

**Corruption and Accountability:
The Case for Justice and Rule of Law in South Sudan's Public Sector**

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Section 1: Introduction

1.1. Overview

South Sudan became independent from Sudan on July 9, 2011 after nearly four decades of bitter civil wars from 1955 to 1972 and 1983 to 2005. These wars were fought to attain independence for South Sudan with hope of achieving accountability, freedom, democracy, equality, justice and the rule of law would prevail. The near universal support for secession among the South Sudanese during the referendum that was conducted in 2011 that allowed South Sudanese to vote for a united Sudan or an independent South Sudan “reflects a powerful unifying value throughout the new country (Knopf 14). The South Sudanese people became exceptionally delighted with achieving the independence, which one may conclude as fitting given high cost, one of which was a resultant loss of millions of lives. However, one of the sad aspects of this story is that the leaders who helped in the liberation of the country miserably failed to promote and protect the independence they attained. Part of the failure is lack of accountability. This paved the way for extreme and rampant corruption to the extent that it has brought political leaders and their communities alike to contentious and perpetual conflicts for political power that divided the national army along ethnic fault lines. As a result, a desire for a meaningful co-existence between the citizens of various ethnic communities and their political leaders, and the national army, eroded rapidly. Consequently, living in peace and building a viable and stable country remain a shattered dream. Despite the steep road that South Sudan must climb, the performance of the government of South Sudan since independence has made it steeper still, disappointing citizens and international partners alike (Knopf 1).

After many years of silence, President Salva Kiir sympathized with the South Sudanese citizens who are demanding accountability. This, combined with unwavering global pressure

mounted on him to confiscate assets of the South Sudanese corrupted leaders in the foreign banks led President Kiir to suspend the entire cabinet in 2013 and order the recovery of the looted money. Some cabinet members responded completely, yet most of the cabinet members failed completely to comply with the presidential order. This swift suspension and the demand to recover the looted money triggered a war in 2013 that was brought to an end with an imposed relative peace, signed in 2015. Subsequently, another war erupted in the presidential palace in 2016, when the current First Vice President Riak Machar attempted to assassinate President Kiir in the meeting. Numerous lives were mercilessly lost instantly. It was a shock wave to South Sudan, Africa and the world at large.

To remedy the situation, Inter-governmental Authority for Development (IGAD) countries composed of the East African countries of Kenya, Ethiopia, Uganda, Somalia and Djibouti and TROIKA countries composed of The United States of America, The United Kingdom and Norway forced both warring parties to strike a deal and in 2018, a peace agreement that was signed eventually created the positions of four Vice Presidents (IGAD 12). This political structure was made despite the government's and public's reservations. This political structure that created four Vice Presidents accelerated corruption to the extent that it becomes very rampant and as a result, justice and rule of law deteriorated and then corruption and political status quo continue at the highest level. Measuring and implementing anti-corruption mechanisms are extremely difficult tasks in politics and particularly in a newly founded country like South Sudan. The rampant corruption, lack of accountability and transparency, in the public sector has astonishingly undermined justice, the rule of law, professional work ethics that are the foundation of a stable, democratic, peaceful, unified and

progressive society. Thus, the hard-fought freedom and independence of South Sudan has become a double-edge sword, a blessing and a curse.

2. Thesis Organization

2.1. Description of the Structure of the Thesis

In this paper, I make a case for enforcing effective accountability measures and empowering the Anti-corruption Commission to prosecute the perpetrators of corruption rampant in South Sudan's public sector. I divide the paper into seven sections. In section one, I overview the central issues for research and provide the historical background of the cause of rampant corruption and civil wars in South Sudan after its independence from Sudan in 2011. In section two, I examine the concept of corruption and lay out its scope and destructive effect in the public sector. I discuss further, in section three, ethics and its importance in the public sector and urged they be embraced as one of the principal foundations of a just and well-ordered society. In section four, I deliberate on accountability and lack of political will to establish a legal system that will empower the Anti-corruption Commission with investigating and prosecuting powers. In section five, I justify why justice and rule of law are important to be promoted and protected in South Sudanese society and correlated them to the instability of South Sudan's political, legal and economic settings. In section six, I explore the democratic system that would best suit South Sudan's political setting to control rampant corruption and establish an effective and efficient accountable system. In section seven, I revisit the issues I discussed in the preceding sections and highlight the consequences of rampant corruption and lack of accountability, which, if not addressed, could lead to perpetual civil war and political power struggle. In this respect, I argue that federalism would be suitable for South Sudan's political-cultural setting for it will establish a transparent, democratic and accountable government that

will empower the people from the grassroots to question their political leaders without fear of definite detention and persecution.

3. Thesis Statement

Given its controversial level of rampant corruption in the South Sudan, the entrenched lack of accountability, transparency, justice and the rule of law, and democratic and accountable government, the opposite has become rampant in South Sudan's public sector. Grand corruption and extreme violence are not aberrations but the essence of the system (Prendergast 1).

Consequently, the South Sudanese citizens became the real victims of unnecessary civil wars after the independence. In such an insecure and depressing corrupt environment and system, protecting whistleblowers is an important deterrence against corruption in the country. This is because peace and unity eroded among South Sudanese people and their communities. In order to restore and realize peace and unity amongst South Sudanese citizens, empowering the Anti-corruption Commission to prosecute perpetrators, protect and promote public engagement in an anti-corruption and accountable discourse is imperative. It is a matter of utmost urgency if state-society relations are to improve such that cycles of violence can be halted and reversed (Knopf 40).

4. Objectives

The thesis suggests that providing a comprehensive understanding and punishment of corruption in South Sudan's public sector can be the viable basis for restoring and realizing peace and unity in the country. To achieve this purpose, it is essential to look at the consequences of corruptions at the political, economic and security levels. The argument concentrates on the following sub-objectives:

First, engage citizens through public discourse to promote accountability and public work ethics in thwarting corruption. The process of 2015 peace agreement in South Sudan did not yield peace and stability and had not gained South Sudanese recognition as a model of successful peace initiative. Its failure has done a great damage to influence this current peace agreement signed in 2018, which is struggling to foster peace and unity among the South Sudanese political leaders, citizens and their communities alike.

Second, provide a comprehensive understanding of lack of political will in promoting anti-corruption campaign to help reconstruct and promote social bonds toward patriotism for nation building. I argue that while corruption remains more rampant without enforceable effective accountability measures to curb it, South Sudan will not soon realize peace and unity among its people.

Third, urge and convince the government of South Sudan at all levels to empower the Anti-corruption Commission to investigate and provide enforceable recommendations to the independent judiciary and prosecute where there are findings of wrongdoing. Allocating such powers to the Anti-corruption Commission may bring about meaningful solutions to begin to reduce corruption activities in the country.

The fourth objective is to understand in depth the forces behind the lack of political will and root causes and what perpetuate rampant corruption. Considering these objectives is necessary if South Sudan ever desire to eradicate corruption, restore peace and cement unity in the country.

The result of this paper will be useful to the citizens of South Sudan, the anti-corruption agencies, students of politics, government, law, philosophy and other concerned ethical organizations. Through this qualitative case study, various features behind rampant corruption,

lack of accountability and political will to hold corrupt leaders accountable will be comprehensively understood. This paper will present an effective suitable and accountable mechanism to control rampant corruption in order to restore peace and unity among the South Sudanese people. This with urging and incentivizing the South Sudanese citizens to abide by and adhere to the principles of justice and rule of law and ethics in public sector, is hoped will help expedite economic development. These objectives must focus on the ground realities in the communities for hopes of real meaningful changes.

As the objectives indicated, I will explore the concept of corruption and accountability and their adverse consequences and moral aspects in their application in South Sudan's political and legal settings. Specifically, this paper is mainly concentrating on primary sources but it will also evaluate damaging strategies that IGAD and TROIKA, the main sponsors for peace in South Sudan for many years, deployed in bringing peace in 2015 and 2018. While cognizant of such diverse roles, I will focus less on them for they are beyond this paper to accommodate. Instead, I have chosen to largely dwell on the South Sudanese leaders for they are the people responsible for the rampant corruption and lack of accountability in the country. Assigning this responsibility to the leaders and especially those in the executive positions does not exonerate other South Sudanese and foreign who are accomplices in South Sudan's corruption. The existence of corruption in South Sudan is a collective responsibility but the primary responsibility lies with the government.

5. Methodology

I will rely on the core analysis of documents related to corruption, accountability, peace, justice and rule of law in South Sudan. I will analyze the following documents. The first is Hilde F. Johnson's *South Sudan: The Untold Story from Independence to Civil War*. Johnson is

a former Head of the United Nations Mission in South Sudan (UNMISS). The second document consists of the series of reports and articles that *Enough Project and The Sentry* research organizations that has specialization in African affairs, notably Sudan and South Sudan, releases periodically. These organizations were one of the most influential international actors that supported the independence of South Sudan. The third document is the failed peace agreement signed in 2015 in Juba, South Sudan, that IGAD and TROIKA drafted and imposed on the warring parties despite the government's and public's reservations for incomprehension. The fourth document is the 2015 peace agreement that failed due to the presidential assassination attempt in the presidential palace in 2016. The final document is the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS) signed in 2018.

