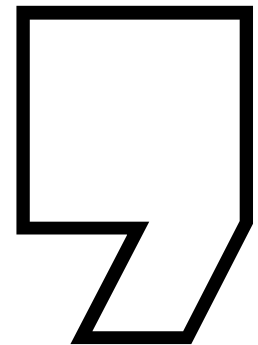


Researching livelihoods and  
services affected by conflict



# In the eye of the storm: An analysis of internal conflict in South Sudan's Jonglei State

Working Paper 11

Rachel Gordon

March 2014

# About us

Secure Livelihoods Research Consortium (SLRC) aims to generate a stronger evidence base on how people make a living, educate their children, deal with illness and access other basic services in conflict-affected situations (CAS). Providing better access to basic services, social protection and support to livelihoods, matters for the human welfare of people affected by conflict, the achievement of development targets such as the Millennium Development Goals (MDGs) and international efforts at peace- and state-building.

At the centre of SLRC's research are three core themes, developed over the course of an intensive one-year inception phase:

- State legitimacy: experiences, perceptions and expectations of the state and local governance in conflict-affected situations
- State capacity: building effective states that deliver services and social protection in conflict-affected situations
- Livelihood trajectories and economic activity under conflict

The Overseas Development Institute (ODI) is the lead organisation. SLRC partners include the Centre for Poverty Analysis (CEPA) in Sri Lanka, Feinstein International Center (FIC, Tufts University), the Afghanistan Research and Evaluation Unit (AREU), the Sustainable Development Policy Institute (SDPI) in Pakistan, Humanitarian Aid and Reconstruction of Wageningen University (WUR) in the Netherlands, the Nepal Centre for Contemporary Research (NCCR), and the Food and Agriculture Organization (FAO).

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Secure Livelihoods Research Consortium  
Overseas Development Institute  
203 Blackfriars Road  
London SE1 8NJ, UK

T +44 (0)20 7922 8221  
F +44 (0)20 7922 0399  
E [slrc@odi.org.uk](mailto:slrc@odi.org.uk)  
W [www.securelivelihoods.org](http://www.securelivelihoods.org)

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# Abbreviations

CDI	Conflict Dynamics International
CIGI	Centre for International Governance Innovation
CPA	Comprehensive Peace Agreement
DDG	Danish Demining Group
DFID	Department for International Development
GoS	Government of Sudan
GoSS	Government of South Sudan
HPN	Humanitarian Action Network
HRW	Human Rights Watch
ICG	International Crisis Group
IOM	International Organization for Migration
MSF	Médecins Sans Frontières
NBS	National Bureau of Statistics
NCP	National Congress Party
NGO	Non-governmental Organisation
OCHA	Office for the Coordination of Humanitarian Affairs
OLS	Operation Lifeline Sudan
SAF	Sudanese Armed Forces
SLRC	Secure Livelihoods Research Consortium
SPLA	Sudanese People's Liberation Army
SPLM	Sudan People's Liberation Movement
SPSS	South Sudan Police Service
SSDA	South Sudan Democratic Army
SSDM	South Sudan Democratic Movement
SSRRC	South Sudan Relief and Rehabilitation Commission
UK	United Kingdom
UN	United Nations
UNMISS	UN Mission in South Sudan
US	United States
USAID	US Agency for International Development
USGS	US Geological Survey

# Executive summary

The violent political crisis that has engulfed South Sudan since mid-December 2013 has awakened the world to the fundamental lack of stability in the world's newest country. However, the situation is, unfortunately, neither new nor specific to the political contestations that have so suddenly turned violent across the nation in recent months. This analysis was written prior to the political crisis and subsequent outbreak of violence, and does not attempt to incorporate or explain those very complex events, the resolution and consequences of which are yet to be determined. It aims instead to shed light on the conflict dynamics of one of the country's poorest and least-analysed states – Jonglei – through the post-Comprehensive Peace Agreement (CPA) and independence period, leading up to the present crisis.

South Sudan is a post-war country that remained embroiled in conflict after the formal agreements on peace and independence took effect, struggling to meet the high expectations of its own citizens as well as those of external supporters hoping to quickly overcome decades of crisis and establish a functioning state. In order to meet those expectations, the South Sudanese government requires the ability to respond effectively to ongoing conflict within its borders and mitigate the drivers of those conflicts such that there are better options available to would-be fighters than to perpetuate the cycles of violence that continue to decimate life and livelihoods across large swathes of the country. Unfortunately, it clearly still lacks this capacity.

This report explores conflict in Jonglei state in eastern South Sudan. Drawing on a desk review of hundreds of documents on conflict, development, state building, humanitarian aid, ethnic relations, politics and other topics, as well as fieldwork in Jonglei in early 2013, it seeks to build a deeper understanding of the conflict in Jonglei for the purpose of informing other research being carried out over the next several years as part of the UK Department for International Development (DFID)-funded Secure Livelihoods Research Consortium (SLRC) South Sudan programme. It may also be a useful resource to anyone seeking a clearer understanding of the complex web of actors, relationships, dynamics and drivers of conflict in Jonglei.

South Sudan declared independence in 2011, after more than a half-century of conflict with the Sudanese government in Khartoum. Jonglei is the largest state in the new country by geographic area; it is often referred to as the most populous and least developed as well, although no credible data exist to confirm population numbers or development indicators. Jonglei has long been home to shifting internal dynamics, relationships and loyalties among ethnic groups and political actors, which have made its conflict and development trajectories quite difficult to chart, much less to predict and stabilise. The three largest ethnic groups in the state – Dinka, Nuer, and Murle – have historically engaged in periodic violence and raids against one another, largely for the purpose of cattle theft and the establishment of (young male) raiders' dominance, wealth, and social status within their own groups, as well as vengeance for previous attacks. Local populations and observers agree, however, that the nature, frequency and intensity of such violence have shifted in recent decades, and are continuing to evolve as new influences and conflict drivers have emerged from the civil war and its aftermath.

One of many challenges to making sense of conflict in Jonglei is that it is often described as being simply ethnic or 'tribal', but such descriptors capture only part – if any – of the forces at work. The dynamics and purposes of cattle raiding vary according to group norms not only within ethnic groups but also within subgroups such as clans and age-sets, and have also shifted markedly over time as traditional authorities have lost influence and as militarised mindsets, tactics and weaponry rooted in the war have continued to pervade 'peace' time. As a result, extreme and indiscriminate violence has become more commonplace, and made 'traditional' raiding attacks more difficult to differentiate from other types of social and political conflict.

Ethnic group<sup>1</sup> loyalties are often said to explain the underpinnings of national power struggles, as well. While they may indeed influence support for government figures such as President Salva Kiir (Dinka) and former Vice President Riek Machar (Nuer), as well as other actors, including rebel leaders such as David Yau Yau (Murle), group membership is certainly not the only determinant of political loyalty, and such explanations of South Sudan's highly complex political dynamics are oversimplifications at best. This is even, if not especially, true of the political crisis of late 2013 and early 2014 (ongoing at the time of this writing, and generally referred to hereafter as the 'crisis of late 2013' or similar). This latter has been widely represented as ethnically motivated, and has obvious ethnic dimensions, yet was largely triggered by a political challenge to the authority of President Kiir led by a coalition of prominent political actors from various ethnic groups, including Kiir's own. Conflict in Jonglei and across South Sudan is certainly driven and clouded by historical and current perceptions of discrimination and marginalisation, as well as by stereotypes and biases between and among ethnic groups. Ethnicity must not, however, be understood as the central or only issue.

Conflict is also driven by numerous factors related to governance and the state's capacity and willingness (or lack thereof) to intercede and mitigate violence and its drivers. The Government of South Sudan (GoSS) has yet to establish law and order or functional security and justice sectors. It has, instead, focused on numerous other complex issues: the transition of the Sudan People's Liberation Movement and Army (SPLM/A) from decades of being a rebel movement with a strict militaristic hierarchy – simultaneously rife with internal discord and fragmentation – to being the primary governing party and standing national army in a nascent democracy; the absorption of numerous dissident leaders and stakeholders into a 'big tent' of national political unity; ongoing struggle with Sudan over border demarcation, oil wealth and contested areas such as Abyei; and a host of other internal challenges, including the temporary shutdown of oil production and huge gaps in infrastructure, service delivery and institutions. With these challenges come significant internal contradictions, including a bloated military that often lacks authority over its soldiers but is unable to shed volume for fear of backlash; violent and ineffective civilian disarmament campaigns; and widespread impunity for violence and corruption. It is all too clear that GoSS has remained far – and now only moved further – from surmounting these hurdles in its short history.

Tens of thousands of international advisors, UN military and civilian personnel, non-governmental organisation (NGO) workers, diplomatic and donor agency staff and private contractors, as well as billions of dollars in pledged aid, have poured into South Sudan since the end of the war in 2005. Their broad focus is on supporting South Sudan's transformation into a peaceful and effective state, based largely on state-building theory that equates state visibility and service delivery with effective governance and state legitimacy. They are not, however, neutral actors. Each brings its own set of approaches, relationships, motivations and historical understandings to its dealings with GoSS, local leaders and communities.

The UN alone has over 10,000 personnel in South Sudan and a broad mandate that includes the potential use of force to protect civilians, but it faces its own capacity and security challenges that have precluded effective and sustainable conflict intervention. Other types of external actors with other motivations, such as the Government of Sudan (GoS), have been actively involved in conflict through border disputes and supplying arms and resources to rebels. These very different kinds of external forces all shape South Sudan's political, social and conflict dynamics in various ways, although their physical presence in most of Jonglei has generally been minimal.

It is against this backdrop that the young state is charged with providing effective security for its population, ending armed conflict within its borders and creating the peace and stability that citizens and other stakeholders demand. The political crisis of late 2013 makes it only more pressing that all

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<sup>1</sup> For reasons discussed below, this report will use the term "ethnic group" rather than "tribe" where applicable – noting that the use of such broad categories is itself neither a clear nor uncomplicated determination.

possible efforts and resources be put toward realising this vision. While popular narratives reduce Jonglei's internal conflict to lack of services, competition for resources or 'tribal' animosities, there is no simple or definitive explanation, or any clear roadmap for 'rebuilding' a peace that, in reality, most South Sudanese have never known. Those invested in such a goal must also invest in understanding the complexity of the situation underlying it, if any true progress is to be made. We hope this analysis makes some small contribution.



