C10

10

Performing Transitional Justice

Song, Truth-Telling, and Memory in South Sudan

Angela Impey

C10.P1

> "To resolve the confrontational and dysfunctional decision-making which currently exists [in development planning] there is need to first acknowledge the validity of . . . [different] constructions of knowledge, and then to proceed to derive patterns which are built from connections not divisions; from parts of a system in dialogue with each other, not in a random scatter; and from a holarchy of equivalents parts, not a single hierarchical rule." (Brown n.d.)[1]

C10.P2

Several years ago, I attended a seminar hosted by the Overseas Development Institute (ODI) in London entitled "Mainstreaming Marginal Knowledge into Development Policy Processes." The ODI is Britain's leading independent think tank on international development and humanitarian issues and is responsible for shaping the government's policies on aid to developing countries. The aim of the seminar was to bring together leading scholars to address the disjuncture between growing and diverse bodies of research on development issues and their uptake in policy, focusing in particular on the difficulties involved in "raising the profile of too-often hidden voices in the knowledge-development policy interface."[2] Further, it sought to stimulate more nuanced debates about conventional knowledge translation processes and to challenging some of the dominant assumptions that have shaped international development since its inception in the 1950s.[3]

C10.P3

While the seminar title immediately summoned in my mind Foucauldian apprehensions implied in the terms "mainstream" and "marginal," intensifying my reservations about the power inequalities inherent to international development enterprise as a whole, I was nonetheless curious to hear more about what constituted "knowledge" in this context, hopeful that the seminar's claim to innovative, critical debate might accommodate an understanding of knowledge systems as multiple, performative, and culturally contingent. This expectation built correspondingly on a statement published by the seminar organizers in a related ODI report, which read:

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C10.P4 Moving from an analysis of "research" or "evidence," as previous frameworks have emphasized, to "knowledge" more broadly allows an examination of the political and epistemological dynamics in the production and use of such knowledge, while still including (but also reframing) the insights gained into evidence and research. (Jones, Ajoy & Jones 2009)[4]

C10.P5 A further motivation for attending the seminar was to better understand the epistemologies that underpin the activities of the INGOs, UN Missions, and foreign government agencies that exert considerable influence in the geographical regions in which I conduct research. Though much of their work may be motivated by urgent humanitarian needs, their operations are nonetheless largely determined by a totalizing, economistic understanding of the world. Despite the widespread claim to inclusivity, particularly as it pertains to policy design, financing priorities, and delivery approaches, in reality most development and humanitarian practitioners with whom I interact have little time to consider local knowledge systems in the formulation and day-to-day management of their work. As argued by Reij, Scoones, and Toulmin (1996: 19), the focus of development tends to be on designing and disseminating technical "solutions," but very little time is invested in understanding the problems and how they are perceived and acted upon locally.

C10.P6 More fundamentally, it is my contention that cultural systems remain largely overlooked by this sector, due to the fact that the concept of culture is poorly understood. Rather than being recognized as foundational to all aspects of life, culture is either relegated to the realm of specialist entertainment, as it might be conceived and experienced in the global North, or disregarded altogether on account of its assumed allegorical, performative, and ephemeral nature. Framed thus, culture is regarded as analogous with "the arts" and is therefore cast aside as extraneous to the professional responsibilities and expertise of the average development practitioner. This was made particularly evident in a recent interview conducted by one of my graduate students with the chief program officer and policy advisor for social development at the ODI, who stated:

C10.P7 When we are making policy recommendations, the stakeholders want to see hard evidence, and they want to see value for money. When we talk about arts and culture, it can seem wishy-washy. Social welfare response mechanisms are based on a professionalization of language, policy and practice, [which are] not conducive with words like "arts." [Currently] there is no delineation [in the development sector] between arts for art sake and arts that have real impact within development models. (Pers. comm. with Sylvia Harrison, 2014)[5]

C10.P8 As an ethnomusicologist, I have long been interested in seeking ways that we may contribute toward the *reinsertion* of culture into social development policy processes, particularly in our capacity as performance ethnographers.[6] What sets academic research apart from the development or humanitarian sectors is that while for them, long-term research is often considered an unaffordable luxury (Mosse 2005), we often have the privilege of protracted exposure. Though subject to different institutional constraints, it is within our rubric to attempt to better understand how social knowledge is constructed and communicated, to experiment with innovative methodologies, and to explore ideas based on novel transdisciplinary intersections. Investigating cross-sectoral applications for ethnomusicological research would not involve (in my opinion) the production of performance spaces to stimulate public dialogue or affect behavioral change, as might be the more common "music as a tool" approach.[7] Rather, it would draw on our capacity as critical listeners to the range of rhetorical strategies that people employ to define and defend their interests. As performance studies scholar, Dwight Conquergood reminds us, "performance thrives within the zone of contest and struggle" (1995: 138); our scholarly charge is to better understand these indirect and extra-linguistic modes of communication where the messy negotiations about social experiences tend to occur (Conquergood 2002: 148).