In this paper, I outline a comprehensive explanation of the rampant corruption and lack of accountability as contributing factors of South Sudan civil wars after its independence, lack of justice and rule of law, and ethics in public sector. I anticipate examining these challenges from diverse relevant perspectives, including the coercive mediation of prioritizing peace over justice and rule of law and accountability that IGAD and TROIKA countries chose in an attempt to bringing relative peace in South Sudan. This approach appears to cause obstacles present in implementing the revitalized peace agreement signed in 2018.

6. Moral Theory

I deploy a qualitative case study design, particularly using a “documents analysis” method, which Bowen defines as a systematic procedure for reviewing or evaluating documents printed and electronic materials (Bowen 27). Bowen argues this method requires that the data be examined and interpreted in order to elicit meaning, gain understanding, and develop empirical knowledge (27). This method allows me to assess and produce academic research that can be

used in various social science studies. I mainly use the “veil of ignorance” as primary moral principle to influence this paper.

According to Rawls, the “veil of ignorance” is where no one knows his or her place in society, class position or social status, fortune in distribution of natural assets and abilities, intelligence and strengths (Rawls 118). This theory has an essential thought experiment that situates everyone in an original position that acknowledges moral principles with which to advance a fair and equitable system. The veil of ignorance also has an ethical approach that values morality in public service. The veil of ignorance maybe accused of being utopian, nevertheless, this accusation does not have an ethical sense in the situation of rampant corruption, lack of accountability, gross human rights violation that South Sudan is currently facing. This kind of situation constitutes the inevitability continuous contention of the conflict between the rights and good in South Sudan. The right and the good are interconnected and they share the maximization at their length. Something can be right, but when it is not good it loses the value of rightness. This is the challenge that the critics have to face in reality of the rampant corruption in South Sudan. Corruption in South Sudan is good for corrupt people but it is not the right thing for the country.

Even though I examined the documents that the international stakeholders produced, I will consider the academic works that other prominent international and South Sudanese scholars who contributed to the field have already presented. I will further consider other relevant works that corruption and transparency agencies produced. These sources will be useful for contributing to the pursuit against corruption and promoting accountability by empowering the Anti-corruption Commission as a means with which to restore and sustain peace and unity in South Sudan.

7. Literature Review

There is a substantial body of literature on corruption and lack of accountability in South Sudan's economic, political and legal settings. In this paper, I examine two core bodies of literature that justify accountability to help mitigate, if not eliminate, rampant corruption in South Sudan. The first is on the challenges of justice and the rule of law, peace and the factors surrounding legal and political accountability. These are the mechanisms to hold the perpetrators of rampant corruption to account. The second is on the effect of mediation and the role of donors in realizing peace in South Sudan. While this literature will help provide an understanding into wider background trials that IGAD and TROIKA faced in their efforts to bringing peace to South Sudan in 2015 and 2018. Engaging with this literature will hopefully provide a useful structure for examining rampant corruption and lack of accountability as well as IGAD and TROIKA coercive mediation processes that prioritized peace over justice and rule of law in the country.

7.1. The Challenge of Justice, the Rule of Law and Peace in Mediation Process

The challenge of attempting to balance the ideal of justice and rule of law and peace in a mediation process is important. Controversial as it is, rule of law, constitutes that the government officials and citizens are bound by and abide by the law (Tamanaha 233) which constitutes equal treatment of all citizens.

As such, it is extremely difficult to achieve a lasting peace when justice and the rule of law are overlooked in peace negotiation and mediation process. Over time, warring parties in South Sudan's conflict failed to cooperate with mediators when urged to serve justice and abide by the rule of law in the midst of the peace process, fearing that they will be held accountable for atrocities and gross human rights violations they inflicted against civilians in the wars of 2013

and 2016. At the same time, this fear may prevent mediators from calling for accountability in the peace process, whether legal or political. Nevertheless, mediators can utilize accountability, justice and rule of law as a whip to deter the warring parties to rapidly end war in order for the country to realize peace and stability, which are the prerequisites for economic and human resources development. IGAD and TROIKA focused on achieving peace over accountability, justice and rule of law in the peace mediation processes in South Sudan. It was legitimate to intervene in South Sudan's conflict for a fear of ethnic fault line that the leaders used as a political weapons to protect themselves in political power struggle.

IGAD intervention was prompted by the fear that the warring parties were deploying ethnicity as a political weapon in their power struggle (Majok 74). This intervention mitigated the circle of reprisals generated by the killings and the sense of revenge in South Sudan needs to be checked through multidimensional peace-building approaches. In order to prevent further catastrophe, the country's leaders and its international partners need to consider a radical restructuring of the state (Ani & Esheya 508), such as establishing federalism and implement it fully. This type of federalism needs to consider primary elections at national, states and county level. Free and fair election is necessary for legitimacy of governors, county commissioners and county councilors. This type of federalism will possibly bring peace and stability; this may allow establishing a democratic and an accountable system that will seriously consider justice and rules in the country. This is why justice and rule of law matter in the peace process and it is very important to realize it prospectively in order to achieve and sustain a lasting peace and stability in the country.

7.2. The Effect of Mediation's Motivation and the Role of Donors' Interests in Fostering Peace in South Sudan

The mediators' and donors' interests vary in the peace mediation process of South Sudan like anywhere else in the world. The intervention of IGAD and TROIKA countries in South Sudan is mainly for economic and security reasons, which motivated imposing ambiguous peace agreements that are extremely difficult to implement. In addition, political and religious interests cannot be ruled out in the context of such intervention. These peace accords that IGAD and TROIKA countries facilitated were imposed on the warring parties in South Sudan. This is because South Sudan and Sudan were potential enemies over boundary disputes that seemed irreconcilable and occasionally were violent. External interests and issues influenced both countries in their differences as well for many years.

The rise of terrorism in East Africa, where Osama Bin Laden found his sanctuary in Sudan in the late 1990s, awakened IGAD and TROIKA countries intervene in the conflict and in peace processes in South Sudan in 2015 and 2018. Sudan as a sanctuary that allowed Osama Bin Laden to launch attacks in Nairobi, Kenya and Tanzania in 1998 was instrumental for fostering peace in Sudan in 2005 that led to the independence of South Sudan in 2011. This was followed by an attack on September 11, 2001 in New York City, USA, that brought down the twin towers. All these attacks that Osama Bin Laden launched in Kenya, Tanzania and in America led to the interventions of IGAD and TROIKA countries in South Sudan to bring peace and stability in the East Africa region. The aim is to destabilize terrorist groups in their strategic places in east Africa. This scenario of Osama Bin Laden has proven to the entire world and particularly American society that it is vital to bring peace and stability in Sudan in order to uproot terrorists in that part of the region. Subsequently, pressure was amounted on both the leaders of Sudan

government and the rebels group under Sudan People Liberation Movement/ Army (SPLM/A) to sign the Comprehensive Peace Agreement in 2005. This peace agreement delivered the independent South Sudan through referendum conducted in 2011. Even though South Sudan ended up in another civil war after many years of rampant corruption and due to the lack of accountability, justice and the rule of law, its independence was also attained with economic, security, political and religious interests at the core.

The pursuit of interests by mediating countries is not new in conflict resolution in South Sudan. Mediators generally engage in mediation and spend their resources with the expectation of gains after the conflict resolution leads to peace and stability. This was the case in South Sudanese civil wars of 2013 and 2016 since “the conflict has equally generated different forms of reactions from sovereign actors around South Sudan” (Greig & Diehl 506). That is, mediation by itself is seen as a policy instrument through which other states can pursue some of their interests without arousing too much opposition (Kumar & Prendergast i). The peace process in South Sudan has been undermined by competing mediation efforts by various African interlocutors. This allows the warring parties to search for where to bring their concerns to be heard on terms in their favour and demonstrate a complete lack of will to implement anything they agree to, particularly a string of agreements to cease hostilities (Kumar & Prendergast i). The imminent presence of Uganda, Ethiopia and Kenya among other African countries that are members of African Union (AU) or IGAD in the midst of the peace process has attested that the interest of the mediators was overwhelming indeed. No side in the peace process between the President Kiir of South Sudan and his opposition leaders would resist the peace road map provided to follow without repercussion. Mediators’ interests are real and they cannot be overlooked if peace and stability is to be achieved in South Sudan. South Sudan must work

diligently with its neighbours to bring and sustain peace and stability in the country. This will be the viable way to restore unity among the South Sudanese people and to rebuild local economy that is in a terrible shape currently.

