the Phenomenon of Kokora in South Sudan

South Sudanese scholars and citizens mask their faces with the myth that federalism is associated with Kokora, a local word in Bari referring to 'division or to divide'. Bari-speaking groups traditionally inhabit the Equatoria region and include Bari, Mundari, Nyangwara, Kuku, Kakwa, and Pojulu. The simplest translation of Kokora into English is 'to divide' or 'division' (Rens & Deng, 2015). This state of affairs has continued to instill the fear of what this system of governance brings to the social cohesion of the country. Jacob K. Lupai, in his seminal work "*Kokora: Often Misunderstood, Grossly Misinterpreted and Most Feared",* argues that the word is misunderstood and misrepresented (Lupai, 2013). If that is so, it is not only that because of the way some in the three Equatoria states are reviving anti-Dinka (or *anti-jieng*) propaganda in support of federalism, but also because of the tribalism way the advocates of the Kokora applied it at the beginning of the last civil war (Kopling, 2020).

Douglas Johnson argues that some of them who lived through Kokora-and were abruptly and brusquely told to leave their jobs and back to their home regions, have every reason to be suspicious of the advocates of the new Kokora, especially after reading the comment sections on articles posted on South Sudan News Agency and Sudan Tribune websites (Johnson, 2014). However, Douglas Johnson cautions South Sudanese on the myth of federalism:

> "Let us be clear: Kokora is not the same as federalism. It did not create a federal state in Equatoria or any other place in Southern Sudan. It weakened the powers of regions while leaving the power of the central government in Khartoum untouched, enhanced even those who want genuine federalism are best advised not to adopt Kokora as their model (Johnson, 2014).

President Kiir echoes the same in his speech:

> "Kokora 'will happen' if a federal system is introduced in the country. (...) The issue that people are raising now is the same issue that came in 1983, Kokora (sic). And Kokora should not again derail us from what we are doing" (Radio Tamazuj News, 2014).

3. METHODOLOGY

3.1. Research Design

Methodology commences with research design, which is defined as the gateway to research implementation (Smith, 2023). Research design addresses research problem, research objectives, findings and postulates conclusions. The common research design types include qualitative and quantitative research methods. While qualitative research focuses on interviews, focus group discussions (FGD), case studies and observation with narrative analysis, quantitative research focuses on surveys, correlational and experimental designs with statistical analysis (Creswell and Creswell, 2022). This study used a mixed research design that brought out qualitative and quantitative gateways, which helped in the in-depth analysis and discussions of the findings. This research design has demonstrated the rigorousness of the study in determining the suitability of federalism for South Sudan.

3.2. Area of Study

The study was carried out in Juba, South Sudan. Juba was chosen because it is advanced and the largest city, and above all, the seat of the Revitalized Transitional Government of National Unity (RTGoNU). It is also the centre of academic and research, with numerous universities located there and, particularly, the premier University of Juba. Thus, academic and research exchanges usually take place in Juba. Discussions over decentralization vis-a-vis federalism have been taking place in Juba.

3.3. Sources and Procedures of Data Collection

The study used both primary and secondary sources of data. The primary source of data was obtained through surveys and interviews. Besides, secondary sources of data were obtained through statistical analysis of data and via review of literature from various books and journal articles. The procedure of data collection commenced after a research permit was obtained from the University of Juba, as well as from the National Security Service.

3.4. Study Population

The study used a target population of 400 respondents with knowledge on the subject from Juba, South Sudan.

3.5. Sampling Types

The study used random and cluster sampling types. Random sampling type was chosen because of the necessity of acquiring respondents at random to provide their views on the option of governance in South Sudan between decentralization and federalism. These respondents were later clustered around places such as Altabara, Munuki, Kator, Jebel, Gumbo, and Gudele.

3.6. Determination of Sample Size

The sample size of this study was ascertained using a formula proposed by Taro Yamane (1967) with a 95% level of confidence, and when the size of the target population is known (Yamane, 1967). The size (n) is ascertained based on the formula below:

$$n = \frac{N}{1 + (e)^2}$$

Where N = population size, e = level of precision (0.05), n = sample size

$$n = \frac{400}{1 + 400(0.05^{2)}}$$

$$n = \frac{400}{1 + 400(0.0025)}$$

$$400$$

$$n = \frac{\rule{3cm}{0.4pt}}{1 + 1}$$

$$n = \frac{400}{2} = 200$$

Hence, the sample size of this study is 200 respondents with knowledge of institutional engineering in post-liberation South Sudan.