C10.P9 Claiming an interest to *reinsert* culture into development processes suggests an earlier iteration. Here I refer to the Culture for Development and Communication for Development movements of the 1970s that were spearheaded by, among others, the Brazilian educational philosopher Paulo Freire and the Belgian development communications professor Jan Servaes, respectively.[8] These movements grew out of the Latin American revolutions of the 1960s that challenged Eurocentric perspectives to development based on prescriptive formulae for economic advancement and modernization. Both sought critical engagement with local concerns through the promotion of contextually and culturally relevant knowledge-based processes. While Freire focused on pedagogical reform in education, Servaes and others on the Communication for Development trajectory sought to amplify local agendas via the mass media. However, as Servaes (2002) pointed out more recently, despite the widespread influence of these paradigms on development thinking, culture is still not routinely included in the design and implementation of projects. In fact, one could argue that cultural concerns have become progressively obscured by the economic imperatives of neo-liberalism, which have shifted the emphasis back on technical solutions and short-term market-orientated growth. While culture and participation may be thoroughly integrated into the development lexicon—thrown into a seductive mix of "fuzzwords" such as sustainability and empowerment (Cornwall 2007)—there remains a crucial gap between their use as statements of intent and their application on the ground.

C10.S1

The Agency of Assemblage

C10.P10

As it turned out, for most of the panelists at the ODI seminar, knowledge did not refer to knowledge systems *per se*, but to sources of knowledge, the status of "marginal" in this instance (rather surprisingly) consigned to women and children. However, one panelist, Valerie Brown, an emeritus professor of environmental development from Australian National University, delivered an impassioned appeal for fresh perspectives to "mainstream" development by considering of not only *who* speaks and *what* is said, but *how* knowledge is communicated. Her presentation, entitled "Liberating Voices: Hearing the Voices of Communities Other Than Our Own," argued that the disciplinary epistemologies and research pathways that currently drive development have not—and cannot—solve "wicked" problems (e.g., climate change). She thus petitioned for the dismantling of existing hierarchies between different "specialist" knowledges and organizational and local knowledge, and their replacement with a systems approach based on collaborative engagement and collective social learning. Such an approach, she suggested, would not presume the rejection of former modes and tools, but would accommodate, by way of a networked, nested, or rhizomatic framework, an understanding of knowledge systems as multiple, mutually valuable and based in application. As she elucidates in a later edited volume:

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> The task is therefore to draw on all our intellectual resources, valuing the contributions of all the academic disciplines as well as other ways in which we construct our knowledge. And that brings the challenge of developing open transdisciplinary modes of inquiry capable of meeting the needs of the individual, the community, the specialist traditions, and influential organizations, and allows for a holistic leap of the imagination. (Brown et al. 2010: 4)

C10.P12

Brown's call for "imaginative transdisciplinarity" is submitted as both a bold political challenge and an operational framework. Its appeal is directed less at the generation of *new* knowledge than at achieving clarity of purpose with the intention to solve real problems. As I see it, her model delivers a challenge to ethnomusicology to formulate new ways to engage with rising social concerns and to claim a place for locally contingent performative knowledge alongside, and in equal partnership with, the technocratic, economistic models that currently drive policy design and implementation. As Conquergood wisely asserts, "It is the imaginative traffic between different ways of knowing that carries the most radical promise of new ways of seeing and understanding" (2002: 145).

C10.S2

Performing Transitional Justice in South Sudan

C10.P13 My interest in the role of performance in transitional justice in South Sudan has its roots in a British Arts and Humanities Research Council-funded research project on Dinka language and melody (2009–2012).[9,10] During the process of analyzing a large repertoire of songs from across several Dinka-speaking regions, I became intrigued by their critical role in the citizenly dialogue about peace, forgiveness, and reconciliation. Yet, despite the urgency for the implementation of a formal transitional justice process, this dialogue was notably absent from the discussions that were being generated by government ministries and their international development partners, for whom the authority of evidential testimony clearly resided exclusively in the spoken word.

C10.P14 In the following case study, I consider the role of song and performance as judicial instruments of truth negotiation in Dinka culture, offering a culturally-licensed space for the public disclosure of multiple positions and forms of agency. I argue that while songs may recount memories and opinions within the context of culturally sanctioned expressive spaces in Nilotic pastoralist societies more broadly, they equally reveal potentially incompatible rejoinders to justice across South Sudan's many ethnicities. These differences draw attention to the need for new epistemological pathways in the development of hybrid frameworks for truth-telling and reparative outcomes, and challenge the assumptions that underlie much post-conflict rule-of-law work, whose tendency is to privilege a standardized, punitive, and state-centric process.