Uganda is an essential example for its presence at the beginning of the military crisis in South Sudan in 2013. Uganda dispatched its troops to South Sudan and justified that its intervention was an operation launched based on humanitarian grounds to prevent Rwanda style genocide from happening in South Sudan (IRIN Mar. 19). Such unilateral intervention indisputably became an issue in the preliminary segments of IGAD's attempt to mediate an end to the conflict. In South Sudan, Uganda's troops were fighting alongside the government forces which undermined its impartiality (IRIN Mar. 19). Uganda's national interests, especially economic and security compelled its intervention in South Sudan even though political and religious sentiments might not be ruled out. Economically, South Sudan provides a tremendous export market for Uganda's commodities. Uganda also exports a wide variety of goods from fuel to agricultural products. This makes South Sudan an indispensable customer for Uganda business and that had inevitably compelled the government to decide to protect its interest in South Sudan by taking the side of the government of South Sudan (Vertin 9, 19). Uganda cannot compromise its economic interests in South Sudan despite any circumstances that it may encounter in the peace processes and mediation like any other countries.

Uganda has a long history of security concerns in South Sudan linked to the Lord's Resistance Army (LRA), an alternative proxy forces sponsored by Sudan in response to Uganda's backing of the SPLA during the North-South war (IRIN 2014, March 19). To Uganda, any insecurity and instability in South Sudan provides to the LRA a secure sanctuary to wage war against Uganda. This is a reality albeit the African Union has demonstrated a lackluster

commitment to blocking financial assets owned by South Sudanese military and political leaders that are complicit in violating cease-fire agreements and perpetuating war (Adeba and Prendergast 4). Security interest will always remain fundamental to the extent that will always implicate Uganda in any conflict that arises in South Sudan, in Sudan and between South Sudan and Sudan. This can be the issue if the war breaks out between South Sudan and Sudan due to the border disputes that exist unresolved after South Sudan became independent on July 9, 2011. Uganda, Ethiopia and Kenya are essentially central in bringing peace and stability in South Sudan couple with TROIKA countries for the same or various reasons. Inevitably, their presence in the peace mediation was not in vain. Interest plays a role in any mediation in this chaotic world and so did IGAD and TROIKA countries intervened in the conflict that raged South Sudan pre-maturely.

8. Research Questions

More specifically, the research will answer a number of questions:

8.1. Primary Research Question

The primary research will focus on why advocating for enforcing effective accountability measures, promoting the principles of justice and rule of law and ethics in public sector is essential in South Sudan.

8.2. Secondary Research Questions

The secondary research will concentrate on two questions: The first question is, why is it essential to advocate for empowering the Anti-corruption Commission to investigate, prosecute, protect and promote public engagement in anti-corruption and accountability discourse, which is central to the establishment of an accountable government inevitably necessary in South Sudan.

The second question is why protecting whistleblowers is profoundly important in South Sudan's legal and political-cultural setting.

9. Scope and Limitation of the Study

Nonetheless, the lack of financial capacity to travel to South Sudan to conduct empirical research, an eminent insecurity in South Sudan and limited research time frame are considerably obstacles. Since this paper is mainly focusing on primary sources, it will also evaluate adverse strategies deployed by IGAD and TROIKA to bringing peace in 2015 and 2018. As I mentioned earlier that I am cognizant of the adverse roles played by foreign actors but will not focus much on them because they are beyond this paper to accommodate. Instead, I have chosen to concentrate mainly on the South Sudanese leaders for they bear the primary responsibility for causing the rampant corruption and lack of accountability, justice and rule of law in the country. Finally, this paper is limited to 2013 and 2016 wars, which compelled peace agreements that were signed in 2015 and 2018 under IGAD and TROIKA.

Section 2: The Historical Background of the Rampant Corruption, Civil War of 2013 and 2016 and Lack of Accountability in Public Sector.

2.1. The Origin of the Civil War of 2013 and 2016

When President Kiir assumed the leadership of the Sudan People Liberation Movement /Army (SPLM/A) in 2005, his tasks were very clear and he knew that they are going to be very challenging. First, President Kiir was to safeguard the conduct of the referendum that was agreed to under the 2005 Comprehensive Peace Agreement (CPA). In order to protect CPA, President Kiir extremely needed to unify the South Sudanese people (Johnson 34) to realize peace in the Southern Sudan region. However, this unification vision without accountability became the weakness of President Kiir that contributed in rampant corruption that exploded the

country. As a result, ethical values, principle of justice, the rule of law and accountability that are central to controlling corruption in society deteriorated rapidly. This was the beginning of the weakness of the government system of South Sudan and that further led to the division of the ruling party into two factions that started the war in 2013 and 2016. The main faction of the same party of SPLM was led by President Kiir and the second faction led by the Vice President Riek Machar. Such division worsens the political violence and widens disunity in the country on ethnic basis. These issues of weak leadership, rampant corruption, and lack of accountability constitute that justice and the rule of law are subordinate to peace and stability in any peace process and meditation in the most dramatic countries like South Sudan, the youngest nation on earth. These issues are part of the root causes and atrocities that demoralized South Sudan for many bitter years that require accountability without exemption.

The primary root causes for the atrocities and instability that mark South Sudan's short history is that the government quickly morphed into a violent kleptocracy (Prendergast 1). Fighting for control of the government allows for control of a vast wealth-generating machine and using extreme violence to keep control, once you have it, is viewed as imperative (Prendergast 1). As such violations persist, the principles of justice and rule of law must be restored through the process of law in order everyone is assured an equal liberty to pursue life as one pleased (Rawls 211). Without such principles in place, it is extremely difficult to realize peace and harmony in South Sudan and, that has been the case since before South Sudan attained its independence.

Rampant corruption without accountability yielded violent political power struggle that has engulfed South Sudan in unnecessary civil wars after its independence from Sudan on July 9, 2011. These wars originated within the ruling party, the SPLM, due to the lack of political

cooperation between President Kiir and his Vice President Riek Machar. Consequently, President Kiir suspended his entire cabinet including his First Vice President, Riek Machar due to a popular demand from both the South Sudanese people and the pressure from international community, particularly TROIKA countries: US, UK and Norway. Accordingly, as he is well-known for violence over South Sudan during the war of SPLA/M from 1983 to 2005, when he defected against the revolution movement in 1991 and massacred thousands of civilians, First Vice President Riek Machar resorted to violence by attempting to overthrow the government of President Kiir on December 15 2013. This coup attempt took many lives of innocent people and divided the national army along ethnic fault lines.

As a result of such division in the national army, numerous lives from both the government and the rebel groups were taken needlessly. Many widows and orphans are still suffering from this war of December 15, 2013. Many villages including clinics and schools were burned. This unnecessary civil war became an utter concern to “how South Sudan seemed to have gone from one day of confidence that it will withstand the political disagreements within the SPLM, the country’s ruling party, to the next day of near total unraveling that was definitely terrifying for Juba residents” (Jok 2). Even though President Kiir and his First Vice President Riek Machar are aiming to bring peace and stability in the country, both are still implicated in the current grand corruption in order to control resources to prolong their grip of power and fame.

The people of South Sudan are frustrated over corruption and lack of accountability in South since the war of 1983 to 2005. Majority of the citizens of South Sudan were waiting to vote their political conscience in the election that was due in 2015, before the unexpected war broke out again in the country. Had the election of 2015 taken place uninterrupted, it would

have been a great lesson to both the government and the oppositions that democracy is the power of people and the whip that the citizens utilize to punish the leaders who do not have a clear vision and a platform for the country. However, worse of all in these civil wars of 2013 and 2016, undeniably is that they allowed South Sudan's leaders in the government and in opposition to continue ruling with impunity under the tenet of compelled peace agreements both signed in 2015 and 2018 by IGAD and TROIKA countries.

IGAD is an Inter-governmental Authority on Development that was founded to deal with the recurring and severe droughts and other natural disasters in 19970s and 1980s that caused widespread famine, ecological degradation and economic hardship in the Eastern Africa region. Despite its appearance as a regional organization, IGAD owes its existence to donor TROIKA's pressure for it is TROIKA countries that fund peace mediation in east Africa in many occasions when the war erupted. TROIKA countries assisted South Sudan to gain its independence through signing comprehensive peace agreement in 2005 and continued to bringing peace and stability in 2015 and 2018 through imposed peace agreements. Based on its security mandate backed by TROIKA countries, "IGAD intervened in the South Sudanese conflicts after the simmering political power struggle between President Kiir and First Vice President Machar that led to war on December 13, 2015 (Knopf 2016, p. 5). Both IGAD and TROIKA remain instrumental in bringing peace and stability in South Sudan for they have political, security, and economic interests in the country.

As such interests play a huge role in the mediation and peace processes, it is profoundly important to note that the leadership of South Sudan and the citizens' voice together with IGAD and TROIKA needed to do more to reconcile the South Sudanese diverse communities in order to restore peace, unity and to realize freedom they exceptionally fought for nearly four decades

that took millions of lives. Surprisingly, rampant corruption continues as the norm in South Sudan public sector in the midst of peace implementation but both IGAD and TROIKA countries are not pushing for the parties that signed the peace to implement it in full and in good spirit.