3.7. Data Collection and Instruments

The study put in place data collection instruments such as questionnaires and interview guides to collect the data on the quest for institutional engineering in post-liberation South Sudan: should it be decentralization or federalism? Questionnaires and interview guides were successfully administered with the following questions:

1. What do you know about the current system of governance in South Sudan? Is it a decentralized or federalized system? Kindly explain your answer in a few words

2. If your answer above was either decentralization or federalism. What are the advantages and disadvantages of the system that you have just chosen for South Sudan?

3. A lot of academic and policy debates have been going on about the best system of governance, particularly, after the December 15th 2013 and 8th July 2016 political crisis in South Sudan. Which system of governance between decentralization and federalism do you prefer and why?

4. If your choice above was federalism. What type of the following federal system would you prefer?

   a. Ethnic federalism ☐   b. Territorial federalism ☐   c. Fiscal federalism ☐

   d) Asymmetrical federalism ☐

5. Once you have chosen your favorite type of federalism; when do you think this can be implemented?

   a. Immediately after the resolution of South Sudan political crisis ☐

   b. At the end of two and half years transition period ☐

   c. In 2020 ☐   d. In 2025 ☐   e. Others (please specify)_____

6. Do you think federalism is synonymous with *Kokora* (A Bari word for division or to divide)?

   a) Strongly Agreed ☐   b) Agreed ☐   c. Strongly Disagreed ☐

   d) Disagreed ☐

3.8. Piloting of Research Instruments

Questionnaires and interview guides were piloted to ensure their correctness and compatibility. A 10% sample size (200), which consisted of 20 questionnaires and interview guides, was distributed to respondents. Piloting resulted in the immediate correction of poorly set questions, paving the way for successful data collection.

3.9. Quality/Error Control

The study prioritized quality and error control during data collection. Errors were subsequently avoided. Reliability and validity mechanisms of data collection were administered, and 200 sample size was collected without any problem.

3.10. Reliability

A Cronbach Alpha Reliability Coefficient (CARC) of 0.801 was obtained, which is above 0.7. Thus, the research instruments, such as questionnaires and interview guides, were found to be reliable. Cronbach's Alpha was deployed to ascertain the internal consistency and success of any study. Cronbach's Alpha is, therefore, calculated by correlating the score of each scale item with the total score for each determination (normally surveyed respondents or test takers) and then comparing that to the variance for all respondents' item scores.

3.11. Validity

The validity of research instruments was evaluated using expert judgments, such as professional views from academic peers. Three experts were contacted, and they critically assessed the validity of the instruments. The experts were asked to rate questions depending on their relevancy. The Content Validity Index (CVI) was established by dividing the number of items rated relevant by and total number of items. It is clear that CVI was 0.775, which was above 0.7, and thus, research instruments were considered valid.

3.12. Data Analysis

The study was analyzed using applications such as SPSS Statistics V. 21, charts, Excel, and, above all, descriptive analysis where data was interpreted and presented. Data cleaning was conducted, and analyses were presented and rigorously discussed appropriately.

3.13. Ethics in Research

The study was conducted under the highest ethical standards in any scientific research. For instance, ethics in scientific research, such as confidentiality, integrity, consent, anonymity, and benevolence, were used during the entire research process. All respondents who were randomly surveyed, clustered, and interviewed were considered and treated with confidentiality. There were no ethical problems encountered during this study.

4. RESULTS AND DISCUSSIONS

4.1. Query on South Sudan as either a Decentralized or Federalized System

Many of the 200 surveyed respondents argued that the current system of governance in South Sudan is decentralized. However, they wondered about the reality of such decentralization. As they argued that a decentralized system is where the powers and resources are devolved to the next level of the government, but tightly controlled in the center. This is not the case in South Sudan. They cited that what they have been seeing in South Sudan is a semblance of unitary decentralization where powers and resources have been theoretically devolved to the sub-national levels of governments, but practically rigidly controlled at the national level. The game, according to the respondents, has shown dictatorial tendencies where the President rules with republican decrees to the extent of relieving the elected Governors of the states. Although R-ARCSS empowers the President to fire all constitutional post holders, including elected Governors, this has been periodically abused. This has then led to internecine zero-sum power struggles within the political and military elite. The Transitional Constitution of South Sudan 2011, as amended, grants the powers to President the power to relieve a governor of a state because the governor has failed beyond a reasonable doubt to prevent threats to national security and territorial integrity of that particular state. However, this has been selectively applied by the President to suit his political and security interests.

Besides, respondents argued that although states and local governments draw their constitutions from the national government, the crux of decentralization, which is the power and resources, has remained with the national government. The respondents emphasized that, as the practice, 80% of the national budget is allocated to the national government, with 20% transferred to the states as block funds.