# 1 Introduction

*'[T]he link between delivering services and abating violence is not found in Southern Sudan, despite this being the dominant paradigm that informs the aid operations. In Southern Sudan a more precise identification of the causes of conflict is needed' (Bennett et al., 2010).*

South Sudan has only recently become an independent state and not yet a nation, having represented contested space since before the colonial era. Long chafing under Khartoum-based Sudanese rule, it gained independence in 2011 after nearly half a century of war with the national government in the north and between various groups in the south. Among the new country's dozens of ethnic groups are agro-pastoralists dependent on cattle and the grazing and water sources that sustain them and accustomed to engaging in violence to protect those assets and retaliate against threats and attacks. Decades of conflict and a near-complete absence of functional state institutions have fostered increasing extremism in inter- and intra-group violence by way of the proliferation of weapons and dearth of infrastructure, services and alternative livelihood opportunities that might otherwise keep it in check.

Despite an independence narrative claiming national unity and respect for the rights, dignity, and freedoms of all peoples, the transition to a peaceful and secure South Sudan was never going to happen quickly or easily, and it remains incomplete. In reality, some of the population of 'post-war' South Sudan is no more secure, unified, or productive than it was during the war period.

Jonglei is the largest state in South Sudan by territory, and supposedly by population, although, as noted below, population numbers are strongly disputed (NBS, 2010). Jonglei has been the site of some of the country's worst violence, both during and since the war. Cycles of cattle raiding – and the violence against people and both community and individual assets that raiding increasingly entails – continue against a backdrop of extreme poverty and lack of infrastructure. Jonglei is also home to one of the last remaining rebel groups openly challenging the government, led by David Yau Yau and composed primarily of Murle youth operating out of Pibor county in southern Jonglei.<sup>2</sup>

Given this complex web of factors, 2,675 violence-related deaths – more than half of all reported deaths in all of South Sudan between January 2011 and September 2012 – were in Jonglei (MSF, 2012). The violence did not abate between 2012 and late 2013; if anything, it worsened, with major attacks in Murle, Dinka and Nuer territories resulting in hundreds, if not thousands, of deaths and tens of thousands of heads of cattle being stolen in 2013 alone, even before the violence of December 2013.

South Sudanese leaders and international actors such as the UN, non-governmental organisations (NGOs), and donors have long discussed post-conflict recovery and 'reconciliation' in Jonglei and other states, but recovery and reconciliation suggest a shared vision and purpose to ending hostilities that have not yet come into existence between warring groups. In fact, for reasons described in this report, there are many indications that the drivers of internal conflict in Jonglei and other restive areas became only more complex and entrenched in the aftermath of the war with the north. Untangling and effectively addressing them is just one of many enormous challenges that were facing the young government long before the late 2013 crisis, yet it is one that must be addressed with sincerity and

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<sup>2</sup> Yau Yau agreed to a ceasefire in early January 2014, amid the Sudan People's Liberation Movement (SPLM) crisis and spillover violence shaking Jonglei and other states; the sustainability and sincerity of the declaration were not clarified at the time of writing, but this is a promising step.

urgency in order for any project of national unity and development to move forward toward realising the rights, dignity and freedoms enshrined in the country's founding documents.

This report analyses conflict in Jonglei through the post-Comprehensive Peace Agreement (CPA) and independence period up to late 2013. It is based primarily on an in-depth desk review of over 400 documents related to conflict, development, state building, humanitarian aid, ethnic relations, politics, and other topics in South Sudan as a whole and Jonglei specifically. It was written for, and also draws on fieldwork conducted as part of, the UK Department for International Development (DFID)-funded Secure Livelihoods Research Consortium (SLRC), a six-year, seven-country study of state legitimacy, state capacity and livelihood trajectories in conflict-affected situations. The SLRC South Sudan project is focused primarily on Jonglei, where the weight of ongoing conflict was impressed on the research team during a fieldwork visit in early 2013. This led to a shift away from a sole focus on Nuer and Shilluk communities in Jonglei and Upper Nile toward a deeper exploration of the research questions as they relate to the context of ongoing conflict within Jonglei.

A note on terminology: the use of terms such as 'tribe' or 'ethnic group' is, as Breidlid (2005) points out, simultaneously contentious, imperfect and inescapable in any analysis of South Sudan's past and present. Such terms are often used, but less often carefully defined, in both academic literature and popular media coverage of South Sudan, begetting assumptions on the part of both writer and readers as to what they describe. Ethnic identities in South Sudan are not static, nor are they neutral, as has become tragically clear in recent months as reports emerge of political mobilisation and violence based on ethnicity. Yet those identities and their labels are also constructs without clear origins and boundaries, often imposed by colonial administrators, anthropologists and other external actors (Emberling, 1997).<sup>3</sup>

This analysis uses the term 'ethnic groups', and related labels such as Nuer, Dinka and Murle, as defined by Emberling (1997) to mean 'a group whose members view themselves as having common ancestry, [...] possess some common language' (p.304) and are 'unified by constructions of their past', while forming 'part of complex societies' (p.306). The term 'tribe' has generally fallen out of favour among social scientists owing to its identification with pre- or extra-state forms of political organisation, its unclear and inconsistent overlap with concepts of ethnicity and other factors contributing to its overall ambiguity.

The purpose of this analysis is to inform our own qualitative research, as well as to serve as a resource for those interested in the complex dynamics affecting Jonglei, and how some national challenges in might, in turn, be better understood in light of the situation in the state in recent years. As stated earlier, this analysis was written prior to the political crisis of late 2013 that has resulted in tremendous violence in Jonglei and nationwide, and does not attempt to incorporate or explain those very complex events, which are also clearly deserving of much careful analysis in the months and years ahead.

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<sup>3</sup> Evans-Pritchard's (1940) study of the Nuer based his use of 'Nuer' and 'Dinka' on the century-long history of those terms, but acknowledged that the groups were not clearly distinguishable based on language or cultural patterns, and that these were not the terms by which the groups recognised themselves.

## 2 Background

### 2.1 South Sudan

South Sudan is the newest and one of the least-developed countries in the world. The country's 619,745 km<sup>2</sup> (239,285 square miles)<sup>4</sup> area, slightly smaller than that of France, is home to an estimated 11 million people,<sup>5</sup> including at least 2 million who have returned from Sudan and the diaspora since the signing of the CPA in 2005 (IOM, 2013). There are at least 60 ethnic groups; the Dinka and Nuer are by far the largest, although internal clan, subcultural, linguistic and other distinctions within those groups greatly complicate these broad labels. Approximately half the population is under the age of 18, and slightly more than one-quarter of all households are female-headed (GoSS, 2012). A total of 83% of the population lives in rural areas, and 78% of households rely on agriculture or livestock keeping as their primary source of livelihoods (ibid.).

The history of the region overall has hardly been peaceful. An Anglo-Egyptian colonial administration ruled what are now Sudan and South Sudan together until 1956. This was followed by a 50-year period of fluctuating conflict – more often described as successive civil wars between north and south, but also among groups in the south – that altogether constitutes the longest-running conflict on the African continent. The first phase of the conflict is widely described as having begun with the Torit Mutiny in August 1955,<sup>6</sup> just prior to the end of British rule, and it lasted until 1972, pitting the Khartoum government against the 'Any-Nya' movement, which was fighting for southern self-determination (Johnson, 2003). While much of the war was characterised – and likely extended – by factionalism and instability within the parties on all sides of the conflict, the various armed groups in southern Sudan ultimately united enough to negotiate a ceasefire and the creation of the Southern Sudan Autonomous Region, solidified in the Addis Ababa Agreements in 1972 (ibid.).

Some of the Anya-Nya fighters never accepted the agreements, and went into hiding along the Ethiopian border, from where they re-emerged as Anya-Nya 2 in the early 1980s as the institutions and power-sharing mechanisms established by the Addis Ababa Agreements began to disintegrate (Rolandsen, 2005). Around the same time, but not necessarily connected to Anya-Nya, a mutiny at the Bor garrison in May 1983 set off a series of similar rebellions at garrisons around the south, and many fighters fled to Ethiopia, where they formed the Sudanese People's Liberation Movement and Army (SPLM/A). Shortly after the Bor Mutiny, Sudanese President Ja'afar Nimeiry imposed *sharia* law and nullified the southern region's autonomy, events often described as the spark for the second civil war, although the armed rebellion had already begun (or, according to some of the Anya-Nya fighters, never ended).

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<sup>4</sup> There are various figures on South Sudan's total land area, with some sources, including the UN and the US (CIA World FactBook) reporting 644,329 km<sup>2</sup> (248,777 square miles). While the disputed territory of Abyei may account for 10,546 km<sup>2</sup> (4,072 square miles) of that discrepancy, it does not explain the entirety. The lower figure given here is that reported by the Government of South Sudan (GoSS) on its official website.

<sup>5</sup> Population estimates vary widely. The most recent national census, which counted a total population at 8.26 million, was conducted in 2008, prior to independence. The results were disputed on a number of fronts. Southern Sudanese officials rejected them outright and accused the government in Khartoum of refusing to share data and manipulating the numbers for political purposes. There were also tremendous planning and logistical challenges related to weak infrastructure, migratory populations, disputed borders and other difficulties (see <http://www.npr.org/templates/story/story.php?storyId=103124761> and <http://www.enoughproject.org/blogs/s-sudan-census-bureau-releases-official-results-amidst-ongoing-census-controversy>). An upcoming national census scheduled for 2014 – now likely significantly delayed owing to the SPLM political crisis – will hopefully resolve some of the controversy. In the meantime, this report uses the figure estimated by the World Bank at <http://data.worldbank.org/country/south-sudan>, which takes into account census data and other estimates.

<sup>6</sup> While the Torit Mutiny is said to have marked the beginning of the first civil war, some historians of the conflict argue that 1955 marked only the beginning of a period of disturbances, to which the government responded by attempting to suppress rebellion at the expense of social and economic development (Rolandsen, 2011). This period of unrest became full-blown civil war in 1962, although popular discourse generally dates the beginning in 1955 for the sake of political expediency and because of a lack of counter-narratives available on any side of the conflict (ibid.).