2.2. Corruption

Corruption became a culture in South Sudan's public sector during and after the long bitter civil wars between South Sudanese and Sudan Government. This habit continued its course after South Sudan attained its independence from Sudan on July 9, 2011. It was not surprising that such a habit was going to cause chaos and turmoil in the country. Lack of development after the independence, from human resource to infrastructure is evidence of corruption in South Sudanese public sector. Without a political commitment to uproot it earlier, corruption will continue to devastate South Sudan even though its existence is still being denied by the corrupt system and forces in the country. This is the reason South Sudan needs a political transformation as a society to become peaceful and rich again.

Corruption is a giving or offering to bribe someone with valuable things in exchange for specific favourable outcome that may not occur without a bribe and it is evident from doubtful outcomes and suspicious decisions contradictory to ethical values (Saurer Memorial Lecture Series Docs/2/24/2010). Corruption and lack of accountability led South Sudan to civil wars in 2013 and 2016 and to the extent that it scored well below 20 out of 100 in all areas of governance assessed (Mores 4). The Anti-corruption framework is still at its infancy and the lack of political will hamper an effective implementation (Mores 4). Thus, it is essential to note that corruption is the epidemic and will probably remain contagious in South Sudan unless it is uprooted and eradicated. Tough accountability measures may hopefully bring good governance in South Sudan. It is fundamental that humanity cannot be protected in South Sudan if it is left

for corrupt leaders that demoralized it by creating insecurity in order to cling to power and acquire wealth with impunity. A fight for accountability must continue until the perpetrators are held accountable. There is no doubt that such a fight will be steep but it is worth an attempt because it may attract international. Fighting corruption is the hardest war that faces every nation on earth.

The failure of the South Sudanese political leadership to take accountable measures against rampant corruption is a clear misconduct and maladministration that destroys good governance and undermines socio-economic standing in the country. South Sudan will not prosper without being vigilant against corrupt activities and combating them endlessly. Even if the demanding side of international corporations sought to bribe domestic leaders is not always passive, it is important to consider a competent-based approach which is important to what might be called professional ethics for public officials. Second is that to base on role-oriented norms and values to provide a relevant framework for a capacity-building approach to training and educating in ethics and integrity for public officials (Whitton 49). This is essential for it will mitigate corruption, rebuild national economy, and to restore national image regionally and internationally.

Abiding by these ethical values such integrity in delivering public services promotes advocating for establishing tough accountability mechanisms against corrupt elements that will alleviate corrupt practices in South Sudan and to deter government officials from being influenced by foreign interests. This has not been attempted yet in South Sudan during and after civil wars from 1983 to 2005 and from 2013 and 2016. Therefore, it is essential that the current transitional government should take such direction to restore peace and clean its image in the

eyes of South Sudanese citizens alike, its east African regional block and other international partners.

The level that corruption has reached in South Sudan's public sector aggravated contention within SPLM, the ruling party. This widespread contention creates a view in South that politics and government are all corrupt. This view specifies the rampant corruption issues are larger ones, whether democracy is being bought and vested interests control legislators and officials and expect significant quid pro quo (Graycar 1). Thus, the lack of accountability derails the foundation of democratic and accountable government and the principle of ethics, justice and the rule of law in South Sudan that South Sudanese people have collectively and bitterly fought for decades. When democratic and accountable system is derailed, public and national interest remains in jeopardy. This is the reason the civil unrest erupted in South Sudan in 2013 and 2016 and if critical measures are not taken vigorously, the traumatic history may inevitably repeat itself in the near future.

South Sudan's stability and economy are demoralized by its leadership to stagnant level and disparity. This could be that majority of South Sudanese people do not have a good understanding of power of civilians to peacefully alter the political landscape that is currently obsessed with corruption and embezzlement. South Sudanese civil population need to learn that power to bring change lies in them. There is currently a significant larger well-informed civil population than during the time of civil war. Currently, many South Sudanese young people in diaspora become politically aware enough. They can critique their government's politics, economic and security. Some of these young people who acquired modern skills are returning to South Sudan in moderate numbers and they are struggling to change or influence how the country is being run. It is indisputable that some of these young returnees become part of

embedded corruption that affects the country. However, some are still insisting to change the system by exerting pressure on both the government and the opposition to prioritize peace and stability through establishing a democratic and accountable system. Taking such direction will be the beginning of realizing peace, justice and rule of law and economic prosperity in South Sudan. This requires government's efforts to combat corruption and more inclusive than simply administrative one (Erakovich et al. PA online). Failure to remain vocal against rampant corruption constitutes failing a "set of reasons endorsed by free, equal and rational people that supports a particular set of social arrangements" (Drydyk 24). Accountability is vital to detecting corruption early and combating it in both civil society and military. This is the way forward to restore peace and stability in the country.

Rampant corruption and lack of transparency has severely affected South Sudan for many years but no leader is held accountable for corruption. Corruption has also become embedded in the country for many reasons. First, there are no strong, honest and peaceful opposition political parties that can monitor the ruling party in running the country. Second, no civil society that is independent financially to pressure the government to reform public sector. Finally, there is no public rallies that are used to encourage citizens to express their views and obliging public officials to answer their concerns. Lack of these forces has evidenced that the leaders of South Sudan are not concerned with correcting what has gone wrong in the country, past and present. South Sudanese people have struggled to change this corrupt habit but grave threats are always unbearable. Lack of these forces has built a culture of dishonesty that might possibly remain to affect South Sudan in the future if it is not addressed.

Corruption started during the civil war and increased during the time of the Comprehensive Peace Agreement that was signed in 2005, as well as during the wars of 2013

and 2016. Such rampant corruption seemed to have bought peace from the militia groups that were sponsored by the Sudanese government in South Sudan's territories to destabilize South Sudan. These militia groups were to prevent South Sudan from holding referendum that led to its independence on July 9, 2011. The Enough Project Team has reported a persistence corruption in the country that as South Sudan's transition to independent statehood unfolded, political and military loyalty became the basis for political appointments in positions of power.

Consequently, corruption continued to shift from being an integrated and self-sustaining system to a disintegrative one in the wake of economic collapse. This is because there are few effective institutional mechanisms to check the use of public office and public financial resources for individuals. The international community, with U.S. leadership should create consequences for these predatory actors that harm South Sudanese people for many years (Enough Team 4, 5).

Corruption has become the pandemic in South Sudan's public sector, the Presidency and the organized forces. Empowering the Anti-corruption Commission to both investigate and prosecute the predators will help to control rampant corruption in the country. This is because when corruption has deep roots in the military, it becomes harder to eradicate it. Government relies more on organized forces to silent oppositions. Without pressing and persistent international and domestic pressure to empower the Anti-corruption Commission to investigate independently and prosecute the perpetrators, corruption will not cease in South Sudan and as a result, peace, stability and unity among the South Sudanese citizens will be very hard to realize.

2.3. Accountability

Accountability has remained a shattered dream in South Sudan's public sector after long-bitter civil wars from 1955 to 1972, 1983 to 2005, 2013 to 2015 and 2016 to 2018.

Accountability means many things. First, it is a punishment that is an answer to public that

requires those in power to explain and take responsibility for their choices and actions (Ackerman 3). Second, it is a readiness or preparedness to give an explanation or justification to stakeholders for one's judgments, intentions and actions (The Arthur W. Page Center Report). Finally, it is a validation of public participation in combating corruption to the extent that people can hold a local government responsible for its actions (Decentralization Thematic Team Report online).

As the definition of accountability has specified it, South Sudanese civil population has become powerless in holding any political leader to accountable legally. The political leaders control all enforcement agencies in the country. Such control obliges organized forces to support political leaders to keep their jobs. This makes it harder for the Anti-corruption Committee to investigate and prosecute the perpetrators and investigate the leaders accused of corruption. Social accountability can be a viable source to hold leaders accountable.

Social accountability is a form of vertical accountability which provides mechanisms through which ordinary citizens and civil society hold public officials accountable through primary elections (Ankamah 26). This form of accountability reinforces the political and administrative forms of accountability that is referred to the ability to call persons to account. This accountability requires that the leaders be answerable for their policies, actions, and use of funds (Ankamah 26). Such calls can be made in town hall meetings and through consultation with the specialized groups in the country. This can be a repercussion that can force leaders to put the interest of citizen first in their political career. This is because when corruption occurs without severe repercussions, it persists and breaks down ethics and morality in society, which is the case that caused turmoil in South Sudan. Accountability is essential for peace and economic development in the country.

Political accountability is very important in democratic processes and that is what South Sudan needs in search for peace and stability. Political accountability focuses on the use of elections to hold politically elected officials accountable while administrative accountability exists between various governments' agencies, either vertically or horizontally, to ensure answerability among and between the various government agencies (Ankamah 6). These types of accountabilities work when the government is democratic and accountable. Lack of democratic and accountable government in place allowed IGAD and TROILA countries to intervene in South Sudan's conflict. Uganda's involvement in South Sudan's conflict is evidence that South Sudan lose its leadership credibility with IGAD and TROIKA countries.