On the other hand, few respondents believed that the current system of governance is federalism, citing the mantra of surrendering authority to the sub-national levels of government. However, they noted that the resources and power are not practically surrendered at the grassroots, and thus, the federal system of the government is lacking. Finally, the respondents questioned the current system of the government, citing it as a very confusing system for the reason that it is neither decentralized nor federalized in practice but with 10 states and 3 administrative areas.

4.2. Advantages and Disadvantages of Decentralization or Federalism

Given that the majority of the respondents acknowledged decentralization as the current system of governance for South Sudan, their responses on the advantages as well as the disadvantages of this system are important. One advantage of practical decentralization, respondents noted is that the system brings services closer to the grassroots, meaning it enhances job creation and empowerment of citizens at

the local level. Respondents added that the government decision-making process is brought closer to the citizens, hence decongesting the highly bureaucratic and complex central authority. Thus, this improves communication as the sub-national layers of the government can easily pass information from one area to the other. Respondents, moreover, felt that citizens, or rather communities, are motivated as they use the delegated power to manage the affairs of their states and local governments.

However, the respondents argued that although practical decentralization could be a good thing for South Sudan, it has several demerits. They noted that this system encourages clannism, sectionalism, regionalism, and sectarian tendencies as the citizens view themselves from their local vicinity. It creates tension between competing states and regions. Citizens would value their state, county, payam, or boma greatly than their country, and this kills the sense of national unity and patriotism. Moreover, respondents argued that decentralization multiplies corruption to the lower levels, and this always affects the levels of development as the local elites struggle to capture power and misappropriate resources (benefits) for selfish gains. Besides, respondents added that the system creates too many jobs, hence a burden on the economy. If not managed properly, as is the case today in South Sudan, the government could end up using the whole budget for salary payment with no attention to development due to over-bloated weight bills.

Further still, respondents lamented that this system, if not well-managed, can enhance perennial tribal conflicts over power and resources. Examples of these conflicts have been going on in Lakes, Warrap, Jonglei, and Upper Nile, to mention but a few. What is more, respondents acknowledged that a failure of the national government by sheer number of responsibilities is also a failure of all the other sub-national governments. Hence, decentralization of services continued to be linked to the national government.

Finally, respondents view that decentralization of services works well if it is not unitary, given that the latter has concentrated the power and resources at the national level, and it is the current practice in South Sudan. Having gauged the respondents' views on the advantages and disadvantages of decentralization as the current system in South Sudan, respondents were then asked to choose between their preferred system of governance between decentralization and federalism.

4.3. Preferred System of Governance in South Sudan: Decentralization vs. Federalism

200 surveyed respondents were asked about the preferred system of governance between decentralization and federalism in South Sudan, and their responses are shown in the table below.

Table 1: Preferred system of governance between decentralization and federalism

Categories	*Frequent*	*Percent*	*Cumulative Percent*
Decentralization	60	30%	30%
Federalism	120	60%	60%
No Idea	20	10%	10%
Total	200	100	100

Table 1 and Figure 1 sourced the views of respondents about the system of governance they prefer between decentralization and federalism in South Sudan. Of the 200 surveyed respondents, 120 respondents, representing 60%, preferred federalism as the preferred system of governance in South Sudan. They cited that federalism has been a popular demand of the people of South Sudan since 1947, and it is fitting that it is adopted as a new form of governance. They pointed out that decentralization as the reigning system of governance has failed, and thus, another system has to be tried out, thus federalism. They argued that federalism entails the surrendering of power and resources to the sub-national levels of governments, which cannot be unilaterally withdrawn by the central government. The withdrawal of such powers can be done through the amendment of the constitution. Moreover, the advocates for this system argued that there is more devolution of power in a federal system and further argued that it will be appropriate for South Sudan, as the sub-national levels of governments are currently being rigidly controlled at the center. Moreover, the respondents further argued that federalism provides autonomy, and this autonomy enhances freedom to chart the political and development path of the sub-national levels of governments. They noted, for example, that citizens of the sub-national levels of governance would have the power to elect and relieve their governors, commissioners, and administrators without interference from the national government. Although the respondents acknowledged that there are