C10.P15 The Republic of South Sudan is located in northeastern Africa. It is the newest country in Africa, having attained independence in July 2011 only. Half a century of almost continuous civil war with (the previously north) Sudan has left the country with a legacy of destruction that has manifested in some of the worst human development indicators in the world. Weak institutional capacity and extreme government corruption have intensified the country's dependence on international AID, which has apportioned its vast infrastructural gaps into neatly bound instrumental sectors: for example, food security, education, health, water and sanitation, peace, and governance.

C10.P16 South Sudan has a population of some eleven million people, which comprises some sixty different ethnic groups. Approximately 35–40 percent of the population is Dinka (Muonyjieng), a Nilotic pastoralist people who share close ethno-linguistic features with several smaller groups—for example, Nuer, Atuot, Shilluk—who are mutually identified by their intimate spiritual and social association with cattle. As described by the anthropologist Godfrey Lienhardt, "cattle for the Dinka are something to which men have assimilated themselves, dwelling upon them in reflection, imitating them in stylised action, and regarding them as interchangeable with human life in many social situations" (1961: 27).

C10.P17 Cattle pastoralism on the flood plains of the White Nile requires constant mobility. When the land turns to swamp during the rainy season, Dinka pastoralists will retreat to their homesteads on higher ground, where they cultivate grains such as sorghum. At the end of the rains, young men will return to the edge of the swampland to set up cattle camps, which often comprise many thousands of cattle, and will progressively relocate their herds during the dry season to ensure constant access to the retreating water course (see Figure 10.1).

C10.P18 Livelihood security for transhumant pastoralists is dependent upon strong social networks, which are nurtured by clearly articulated mores and reinforced by highly visible, prescribed forms of oral discourse (Impey 2013). As suggested by Leinhardt (1961), for the Dinka, being a good "keeper of words" is a measure of wisdom, leadership, and good neighborliness, an idealized concept that is encapsulated in the word *cieng*, which can be loosely translated as "to respect" or "to live together." This rhetorical practice is not peculiar to the Dinka, however, and goes to the heart of individuality and sociality in most Nilotic groups in the region. Writing about the Atuot, Bruton notes:

C10.P19 > Most notable in the Atuot program of specifying society and its possibility is the presumption that individuals are defined as members of social groups by their words, public utterances which articulate the manner in which people create and interpret patterns of social relations. One aspect of the Atuot theory of society indicates that the individual "brings" or "has a word," thereby declaring

C10.F1 **Figure 10.1** Dinka cattle camp. Photo by Angela Impey, 2011.

> and defining a perception of, and participation in, a wider series of social relations. (1982: 263)

C10.P20 As with most Nilotic people, songs are fundamental to this rhetorical practice among the Dinka, and are organized into an elaborate catalog of styles, each clearly distinguished by name, communicative function, and performative features. Every man and woman will accumulate a personal repertoire of songs that chronicle significant events in their lives, which they will perform, either solo or as a group, at designated times and places. Songs are valued according to how discerning they are about real-life events and how vigorously they inspire public reflection. Lyrics will draw on imaginative language, and on metaphors and metonyms in particular, relying thus on a system of poetic layering to elaborate the singer's relationships with his or her clan members, with cattle and place. According to Dinka political scientist Francis Deng, the role of songs in Dinka cultural practice is that they elevate everyday experiences into an "art of grandeur" (1973: 80).

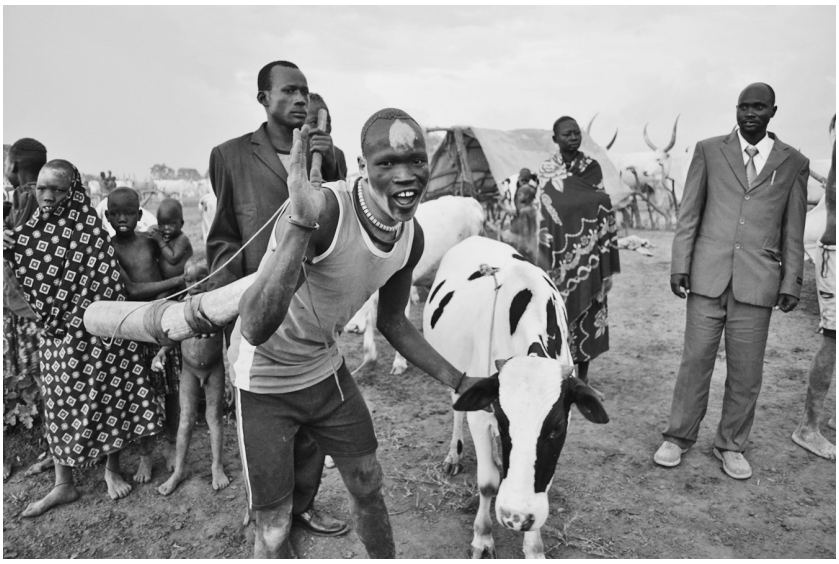
C10.P21 Songs do not seek to divulge aspects of one's own life only, however, but aim also to draw others into one's world. This objective is supported by their poetic structure, which comprises highly truncated segments of information that are interconnected in a "cut-and-paste" linear format. Leaving things implicit forces listeners to acknowledge common ground and actively links them to wider contexts and meanings. Furthermore, songs frequently build on a series of questions, deliberately drawing listeners into their world by inviting them to actively contemplate on solutions.