Responsibility of controlling corruption lies in the sovereign government but advocating for accountability rests on the South Sudanese citizens. South Sudanese people need to advocate for enforcing non-exceptional punishment to discourage unethical practices in South Sudan's public sector. This will possibly force government officials to explain and justify what they have done wrong and the good work they have failed to do. Such move can allow citizens to hopefully restore trust and comply with the rules and regulations that are made and implemented by the political institutions in the country. Nonetheless, this will only exist when citizens participate in questioning government officials to validate the responsibility conferred by upon them by South Sudan constitution without fear of persecution or indefinite detention. This is why political accountability is very important that will promote democratic and accountable government in South Sudan.

Talking about accountability as the mean of controlling corruption in South Sudan's public sector has declined and remains a shattered dream among the South Sudanese government's officials. This encouraged political and economic status quo and nepotism to

demoralized South Sudan's public sector. Such corrupt habit needs to change because "just societies are created through just politics, in which decisions are made from caring concerns for public welfare" (Drydyk 24). This is reason Prendergast argues that "unless the violent kleptocratic system is addressed head-on by policymakers, the billions of dollars spent annually for peacekeeping, humanitarian aid, and the ongoing diplomacy and assistance supporting the peace deal there will simply be treating symptoms, not addressing the primary root cause of cyclical conflict" (Prendergast 1).

To counter kleptocracy that has emerged as South Sudan's primary driver of violence, effective and accountable institutions have to be built and a safe space has to be ensured for civil society and the media to perform their critical functions (Prendergast 2). If there are no consequences for mass corruption and gross human rights atrocities, then there should be no illusions that anything beyond cosmetic change is going to result from South Sudan's current peace deal. Failure to consider enforcing such effective accountability measures encourages the "incentive structure that favors mass corruption for self-enrichment and the use of deadly violence to maintain or gain access to power" (Prendergast 1).

Embracing such accountability as a viable mechanism to mitigate or disrupt corruption in South Sudan's public sector will uproot and destabilize the foundation of corruption, kleptocracy and strengthen good governance in the country. This will also make citizens to support an accountable and democratic system that South Sudan seeks to establish now and in the future. Identifying corruption in public sector through the Anti-corruption Commission and with powers to prosecute is a crucial starting point that will hopefully eradicate corruption in South Sudan's public sector. Nothing else will work than enforcing non-exceptional accountability mechanisms as means of controlling corruption in South Sudan.

2.4. Scope and Disadvantages of Corruption in Public Sector

Rampant corruption in South Sudan's public sector has hindered economic development and put the nation into excessive debts right after the independence despite millions of barrels of oil produced daily. The income from oil revenues goes into the top government officials' accounts overseas such as Kenya, Uganda, UK, US, Canada and Australia, where their families live luxury lives. This is what Hilde Johnson calls a "betrayal to the people and the country" (Johnson xxiii). Such betrayal indicates that South Sudan has failed to realize economic and human resources development and peace dividends while its political leaders live with impunity and with continuing access to their offshored assets. This impunity indicates that the outright theft and mismanagement of government revenues became a hallmark of the kleptocratic system in South Sudan (Kumar & Prendergast 2).

Kumar and Prendergast (24) reported how the South Sudanese elites corrupted the country. First, individual South Sudanese elites profit from the manipulation of currency exchange and cash transfer mechanisms within the otherwise bankrupt country. Second, well-connected elites in South Sudan with access to both the official and black market rates for currency exchange for the South Sudanese pound have opportunities to exploit the large spread in the rates and engage in currency speculation to profit by wide margins. Third, the currency speculation is causing South Sudan's currency to depreciate as real prices increase with inflation. Fourth, the South Sudanese Central Bank has been forced to borrow or print more money in response to currency speculation, further exacerbating the overall sharp economic decline. Fifth is that in a climate with little documentation or oversight by financial intelligence units, private for-profit foreign exchange bureaus have proliferated, enabling money laundering and the servicing of illicit financial transactions. Finally, cash couriers in airports and wire transfer

services are readily available, allowing for faster and more secure flows of cash without disclosures and documentation. As Kumar and Prendergast reported it, South Sudanese will struggle to bring peace and stability in the country if the political elites are not held accountable.

As unaccountable these forms of corruption persist, “in cases where licit and illicit systems converge, targeted sanctions with asset freezes can be particularly effective” (Kumar & Prendergast, Executive Summary page). Even though money had been laundered through a legal or licit channel, once a high-level political official or conflict enabler is designated by the U.N. Security Council, the individual’s assets are subject to seizure regardless of their provenance (Kumar & Prendergast 25). As Kumar and Prendergast illustrated, it is crucial that freezing assets that belong to the corrupt government’s officials and those who are connected economically will deter the future leadership from rampant corruption. This will also interrupt their usual business conducts domestically and internationally. Such move can be a broader social change that is required to develop South Sudan a country that is less corrupt. This can be done with empowering the anti-corruption authorities as the best tool that is needed to restore peace and unity among the South Sudanese people. Therefore, it is critical to consider that a key priority for building a sustainable peace in South Sudan is supporting the development of robust accountability mechanisms within the country that can safeguard the state from would-be institutional hijackers (Prendergast 5) otherwise a sustainable peace in South Sudan will remain illusory without fundamental changes to end impunity and establish accountability (Prendergast 2).

Corruption and lack of accountability have destroyed domestic economic development in South Sudan. This is due to the lack of strong law enforcement agencies to investigate the hidden accounts overseas that belong to the government’s officials. South Sudanese leaders that

dominate private sector invest in the foreign financial institutions and leave the local economy stranded and citizens left without employment. Consequently, homelessness and prostitution increased. Orphans and widows whom their parents and husbands were killed in the war remain in constant poverty. The numbers of young girls dropping out of schools are enormously skyrocketing.

Making effective policies will allow more robust strategy of disrupting and ultimately dismantling this corrupt system, which is funding, fueling, and profiting from the conflict in South Sudan deserves crucial consequences (Kumar & Prendergast Executive Summary). It is essential that Kenya and Ethiopia contribute actively to a transnational effort to trace, seize, freeze, and return the proceeds of corruption to the people of South Sudan by sharing intelligence through the Asset Recovery Inter-Agency Network of Eastern Africa. At the same time, prioritize U.S. inter-agency support to the Department of Justice's Kleptocracy Asset Recovery Initiative as it seeks to identify actionable cases of grand corruption with a strong connection to the United States. Work with the U.K.'s Proceeds of International Corruption Unit and with Europol, Canada, and Australia to pursue this agenda internationally (Kumar & Prendergast 1).

Supporting and implementing such proposals to control corruption in South Sudan will rescue economic, security and political situation that the South Sudanese people are struggling with in their daily lives. Failure to adopt this financial recovery strategy will allow corruption to persist at high level. IGAD and TROIKA countries need to consider enforcing this financial recovery strategy in their intervention in South Sudan in order to achieve peace, stability and unity among South Sudanese people.

2.5. IGAD and TROIKA Intervention in Conflict

The idea that IGAD and TROIKA countries had to take the mediation role in South Sudanese conflict was a realistic strategy to East Africa region and international community for logical reasons. The mediation led by the regional economic organizations provides legitimacy. First, it is for states in the region that tend to have a better grasp of the conflict situation and its cultural background than countries outside the region. Second, the regional organizations and agencies' closeness to the conflict area allow them to deploy and supply troops rapidly when necessary. This strategy worked far better than the current under-equip United Nations Peace Mission in South Sudan (UNMISS). Finally, the proximity of the region to the crisis often compels regional organization to resolve the conflict, because if it is left unresolved, they are the one to live with its consequences through the influx of refugees and other destabilizations associated with civil wars (Majok14). This is critical to the extent that Uganda, Ethiopia and Sudan were much more involved in mitigating or fueling the conflict in South Sudan for their national interests. Even though the East African countries have economic and security interests in South Sudan like TROIKA countries of USA, UK and Norway, their intervention has shown the importance of the ethical standard in attempting to stop the war from spreading to full-scale ethnic cleansing or genocide.

An African regional intervention in South Sudan has a sense of the Responsibility to Protect (R2P). This is because IGAD's mediation and its approaches have an extensive international dimension. It looks at the concept of the responsibility to as a rationale behind justice lens and the use of humanitarian imperative in IGAD's peace mediation (Majok 10). Even though what happened in South Sudan was not much about humanitarian imperatives in IGAD's and TROIKA's peace mediation, such intervention was significant in a sense that it sent

a warning message to a sovereign state that what happens in a sovereign state's backyard concerns the neighbours. Regional intervention is justified when a sovereign state fails to manage its affairs reasonably and as a result, it spill over its neighbours directly or indirectly. This is what had exactly happened in South Sudan's case when Uganda intervened to protect its security and economic interest. Sudan and Ethiopia exercised their proxy strategies as well, by supporting the rebel groups to remove the government in South Sudan.