powers and resources the national government can still control, such as national security, citizenship, currency, international relations, borders, mineral and petroleum resources, higher education, to mention but a few, federalism devolves more powers and resources to the sub-national governments than decentralization. Previous studies of Agok (2014) and Karim (2014) supported these respondents.
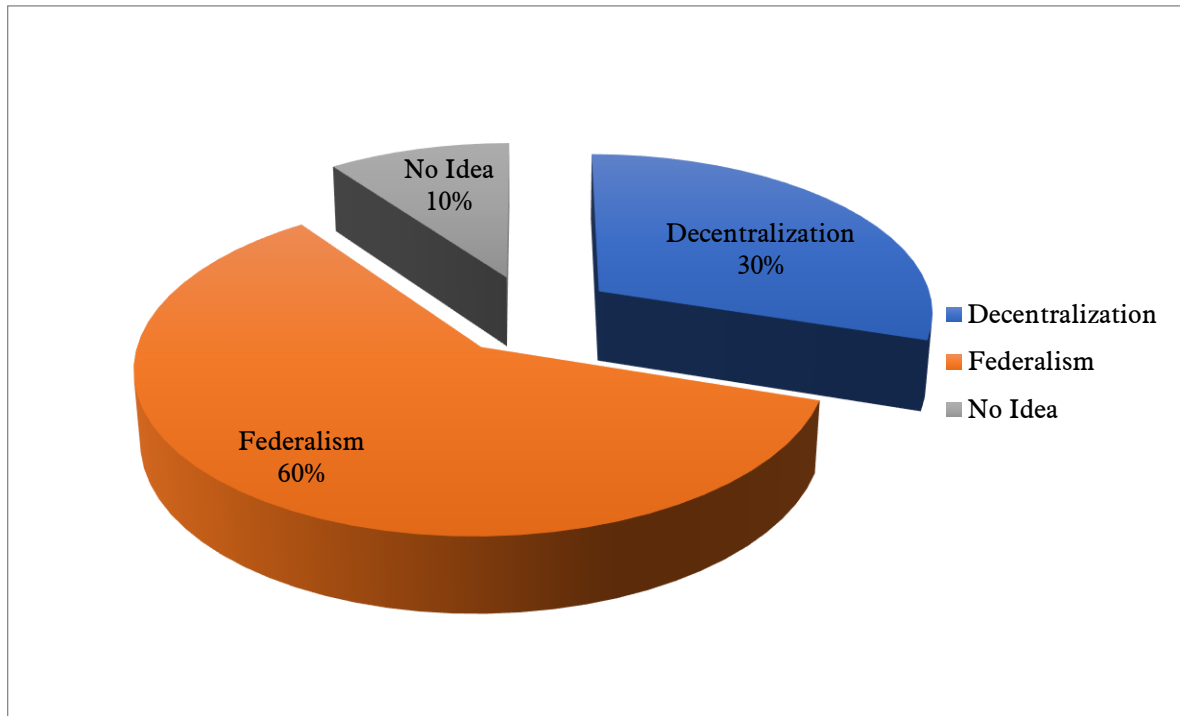

Figure 1: Preference for the system of governance between decentralization and federalism

On the other hand, 60 respondents representing 30% argue that the current system of decentralization should continue. They cited that decentralization is great as it enhances unity, national cohesion, and patriotism. They argued that for a highly divided society such as South Sudan, federalism, once implemented, could encourage secessions and irredentism of some regions, and this could sustain and prolong the culture of conflict and violence. The advocates of decentralization felt that the system may promote balanced development if well managed, given that the power and resources are controlled at the centre. They noted that the central government could plan for the whole country and thereafter delegate power and resources to the sub-national levels of governments, who should implement the developmental projects. Mulla (2014), Ramba (2013) and Mayik (2014) and others support these respondents, arguing that decentralization is the same as federalism and it must wait for some time. What is more, 20 respondents, representing 10%, had no idea about the preferred system of governance between decentralization and federalism. Finally, respondents consented that a referendum should be held countrywide to decide on the system of governance, including the type.

4.4. Preferred Type of Federal System for South Sudan

Table 2 and Figure 2 provide a critical analysis of the type of federalism citizens prefer in South Sudan. Asking their views on this matter, 27 respondents representing 13% wanted ethnic federalism, citing the need for particular ethnic groups to live alone so that they can chart their own socio-economic and political development. They argued that when ethnic groups are carved out to live alone, they could easily understand their predicaments, plan for redress, and implement their plans together. 65 respondents, representing 33%, argued that it is territorial federalism that is necessary for the people of South Sudan. These advocates cited the need for the maintenance of unity, social cohesion, and harmony as people who live in a certain territory, regardless of their ethnicities or sectarian affiliations, can federate and use their political power and resources to spur their socio-economic development. Of the 39 respondents, representing 20%, feel that the country requires fiscal federalism, referring to the devolution of more economic powers to the sub-national levels of the government. They argued that it is through

economic development, not political development, that South Sudan can avoid conflict and political violence. The advocates of this type of federalism underscored the need to empower local communities with poverty eradication programmes and management of natural resources within their vicinity for the prosperity of the communities.