C10.P22 The physical body and performance contexts are fundamental to the expressive meanings and integrity of a song. The most venerated of song categories among young men, for instance, the "ox-song" (*waar*), will be performed while circumnavigating the cattle camp with one's personal bull, which he will have meticulously preened and adorned with bells and tassels, all the while holding his arms high in imitation of the curvature of its horns (see Figure 10.2).

Transitional Justice

C10.S3

C10.P23 Transitional justice refers to a range of procedures associated with a society's attempt to come to terms with the legacy of large-scale violent abuses to ensure accountability, serve justice, and achieve reconciliation. Initiated in the immediate aftermath of World War II as a legal response to gross human rights violations, transitional justice has since bourgeoned to encompass a range of justice mechanisms, including prosecutions of perpetrators of violence, truth-telling exercises, reparations to victims, and institutional reforms to guard



C10.F2 **Figure 10.2** Young man singing in cattle camp beside his personal bullock. Photo by Robin Denselow, 2011. Used with permission.

against recurrence of violence. More often than not, transitional justice is a state-led process that follows a punitive, courtroom-based procedure as set out by the International Criminal Court in The Hague.

C10.P24 Today, oral testimonies have become widely accepted as evidence in truth commissions. Although truth-telling narratives are evaluated predominantly from the perspective of their content, a number of scholars have begun to interrogate the significance of performance in the disclosure of testimonies, as well as in the contexts of their production and circulation. For instance, in her critique of the South African Truth and Reconciliation Commission (TRC), Catherine Cole draws attention to how such publicly staged hearings, which were determined by the narrative conventions, protocols, and epistemologies of a court of law, failed to support open communication as was intended. On the contrary, it cast victims into a passive role, allowing them to speak only when spoken to by an agent of the court, and even then, restricting them to certain topics only. She concludes that the institutional measures that this system represented supported an exclusive, liberal understanding of truth and reparation, and was thus woefully inadequate to grapple with the psychological complexities of trauma, particularly when perpetuated on such a large scale. Cole is among a growing number of scholars who are thus calling for greater consideration of culturally and contextually contingent semiotic processes that frame local truth-telling

discourses (French 2012: 344; Keavy & Robinson 2016), an understanding of which "project[s] cartographies of their own production, circulation, and reception" (Briggs 2007: 332). The following deliberation by the International Centre for Transitional Justice (ICTJ) serves as useful direction to this concept of "transitional justice from below" (McEvoy & McGregor 2008):

C10.P25

> Oral tradition plays an important role as a source of law, a basis for claims, and a guarantee of action in indigenous societies. The performance of ceremonies to witness or commemorate is an important element in validating and dignifying storytelling. . . . Such an approach demands bold discussion: How can we assess the validity of oral tradition as evidence? How do different cultures treat time and causality in narratives of the past? Who speaks for a community, and how may that differ from community members' individual accounts? On the basis of these reflections, truth commissions focused on indigenous rights could devise innovative techniques for taking statements, processing data, and developing standards of evidence. Similarly, learning from indigenous peoples on the most appropriate forms to transmit information should inform a truth commission's approach on outreach and dissemination of its findings. (ICTJ 2012: 5).

C10.P26

In Sudan, peace and reconciliation have been on the agenda since the signing of a Comprehensive Peace Agreement between north and south in 2005. With independence of South Sudan in 2011, a National Reconciliation Commission was established, its main aims being to build democracy and to reduce internecine conflict. Directed largely by foreign government agencies, churches, and INGOs, proposals put forward by the commission were modeled largely on the state-centric South African TRC paradigm, which had been similarly employed in other post-conflict states in Africa such as Rwanda and Sierra Leone. However, due to the escalation of internecine violence, the process was never operationalized. Despite this, if the task of transitional justice is the recovery of truth, forgiveness, and the restoration of civic trust, I would contend that such a state-led process would have limited efficacy in such a highly fragmented, underdeveloped country as South Sudan:

C10.P27

- Since independence, peace has been used as a bargaining chip, feeding into political game playing by government elites to serve their own power gains, and ironically coming to be seen by civil society as the basis for increased violence. As recently pointed out by David Deng, director of the South Sudan Law Society, "Individuals who use violence to achieve their political (or personal) objectives are commonly rewarded for their crimes through blanket amnesties and political or military appointments granted in the context of peace processes. Not only does this generate resentment among the victims

of their crimes, but it also creates a marketplace for insurrection by turning violence into a tool of political negotiation" (2016).