Another instant is when Ugandans working for non-governmental organizations in South Sudan were murdered discriminately by the rebels because they are foreigners from countries accused of supporting the government of South Sudan. Such human rights violations were not acceptable for Ugandan government and the international community. Regional intervention, though tinted with other interests, was reasonably supported to intervene in order to mitigate cycle and spread of violence to possibly full-scale ethnic cleansing in the country. This intervention initiative was a justification to prevent genocide like that had happened in Rwanda in 1994 at the watch of the United Nations peace keeping forces. Even though regional intervention in South Sudan remained controversial, it was vital to bring peace, stability, unity in and to prevent genocide in South Sudan.

Section 3: The Importance of Ethics in Public Sector

3.1. Ethics as the Foundation of Just and Well-Ordered Society

Ethics and accountability are inseparable safeguards of security and stability in society. South Sudan government has failed to embrace code ethics as a policy-mandate to make South Sudan a well-ordered society. Looting national resources without accountability has gotten worse. For example, a police can stop a driver and ask for money or issue a ticket for false charges. Foreign drivers in private sector become the victims on daily bases. Without accepting

the importance of ethics in South Sudan public sector, rampant corruption will not escape ethical accountability in South Sudan until ethical practices and fairness are achieved as the basic mechanism to maintain peace. Abiding by and adhering to ethics of accountability will create trustworthiness where public driven by ethical values will trust and remain loyal to the government's institutions.

The government that adheres to and abides by ethics delivers public services more effectively and efficiently. It also unites people to live in peace and harmony. Nonetheless, South Sudanese government has totally failed to abide by and adhere to an ethical mandate such as accountability, justice and the rule of law that are the primary sources of stability of society. This is because ethical values are the cornerstone of any administration despite global tendency; for ethics in public service is about a practical application of the moral standards in governing a society (Hallunovi et al. 1). As Aristotle argues that "ethics are determined by community and education," (Sim June 25, 2014), it is vital to reverse a blind partisan politics in South Sudan by educating public to advocate for accountability as means of controlling corruption in the country. Because there is a major problem for implementing effective Codes of Ethics (Whitton 49) in public affairs, accountability must always remain a tool to curve corruption without exception. This is how a well-ordered South Sudanese society can be achieved and sustained.

A well-ordered society is not founded solely on law and order. It is also founded on ethics and morality. Legal mechanisms are the whips and deterrent mechanisms that protect ethical values according to the rules and regulations of a society. This is the reason the code of ethics is taken seriously in public work and in other government and social forums as well. Any public department that fails to comply with such ethical standard fails to perform well in delivering public services in good faith. And as a result of such failure to the code of ethics can

lead to ethical and moral chaos that makes citizens lose trust in government and its respective agencies. A state of anarchy may emerge to a wide spread demonstration that in the country such as the incident of George Floyd. Killing of Floyd in America has evidenced unethical and misconduct of the representative of government's agencies. When Floyd was killed and the American president, Trump was reluctant to allow legal action taken against the police officers that led to international "Black Life Matters Movement". Overwhelming majority of people in Black Life Matters Movement went on to the streets for a just cause even though significant number of people joined to loot. These looters failed to respect honest ethics which is the foundation of a peaceful, harmonious, stable and a united society. Until South Sudanese leaders become ethical enough, peace, justice and the rule of law will not be realized in the country.

3.2. The Veil of Ignorance

Any issue that demands a peaceful alternative is essential for ethical leadership. This is the case in South Sudanese conflict. However, the search for a lasting long, fair and peaceful alternative for such a combined political and communal conflict is extremely challenging. IGAD and TROIKA countries made many attempts to bring peace in 2015 peace deal but never materialized. Seeking for peaceful alternatives to bring and sustain long lasting peace and stability in South Sudan lies in the principles of the veil of ignorance. Veil of Ignorance is a thought experiment that urges for fairness and equality. Veil of Ignorance argues that "since there is no one knows his or her place in society, class position or social status, fortune in distribution of natural assets and abilities, intelligence and strengths" (Rawls 118). Veil of ignorance is essential for it situates everyone in an original position to acknowledge the principles with which to advance the fair and equitable system. Veil of ignorance also has an ethical approach that allows leaders to work for the best interests of all citizens. As the

principles of veil of ignorance illustrated, it is fundamental that IGADD and TROIKA countries, the South Sudanese government and the opposition groups work all together to make stronger institutions behind the veil of ignorance that considers justice and rule of law as means to hold the corrupt government's officials in South Sudan.

Despite its enduring analytical aptitudes, veil of ignorance still remains controversial in the discourse about how right maximizes the good (Rawls 26, 27). Nonetheless, there is a long tradition of ethics in addressing ethical issues like the conflict of rights and good in human society. Such conflict exists in a long tradition in decision-making processes that assume that people usually take a perspective that implies a focus on the outcomes only when making decisions (Tanner et al. 1). Such a view largely neglects the existence of the principles and perspectives of the veil of ignorance that people are sensitive to moral duties that require or prohibit certain behaviors, irrespective of the consequences (Tanner et al.1).

As of this preceding, critics of veil of ignorance may argue that President Kiir had a difficult choice to make between allowing South Sudanese leaders to loot the country in exchange for peace and unity in the country. Second, compromising corruption allowed South Sudan political and organized forces leaders to remain united in order to attain their independence from Sudan even though corruption has devastated the country. It may be argued too that, because many leaders who currently occupy highest positions in the government are traumatized. They also lack civil principles to lead politically. Their moral and ethical values are affected by the brutality of civil wars. They need to be trained in civil administration and formal leadership. Thus, training military officers who turned into politicians will allow them to lead the country democratically. Such training will also allow them to respect national constitution

that will create the system of check and balance between the branches of government of executive, judiciary and the national assembly.

Corruption has devastated the future of South Sudanese people regardless of their ethnic backgrounds. However, holding corrupt people accountable during the peace process with a broken military system, the peace processes may not succeed. Communities where the people that are accused of corruption will be brought to justice may feel that the members of their community are merely targeted because they belong to a certain community. Political or legal accountability during peace processes may cause destructive effects in a country such as South Sudan where high illiteracy and the intense of war trauma nationwide is very high.

Accountability without exception is the most viable mechanism that will neutralize ground for peace and stability in the country. This can be achieved through the lenses of the veil of ignorance because it has legitimate perspectives to offer to realize peace, stability and unity in the country irrespective of the controversy over the maximization of rights and good.

Critics may be right in term of allowing South Sudanese leaders to compensate themselves through corruption to maintain unity among them and to attain the independence of South Sudan. Nevertheless, if the freedom, justice, the rule of law and economic development that were hard-fought for decades are not realized then, such independence that has been undermined by corruption becomes meaningless. Independence without justice, the rule of law and economic development is an empty independence. This is because independence South Sudan without freedom, justice and the rule of law will categorize South Sudan as a failed state. This is the reason that the veil of ignorance has fundamental alternative to offer in the situation of corruption and accountability in South Sudan. Veil of ignorance cannot accept politics of

corruption to satisfy anyone but politics that values ethical and moral principles that provide peace, unity among people and sustain stability in society.

Controlling corruption is very difficult for any government. However, establishing democratic and accountable system that empowers the Anti-corruption Commission to investigate and prosecute corruption will pave a way for a trustworthy leadership that South Sudanese will admire and support with loyalty and patriotism. Nevertheless, various conflicting attempts should not prevent fighting for ethical principles to protect the country to live in peace and harmony. Fighting corruption is sensitive yet, there is still prospect to insist fighting it through the lenses of the veil of ignorance. Corruption is an enemy of peace and stability in any society that needs a political will to eradicate or mitigate it.

Section 4: The Lack of Accountability and Political Will against Corruption

The lack of political will against corruption in South Sudan's public sector allowed corruption to rampantly persist. This makes it very extremely embarrassing to how could the liberators of South Sudan betray themselves and their people (Johnson xxiii). The lack of political has also makes it difficult to understand to whether there is any leader in the cycle of corruption in South Sudan that bothers to ask whether such betrayal that brought down the country's economy and worsens the security nationwide requires a solution behind the veil of ignorance. This question invites doubt to remain drastically unthinkable since the lack of accountability persists despite public outcry for immediate change. The silence from the national leadership indicates rampant corruption persists and that the current peace maybe at risk if not implemented in good faith and under surveillance of IGAD and TROIKA countries with the international community. However, a political will determine how this mess could be turned around for better.