Table 2: Preferred type of federal system for South Sudan

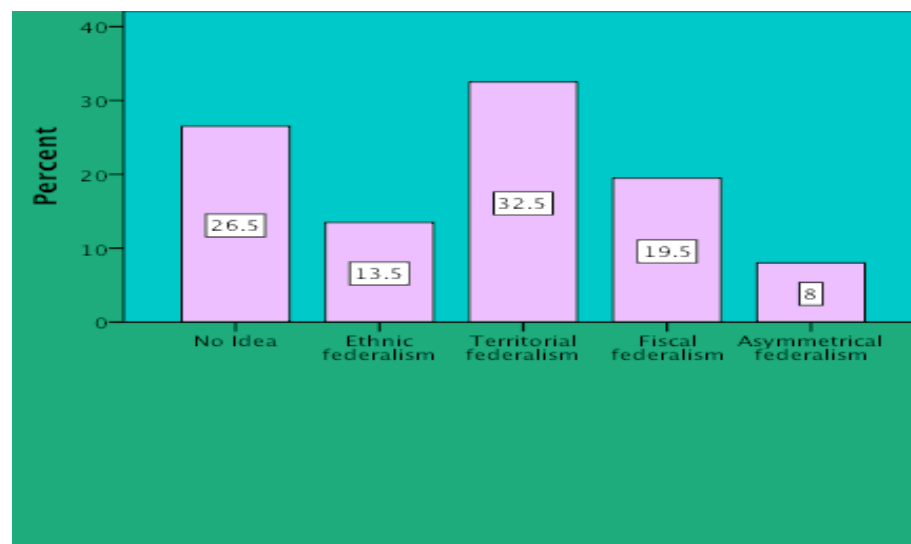|	Categories	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	No idea	53	26.5	26.5	26.5
	Ethnic federalism	27	13.5	13.5	40.0
	Territorial federalism	65	32.5	32.5	72.5
	Fiscal federalism	39	19.5	19.5	92.0
	Asymmetrical federalism	16	8.0	8.0	100.0
	Total	200	100.0	100.0	

Figure 2: Preferred type of federal system

Moreover, 16 respondents, representing 8%, preferred asymmetrical federalism, citing the necessity of devolving more economic and political power to the disadvantaged or marginalized communities to balance development. The Indian government has done this to Kashmir, the Sudanese government to Darfur, and the Spanish government to the Catalonia region, to mention but a few. This type of federalism, the advocates emphasized, will promote peace and sustainable development at the sub-national levels of governments. Finally, 53 respondents, representing 26%, had no idea about the question asked and did not answer the purported question.

4.5. Time for Implementation of Federalism

This variable gauges the time appropriate for the implementation of federalism. Respondents were asked, and their views are captured in the table and figure below.

Table 3: Time for implementation of federalism

	Categories	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Any time	45	22.5	22.5	22.5
	Immediately after the resolution of the South Sudanese (SS) crisis	73	36.5	36.5	59.0
	At the end of two and a half	52	26.0	26.0	85.0

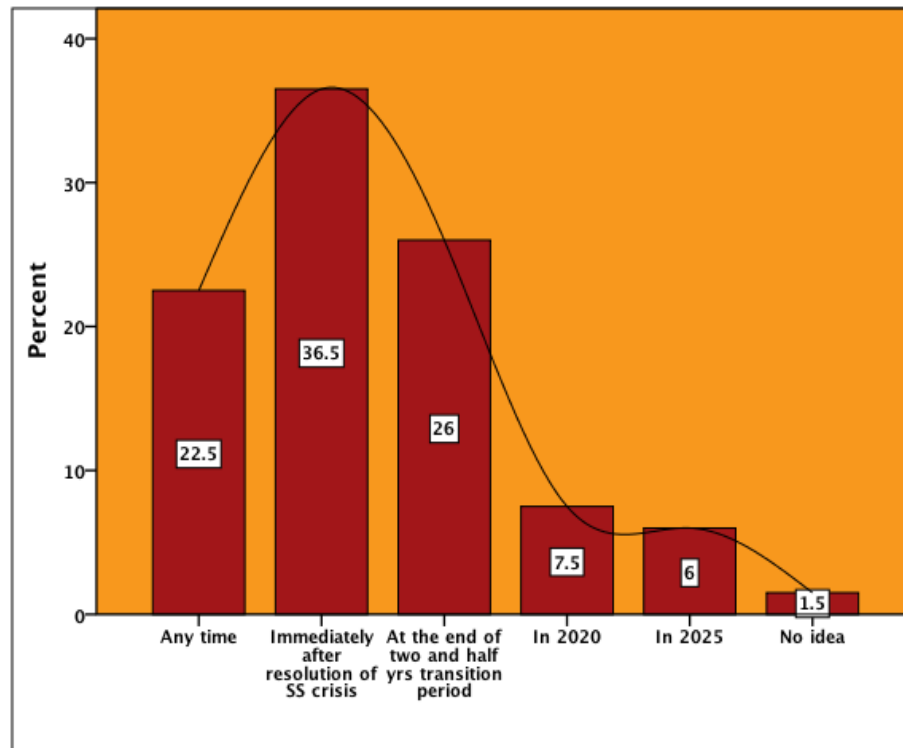| Categories		Frequency	Percent	Valid Percent	Cumulative Percent
	years (yrs) transition period				
	In 2020	15	7.5	7.5	92.5
	In 2025	12	6.0	6.0	98.5
	No idea	3	1.5	1.5	100.0
	Total	200	100.0	100.0	