Dr John Garang, a Dinka Bor from Jonglei, was sent to negotiate with the mutineers by the government in Khartoum, which was unaware that he had already been in communication with the rebels; instead of mediating, he switched sides and eventually became leader of the SPLM/A (Johnson, 2003). The insurgency was never a very cohesive movement. Efforts by the SPLM/A to join forces with the Anya-Nya 2 groups were unsuccessful until the late 1980s, but that was only one of many shifting alliances (Rolandsen, 2005). Garang's vision of a unified (north and south) Sudan liberated from the Islamist government in Khartoum was fairly unique among southern leaders, most of whom were arguing for independence. The SPLM/A split multiple times into factions fighting for their varying visions of the future of southern Sudan. Khartoum exploited the divisions among the various groups by funding and arming the different factions (Bennett et al., 2010), and the entire war period was characterised by shifting allegiances and strange bedfellows (Martin, 2002).

The most significant fracture in the SPLM/A took place in 1991, when Riek Machar and Lam Akol, along with several other high-ranking officers in the SPLA, staged an unsuccessful coup attempt against Garang and, for the first time from within the SPLA, publicly set forth an agenda for independence of the south (Johnson, 2003). When the coup was unsuccessful, they formed the 'SPLA-Nasir' faction, thus beginning years of ongoing military confrontation between Garang's SPLA-Mainstream (also known as the 'SPLA-Torit') and the SPLA-Nasir (Hutchinson, 2001).

Perhaps the most notorious event of that conflict took place in Jonglei over the course of October and November 1991, when the Nasir faction marched on Bor and killed some 2,000 civilians, forcing tens of thousands more to flee the area, in what became known as the Bor Massacre (HRW Africa, 1994). The SPLA-Mainstream retaliated against Nuer communities, and the ensuing fighting devastated Jonglei and Upper Nile as well as southern military unity against Khartoum (Hutchinson, 2001). It also resulted in the militarisation of both Dinka and Nuer communities as the SPLA factions mined for support, particularly among the youth of their respective groups, and fought for power over their own forces, one another and their ever-changing relationships with Khartoum (Jok and Hutchinson, 1999). The 'perpetual game of "divide and rule"' on all sides resulted in a military stalemate that prolonged the conflict throughout the 1990s and cemented Jonglei's reputation as an epicentre of the entire war (ibid.: 135). While war within the south was often broadly described as a Dinka-Nuer conflict, it was both much wider – involving Murle, Shilluk, Equatorians, Fertit, Azande and other ethnic groups – and far more politically complex. The parties were divided not only along ethnic lines but also according to subgroups, clans, communities and even families, depending on political and personal loyalties and resentments.

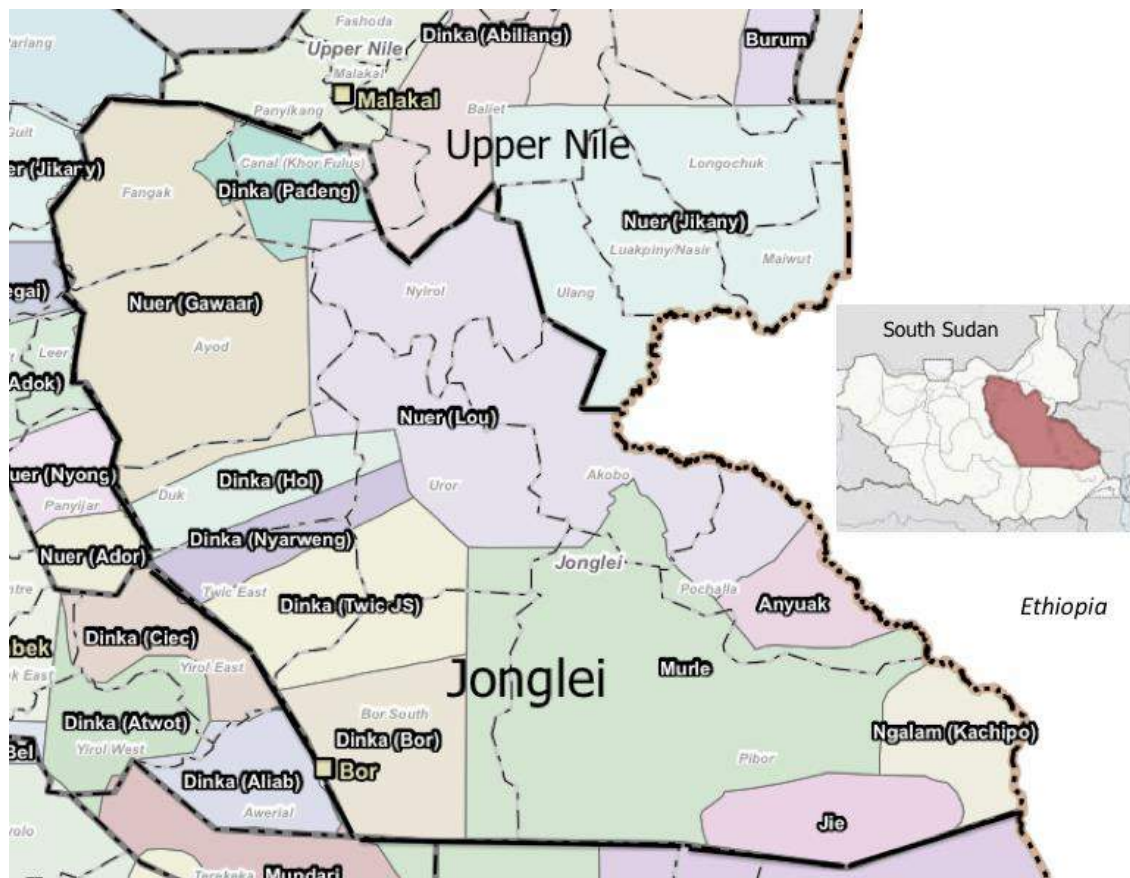
The overall militarisation and use of extreme violence in the settlement of disputes that emerged during the 1990s have not abated since the end of the war with the north (Jok and Hutchinson, 1999; Small Arms Survey, 2012). Instead, the post-CPA and independence periods highlight the need to assimilate the jumble of factions and interests on the southern side, and throw South Sudan's many smaller and more localised conflicts into sharp relief.

## **2.2 Jonglei**

Approximately 1.4 million people live in Jonglei's 11 counties – Bor, Ayod, Duk Padiet, Piji, Old Fangak, Twic East, Uror, Nyriol, Akobo, Pochalla, and Pibor – covering the state's 120,000 km<sup>2</sup>. It is the most remote and probably the least developed area of South Sudan, almost entirely lacking in roads and other infrastructure to connect it to the rest of the country and beyond. Most of the state is inaccessible by ground transport throughout the year except for a short and somewhat unpredictable portion of the dry season. The capital, Bor town, is located in the extreme south-western corner of the state, bordering Lakes state near Central Equatoria; even access to the state capital is extremely difficult from most of Jonglei. Ethnically, Bor and the other western counties are primarily Dinka and (Gawaar) Nuer territory,

whereas north/east Jonglei is mainly Lou Nuer and Pibor county is primarily inhabited by the Murle. The Anuak, Kachipo and Jie also inhabit small territories in eastern and southern Jonglei (see Figure 1).

**Figure 1: Jonglei ethnic groups (approximate)**



Source: OCHA (2009).

The predominantly Dinka and Nuer population of Jonglei relies heavily on pastoralism and cattle for its livelihoods. Cattle ownership is high – though decreasing – and defines economic security for most households; goats and smallholder cultivation also play a significant role in household food security and livelihood activity (Kircher, 2013; Maxwell et al., 2012). Because cattle wealth represents economic and social status, marriageability and brideprice, both cattle raiding and cattle-related resource conflicts have played a role in inter- and intra-group relations in Jonglei for generations. The nature of raiding changed, however, in the civil war, particularly after the 1991 SPLA split and the subsequent militarisation of inter-group conflicts. Those shifts continue to be a major influence on conflict dynamics throughout the state.

# 3 Significant actors and parties to the conflict in Jonglei

This section describes relevant actors at the national and state (Jonglei) levels in terms of their dominant – though often overlapping – affiliations, in order to understand more clearly each actor’s interests, goals, capacities and relationships. A truly comprehensive analysis of all of the groups active in and impacting Jonglei and its conflict dynamics would be worthwhile, but is beyond the scope of this report. For the purposes of this analysis, the parties to be considered include:

- Actors and forces present in Jonglei, including:
  - The Dinka, Nuer, and Murle ethnic groups (Jonglei’s other relatively small ethnic groups, the Anyuak, Kachipo/Suri and Jie, are also affected, but are not covered here owing to limited literature about their experiences as well as limited space);
  - Non-state armed (‘rebel’) actors active in the past and/or present, including David Yau Yau, George Athor, the Nuer ‘prophet’ Dak Kueth, and the ‘White Army’;
- Political actors, including:
  - GoSS and the SPLM, the dominant political party;
  - The SPLA;
- External actors, such as:
  - The Government of Sudan (GoS)
  - The UN Mission in South Sudan (UNMISS) and the ‘international community’ of donors and NGOs;
  - Private international contractors.

## 3.1 Local actors and forces

Violence in Jonglei is often described as ‘ethnic’ or ‘tribal’, painting a picture of impenetrable, intractable conflict in the minds of many outsiders. Such generalising framing tends to minimise the complexity of dynamics within and between ethnic groups and between those groups and external actors. Schomerus and Allen (2010) comment that, ‘When interrogating the tribal label in connection to specific incidents of local violence, it seems clear that the “tribal” affiliation is at best only one component of a complex web of political power, marginalization, competition over resources and unaccountable government structures’ (p.20). Power dynamics and alliances among the parties to the conflict are, in reality, determined by a mix of ethnic, clan and spiritual loyalties and lineages; political aims and ambitions; social and economic status and ties; and other factors. That said, given the importance to many people of their ethnic identities as well as the exploitation of ethnic group affiliations by various military and political leaders and other actors during the civil war through the present day, it is useful to examine the historical and socio-political positions of the major ethnic groups in Jonglei in order to better understand their role in current conflict.

The **Dinka** are the largest ethnic group in Jonglei and in South Sudan, comprising approximately 40% of the national population (Laudati, 2011). Not surprisingly, then, they are also one of the largest groups in the SPLM/A, along with the Nuer, and are perceived by some as dominating the Jonglei state government as well as much of the national government, not least because of the legacy of John Garang’s leadership and the current occupation of the presidency by Salva Kiir, a Dinka from Bahr el Ghazal.

With greater numbers and – in some cases – a longer history of education and political access, the Dinka have significant political influence. One of the first schools in the south was constructed near Bor,

so the Dinka Bor benefited from some of the earliest education access in southern Sudan. This gave them a leg up in the pursuit of senior government and political posts and therefore relatively greater influence in the political affairs at the state and national levels compared with many ethnic groups (Beswick, 1998). This advantage may help explain the presence of a relatively high number of Dinka Bor, such as John Garang and Abel Alier, in positions of national leadership.