C10.P28
- As a classic fragile state that suffers from weak capacity and legitimacy, the central government is experienced as remote for most citizens, who often describe it in their songs as "twinkling lights in the distance." Despite the fact that 85 percent of the South Sudanese population relies on subsistence agriculture and animal husbandry, infrastructural development has been concentrated almost exclusively in the urban centers. The state consequently exercises limited direct authority over a majority of the people.

C10.P29
- The country has yet to establish a formal judiciary, and customary processes—which differ considerably across the various groups—remain the principle mechanisms for the mediation of a wide range of civil disputes. Along with the loss of faith in the state's institutional ability to deliver peace, a majority of South Sudan's population are pastoralists who are egalitarian and are therefore profoundly resistant to hierarchical legalism (Duany 1992).

C10.P30 These fundamental concerns notwithstanding, the need for an effective peace and reconciliation program in South Sudan has become a matter of urgency. In December 2013, a mere two years into its independence, the country erupted once more into civil war. While much of the international focus on the conflict has been on the power struggle between government elites, on the ground, the war has been experienced as a resurgence of a deep hostilities between the two main pastoralist groups—Dinka and Nuer—that has raged for decades.

C10.P31 Frustrated by the machinations of political leaders and by the inefficiency of the peace process, local publications and the social media have begun to reveal renewed interest by civil society members in traditional justice mechanisms. As pointed out by seasoned South Sudan anthropologists Hutchinson and Pendle (2015), there is a growing appreciation of the role played by Nuer prophets, whose mediation strategies draw on deep cultural, spiritual, and historical roots. While their activities have largely gone unnoticed by external observers, these prophets have been successful in creating enclaves of peace in the midst of successive civil wars.

C10.P32 In addition, there has been much discussion about a "people-to-people" peace conference called Wunlit, which took place in 1999 in two states of what was still a unified Sudan. Brokered by Nuer prophets and Dinka spiritual leaders (spear masters) in association with the New Sudan Council of Churches (NSCC) and the Sudan People's Liberation Army (SPLA), the conference sought to mitigate escalating violence between Nuer and Dinka, which was detracting from the broader purpose of liberation from Sudan.

C10.P33 By contrast, the Wunlit conference was attended by spiritual leaders, chiefs, and civil society members, with minimal intervention by church leaders. It comprised a nine-day-long "justice ritual" (Rossner 2013), commencing with the sacrifice of a pure white bull, Mabior. As one observer from the New Sudan Council of Churches (NCSS) reported:

C10.P34 > Mabior stands in the center of the circle as more than a bull, he is a symbolic embodiment of the acknowledgement that there are serious issues and the conflicts must be resolved. The people gather, mutter and whisper together; the words are those of repentance. They stand together, before one another and before God, with hearts of repentance, asking for forgiveness from one another and from God. Finally, when it seems that at last something must be given and tension is about to peak, the crowd is silenced. An announcement is made: "This Mabior is the Bull of Peace that will be sacrificed for reconciliation and peace." The crowds give a short, loud roar of their approval and agreement. Anyone who breaks this commitment to peace will follow the way of Mabior. (NSCC 2002: 60, qtd. Redekop 2007: 77).

C10.P35 Staged as a classic Turnerian (1969) ritual drama, and incorporating whole clans, as well as their ancestral and spiritual worlds, Wunlit emphasized a non-punitive, transformative approach to past events, encouraging public introspection, empathetic listening and the rebuilding of trust.[11] Most notable in this process was that truth was not considered absolute, but negotiable and could be compromised for the sake of harmony (Redekop 2007: 77). Wunlit represented what Garneau (2012) has referred to in the North American context as an "irreconcilable space of Aboriginality," a site of epistemological debate about conciliation and reconciliation that was located away from the strictures and political conformities of the international gaze. While differences or even discord may have occurred within this space, negotiations were nonetheless performed in relation to like others (Garneau 2012: 33). Accordingly, the conference has come to be regarded as a template for peace values across the country, offering a viscerally compelling experience through which participants were able to move toward recognition of common objectives and resolve their differences.[12] As one of the NSCC consultants and peace facilitators, O. Lowrey, explained:

C10.P36 > There is no doubt that a peace is underway between Dinka and Nuer in Bahr el Ghazal and Western Upper Nile regions in southern Sudan. It is a world that is difficult to grasp for people from the West. This is not a peace that is forged primarily on a piece of paper, although that will happen by the time the Conference is over. It is not a peace constructed in meetings and negotiated as a set of ideas, although that too is likely in the coming couple of weeks.

> This is a peace and reconciliation process between peoples with oral traditions. They draw from rich resources of traditional life and see themselves as rooted in a common family. Dinka and Nuer know that peace comes when people are reconciled, wrongs are forgiven, covenants are established, rituals provide visible signs of inner commitments, and new paths are created for interactive relationships along their borders and within each other's lands.[13]

C10.P37 The Wunlit Peace Conference may be the most extensively documented of the many peace initiatives that have taken place in South Sudan over the years (Bradbury et al. 2006: 31), yet details traded about it focus almost exclusively on its political objectives and overall procedure. While numerous reports state explicitly that the potency of the event was rooted in the singing, dancing, and public testimonials that dominated the proceedings, and that created a space for individual disclosure and empathetic, reflective listening, no information is available about the nature and content of these performances. It is precisely this failure to elaborate the inherent efficacies of performative knowledge in such contexts of complex political or social negotiation that draws me back to a consideration of ethnomusicology's potential contribution to development processes more broadly.