Figure 3: Time frame for implementation of federalism

Table 3 and Figure 3 above provide analysis on the timeline for the implementation of territorial federalism. Asked when exactly to implement this territorial federalism, 73 respondents, representing 37%, wanted this federalism to be implemented immediately after the resolution of the South Sudanese political crisis. They meant that after the full implementation of the Revitalized Agreement of the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS). The implementation of the peace should carry a long, detailed matrix of the implementation of territorial federalism. That is to say that territorial federalism should be inserted into the amended constitution. They cited this time as conducive, noting that it will allow all parties to the agreement to take advantage of the R-ARCSS provision of federalism. 52 respondents representing 26% wanted territorial federalism to be implemented at the end of the transition period, that is, in 2026, citing the impracticality of implementing it immediately given many priorities in the R-ARCSS and, more importantly, the unavailability of funds to federate South Sudan. 45 respondents, representing 22%, argued that this territorial federalism should be implemented at any time, meaning the parties in the R-TGoNU should decide when it is appropriate given that it is not a critical matter. The proponents continue to cite that the country needs first to pull itself out of economic tsunamis caused by the twelve-year senseless war.

Besides, 15 respondents, representing 8%, wanted this territorial federalism to be implemented in 2025, citing that the population needs to be prepared for this new concept and type of governance. Moreover, 12 respondents, representing 6%, argue that this territorial system of governance should be implemented at the end of 2026, citing that the time will allow subsequent governments to carry out civic education to educate the masses on the pros and cons before the implementation of territorial federalism. Finally, 3 respondents, representing 1%, had no idea when to implement the territorial federal system of governance.

4.6. Federalism and Kokora

200 surveyed respondents were asked about their thoughts on federalism and its frequent association with Kokora. Their views are provided in Table 4 and Figure 4 below.

Table 4: Federalism and Kokora

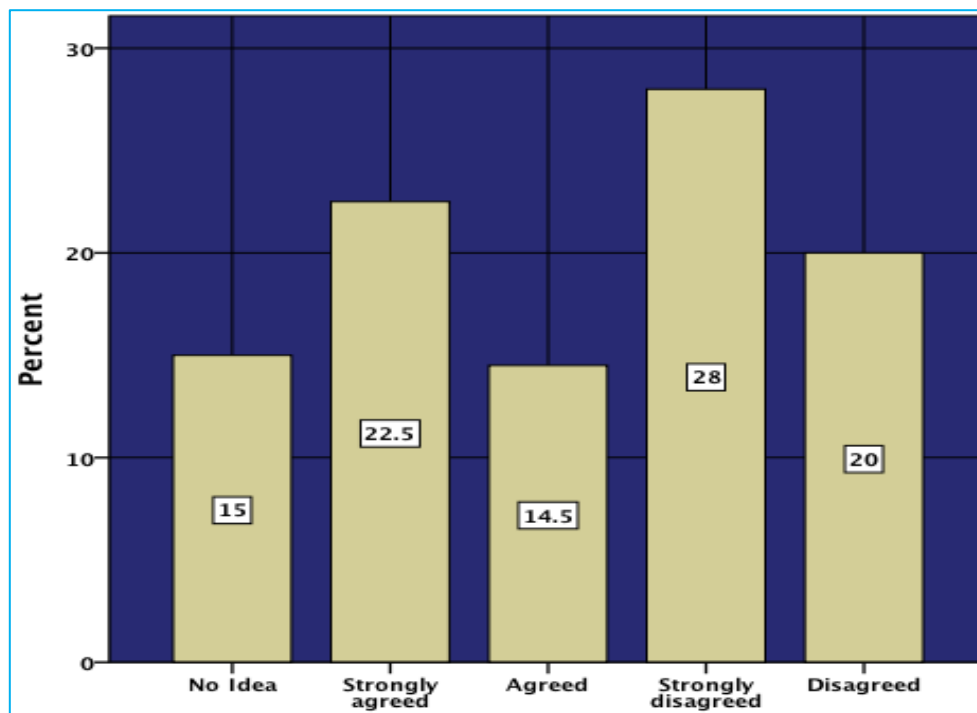| Categories		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	No idea	30	15.0	15.0	15.0
	Strongly agreed	45	22.5	22.5	37.5
	Agreed	29	14.5	14.5	52.0
	Strongly disagreed	56	28.0	28.0	80.0
	Disagreed	40	20.0	20.0	100.0
	Total	200	100.0	100.0	