The history of conflict in Jonglei has been shaped by dynamics between the Dinka and Nuer, some of which are described above, although in the years around independence that conflict at the state level had diminished somewhat. The Dinka have been on both the attacking and the receiving end of cattle raids to and from Murle and, less recently, Nuer areas. An unknown number of Dinka youths have also taken part in White Army (discussed below) attacks on Pibor County launched from Lou Nuer territory, and it is alleged that many of the SPLA soldiers in Pibor who have been involved in violence against David Yau Yau's rebel group as well as civilians are Dinka (HRW, 2013).

National political dynamics have also shaped conflict at the local level. The struggle between Dinka and Nuer elite for political and economic dominance was regularly highlighted as a major potential flashpoint of larger national conflict, and Jonglei was widely expected to be a site of violence if such a conflict were to erupt; these dark predictions were clearly born out in late 2013. President Kiir dismissed his entire cabinet in July 2013, the Secretary-General of the SPLM (his own party), Pagan Amum, and Vice President Dr. Riek Machar, a Nuer from Unity state with whom Kiir had always had a rocky relationship, but the anticipated violent showdown did not materialise immediately (Awolich and Akol, 2013). Other potential flashpoints remained on the horizon, however, including a repeatedly delayed SPLM national leadership convention and the national elections scheduled for 2015; power contestations around these contentious political issues led to the eruption of violence in December 2013. Many Dinka in positions of power, such as former Jonglei Governor Kuol Manyang, long maintained an appearance of distance from localised conflict in Jonglei, apparently at little political cost to themselves. At the same time Pibor County was descending into violent chaos that displaced nearly its entire population in mid-2013 (HRW, 2013), Governor Manyang emerged more powerful from the President Kiir's cabinet reshuffle, having been named Minister of Defence.

The **Nuer**, on the other hand, have been at the centre of conflict in the state recently and for decades. Compared with some groups, they are relatively well-organised in that there are some hierarchical leadership structures able to efficiently communicate with and galvanise communities to present a fairly united front against both internal (inter-clan) and external (inter-group and other) perceived threats. Historically, according to some anthropologists studying the Nuer, they have been more open than many other groups to the assimilation of people from other ethnic groups into their communities (Hutchinson, 2012). 'Anyone [could] become a Nuer' by adopting the language, conforming to group norms and worldview and participating in cattle-focused pastoral and community life, allowing for the rapid expansion of Nuer territory into Dinka and Anyuak areas east of the Nile in the last century (ibid.: 31). Hutchinson argues, however, that the civil war resulted in a shift away from such openness toward more 'essentialist' views of ethnicity, and that this shift may have contributed to the rising viciousness of violence in Jonglei in that it discouraged the capture and assimilation of adversaries, instead promoting their defeat and execution, even that of women and children (although the Nuer are not the only group to engage in such actions).

The Nuer, and particularly the large Lou Nuer subgroup, have figured particularly largely in accounts of violence in Jonglei, not least because the increasing extremism and 'ethnicisation' of conflict in recent years are often attributed to Riek Machar and the 1991 SPLA split, and the ensuing mobilisation and militarisation of conflict among Nuer and Dinka youth (Elhag, 2008; Jok and Hutchinson, 1999; Laudati, 2011). In the post-independence years, political factors driving the Nuer to violence have included perceived marginalisation by and power struggles with the Dinka, frustration about disarmament and

lack of security from (Murle) raids (Small Arms Survey, 2012) and violence committed by SPLM/A actors over the years before and since the CPA for which there has been little accountability (Deng, 2013; Jok, 2013a).

Chiefs and spiritual leaders have historically held significant authority among the Nuer, although the influence of at least some spiritual leaders is reportedly waning. **Dak Kueth** is a noted 'prophet' whose influence among the Lou Nuer is currently an open question. He was rumoured to have instigated and led the White Army attack on Pibor in 2011, but then was said to be losing his power (Small Arms Survey, 2012). There have been numerous reports of his surrender to or alliance with GoSS over the past several years, none of which has been born out. He was then said to be moving back and forth across the Ethiopian border from northern Jonglei with the help of his supporters (ibid.). During SLRC fieldwork among the Lou Nuer in early 2013, we found widespread refusal to talk about him or even mention his name; a chief interviewed in Uror was quick to say, 'There are no spiritual leaders here'. Only international actors would discuss him openly, noting that GoSS was working to convince him to negotiate but that everyone claimed to be ignorant of his whereabouts. His role in mobilising the White Army's involvement in the violence of late 2013 and early 2014 is unknown.

The **Murle** may be the most oft-cited yet poorly understood group in Jonglei's internal conflicts. They are a far smaller group than the Dinka or the Nuer, with a total population of approximately 150,000, nearly all of whom live in (or have been displaced from) Pibor County in the southern part of the state. A Surmic people who migrated relatively more recently into present-day South Sudan than the dominant Nilotic ethnic groups, they have historically been viewed as outsiders (Arensen, 2012a). In contrast with their neighbours, they have a somewhat fragmented social structure in which the influence of elders and chiefs is limited, and segregated 'age-sets'<sup>7</sup> compete for dominance. Those age-sets are led by 'red chiefs', who are responsible for communicating with God (*Tammu*), blessing crops and hunting/raiding parties, laying curses and other spiritual practices, although their authority appears to have greatly diminished among younger age-sets in recent years (ibid.). There is also no unified Murle political leadership, although various powerful political figures rose to prominence during the war and continue to have significant influence. Currently, the best known of these is Ismael Konyi, a red chief and former paramount chief who led a Murle militia against the SPLM/A during the war. Konyi has more recently come into Kiir's 'big tent',<sup>8</sup> accepting amnesty and aligning himself with the SPLM. He has been appointed to the GoSS Council of States, returning to Pibor on behalf of the government in various attempts to broker Jonglei peace agreements (ibid.).

According to many Murle as well as outside observers, the Murle have long been discriminated against and used as scapegoats for problems in and near their territory (which itself is sometimes described as 'stolen' from the 'original' Dinka inhabitants); mainstream South Sudanese narratives often describe them as 'backwards' and 'aggressive' (HRW, 2013; Mackenzie and Buchanan-Smith, 2004; PACT, 2006). In turn, they have seen themselves as victims of systematic discrimination by GoSS as well as their neighbours (Arensen, 2012b). Laudati (2011) notes that 'despite the reality of a politically and economically marginalized Murle, they are often cast as the aggressors and perpetrators of the continuing insecurity of Jonglei—a narrative that has been upheld by media agencies, prominent figures in government, NGO staff, and local citizens' (p.7).

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<sup>7</sup> Age-sets are an anthropological concept describing a system of social stratification in which people of similar ages are grouped together, generally throughout their lives, taking on a group identity and moving together through prescribed social roles according to their group's position and status (Foner and Kurtzer, 1978). Age-sets are not unique to the Murle in South Sudan; they are also an element of social structure in some Dinka and Nuer sub-groups as well as in other ethnic groups.

<sup>8</sup> The so-called 'big tent' philosophy has been the formalized approach of President Kiir since before independence, and involves the accommodation of rebel leaders and other potential 'spoilers' within the SPLM/A through amnesty, peace agreements, government positions and other appeasement mechanisms, lest they return to armed opposition (Garang, 2013).



Because of their lack of centralised authority and representation at the national level, as well as the absence of nuanced narratives about the group, the factors driving some Murle individuals' involvement in Jonglei's violence remain poorly understood. Cultural and economic reasons for continued cattle raiding include competition between age-sets and the need/desire for cattle wealth (for social status and the payment of brideprice, among other reasons); these issues, coupled with broader social and political marginalisation and lack of alternative livelihood opportunities, mean the Murle have little incentive to stop raiding their neighbours.

Competition between age-sets – which drives a great deal of raiding – and the related lack of unified hierarchical authority (Arensen, 2012b) also result in fragmented and seemingly contradictory actions by various Murle actors that are not easily understood by observers viewing them through other cultural lenses. Raids that happen simultaneously with peace talks, for example, have been held up as proof of Murle disingenuousness. Yet such contradictions are perhaps better understood as exemplifying a lack of outsiders' understanding of and respect for Murle social structure and the relatively lesser importance of chiefs and other leaders who are called to 'represent' the Murle at peace talks than such figures would hold in Nuer or Dinka culture (Arensen, 2012a). To put it another way, the Murle have been required to take part in processes designed to fit cultural models of power and authority that do not apply to them. And yet it is not the designers of and other parties to those processes who are blamed for their failure to achieve enforceable peace, but often the Murle themselves.

### 3.2 Internal armed actors and organised groups

The ethnic groups described above are just that: broad groups, made up of complex networks of individuals and communities who may or may not have engaged in current or past violence. Certain individuals and the groups they (at least claim to) represent have, however, played a major role in Jonglei's conflicts by capitalising on the complex situation and the shifting ethnic and political loyalties and dynamics described above.

While quite a few dissident actors and rebel leaders have entered the SPLM's big tent (several of whom notably exited again in December 2013 to mount armed challenges to the SPLM/A),<sup>9</sup> the refusal of two in particular has significantly shaped conflict dynamics in Jonglei in the post-independence period.

**George Athor**, a Padeng Dinka, was a Lieutenant General in the SPLA with command over much of Jonglei and Upper Nile. After running unsuccessfully for Governor of Jonglei state in 2010, Athor launched his own political and armed movement called the South Sudan Democratic Movement/Army (SSDM/A), obtaining funding from his networks in Khartoum and Eritrea, and drawing in other rebel forces including those of Gatluak Gai in Unity state and David Yau Yau in Jonglei (Small Arms Survey, 2013c). Athor signed a ceasefire agreement with GoSS in January 2011 but further talks fell apart and he returned to the bush, where he was a major supplier of arms to Nuer youth as well as Yau Yau's forces in Pibor (Rands and LeRiche, 2012). Athor died in December 2011 under vague circumstances near the Ugandan border (far from his usual territory) (Small Arms Survey, 2013c). His deputy, Peter Kuol Chol Awan, took over the SSDM/A and signed a peace agreement with GoSS in February 2012, but its forces have yet to be integrated into the SPLA; furthermore, hostile SSDM/A remnants refused to accept the agreement and were continuing their activities as recently as summer 2013 (ibid.) (Their role in the late 2013 crisis is as yet unknown.)