C10.S4 ## Song and Performance as Truth-Telling in Dinka Culture

C10.P38 In the following section I focus on a brief analysis of a song segment in order to elucidate some of the constituent qualities of song in Dinka culture in relation to truth-telling. The song was composed during the latter years of the second Sudanese civil war (1983–2005) by the Dinka soldier and pastoralist Deng Fanan while he was serving as the personal composer for Dr. John Garang de Mabior, the now deceased leader of the Sudan People's Liberation Army (SPLA) and celebrated liberator of the south. Deng Fanan's songs were known widely across the region and particularly acclaimed for their prophetic wisdom. Some were sung collectively at military rallies; many were recorded on cassette tape and circulated among the millions of southerners who had become globally displaced by the war.

C10.P39 Buk ŋö jal loi? Wë ë t buk ŋö jal loi?
C10.P40 Makur ku Majak!
C10.P41 Buk ŋö jal loi? Buk ŋö jal looi?
C10.P42 Cumal ee Thudän ku Junup ë Thudän
C10.P43 Tiɛɛl, tiɛɛl alë m ë ɣɔ k
C10.P44 Alë m ë ɣɔ k ku bï lam wei, bï lam wei baai Thudän da

C10.P45 Pandït ë kɔc cï piöc yen ë ben ë päl tiɛɛl bï tiɛɛl rac
C10.P46 Makur! Makur ku Majak!

C10.P47 What shall we do, brothers, what shall we do?
C10.P48 Makur and Majak![14]
C10.P49 What shall we do about north and south Sudan?
C10.P50 We have to sacrifice cattle to free ourselves from hatred
C10.P51 It will need the sacrifice of cattle to dispel it from Sudan
C10.P52 We cannot let hatred destroy an educated nation
C10.P53 Makur! Makur and Majak!

C10.P54 While working with a small team of Dinka research collaborators on a translation of the song lyrics, I was struck by three issues in particular. The first related to the disjuncture between the sweetness of the melody and its vocal delivery, and the political cogency of its message. This apparent disparity highlights how music's multiple, elaborative encodings conceal a range of contingent performative meanings, often all the more so, as Conquergood (2002) would argue, because of their refusal to be spelled out.

C10.P55 The second pertained to Deng Fanan's choice of song. When I recorded it in Juba in 2011, the Republic of South Sudan was celebrating its independence from Sudan. It was a euphoric moment that marked the cessation of almost half a century of civil war. The country was awash with flags, and prospects of peace and new beginnings were running high. However, rather than celebrate its newfound freedom, as everyone else seemed to be doing at the time, Deng Fanan chose to record a song that memorialized the bleak moments preceding it, a responsibility often assigned to songs, I later came to understand, to keep alive the affecting presences of the past in the present.

C10.P56 One of the legacies of the long civil war is that South Sudan now suffers from critically high rates of illiteracy and the majority of its population still lives in a non-text-based world.[15] Despite the mediating effects of modernity in other spheres of life, songs remain a widely used communication modality within a range of everyday rhetorical practices; the highly stylized alliance between melody and language operate as crucial mnemonics for the recollection of a range of personal and public information.

C10.P57 The significance of song in the construction and public disclosure of knowledge is extended to the third notable feature of the song, which related to its content. Deng Fanan's appeal for the cessation of violence and the elimination of hatred between north and south resonate with the core objectives of transitional justice—that is, to build a common narrative of the past in order to bring about peace and reconciliation (Rush & Simić 2014)—which at the time of the recording was being promoted as a principal agenda of the new state. What

interested me was that he did not seek to achieve these objectives through judicial or diplomatic means, but through the ritual act of sacrifice ("It will need the sacrifice of cattle to dispel it from Sudan"). As highlighted in the Wunlit Peace Conference, sacrifice concentrates collective violence in a single scapegoat; the act of bloodletting becomes the ultimate cleansing rite that impels a change of heart and leads toward the restoration of a harmonious order. In this case, Deng Fanan's appeal to sacrifice sought to bind Christianity and Islam—an essential component in the conflict between north and south Sudan—through a common, legitimizing ontology of reparation.