Figure 4: Federalism and Kokora

Table 4 and Figure 4 above put into perspective the views of respondents in regard to federalism and *Kokora*. Asked about whether federalism is synonymous with *Kokora* or not, 56 of 200-surveyed respondents, representing 28%, strongly disagreed on this assertion, arguing that *Kokora,* a word in Bari dialect meaning 'division or to divide', does not equate to federalism. They emphasized that federalism is a system of governance that has no association with the Bari ethnic group. The respondents clarified that local dialects should not be misinterpreted into national systems of governance. Besides, 45 respondents, representing 22%, strongly agreed, arguing that the 1982 *Kokora* on non-Bari, particularly, Dinka ethnic group, is associated with federalism. They argued that federalism was directly taken by the Bari ethnic group to mean dividing the country and sending away all foreigners from their lands. This, according to them, could repeat itself if the federal system of governance is introduced. The respondents further indicated that the architects of *Kokora* are still alive and could engineer it again if the federal system is implemented. 40 respondents, representing 20%, disagreed, citing that *Kokora* is a cultural way of division or to divide resources, power, or whatever is available and has nothing to do with the political system.

Besides, 29 respondents, representing 15%, agreed that there is still a fear of *Kokora* being associated with federalism by the local Bari people. They argued that if *Kokora* is not publicly discussed, then it is likely that it can repeat itself. The advocates emphasized that the etymology of *Kokora* and its

impacts on the communities during 1982 need to be publicly debated by the sundry of South Sudanese to erase fears of repeating itself when a federal system is introduced.

Finally, 30 respondents, representing 15%, had no idea on any perceived or real relationship between *Kokora* and federalism.

5. CONCLUSIONS

The quest for institutional engineering in South Sudan is necessary and timely to leapfrog the nascent state into prosperity. The empirical literature and fieldwork have probed the best option for institutional engineering between decentralization and federalism in South Sudan, as federalism and this federalism should be territorial type. Federalism surrenders the power to the sub-national levels of the government, and in this case, counties, payams, and bomas. Territorial federalism allows the citizens of South Sudan to enjoy the powers of the government wherever they are in South Sudan. This is important to enhance the unity of the South Sudanese. Unlike ethnic federalism that champions ethnic animosity and divisions amongst the people as seen in Ethiopia, territorial federalism promotes nationalism and guarantees developmental competitions. Although federalism is necessary to be instituted, the overall quality of leadership to ensure that this federal system works is highly desired in the context of South Sudan.

6. RECOMMENDATIONS FOR FURTHER RESEARCH

While the study has robustly discussed the quest for institutional engineering in South Sudan and found territorial federalism to be the best option for South Sudan, further research is hereby recommended to governance scholars to discern the demerits of territorial federalism.

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AUTHOR'S DECLARATIONS AND ESSENTIAL ETHICAL COMPLIANCES

Author's Contributions (in accordance with ICMJE criteria for authorship)
This article is 100% contributed by the sole author. He conceived and designed the research or analysis, collected the data, contributed to data analysis & interpretation, wrote the article, performed critical revision of the article/paper, edited the article, and supervised and administered the field work.

Funding
No funding was available for the research conducted for and writing of this paper. Therefore, acknowledging any support agency is not applicable in case of this research or the written work. However, informal support of institutional supervisors, colleagues and respondents is duly acknowledged.

Research involving human bodies or organs or tissues (Helsinki Declaration)
The author(s) solemnly declare(s) that this research has not involved any human subject (body or organs) for experimentation. It was not a clinical research. The contexts of human population/participation were only indirectly covered through literature review. Therefore, an Ethical Clearance (from a Committee or Authority) or ethical obligation of Helsinki Declaration does not apply in cases of this study or written work.

Research involving animals (ARRIVE Checklist)
The author(s) solemnly declare(s) that this research has not involved any animal subject (body or organs) for experimentation. The research was not based on laboratory experiment involving any kind of animal. Some contexts of animals are also indirectly covered through literature review. Therefore, an Ethical Clearance (from a Committee or Authority) does not apply in cases of this study or written work.

Research on Indigenous Peoples and/or Traditional Knowledge
The author(s) solemnly declare(s) that this research has not involved Indigenous Peoples as participants or respondents, with the documentation of their Indigenous Knowledge. Some other contexts, if any, of Indigenous Peoples or Indigenous Knowledge are only indirectly covered through literature review. An Ethical Clearance 'to conduct research on indigenous peoples' Indigenous knowledge is also not relevant. Therefore, an Ethical Clearance (from a Committee or Authority) or prior informed consent (PIC) of the respondents or Self-Declaration in this regard does not apply in cases of this study or written work.