**David Yau Yau** is a Murle from Pibor County who studied theology and worked for the South Sudan Relief and Rehabilitation Commission (SSRRC) before launching a rebellion in May 2010, drawing

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<sup>9</sup> Some of the actors who aligned themselves with the SPLM/A but defected at various points in the late 2013 crisis include General Peter Gadet in Jonglei, who had (re)joined and defected from the SPLA on several previous occasions, and General Peter Koang in Unity state. Further defections of SPLA soldiers happened in other locations, such as Malakal and Yei, without clearly identified leadership.

support mainly from youth of his Bothonya age-set (Small Arms Survey. 2013c). He then joined up with Athor's SSDM/A, from which his group differentiated itself as the 'SSDM/A-Cobra Faction'. After several rounds of negotiation with GoSS, he accepted amnesty and joined the SPLA in 2011, but then defected again in 2012. He remained in the bush into late 2013, receiving significant support from Khartoum (Small Arms Survey, 2012). Yau Yau's forces have waged large-scale attacks on SPLA forces in Pibor as well as Nuer and Dinka communities in Akobo, Twic East and other counties in Jonglei, resulting in civilian deaths and displacement (HRW, 2013). The rebellion capitalised on Murle discontent and bitterness toward GoSS and the SPLA, particularly following violent disarmament campaigns in Pibor (Small Arms Survey, 2013b), although there have also been reports of Anyuak, Toposa, Nuer and Shilluk fighters among Yau Yau's forces (Small Arms Survey, 2013c). There is also quite a bit of frustration among the Murle against Yau Yau because of violence committed by his group and by the SPLA against Murle civilians under the rubric of counter-insurgency efforts (Arensen, 2012b).

Yau Yau signed a ceasefire agreement with GoSS in January 2014 that promised a cessation of hostilities and neutrality in the wider national conflict, although it did not clarify any further steps regarding demobilisation or integration of Cobra Faction forces. Such steps will ultimately be necessary not only on paper but also in fact; given Yau Yau's history, a return to armed violence would otherwise not be unprecedented.

The **White Army**, never a distinct, unified armed group, but rather 'a generic name given to bands of armed civilians, primarily male youth' (Arnold and Alden, 2007: 2), emerged as a defence and protection effort among Lou, Gawaar and Jikany Nuer and – to a lesser extent – Duk Dinka cattle camp youth in recent decades, although its precise origins are unclear (Young, 2007). It remains understudied and poorly understood, yet is often recognised as a key element of Jonglei's conflicts. The White Army groups became better organised and extremely well armed during the war, in part because of efforts by the SPLA-Nasir faction (led by Riek Machar) to mobilise and utilise them in various armed campaigns, and their rise is said to have contributed to the fragmentation and breakdown of traditional authority structures among the Nuer overall (ibid.). Efforts by the SPLA to disarm the White Army militias following the CPA were disastrous, leading to violent and drawn-out fighting in which many of the youths lost their cattle herds and their lives (Arnold and Alden, 2007).

The similarities and differences of the White Army of today compared with its previous incarnation(s), as well as the mechanisms by which it mobilises and operates, remain unclear to observers. As noted above, it is often suggested the spiritual leader Dak Kueth and/or other authorities influence the group, but in reality leadership structure(s) and most other aspects are unknown. They were said to have ultimately been disarmed, although large-scale and violent White Army attacks on the Murle in 2009, 2011 and 2013 (see Table 1 below), as well as their alleged involvement in the violence of late 2013 and early 2014, belie the claim (Lacey, 2013).

The **Government of South Sudan** (GoSS) is ultimately responsible for the security of its citizens, and would therefore seem to have an obvious vested interest in peace in Jonglei. GoSS is not a singular actor, however, but an amalgamation of players and interests from various ethnic, social, economic and political backgrounds. Managing competing loyalties, grudges and expectations has been the constant challenge of its leadership. While President Kiir arguably did a fairly good job of maintaining peace under his big tent of rival interests until the crisis of late 2013, the very existence of the big tent illustrates the lack of unity and plethora of competing interests present in the government from its inception. It also illustrates the challenges of describing GoSS itself as a single unit of analysis; it is perhaps better understood as – until recently – an uneasy alliance based more on costly appeasement efforts and mutual disdain for Khartoum than on internal cohesion. GoSS instability was clearly evidenced by the anxious South Sudanese and international reactions to Kiir's dismissal of Vice President Machar and the entire cabinet in July 2013 (Warner, 2013), as it was already clear that powerful members of GoSS had never fully heeded the advice they 'must avoid a "winner-takes-all" mindset and view the appointment of a broadly representative government not as appeasement alone

but as recognition of Southern Sudan's pluralist character' (ICG, 2011: i). While this turmoil did not immediately upset the shaky national equilibrium, and many remained hopeful that non-violent problem solving would prevail, there was little surprise when violence began in December 2013, except perhaps with the speed at which it spread (Jok, 2014).

The focus on – and inability to achieve – basic stability makes it perhaps more understandable that GoSS lacks a long-term plan for development and inclusionary governance, particularly in the most remote regions such as Jonglei (da Costa, 2012), despite the clearly deleterious effects of such a lack of long-term planning. Simply keeping the government itself from falling apart – much less engaging in the ongoing battle of wills with Sudan over the border and oil, preventing economic collapse resulting from the oil shutdown and other huge challenges – required enormous effort that precluded much long-term forward thinking (Rolandsen, 2010). The nature of the resolution and aftermath of the late 2013 crisis remains to be seen, but there can be no doubt that the extreme challenges facing the government since independence, and the need to reorganise the governing party and national political processes for far greater cohesion and stability, have grown only exponentially. How GoSS will surmount these challenges is an open question.

It is both difficult and necessary to distinguish between GoSS and the **Sudan People's Liberation Movement/Army (SPLM/A)** as key actors in the conflict. This difficulty stems partly from the challenge of distinguishing the national military (SPLA) from the political party (SPLM); until independence, the leadership of the SPLM and SPLA were essentially one and the same. Moreover, as Metelits (2004) pointed out prior to the CPA, the SPLM/A was 'first an army, and rule[d] as such' (p.76), which she presciently posited as a fundamental flaw in its stated democratisation and state-building objectives. As many observers noted at the time of independence in 2011, the SPLM/A 'so dominate[d] institutions of government that separating the SPLM from the GoSS is no easy task' (ICG, 2011: 12).

While there are other recognised parties active in South Sudanese politics today, it remains true that the SPLM is absolutely dominant, and that most of the leadership of the party comprises active or former SPLA commanders. GoSS and donors noted as priority at the time of independence a reduction in size and demilitarisation of the SPLA (Bennett et al., 2010; Mailer and Poole, 2010), but progress has been slow. There is an overabundance of high-level officers as well as regular soldiers, and a dearth of alternative employment available to any of them, as well as a continuing need to integrate armed factions previously opposed to the SPLM (ICG, 2011; Small Arms Survey, 2013c). President Kiir has reshuffled the military several times since taking office, including removing 118 senior officers in February 2013, but has had to do so with care as the risk of coup has always been considered quite high.<sup>10</sup>

All of this is to say that the extent to which the SPLA operates as a unified military force, much less a force truly loyal to the political hierarchy to which it is nominally subject, was in doubt long before the late 2013 crisis. Both before and since the implementation of austerity spending in 2012 and 2013, the government was struggling to pay salaries (across the board) and to keep both senior officers and foot soldiers from becoming increasingly restive. This is despite the fact that the SPLA received over 40% of the GoSS budget, much of that spent on salaries (CIGI, 2010), a disconnect that has led to widespread accusations of corruption among SPLA leadership.<sup>11</sup> Security sector reform, force reduction and professionalisation of the SPLA and other security services were and remain critically necessary

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<sup>10</sup> There were at least two rumored coup attempts in 2012 and 2013 – of course, any such events are very difficult to parse and verify – preceding the events of December 2013, which were also, at first, presented by President Kiir and widely reported in the media as a coup attempt, although that narrative was later widely dismissed. See [www.sudantribune.com/spip.php?article43408#forum191659](http://www.sudantribune.com/spip.php?article43408#forum191659); [www.sudantribune.com/spip.php?article44238](http://www.sudantribune.com/spip.php?article44238); [www.bloomberg.com/news/2014-01-09/u-s-asks-south-sudan-to-release-prisoners-sees-no-coup-attempt.html](http://www.bloomberg.com/news/2014-01-09/u-s-asks-south-sudan-to-release-prisoners-sees-no-coup-attempt.html)

<sup>11</sup> The budget is not publicly available, so it is not clear exactly how much is devoted to the military or any other spending. Estimates by donors, security analysis and media outlets consistently place the military budget at 40-50% of the national budget. See [www.irinnews.org/report/94858/south-sudan-briefing-life-without-oil](http://www.irinnews.org/report/94858/south-sudan-briefing-life-without-oil) and [www.southsudannewsagency.com/news/press-releases/lawyers-for-democracy-accuse-president-kiir-of-corruption](http://www.southsudannewsagency.com/news/press-releases/lawyers-for-democracy-accuse-president-kiir-of-corruption)

steps for GoSS to take in the near term in order to stabilise civil-military relations and mould the SPLA into a more broadly stabilising force rather than the spoiler that it always had the potential – and has now proven itself – to be.

In practice, the SPLA's authority over its rank and file has been perpetually uncertain, particularly in remote regions of the country where troop movements, actions and communication are severely hindered by any number of logistical hurdles. In Jonglei, particularly Pibor County, the SPLA has been accused of grave human rights abuses, some – but not all – related to various disarmament campaigns (HRW, 2013). Violence in Pibor, for example, has been attributed to SPLA soldiers, including a targeted attack on the Médecins Sans Frontières (MSF) clinic in Pibor town in May 2013<sup>12</sup> and indiscriminate attacks on civilians, particularly in mid-2013 (ibid.), not to mention recent massacres in Bor and other parts of the state (as well as numerous other parts of the country) in late 2013 and early 2014.

### 3.3 External actors

The **Government of Sudan (GoS)**, which includes the ruling National Congress Party (NCP) and the Sudanese Armed Forces (SAF), has long been masterful at manipulating internal conflicts among its adversaries as a 'divide and control' strategy (Bennett et al., 2010; Jok and Hutchinson, 1999). Factionalism among southern fighters during the war lent itself to the view among some members of GoS that the best approach was to, 'Let the southerners fight each other and we will make peace with whomever remains,' as a government official argued in a public speech in 1996 (Elhag, 2008: 168). While its role in Jonglei's conflict over the past several years has been murky, there is evidence (on top of numerous accusations) that GoS continued to pursue a similar approach in its own conflicted relationship with its newly independent neighbour by supporting David Yau Yau and others (Jok, 2013a; Small Arms Survey, 2013a). GoS may benefit from instability in the South in that it distracts attention and resources from the government in Juba and potentially weakens the South's negotiating position on major disputes over the border, oil transit and returnees.