C10.P58 These three issues draw attention to the hidden, multiply encoded and affective value of songs in Dinka culture, to their cultural role as carriers of memories, histories, and political opinion, and to their function as public hearings. Deng Fanan's song was one of a myriad such songs that I recorded in South Sudan that carried similarly allegorized, impassioned petitions for peace. Their sheer abundance and public iteration demonstrated their significance as acts of "critical citizenship," or, as Yúdice (2003) might express it, as public action aimed at sociopolitical intervention and amelioration. Their intention to actively stimulate moral reflection invokes Hauser's (1999) notion of "vernacular publics in discourse," which he interprets as "emergent, constantly creating, regulating and fine-tuning public opinion through a process [that] . . . cultivate(s) and maintain(s) a sense of ourselves in dialogue" (1999: xi). The rhetorical public sphere described by Hauser has several primary features, which underscore local process-oriented peace-building:

C10.P59 • it is discourse-based and inclusive;

C10.P60 • the critical norms are derived from actual discursive practices, and arguments are judged by how well they resonate with the population that is discussing the issue;

C10.P61 • rather than a conversation that goes on across a population as a whole, the public sphere comprises many intermediate dialogues that may merge at a later stage in the process.

C10.P62 As Hauser suggests, "Publics may be repressed, distorted, or responsible, but any evaluation of their actual state requires that we inspect the rhetorical environment as well as the rhetorical act out of which they evolved, for these are the conditions that constitute their individual character" (1999: 109). Though Hauser places exclusive emphasis on speech, I would argue that songs in Dinka culture are active within a continuum of rhetorical processes, and assigned particular discursive authority in sanctioning moral and political order in the following ways:

C10.P63
- Songs are used as vehicles of social and political regulation in all areas of public life and are a culturally licensed site for the frank disclosure of opinions, which may be otherwise considered offensive. According to Deng (1973), underscoring the objective of "fighting with song" is the reinstatement of harmony, which invokes the aforementioned idealized state that is encapsulated in the Dinka term *cieng* (i.e., "to respect"; "to live together");

C10.P64
- As vehicles of social regulation, songs offer a public space for the candid exhibition of emotions. One such song category—"songs of catharsis"[16]—is aimed specifically at cleansing oneself from unresolved feelings (Deng 1973). However, as with the above point, while songs provoke or shelter intense emotions, their ultimate objective is to generate an "affective habitus," drawing others into their meanings through an empathetic understanding of their aesthetic and structuring elements;

C10.P65
- According to the Dinka legal scholar John Makec (1988), songs carry moral authority in Dinka customary law and are an acceptable form of public testimonial in the context of civil hearings. Further, as suggested by Cohen (1997), aesthetic forms and processes cultivate precise sensibilities—that is, receptivity, respect, empathy, self-awareness—which are a necessary precondition for reconciliation.

C10.S5
Whose Marginal and Whose Mainstream?

C10.P66
As an ethnomusicologist, the greatest challenge that I have in attempting to work across the sectoral (academic-public) divides is how to build credible evidence based on communication modalities that are widely regarded outside of our own disciplinary environment as oblique. The fragmentary nature of songs, their apparent imprecision in relation to detail, and their foundation in performance tends to depict them as unreliable. Equally, while we may take ideological solace in the commitments made by postcolonial scholars such as Walter Mignolo (2013) to a contemporary world that is shaped by competing norms and diverging epistemologies, and that gives space to locally contingent processes and truths within the entanglement of global powers (Gaztambide-Fernández 2014), the challenge remains how we actualize these pluralist ideals in the everyday. It is in this capacity that I return to Valerie Brown's call to actively "delink" from the disciplinary hegemonies of the global North—an appeal similarly delivered by Mignolo—and to her systems approach based on innovative partnerships and collaborative action. Applied to the world of law and jurisprudence, such an approach would conceivably include input by customary leaders, civil society members, legal scholars and practitioners, faith-based advisers, political anthropologists, and performance ethnographers. Mindful that many

customary justice systems that operate in highly democratic cultures such as the Nuer and Dinka may not function effectively in authoritarian cultures in South Sudan (Thomas 2016), and equally, that songs may play a different rhetorical role in different societies, such a collaborative process would seek to build on these intermediate vernacular dialogues (Hauser 1999), directed by how meanings are regulated within participating groups. Working upwards from local epistemologies and practices, they may well produce very different understandings of truth, justice, and forgiveness to that which informs the current centralized transitional justice model. Equally, they may well sanction protracted "justice rituals" under the direction of spiritual leaders, as did the Wunlit peace conference, rather than support punitive mechanisms meted out by an internationally sanctioned court of law.

C10.P67 Finally, people may well argue that within an environment of ongoing violent conflict and urgent humanitarian needs such as South Sudan, research on knowledge systems may be something of a luxury (Harle 2016). However, as argued by the Dinka anthropologist Jok Madut Jok (2016), a lack of local expertise and understanding has contributed significantly to the disappointments of the post-independence period. It has resulted in the development of a national planning process that is driven by financial contributors whose authority to make nationally important decisions is commonly based on little knowledge of local systems. Research and knowledge in South Sudan have equally been considered products of the international rather than a local community, and are seldom used to improve national public policy at the national, regional, or local level in-country (Jok Madut Jok 2016).