The lack of political will for accountability has proven that the leaders who liberated the country lack a legitimate political leadership and fair system to bring the necessary political and legal reform currently required in the country. Instead, political leaders have been and still are uncontrollably corrupt and many citizens are dying daily as a result of famine and diseases. This is due to the lack of insufficient delivery of services to the people and the high level of corruption went viral that turned into ethnic fault line and senseless war (Johnson xiii). Lack of political will among South Sudanese leaders to bring peace and economic development is completely contrary to the goal of the independence of South Sudan. Although South Sudanese people demand for “structural transformation of public sphere as a historical-sociological account of the emergence, transformation, and disintegration of the bourgeoisie” (Habermas xii), nothing has currently prevailed. Yet, South Sudan political leaders are pre-occupied with looting the nation’s resources and hide them in their offshore accounts. Instead, these leaders should be building the national economy and infrastructure to boost local economy to benefit all the citizens of South Sudan. Yet, security organs are deployed to silent public demand for political structural transformation. This is why rampant corruption continues and prevents the realization of peace, stability and unity in the country.

The government totally fails to promote public opinions against corruption. This overshadows the openness of the government to citizens that it represents. It is very crucial to embrace public sphere for it is the realm of freedom that reveals and did everything to become visible to all people (Habermas 4). It is very important to allow the Anti-corruption Commission to take the lead in bringing perpetrators to account and to allow citizens to continue demanding for structural political transformation. This is how peace, stability and unity among the South Sudanese communities that live at their hinge of ethnic fault lines will be realized.

4.1. The Anti-corruption Commission with Investigating and Prosecuting Powers

In the first world, economic perpetrators who mismanaged or embezzled public or private resources are unlikely to go without accountability. The bar is always very high for corrupt leaders in public to cross without severe repercussions. The anti-corruption and ethic commissions are tasked with more powers to investigate and provide their recommendations to the law enforcement agencies or concern bodies for further unexceptional implementations and executions. Social media and interest groups are always eager to bring awareness to public when corruption issues arise. However, in South Sudan, the opposite is the usual business. The anti-corruption units are not empowered to bring the perpetrators to account. Their task is just to occupy the offices without powers to hold corrupt people accountable. Worst is that nobody in the national legislature bothers to ask why the Anti-corruption Commission is not active and what can be done about it. They are very much parts of the corruption in their respective offices like other political appointees who occupy their respective institutions and act with impunity in the executive as well as in the organized forces. Corruption is a usual business in South Sudan's public sector and the current government is unwilling to eradicate it.

The appointment of the government political officials such as members of parliament to the national assembly deteriorates politics in South Sudan's public sector. Mores documented the destructive effects of appointing political leaders in South Sudan. More argues that "government's officials who are appointed and imposed on public in South Sudan encouraged bureaucratic corruption were citizens faced demands for bribe on their dealing with government institutions" (2). Mores also argues that embezzlement were officials take advantage of inadequate budget monitoring to divert public funds without accountability opens alleyway to patronage and becomes high to the extent that high posts are dominated by elites (2).

As Mores articulated, loyalty within political and military cycle is high to the extent that any attempt for structural transformation would indefinitely result into a disappearance without a trace, and nobody would attempt to investigate the disappearance. Such habit allows political corruption to spiral to the extent that shocked the entire country and the world at large. Especially, the TROIK A and IGAD countries that spent numerous resources supporting South Sudan independence from Sudan were very disappointed. There was a hope after the independence that South Sudan will live up to the values it fought for nearly four decades. However, the leaders took the wrong direction. Instead, they have chosen to engage in corruption and nepotism. Such corrupt habits pose fundamental concerns whether a corrupt government or a transitional government that has to be removed or kept in leadership still does not have political will and capacity to deliver in ethical and moral manner (Johnson 298). Corruption can be curbed with empowering the Anti-corruption Commission with powers to investigate and prosecute the perpetrators.

Until 2014, the South Sudanese presidency threatened a punitive action against finance ministry officials who extorted bribes from companies seeking contracts (Johnson 39). Subsequently, the media alarmed at the extent of bribery of the ministry and the allegations of widespread delays in payments, kickbacks, and nepotism persisted (Johnson 39). However, there was never action taken against any official from finance ministry. Nobody knows up to date to why no person was held accountable. This silence sends a signal that the lack of political will in South Sudan's public sector has remained a stumbling block in the fight against corruption and economic development in the country. This is where IGAD and TROIKA countries should consider tough accountability measures in the processes of implementing the current peace in South Sudan.

It is fundamentally that IGAD and TROIKA countries continue pressing the government of South Sudan to empower the Anti-corruption Commission to fully investigate and prosecute the corrupt leaders in the country without exemption. That is what the rule of law constitutes and it is crucial to executed it. Currently, South Sudanese need to actively engage in the anti-corruption campaign to improve transparency and accountability in the government spending and procurements. Such engagement will hopefully encourage many whistleblowers to disclose corruption activities in the system. Such pressure is critical because it will force the government of South Sudan to respect and ratify the United Nations Convention against Corruption; laws already criminalize corruption and require elected officials to disclose their assets and corporate interest. Civil society groups can advocate that these provisions be enforced (Kumar & Prendergast 2) for it is the constitutional rights of the citizens of South Sudan to rise up against the imperfect system. Without such anti-corruption activism, realizing accountability, justice and the rule of law will remain a shattered dream. And as a result, peace and stability will be unreachable in the country.

Section 5: The Principles of Justice and the Rule of Law

5.1. Justice

Free society is founded on the principles of justice and the rule of law. This is why the principles of justice are the foundation of stable political and economic society. Principles of justice and rule of law provide and strengthen equality, loyalty and patriotism in all reasonable circumstances. Rawls argues that “political conception of justice must generate its own support and the institutions to which it leads and must be self-enforcing, at least under reasonable favourable conditions” (Rawls 125). Justice is a state of character, making people do just actions and the greatest of the virtue considered to be good of and beneficial for another, whether he is in

the office over one or is a fellow citizen (Aristotle 79). Even though Rawls' and Aristotle's justice perspectives might be conflicting, they aim at doing the right thing for the good of individual and community. This is because community is a combination of all individuals that have individual rights and duties and those rights are protected equally. Infringing individual rights is an injustice, unethical and immoral. Justice and the rule of law are the concrete pillars of stable, peaceful and prosperous society.

Corruption of any kind can be experienced in the peace processes whether justified or not. Nonetheless, infringing one's rights means infringing other people's rights. This is why the international community is very much concerned when gross human rights violations take place in any part of the globe. It is only justice that frees an individuals and a community at large. This is the reason that justice must be served with tough accountability measures to control corruption in society. Thus, it is a duty of South Sudanese leaders to abide by the national and international laws to provide peace and harmony among their fellow citizens. Justice must prevail under the tenet of the rule of law or realizing peace and stability in South Sudan will remain a challenge.

5.2. The Rule of Law

The principle of the rule of law is not simply that nobody is above the law. It is also the conception of formal justice, the regular and impartial administration of public rules that become obviously closely related to liberty (Rawls 206, 207). When rules are just, they establish a basis for a legitimate expectations that constitute ground rules upon which persons can rely on one another and rightly object when their expectations are not fulfilled (Rawls 207). This is where the South Sudanese government has failed to fulfill the expectations of its citizens according to the principles of the rule of law. Rule of law is the guiding principle of accountability that

ensures peace and stability and allows human and economic prosperity to progress in the country. Every citizen who has done wrong must be held onto account without exemption. The principles of the rule of law constitute that “every citizen is subjected to the laws enacted by the legislature” (Hunter-Schulz 13). This is the reason for protecting the rule of law is necessary to restore peace, unity and stability in South Sudan rather than merely keeping the laws in the book without execution. This is what the South Sudan government needs to implement to lead its people to prosper together.

On paper, the parliament of South Sudan is functioning, but how its formation came to tell the story of a legislature, which cannot be relied upon to formulate laws that inspire the public confidence of the citizens of South Sudan remains at question (South Sudan National Dialogue 50). Although legislature is inflated with unelected members, what is essentially needed is how the next elections to the future parliament of South Sudan should be conducted after the implementation of the 2018 peace agreement. This is an important aspect of the type of reforms the country needed. Nonetheless, the concerns of next elections are very central to the principles of the rule of law in South Sudan. The rule of law is the cementing foundation of democratic and accountable government if free and fair elections are needed to be conducted after peace is implemented successfully. Still, the rule of law is conflicting on two fronts: legal and political and that needs a courageous leader to implement accountability measures to save people lives from another future civil war.

The essence of legal and political sides is appropriate in a sense that they can be the legitimate machineries to lay a bridge between law and politics. Yet, the ideas of the rule of law can be understood as well as the means of coping with, if not solving, the pervasive social problems of knowledge, interest, and power in the country. This stipulation seems to be pure

political but it is also legal. The principles of the rule of law are merely that nobody is above the law, even the presiding president and government officials, civil or military. This perspective may be controversial as it might be in South Sudan. Nonetheless, it is the people of South Sudan who will be the judges. Does this legal sense of the rule of law incur the use of force that is required by the legal principles that nobody is above the law in South Sudan? Nobody in South Sudan's leadership dares to provide a legitimate answer and that is what matters the most.