While only a minor physical presence in Jonglei, the UN Mission in South Sudan (UNMISS) and various donors and NGOs – which, for the purpose of this analysis, are referred to as the '**international community**', despite the oversimplification the term imparts – have loomed large in the state's history. They have played both active and passive roles in Jonglei's conflict and a significant role in the post-CPA development of South Sudan overall. Jonglei and Upper Nile states along with surrounding areas were the epicentre of the drought and war-related famine that devastated South Sudan's population in the late 1980s and led to the launch of Operation Lifeline Sudan (OLS) in 1989. Both standard emergency relief (such as relief supplies and emergency feeding centres) and less conventional interventions (such as a community-based animal health system) took place during the OLS period, but transitioned or simply faded out of the area before or since the end of the war (Maxwell et al., 2012). Unfortunately, neither the new state nor the international community in its present form has been able or willing to maintain the services available previously, resulting in significant frustration in Jonglei (interviews, February 2013).

UNMISS is both part of the international community and a key actor in its own right, and a significant figure in relation to the policy and decision making of the South Sudanese government as well as international and non-state actors. It has attempted to establish authority and support stability in Jonglei, maintaining a permanent base in Bor and temporary bases in Pibor and Akobo during relatively peaceful periods (it withdrew from Pibor during violence in summer 2013 and from Waat in northern Jonglei in December 2013), and a mobile unit in northern Jonglei around Yuai. It has provided monitoring and analysis of the security situation, transportation and other support to GoSS and SPLA personnel, and logistical support to peace processes with David Yau Yau and others (Small Arms

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<sup>12</sup> <http://www.timeslive.co.za/africa/2013/05/13/south-sudan-soldiers-accused-of-looting-spree>

Survey, 2013c). UNMISS has faced its own logistical and security problems, however, including lack of equipment and confrontations such as the accidental shooting down of a patrol helicopter by the SPLA in 2012 (HRW, 2013). (Its position in the late 2013 crisis is far more critical, as tens of thousands of civilians took shelter on UNMISS bases around the country, including in various locations in Jonglei, and one base in Akobo (north-eastern Jonglei) was overrun by armed youth who then killed civilians and two UN peacekeepers.)

UNMISS has not been able to mitigate or fill gaps in security and GoSS protection capacity, despite its mandate to protect civilians and the significant needs on the ground (HRW, 2013; Rands and LeRiche, 2012). Nor has it been able to avoid accusations of bias from all sides for foretelling, but not preventing, large-scale attacks by armed groups such as the White Army (HRW, 2013; UNMISS, 2012),<sup>13</sup> as well as allegedly biased humanitarian operations such as the transport of wounded Nuer – but not Murle – fighters to Bor for medical treatment following the White Army attack on Pibor in July 2013.<sup>14</sup> Such manpower, mandate and coordination problems make UNMISS' position, along with that of many NGOs and donors with which it coordinates or with which it is assumed (by South Sudanese, for whom the finer points of international aid organisations and coordination may be neither obvious nor interesting) to be affiliated, very difficult. Not only do UNMISS and associated UN agencies need to be effective in their missions for their own sake, but also they require an appearance of effectiveness in order to command influence and resources both with GoSS and with other members of the international community (particularly donor countries). However, the complexity of the history and current operations of aid and international actors in Jonglei, as well as basic logistical challenges such as lack of roads and infrastructure, is a constant challenge to achieving such effectiveness.

There exists another category of international actors who are not as often discussed in South Sudan and other state-building contexts as the UN and NGOs, but play a significant role nonetheless. These are **private contractors**, who work across numerous sectors and are often responsible for carrying out everything from commissioned research to infrastructure projects at the behest of GoSS and members of the international community, as well as many other types of privately-financed projects related to oil and other investment sectors. They have been a notable presence in South Sudan from the birth of the country, with some present in the country for decades and others capitalising on the challenges, opportunities and influx of foreign aid and private investment (in oil and other industries) accompanying independence.<sup>15</sup>

Contractor activities nationwide have ranged from construction of SPLA base facilities<sup>16</sup> and the Juba–Nimule road<sup>17</sup> to building county headquarter buildings and providing communications technology to county and local government, including in Jonglei.<sup>18</sup> Private companies have conducted research<sup>19</sup> and organised expert meetings, such as a conference held in Nairobi in early 2012 in which anthropological experts presented on Jonglei's Dinka, Nuer and Murle groups and conflict history and drivers that was described by participants in interviews and personal communications with the SLRC team as key to the Jonglei-focused conflict analysis and peace-building efforts of the international community.

These are just a few examples of private contractor-administered projects in Jonglei and nationwide, comprising part of a considerable range of activities, each with its own purpose and evaluative criteria. Overall, private contractors occupy a somewhat grey area in the international community and its relationship with the national and local governments of South Sudan not only because of the wide spectrum of activities they might engage, but also because, as Da Costa (2012) points out, the

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<sup>13</sup> <http://unmiss.unmissions.org/Default.aspx?ctl=Details&tabid=3465&mid=6047&ItemID=1313951>

<sup>14</sup> <http://www.sudantribune.com/spip.php?article47281>

<sup>15</sup> <http://www.jpost.com/International/Worlds-contractors-eye-opportunity-in-South-Sudan>

<sup>16</sup> <https://www.pae.com/capabilities-operations-expeditionary>

<sup>17</sup> <http://www.louisberger.com/Corporate/Newsroom/PressReleases/2012/9-24-2012>

<sup>18</sup> <http://www.usaid.gov/news-information/frontlines/sudan-south-sudaneducation/reinforcing-tenuous-peace-south-sudan-rises>;

<sup>19</sup> <http://www.forcierconsulting.com/publications/>

boundaries between roles within the international community have become somewhat blurred as individuals may move between professional positions with NGOs, UNMISS, and private contractors. In addition, there may be similar roles and activities carried out within those different types of organisations. A fear is that all these actors may take on the task of implementing programs on their own, rather than focusing on transferring skills or building capacity, resulting in little in the way of permanent institution-building, and doubtful lasting impact.<sup>20</sup> There is little government regulation of most international actors, including private, for-profit companies, but also little doubt that they fill some gaps in capacity and mandate for both GoSS and international donors and NGOs.

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<sup>20</sup> [http://www.nytimes.com/2014/02/07/opinion/south-sudans-unfinished-business.html?\\_r=0](http://www.nytimes.com/2014/02/07/opinion/south-sudans-unfinished-business.html?_r=0)

## 4 History of inter-ethnic conflict In Jonglei

Jonglei has long suffered from cycles of conflict over land and resources related to the cattle economy, bound up with ethnic dynamics, troubled relationships with the state, lack of services and livelihoods options and the effects of various external conflicts. While cattle raiding and associated inter-group conflicts were relatively commonplace, the social norms governing violence and raiding behaviours were historically much stronger than they are today (Rands and LeRiche, 2012). The dynamics of inter-communal violence and raiding shifted dramatically during the war, particularly after 1991. Prior to the SPLA split, there were stronger ethical limits in place over warfare (Hutchinson, 2001). The frequency and intensity of raiding were subject to approval by elders and prophets; violence was committed mostly by and against the young men responsible for cattle and community security, and took place largely around cattle camps (ICG, 2009). Women, children, and the elderly were not intentionally targeted, and burning and looting of villages was not a common tactic (Jok and Hutchinson, 1999).

The escalation of violence during the war changed those dynamics, however, and while independence offered a common political goal for all of the actors to rally around, the CPA itself did little to mitigate potential post-independence security challenges such as escalating inter-communal violence (Branch and Mampilly, 2005; Jok, 2013a). In addition, the easy accessibility of small arms in South Sudan during and after the war period led to a shift from use of traditional weaponry such as spears to far more deadly weapons; with them came much higher death tolls than had resulted from similar conflict in the past (Rands and LeRiche, 2012; Young, 2010).

The expected dividends from peace (and oil production) have not materialised for much of the population since independence, particularly for the younger men and women who have known only conflict and (physical, food, livelihood and other) insecurity throughout much of their lives. The youth of South Sudan were led to believe that independence would usher in a new era of greater agency and opportunity, but this has not been the case (UNMISS, 2012). Continued struggle for survival in the wake of both heightened expectations and the normalisation of more extreme violence, coupled with competition for increasingly scarce resources, has led to a surge in violence in Jonglei as well as some other states, particularly since 2009 (ibid.).

Table 1 shows recorded violent incidents in Jonglei since the beginning of 2009, although it does not include an untold number of smaller raids. There are also Murle claims that coverage of such incidents is biased toward the Dinka and Nuer, such that smaller raids committed by neighbouring groups *against* the Murle are more apt to be ignored by the media and authorities – although other groups deny such raiding exists, saying the Murle are the only ones who engage in small-scale cattle raids. The criteria for reporting of violent incidents are unclear. Moreover, total counts of deaths and stolen cattle here are those recorded in the various reports cited below, but they are, at best, rough estimates; certainly, different totals for nearly every incident may be found in various media reports and other sources, where they exist.