C10.P68 In this brief exposition, I have the argued for the contribution of ethnomusicological research to policy design and implementation through the development of innovative collaborative partnerships. I have drawn particular attention to an expressive practice in Dinka culture whose function is inherently that of public truth-telling and conflict resolution. Songs offer a communication register that is neither bound by externally imposed spatial or institutional strictures, nor regulated by the obligatory restrictive narrative form of the courtroom. While the capacity of songs to affect reconciliation in a society marked by extreme violence may be partial, they nevertheless demonstrate that by thinking culturally, deeper understandings of local public positions become available, and in so doing, they offer insight into the shaping of more meaningful, locally responsive peace-building solutions. As confirmed by Bradbury et al. in a baseline study on peace processes in South Sudan: "It is now commonly—and plausibly—asserted that peace agreements which neglect public consultation and participation and which are not complemented by local-level peace processes are unlikely to last" (2006: 6).

Notes

1. See Public Sphere Project, www.publicsphereproject.org/node/438, last accessed May 2016.
2. See www.odi.org.uk/events/2670-mainstreaming-marginalised-knowledge-into-development-policy-processes, last accessed May 2016.
3. The term "development" encompasses a broad range of possibilities and is a complex and passionately contested field. For the purposes of this chapter, however, I wish to concentrate on the operations of the "international development" sector as it is promoted via a network of government and non-governmental organizations, think tanks, and policy institutions. For a critical appraisal of this sector and the implementing agencies that drive it, see Emma Crewe and Richard Axelby, *Anthropology and Development: Culture, Morality and Politics in a Globalised World* (Cambridge, UK: Cambridge University Press, 2012).
4. Nicola Jones, Ajoy Datta, and Harry Jones with EDPDN partners, "Knowledge, Policy, and Power: Six Dimensions of the Knowledge-Development Policy Interface" (2009), working and discussion papers, https://www.odi.org/publications/3790-knowledge-development-policy-interface.
5. Sylvia Harrison, "Advocating for Arts and Culture in the Post-2015 Development Agenda" (2014), final essay prepared for the Music in Development course, SOAS, University of London.
6. Here I refer to social programs within our own neighborhoods as much as those supported by international agencies.
7. It should be clarified that "music as a tool" for development has received considerable attention in the INGO/NGO sector, most often under the rubric of "edu-tainment." For instance, a UN compendium entitled *Music as a Natural Resource: Solutions for Social and Economic Issues* (2010) reports on fifty-five such projects worldwide which are divided into five thematic areas: music for (1) sustainable community development; (2) mental and physical health; (3) working with trauma survivors; (4) learning, and (5) peace-building. While I do not question the achievements of many such projects, I do have reservations with the tendency within the "music as a tool" discourse to project a somewhat utopian assertion of music's efficacies, and with it, an inclination to forecast miraculous and sustained transformations as a result of a series of workshops. See also Yúdice 2003.
8. See also Wendy Quarry and Ricardo Ramirez, *Communication for Another Development: Listening before Telling* (London, New York: Zed Books, 2009); and Susanne Schech and Jane Haggis, *Culture and Development: A Critical Introduction* (Oxford: Blackwell, 2000).
9. In order to retain a focus on the performative knowledge in this chapter, I have chosen to simply go with the term "transitional justice," despite widespread criticisms of its underlying Eurocentric, neoliberal formulation of justice and democracy. Elsewhere I have explored this matter more fully, reframing my analysis through the lens of "transformative justice," which prioritizes process rather than preconceived outcomes, and emphasizes local agency and resources. See "Unspeakable Truths: Musical

Citizenship and Transformative Justice in South Sudan," paper delivered at the Kings College, University of London Ethnomusicology Colloquium, 20 January 2016.

10. AHRC Large Research Grant (Beyond Text) Scheme, "Metre and Melody in Dinka Speech and Song," ID No: AH/G013470/1.
11. Turner defined "ritual drama" as "a stereotyped sequence of activities involving gestures, words, and objects, performed in a sequestered place, and designed to influence preternatural entities or forces on behalf of the actors' goals and interests." (1977: 183)
12. See "Local Peace Processes in Sudan: A Baseline Study" (Rift Valley Institute, 2002).
13. "Sudan: Dinka-Nuer Peace Conference, 4 Mar 1999," www.africa.upenn.edu/Urgent_Action/apic_3499.html, accessed June 6, 2016.
14. These are the names of the composer's personal bulls, which would have been given to him as a boy according to a hierarchy of cattle color-patterns. Invoking his bulls is used as a poetic strategy to publicly proclaim his personal identity and to secure his status within his clan.
15. Some 97 percent of women in South Sudan are illiterate, and to date, none of the sixty or so languages has a standardized orthography.
16. The term "catharsis" is used by the Dinka political scientist Francis Deng in his book *The Dinka and Their Songs* (Oxford: Clarendon Press, 1973).