

INVITATION TO CONTRIBUTE PAPERS TOWARDS A SEMINAR ON BUILDING CONSTITUTIONAL GOVERNANCE IN SOUTH SUDAN

Theme: Post-conflict Constitution-Making: Challenges and Options for South Sudan

Hosted by:



From 26th —28th April 2023, University of Juba, South Sudan

Call for Papers:

Dear all,

The organisers of the first academic and policy seminar entitled “**Building Constitutional Governance in South Sudan**” wish to invite prospective contributors to submit abstracts for consideration. Authors of the selected abstracts will be asked to submit full length papers of not less than 10,000 words to be presented in a four-day seminar to be held at the University of Juba, South Sudan. Quality papers from the seminar will be subjected to a rigorous double-blind peer review process for inclusion in an edited book volume.

Information for submitting abstracts:

Those interested should submit abstracts of 1,000 words including footnotes outlining the proposed topic, indicative methodology and a prospective contents outline.

Papers may address any (but one) of the following thematic areas:

1. Approaches in designing inclusive post-conflict constitution

- What are the approaches to designing a post-conflict constitution to ensure legitimacy?
 - To what extent are such approaches cohesive with the constitution-making process design under the Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan 2018 (R-ARCSS), the Roadmap 2022 and the Constitutional Making Process Act 2022?
 - To what extent does constitution building in an emerging state foster successful transition to democracy and constitutionalism?
- 2. Case studies on “best” practices or lessons for fostering constitutionalism through constitution building**
- What lessons can be drawn from other countries on entrenching and protecting constitutionalism, rule of law and human rights in South Sudan?
 - How should such “best” practices or lessons be extrapolated and contextualised into a diverse socio-political South Sudanese context?
- 3. Key substantive issues in post-conflict constitution-making in South Sudan, including:**
- a. Power sharing
 - b. Wealth sharing
 - c. Citizenship and national identity
 - d. Local governance, traditional institutions, customary laws, and values
 - e. Land tenure
 - f. Subnational boundaries
 - g. Federalism and system of governance
 - h. System of check and balance

The deadline for submitting abstracts is **February 27th**.

Submissions should be made to Dr. Joseph Geng Akech: josephgakech@gmail.com copying:

- Dr. Santino Ayuel Longar: ayuelongar@gmail.com
- Dr. Biong Kuol: jangd2010@gmail.com
- Prof. John A. Akec: Ja_akec@yahoo.co.uk

Authors of the accepted papers will be informed by **March 10th** and they will be expected to submit full length articles of **10,000 words** complying with the [PULP guidelines](#) by **20th April**.

Authors of the selected paper will have a chance to present their papers in a **four-day** hybrid (in-person and online) seminar to be held on **26th —28th April at the University of Juba, South Sudan.**

For enquires:

Joseph Geng Akech (Dr.)
Adjunct Assistant Professor
School of Law, University of Juba, South Sudan
Email: josephgakech@gmail.com

Background

Constitution is the hallmark of a functioning democracy, good governance, and rule of law. Written or unwritten, a constitution fosters constitutionalism by putting in place institutions for building democracy and means for people to demand accountability and claim their rights.

South Sudan — the world’s newest country — is yet to adopt a final and consensual constitution. The country operates on a provisional document which is a remodelled Interim Constitution of Southern Sudan, 2005. With or without a ‘permanent’ constitution, South Sudan faces enormous challenges in establishing and consolidating a constitutional democracy. This makes the ‘permanent’ constitution building process currently underway a rare opportunity to redefine strategic direction towards a stable democracy and the rule of law.

The conundrums confronting South Sudan in its effort to consolidate constitutionalism are manifold, but they can be summed up into one dilemma: *How should South Sudan design a legitimate consensual constitutional framework to foster post-conflict recovery, development, and democratisation?* The path towards achieving this goal is stipulated under the Revitalised Agreement on the Resolution of Conflict in South Sudan (R-ARCSS) which commits political forces to reforms and adoption of a new constitution. This process commenced with a legislation to guide constitution-making already adopted by the country’s parliament and assented into law by the President in December 2022.

Once rolled out, the other aspects of constitution building shall commence. These include the reconstitution of the National Constitutional Review Commission, appointment of Constitutional Drafting Committee, convening of the National Constitutional Conference and parliamentary ratification, respectively. These mechanisms must grapple with yet-to-be agreed upon and potentially contentious constitutional issues such as system of governance (type of federalism, presidential or parliamentary, term limit, citizenship/national identity, local governance, internal boundaries), among others.

The lack of consensus and inherent complexity of constitution-making require dialogue among experts (national and international), political parties, civil society, and academia to provide expert guidance on these critical issues of constitutional structure especially in a post-conflict context such as South Sudan.

Constitution-making processes must be nationally owned. To address the challenge of over-reliance on foreign constitutional advisory assistance, a key element of constitution-making in South Sudan must be the nurturing of indigenous expertise and scholarship in constitutional law including process design.

This concept note therefore, proposes to convene a seminar of experts to critically analyse how ‘emerging states’ (like South Sudan) grapple with building and consolidating democracy and constitutional governance. Papers will also examine the extent to which constitution building determines the trajectory of a country’s transition to a constitutional democracy.

Rationale —Why the seminar?

South Sudan has embarked on constitution building as part of its democratisation agenda. It is however faced by limited comparative experiences on how to adopt a legitimate post conflict constitution. The seminar aims to bring together experts in constitutional design, state building and human rights to engage in a dialogue which will have immediate and long-term positive impact on efforts to build constitutionalism in South Sudan.

Objectives of the seminar

- To dialogue on options and prospects to achieve an inclusive constitution-making process in South Sudan;
- To examine key substantive constitutional issues and political questions likely to be deliberated upon during the permanent constitution-making process;
- To generate indigenous experts' perspective and policy advice for South Sudan's political leaders on the implementation of the constitution-making process;
- To foster dialogue among academia, researchers, and policy analysts towards building and nurturing an indigenous network of South Sudanese scholars and expert practitioners in constitutional law and institutional development;
- To draw experiences and practical lessons on fostering constitutionalism and good governance in a post-conflict constitution building experiment; and
- Identify papers for inclusion in a book on constitution-making in South Sudan.

The seminar will feature papers from selected authors (South Sudanese and international scholars) to be presented in a four-day seminar to be held at the University of Juba, South Sudan.

For more information, contact:

Joseph Geng Akech (Dr.)
Assistant Professor of Law
School of Law, University of Juba, South Sudan
Email: josephgakech@gmail.com