**Table 1: Violent incidents in Jonglei since January 2009**

Date	Attacking group (attributed)	Location of attack	Deaths (approximate)	Cattle stolen (approximate)*
January 2009	Murle	Akobo County	300 (Lou Nuer)	Unknown
5-8 March 2009	Lou Nuer	Likuangole, Pibor County	450 (Murle)	600
18 April 2009	Murle	Akobo County	250 (Lou Nuer)	Unknown
6 February 2011	Murle	Uror County	8 (Lou Nuer)	1,000
18-24 April 2011	Lou Nuer	Likuangole, Pibor County	200 (Murle)	(138,000)
15-24 June 2011	Lou Nuer	Gumuruk and Likuangole, Pibor County	400 (Murle)	(398,000)
18 August 2011	Murle	Pieri, Uror County	750 (Lou Nuer)	38,000
20 August 2011	Murle	Upper Nile	60	Unknown
23 December 2011-9 January 2012	Lou Nuer	Likuangole and Pibor, Pibor County	1,000 (Murle)	100,000
16 January 2012	Murle	Duk Padiet, Duk County	51 (Dinka)	Unknown
27 December-4 February 2012	Murle	Akobo, Nyirol and Uror counties	276 (Lou Nuer and Bor Dinka)	60,000
7 February 2012	Dinka	Gumuruk Payam, Pibor country	9 (Murle), 13 (Dinka)	Unknown
2 March 2012	Murle	Nyirol County	15 (Lou Nuer)	15,000
9-11 March 2012	Murle	Ethiopia (near Wanding Payam)	225 (Lou Nuer)	20,000
4 December 2012	SPLA	Gumuruk	13 (?)	Unknown
17 December 2012	SPLA (attack on Dak Kueth)	Uror	19 (Nuer), 5 (SPLA)	Unknown
8 February 2013	Murle (Yau Yau)	Walgak (Akobo)	103 (Lou Nuer), 14 SPLA	Unknown
26 March 2013	SPLA	Pibor	143 (Murle/YY), 20 SPLA	Unknown
9 April 2013	Unidentified (widely attributed to Yau Yau)	Gumuruk	12 UNMISS (5 peacekeepers, 7 civilians)	n/a
July 2013	Nuer	Pibor	328 (Murle)	Unknown
8 August 2013	Murle	Maar Payam (Twic)	8 (Dinka)	'Hundreds'
20 October 2013	Murle (Yau Yau)	Twic East	78 (Dinka)	7,000

Note: \* Estimates of deaths and lost cattle vary extremely widely across sources. In addition, criteria for inclusion of incidents in the media reports cited here are not standardised and are often unclear. The table does not imply verification of the accuracy of any of the available reports.

Sources: Small Arms Survey (2012); BBC (22 August 2011; 17 January 2012; 30 January 2012); *New York Times* (5 January 2012); *ReliefWeb* (10 February 2012); *Reuters* (19 December 2012; 10 February 2013; 20 February 2013; 28 March 2013; 9 April 2013); *Sudan Tribune* (22 December 2012); *AllAfrica.com* (8 August 2013); *Associated Press* (8 August 2013); *BBC* (21 October 2013).

The flood of weapons left over from the war period and resulting widespread availability of small arms have contributed to the extreme difficulty of containing and reducing violence in Jonglei. Various attempts at disarmament, beginning after the signing of the CPA and continuing through 2008, were poorly implemented and left incomplete, resulting in cycles of rearmament and raiding within and



among ethnic groups as well as significant animosity against GoSS and the SPLA for abuses committed during those efforts, particularly in Pibor (DDG et al., 2012); this is discussed further below. The various inter-group conflicts that have always been an aspect of life in Jonglei took on a particularly violent cast after the CPA, and particularly since 2009 (UNMISS, 2012).

The rest of this section outlines key points in the history of inter-group conflicts in Jonglei in recent years. These are cast here largely in the light of ethnic group identities, as this is often the first point of reference for both other conflict analyses as well as development and state-building needs assessments by donors and other stakeholders. However, we reemphasise that ethnicity is only one of multiple factors in conflict.

#### **4.1 Murle–Nuer**

A series of Murle attacks in Akobo in early 2009 were the most violent incidents in South Sudan since the signing of the CPA in 2005, leaving at least 300 Nuer dead. These attacks marked a shift in raiding tactics toward targeting of civilians and whole communities in addition to the more ‘traditional’ cattle rustling and clashes between armed youth (Arensen, 2012b). The White Army launched a counterattack in March 2009 into Pibor County that left at least 450 Murle dead. Retaliatory attacks continued through the spring of 2009, including another Murle raid in Akobo that left hundreds dead. An International Crisis Group (ICG) report on the violence in Jonglei later in 2009 found that the cycles of violence between Nuer and Murle in the first half of that year alone left more than 1,000 people dead over a period of several months, including more than 700 allegedly killed in one week (ICG, 2009).

While the violence subsided with the coming of the rainy season in 2009, smaller raids continued throughout 2009 and 2010, followed by a marked surge in violence in 2011. Nearly 700 Murle were killed in two separate attacks on Pibor in April and June 2011, and Murle counterattacks in August of that year left over 800 Nuer dead in Jonglei and Upper Nile. In December 2011 and January 2012, reportedly in response to Murle cattle raiding taking place nearly daily without an effective government response (UNMISS, 2012), the White Army marched to Pibor in an attack so dramatic it drew significant international attention, something previous violence had not done. Over 1,000 Murle were killed in the attacks, with civilians the primary targets; there were also dozens of reports of abductions of women and children.

In March of 2012, a Murle attack just over the Ethiopian border from Akobo County resulted in over 200 people being killed and the theft of thousands of cattle (Small Arms Survey, 2012). David Yau Yau’s forces attacked the same area in February 2013, this time targeting the community of Walgak, killing over 100 Nuer men, women and children in a cattle camp moving toward the Sobat River, as well as 14 SPLA soldiers travelling with the group to protect them (UNMISS, 2013). According to SLRC interviews conducted around the same time, tensions had already been quite high prior to this attack, with significant Nuer frustration at the lack of adequate SPLA protection or means (i.e. guns) with which to protect themselves. In July 2013, the White Army marched on Pibor once again, killing an estimated 328 Murle and adding to the displacement of nearly the entire population of the county, which had begun several months earlier with violence and attacks by the SPLA on Murle civilians in Pibor town (HRW, 2013; OCHA, 2013).

The significant difference in tactics between the Murle’s repeated, small-group ‘guerrilla’-style raiding and the less common but much larger-scale Nuer/White Army assaults, together with overall lack of record keeping, obfuscates the death tolls and actual impact of these attacks on all sides. Other than by comparing death tolls, impacts are difficult to measure and compare, but there is no doubt that the loss of family and community members, physical insecurity and widespread displacement resulting from this inter-group violence, coupled with totally inadequate and sometime exacerbating state responses,

has devastating and lasting impacts on the communities involved as well as their relationship with the state (HRW, 2013; Rands and LeRiche, 2012; Rolandsen and Breidlid, 2012). It also contributes to ongoing cycles of violence and retribution that become enmeshed in and magnified by other crises, such as that taking place in South Sudan today.

## 4.2 Murle–Dinka

The Murle's relations with the Dinka have not been as clearly antagonistic over the past few years as their relations with the Nuer, but have not been much more positive (Young, 2010). There is long-standing resentment among the Murle toward the SPLA because of abuses that took place during the war years as well as since the CPA, held partly against the Dinka, owing to John Garang's leadership during the war (Hutchinson, 2012). Because of the geography of the state, the only road to Pibor comes from Bor in Dinka territory, so there is a strong perception (stretching back decades) among the Murle that they are systematically cut off by powerful actors in Bor from livelihood improvements and services to which others in the state have access (Arensen, 2012a).<sup>21</sup> In addition, crucial decisions about spending as well as security operations throughout the state have taken place with tacit approval if not active participation from the Dinka governor and the rest of Jonglei state government in Bor, further reinforcing Murle perceptions of purposeful marginalisation (ibid.).

While the vast majority of violence in recent years has been largely between the Murle and Nuer, there have also been significant incidents between Murle and Dinka, including reported cattle raids into Dinka territory and retaliatory attacks by the Dinka in Pibor (in addition to an untold number of Dinka youth taking part in the White Army attacks described above). An attack on Gumuruk Payam in Pibor in February 2012 left nine Murle and thirteen Dinka dead; witnesses reported that some of the Dinka attackers wore SPLA uniforms.<sup>22</sup> A Murle raid in Twic East County left eight dead and hundreds of cattle stolen as recently as August 2013, and a large-scale attack in October 2013, probably by David Yau Yau's forces, resulted in the deaths of at least 40 people and the theft of thousands of cattle. (Interestingly, the retired Roman Catholic bishop appointed by President Kiir to lead efforts to bring Yau Yau into peace talks suggested in November 2013 that restive civilian youths, not Yau Yau's forces, were behind the attack.)<sup>23</sup> Such attacks generally only stoke other groups' antagonisms against the Murle despite the fact that Yau Yau's forces are drawn from other groups as well.

## 4.3 Nuer–Dinka

The Nuer–Dinka relationship in Jonglei, while perhaps a microcosm of the tense relationship between the Nuer and Dinka nationally, remained generally calm from independence up to late 2013. This had not been always the case. There always remained significant animosity between the Dinka and the Nuer stemming from the 1991 Bor Massacre and subsequent years of warfare between the SPLA and the SPLA-Nasir faction. The split in the SPLA certainly did not happen along clear ethnic lines, although it is often broadly characterised as Dinka versus Nuer (Young, 2010). In fact, some Nuer stayed with Garang's SPLA forces while Dinka fighters joined the Nasir faction; both factions drew forces from other ethnic groups as well as other armed groups (Johnson, 2003).<sup>24</sup> Nonetheless, there continued to be resentment within the SPLM/A against those (individuals and groups) perceived to have been responsible for the fragmentations that created the Nasir faction and other armed opposition groups (ICG, 2011).

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<sup>21</sup> To be sure, Lou Nuer in northern Jonglei seem to have much the same perception of being purposefully cut off from goods and services by the political elite in Bor, and it is likely that many Dinka in counties further removed from the capital feel similarly.

<sup>22</sup> <http://reliefweb.int/report/sudan/jonglei-bor-pibor-clashes-kill-22>

<sup>23</sup> <http://www.voanews.com/content/south-sudan-bishop-yau-yau-not-behind-deadly-jonglei-attacks/1792514.html>

<sup>24</sup> It is worth noting that the factional fighting that began in December 2013 has been similarly characterised as clearly ethnically delineated despite obvious evidence to the contrary.

Unfortunately, the CPA provided no functional framework of accountability for past crimes or for non-violent and non-militaristic resolution of current disputes, and impunity has been widespread, contributing to ongoing cycles of violence that certainly contributed to the current (early 2014) crisis (Deng, 2013). At the same time, disarmament efforts following the CPA were carried out quite violently, although ultimately fairly effectively, in northern Jonglei, which diminished cattle raiding between the Dinka and the Nuer as well as between various Nuer clans in Jonglei and Upper Nile. However, it did not contribute to increased trust between the Nuer and GoSS or the SPLA (DDG et al., 2012).

## 5 Current conflict drivers

Conflict in Jonglei in the post-independence years remains multi-layered, and has perhaps only grown in complexity since the war period, with multiple intra-group, inter-group and international dynamics as well as political, economic and sociocultural drivers. This section briefly outlines a number of these drivers and how they factor into the relationships between the actors described above.