Instance of cattle rustling insecurity in South Sudan evidenced the how weak the rule of law is in South Sudan. It is the responsibility of the government to provide security to its citizens by enforcing the principles of the rule of law. However, an incredible failure from the government to prevent violence and to protect civilians comes with corruption with impunity. If the insecurity is important to be addressed in South Sudan and its respective communities, then cattle rustling among communities deserve preemptive use of force to thwart insecurity in the cattle keepers in the country. Battle for implementing the principles of the rule of law in South Sudan is overwhelming when it comes to justice and accountability in cattle raiding and child abduction. The senior officers in the organized forces do not mind whether or not communities are killing themselves over the cattle. These are the few examples that are central to prove the failure of the government to hold the perpetrators responsible in the government or in the hostile communities.

Freedom is very fundamental to advance individual aspirations and to promote harmony in society. Falling short of this notion always results in endless political or communal conflict that erodes freedom that South Sudanese fought for decades. Nelson Mandela argues that "to be free is not merely to cast one's chain, but to live in a way that respects and enhances the freedom of others" (Johnson xiii). If civilians are not free, they resort to violence for survival. Freedom

starts from freedom to live and of thought. Thus, the rule of law is a magnificent mechanism that binds all the rulers and the ruled to live freely with one another in peace and harmony. Still, there is no freedom without a suitable democratic system that will control corruption and promote the enforcement of effective accountability measures in the country. Such accountability deters everyone involved in this horrendous corruption that devastated South Sudan for many years. It is fundamental to apply accountability measures without exception from the top to the bottom. That is the principle of the rule of law in democratic society.

Section 6: The Suitable Democratic System as a Means of Controlling Corruption and Promote the Enforcement of Effective Accountability Measures

6.1. Primary Elections and Accountability in South Sudan's Democratic Context

The feeling that one will not allow free and fair change of leadership when one is in power, has not only resulted in what the young republic of South Sudan faces, but it has also encouraged violence as the only credible way of changing political leadership and correcting the mistakes of the leadership (South Sudan National Dialogue 29). When the SPLM, the ruling party clings to power without legal and political accountability, it notoriously reinforces the rifts between the political parties and among SPLM's members. This has been the same in the communities that live at the hinge of ethnic fault lines. Also, forcing citizens to elect among the contesting representatives without questioning their political platform, ethical and moral aptitudes in open and professional conducted interviews had eroded accountability in public sector. Failure to abide by the principles of primary elections has largely widened disunity in the country. Therefore, allowing South Sudanese to elect their representatives of their choice through free and fair primary elections is paramount for accountability against corruption in the country.

It is the fair and free primary elections that will be the bedrock of effective, efficient and sufficient democratic and accountable system in South Sudan. Constitutionalizing fair and free primary elections will prevent the president from usurping presidential powers to stay longer in power, and will defuse political power struggle to the extent where the candidates who lose in election will not opt for arms struggle. These aspects are essential for democratic and accountable government that abides by the principles of justice and the rule of law that are currently needed in South Sudan. This is how to control corruption and establish accountability mechanism to restore peace, unity, and economic prosperity in the country. Nevertheless, such democratic practice needed to be done with true democratic principles that protect majority and minority rights together.

In politics, democracy is sometimes misunderstood literally as a simple majority rule. This concept has indeed affects politics in South Sudan like in other developing countries that underwent the same political turbulent. Instead, the essence of real democracy is the respect for fundamental human rights such as the right to vote without fear of any oppression, intimidation, and rights to question the leaders on the political issues affecting an individual rights, civil liberties and freedoms. Democracy is, in fact, the “institutional arrangement for arriving at political decisions in which individuals acquire the power to decide by means of a competitive struggle for the people’s vote” rather than through a barrel of a gun (Lekalake 3).

In this logic, unmerciful competition for people’s votes based on ethnic backgrounds derailed South Sudanese political leaders’ attention to safeguard South Sudanese citizens. Consequently, the political leaders opted for undemocratic means such as military rebellion that chocked the fellow South Sudanese citizens and the entire world for several painful and shameful years. This cannot be a very surprising notion in South Sudan where leaders collide head-on even

when it is necessary to avoid such collisions. As of the reality of the political landscape of South Sudan persisted for bitter-long decades in conflict, real democracy is a much more urgently needed as a reliable mechanism to thwart rebellion, to bring political and economic reform, to curb rampant corruption and to bring transparency in the country.

Rampant corruption and lack of transparency is not only about financial mismanagement; it is also about how politics is mismanaged through militaristic form. Corruption of all kinds has affected South Sudan for many years with no leader being held accountable of corruption. Corruption has also embedded in the country for many reasons. The absence of strong, honest and peaceful opposition political parties, civil society that is independent financially, public meetings and rallies that can be used as pressing devices for encouraging citizens to express their views and obliging public officials to answer their concerns categorically. There are many instances of rampant corruptions such as when generals are appointed the governors in the states and reinstated in the military. This type of political leadership is a vital indication that the current South Sudanese government is an authoritarian. If a general joins politics, then he or she should not be reinstated in the military after the civil tenure ended. Mixing military and civil administration reveals corrupting politics to the extent that rebellions take place at any time as the only means of ascending to power. These illegitimate political acts happened with impunity and corruption continues rampantly. Rampant corruption in South Sudan is astonishing and is persisting rapidly.

Section7: Conclusion and Review of Key Issues

7.1. Conclusion

In this paper, I provide the persisting advocacy for accountability through the Anti-corruption Commission with prosecuting powers, abiding by the public work ethics, justice and

the rule of law as means with which to control the rampant corruption in South Sudan's public sector. I argue that corruption undermines ethics, justice, the rule of law and democratic and accountable governance in South Sudan's public sector. I urge for enforcing tough accountability measures without exemption and to protect and promote them publicly. This will deter corruption activities in public sector. I highlight that corruption hindered economic development and exacerbated insecurity in South Sudan. Finally, I claim that obstacle is whether there will be, sooner or later, a political will to protect, promote and implement these preceding ethical values.

I have also explored historical background of the rampant corruption and lack of accountability in South Sudan's public sector. The cause of the civil wars of 2013 and 2016 after South Sudan had attained its independence from Sudan on July 9, 2011 has shocked the entire world as to why the people who fought to liberate themselves from oppressive regime of Sudan turned against themselves in less than three years of independence. Such violent power struggle in the country, most frequently, ascends as a result of an embedded ruthless competition for political positions and meager resources. The entrenched lack of accountability, transparency, justice and the rule of law, democratic and accountable government have exacerbated rampant corruption in South Sudan's public sector. These obstacles ignited an ongoing political power struggle within SPLM, the ruling party, implicated South Sudan People Defence Force (SSPDF) and South Sudanese ethnic communities that live at their ethnic fault lines. The intervention of the IGAD and TROIKA countries in attempting to resolve the conflict in South Sudan before and after the independence has played a considerable role that has mitigated the escalation of the conflict to ethnic cleansing and genocide. Even though IGAD and TROIKA countries have variety of interests that compelled them to impose 2015 and 2018 ambiguous peace agreements

on South Sudan that are difficult to implement, their intervention played positive role in the peace processes.

Besides, urging for empowering the Anti-corruption Commission to prosecute and promote accountability and public discourse in combating corruption in South Sudan, federalism would be suitable for South Sudan's political and cultural settings. Federalism will certainly establish a transparent, democratic and accountable system that will hopefully empower the people from the grassroots to question and hold their political leaders accountable. The government of South Sudan needs to support public discourse against corruption to address the corruption activities in the entire country. The South Sudanese citizens had enough of war, nepotism, high poverty gap between the richest and the poorest, high illiteracy and underemployment. Corruption has remained rampant in South Sudan without repercussions and for that, peace, stability and unity among the South Sudanese population is difficult to realize. Nevertheless, change is inevitably closer to come from the South Sudanese people in South Sudan and from the diaspora, the East African states and the TROIKA countries.

7.2. Recommendations

In sum, I look into the historical background of corruption and civil wars in South Sudan and highlight the ways forward to restore and sustain peace and unity among the South Sudanese communities. A long-lasting solution that is required to address the root cause is an instrumental scrutiny where a determined and legitimate legal mechanism that supports empowering the Anti-corruption Commission has the prospect to minimize the deep-rooted corruption in the country.

I further maintain, with powers allocated to the Anti-corruption Commission to prosecute, there is a promising ambition to realize peace and unity in the country and embrace the principles of justice, the rule of law and transparency, even though it is a challenge in the

newly founded country like South Sudan that recently emerged from brutal civil wars. I propose the enforcement of non-exemption accountability as means with which to prevent violent power struggle, mitigate ethnic contentions and relevant future conflicts to expedite economic development. Thus, establishing democratic and accountable government that will respect, protect and promote fair and free elections will be vital as a national goal to sustain and contain the escalation of violent political power struggle in the future. Protecting whistleblowers will also be vital in deterring grand corruption in public sector.

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