Research involving Plants
The author(s) solemnly declare(s) that this research has not involved the plants for experiment or field studies. The contexts of plants were only indirectly covered through literature review. Thus, during this research the author(s) obeyed the principles of the Convention on Biological Diversity and the Convention on the Trade in Endangered Species of Wild Fauna and Flora.

(Optional) Research Involving Local Community Participants (Non-Indigenous)
The author(s) solemnly declare(s) that this research has not involved local community participants or respondents belonging to non-Indigenous peoples. This study did not involve any child in any form directly. The contexts of different humans, people, populations, men/women/children and ethnic people are also indirectly covered through literature review. Therefore, an Ethical Clearance (from a Committee or Authority) or prior informed consent (PIC) of the respondents or Self-Declaration in this regard does not apply in cases of this study or written work.

(Optional) PRISMA (Preferred Reporting Items for Systematic Reviews and Meta-Analyses)
The author(s) has/have NOT complied with PRISMA standards. It is not relevant in case of this study or written work.

Competing Interests/Conflict of Interest
Author(s) has/have no competing financial, professional, or personal interests from other parties or in publishing this manuscript. There is no conflict of interest with the publisher or the editorial team or the reviewers.

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Declaration of the Use of AI

During the preparation of this work, the author used no AI to assists the script translation and proof reading.

RIGHTS AND PERMISSIONS

★★★

To see original copy of these declarations signed by Corresponding/First Author (on behalf of other co-authors too), please download associated zip folder [Ethical Declarations] from the published Abstract page accessible through and linked with the DOI: https://doi.org/10.33002/jpg050102.

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INFORMATION AND CONSENT FORM FROM RESPONDENTS
(Non-Indigenous Respondents)
This form was translated into local language for the respondents

</div>

Title of the Research: The Quest for Institutional Engineering in Post-Liberation South Sudan: Should it be Decentralization or Federalism?

Principal Researcher:	Jacob Dut Chol Riak
	University of Juba.
	Atlabara. P.O.Box 182
	Juba.
Research Supervisor:	Prof. Samson S. Wassara
	Gudele Area.
	Juba.

A) INFORMATION TO PARTICIPANTS

1. Objectives of the research
The objectives of this study were to examine the quest for institutional engineering in post-liberation South Sudan on either continuation of decentralization or introduction of federal system.

2. Participation in research
The researcher will ask you several pertinent questions. This interview will be recorded in written form and should last about 50-60 minutes. The location and timing of the interview will be determined by you, depending on your availability and convenience.

3. Risks and disadvantages
There is no particular risk involved in this project. You may, however, refuse to answer any question at any time or even terminate the interview.

4. Advantanges and benefits
You will receive intangible benefits even if you refuse to answer some questions or decide to terminate the interview. You will also contribute to the solution of desired political system in South Sudan between decentralization and federalism.

5. Confidentiality
Personal information you give us will be kept confidential. No information identifying you in any way will be published. In addition, each participant in the research will be assigned a code and only the researcher will know your identity.

6. Right of withdrawal
Your participation in this project is entirely voluntary and you can at any time withdraw from the research on simple verbal notice and without having to justify your decision, without consequence to you. If you decide to opt out of the research, please contact the researcher at the telephone number or email listed below. At your

request, all information concerning you can also be destroyed. However, after the outbreak of the publishing process, it is impossible to destroy the analyses and results on the data collected.

B) CONSENT

Declaration of the participant
- ⇨ I understand that I can take some time to think before agreeing or not to participate in the research.
- ⇨ I can ask the research team questions and ask for satisfactory answers.
- ⇨ I understand that by participating in this research project, I do not relinquish any of my rights, including my right to terminate the interview at any time.
- ⇨ I have read this information and consent form and agree to participate in the research project.
- ⇨ I agree that the interviews be recorded in written form by the researcher: Yes ( ) No ( )

Signature of the participant : _____ Date : _____

Surname : _____ First name : _____

Researcher engagement

I explained to the participant the conditions for participation in the research project. I answered to the best of my knowledge the questions asked and I made sure of the participant's understanding. I, along with the research team, agree to abide by what was agreed to in this information and consent form.

Signature of the researcher :   Date : 15th June 2017

Surname: Riak   First name: Jacob Dut Chol Riak

- ⇨ Should you have any questions regarding this study, or to withdraw from the research, please contact Jacob Dut Chol Riak by e-mail dutsenior@yahoo.com

- ⇨ If you have any concerns about your rights or about the responsibilities of researchers concerning your participation in this project, you can contact the principal researcher.