### 5.1 Governance

South Sudan has been plagued by **governance** challenges and widely perceived as an extremely weak state since its birth, and the presence of the state in Jonglei is particularly faint. Laudati (2011) notes that ‘pervasive poverty, combined with continuing insecurity, lack of infrastructure, and limited market opportunities have combined to create a general landscape of deprivation, discrimination and marginalization’ (p.22) in Jonglei. The dominance of the SPLM in national and state affairs, and perceptions among some Nuer and Murle that the SPLM has been dominated by Dinka, means old grudges dating back to the war period are now entangled in people’s feelings toward the state. At the same time, these associations suggest any missteps by GoSS today, regardless of provenance, are likely then woven back into perceptions of the SPLM and the various ethnic and political affiliations of its leaders. As previously mentioned, geography may play an additional role in perceptions; in Jonglei’s case, almost all roads literally lead to Bor, meaning the goods and services that reach the rest of the state from elsewhere in South Sudan are filtered through the hub of both the state government and a historical centre of Dinka (Bor) territory.<sup>25</sup> Yet that state government provides few services, and is unable even to build or maintain those roads, much less effectively secure them for safe travel, transport and service delivery, leading to resentment from all corners of Jonglei’s population toward the state and stoking various perceptions of stilted access.

GoSS has always faced a significant security dilemma: as a weak government with little institutional and logistical capacity or legitimacy to exercise its authority over citizens in a meaningful way, it has often been unable to control its own soldiers and security services, much less effectively disarm the population and create or keep peace between civilians. In addition, while there are systems of customary law of varying strength, the dearth of an effective legal and justice system at the state and local levels means violence is often committed with impunity, further undermining the state’s authority and contributing to the population’s deep distrust of the nominal institutions of order (Jok, 2013b). At the same time, GoSS’ attempts to assert authority, because they have tended toward the extreme, have often undermined their own purpose and created an even more precarious situation. The result has been a lot of rhetoric about order and authority that has belied the situation on the ground, in which security is the overwhelming unrealised priority for much of the population, according to numerous observers and our own SLRC fieldwork.

Fingers of blame are pointed in many directions, but ultimately end up pointing back at the state, whether this is because GoSS is unable to protect people from aggressors or because government forces *are* the aggressors under orders or simply because there is such great *disorder* in the SPLA. As Jok (2013b) points out, ‘To assert its force over the rebellions and ethnic feuds in Jonglei is to risk an all out war between the government and the citizens; but to seek peaceful settlement is to appear weak and unable to monopolize power’ (p.2). It has always, therefore, been extremely difficult for GoSS to conduct any security-related activities at all, as they were often more likely to harm the situation than

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<sup>25</sup> Depending on the season and weather/road conditions, as well as security along the border, some goods may also reach Akobo County in north-western Jonglei through the border with Ethiopia, and northern Jonglei from Malakal.

help. The most recent crisis has only further demonstrated the government's limited hold on authority, and weakened it further still; the prospects for rebuilding it in a meaningful way following the (as yet unrealised, at the time of this writing) cessation of hostilities are dim indeed, unless both GoSS and its international supporters take a fundamentally different approach to governance than they have thus far.

The Western state-building paradigm on which aid and political support to South Sudan have been based hews to the Weberian belief that the state is ultimately responsible for the security of its citizens, and derives its power from adequately fulfilling that responsibility and maintaining a monopoly on the use of violence. GoSS has never had such a monopoly, nor has it been able to ensure a basic level of citizen safety. These tandem problems virtually ensure a continuing cycle of violence among all the parties, because no one in Jonglei is likely to willingly abdicate their right to defend themselves (more than they already have, in the case of reported Nuer and Dinka disarmament, questionable though it may be) and fully lay down arms until they have faith that GoSS can provide a reliable modicum of security in its place. In the meantime, the narrative of Murle aggression has served the government because it provides a reasonable-sounding excuse for GoSS' own failure to effectively protect the population. In the same vein, the popular narrative portraying all Murle as part of, or at least sympathetic to, David Yau Yau's rebel movement has legitimised the indiscriminate use of force against Murle civilians. And GoSS currently has greater capacity for the use of force than for – to offer one example – building the kinds of functional institutions and infrastructure in Jonglei that the parties and observers to the conflict all seem to agree are a necessary component of real peace building.

## 5.2 Disarmament

**Disarmament** has played a significant role in the development of conflict in Jonglei to its current situation, as already noted. In response to the violence in 2011/12 and to international pressure for peace building, GoSS attempted another round of disarmament in Pibor and also re-launched the peace process that had been stalled since 2010. The Sudan Council of Churches was charged with managing the peace process beginning in September 2011, although it clearly made little progress through the beginning of 2012. A Presidential Order in February 2012 formed the Committee for Community Peace, Reconciliation and Tolerance in Jonglei State, headed by Archbishop Daniel Deng, which began meeting in Bor in April of that year, with assurance of grassroots participation (UNMISS, 2012).

At the same time, in January 2012, GoSS announced compulsory civilian disarmament in Jonglei for the fourth time since the CPA (DDG et al., 2012). Disarmament proceeded in Pibor under questionable conditions. Similar to previous disarmament campaigns, perceived by both targeted communities and outside observers as highly politicised, violently coercive and bent on discipline and punishment rather than being voluntary and building peace (HRW, 2009; O'Brien, 2009; Rands and LeRiche, 2012), the 2012 campaign not only failed to disarm the population but also likely contributed to further insecurity (da Costa, 2012). SPLA abuses during the latest round of disarmament in Pibor – called 'Operation Restore Peace' – included beatings, rape and torture, carried out with similar impunity to previously reported abuses during disarmament campaigns and seemingly at random (HRW, 2013). These events generated increased resentment among Murle communities toward the government and SPLA, encouraging many to support David Yau Yau's rebel movement (HRW, 2013; Small Arms Survey, 2013b).

One thing is certain: none of the disarmament efforts thus far has addressed key conflict drivers, nor provided for civilian safety (O'Brien 2009; DDG et al. 2012). Violence against civilians in the course of disarmament efforts is one of the most commonly cited reasons for the failure of those efforts and Jonglei's resulting continued insecurity overall, in that the civilian population remains armed and now harbors tremendous animosity toward the SPLA (Jok 2013b).

### 5.3 Stereotypes and biases

Not only has the gap between rhetoric and action on security and many of the promised dividends of peace (following the CPA) and independence been a source of deep frustration for many, but also the rhetoric itself is often problematic, and indicative of some of the **stereotypes and biases** that inhibit effective governance in ways that drive violence. A number of GoSS officials have not been careful even to consistently suggest they view all citizens equally and fairly. Statements by the president and other senior officials associating all Murle with violent cattle raiding, or with David Yau Yau's rebel movement, have done little to dispel suspicions of bias against the Murle (Jok, 2013a). President Kiir himself said, in an interview in which he also compared Murle to hyenas and other wild animals and suggested that most Murle harbour venereal disease,

***'If [the Murle] fail to bring all the guns, we'll have to use force to disarm the community by force. Of course that will result in a lot of casualties [...] [but] either I leave them with the guns and they terrorize the rest of the people, or I crush them to liberate the other people from being always attacked by the Murle'***<sup>26</sup> (quoted in Laudati, 2011: 24).

Moreover, the lack of response, spoken or otherwise, to anti-Murle violence in July 2013 betrayed both inability (the only justification for inaction offered by GoSS as well as UNMISS representatives in media reports on the violence) and unwillingness to stop large-scale atrocities committed by and against the state's own citizens. In both 2011 and 2013, GoSS and international observers had clear early warning of White Army plans for imminent attack on the Murle, but took little or no action to prevent the violence.

### 5.4 Citizen safety and security sector instability,

Safety issues, including the simple fact that the government cannot guarantee the reasonable security of its citizens, remain perhaps the greatest stumbling block to its legitimacy, according to recent SLRC interviews as well as observers (Jok, 2013; Rolandsen and Breidlid, 2012; UNMISS, 2012).

The security sector has numerous problems that compound one another, including too many people, too little training, too few resources and too many political entanglements. At the end of the war in 2005, the task of the SPLM/A was to effectively transition from an armed rebel movement into a governing political party and a separate, professionalised national military, as well as to build a functional civilian police force and justice system. At the same time, multiple armed factions previously operating in parallel, if not direct opposition, to the SPLA had to be neutralised, which in many cases meant incorporating them into the SPLA with the promise of salaries and other gains. There is no doubt the task was Herculean at best, and GoSS' efforts did meet with some success in the first years following the CPA. The resulting forces were, however, bloated with soldiers with various loyalties and often operating at cross purposes (Mailer and Poole, 2010).

The South Sudan Police Service (SSPS) was and remains composed mainly of transferred SPLA soldiers put into police uniforms but given little other training or support. Its leadership is drawn directly from the SPLA, including the current Inspector General appointed in January 2013, Lieutenant General Pieng Deng Kuol (Lokuji et al., 2009; Mailer and Poole, 2010). Both forces have been accused of grave abuses in the post-independence period, particularly against the Murle in Pibor, where Amnesty International (2012) and Human Rights Watch (HRW, 2013) have found evidence of extrajudicial killings, torture, rape, humiliation, and other violations.

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<sup>26</sup> Interview with Jack Rice on behalf of the Save Yar Foundation ([www.youtube.com/watch?v=FhsQb8UR7AQ&feature=related](http://www.youtube.com/watch?v=FhsQb8UR7AQ&feature=related)).

Meanwhile, it should come as no surprise that the many internal and external conflicts that the long civil war period comprised were not resolved on the formal conclusion of the war in 2005 or the declaration of independence in 2011. Jok (2013) points out,

***‘For some communities, their ongoing experiences with ethnic and inter-communal violence is so intense and localized that the end of the North-South war and the independence of South Sudan may have little meaning for them in terms of their day-to-day security. Many communities say that independence has only ended a certain kind of war, but has left sources of insecurity most relevant to them unmitigated – the “mini-wars” that continued to occur between rival ethnic groups and communities throughout the war and did not end in 2005 or after South Sudan’s independence’ (p.7).***

The CPA was, after all, ‘merely’ a political agreement between two parties (the NCP in Khartoum and the SPLM) representing political and socioeconomic elites in their respective countries (Bennett et al., 2010); its ‘rationing out of representation’ to only these two parties and ignorance of other armed factions, political movements and all of civil society in both the North and the South only sowed the seeds of future disillusionment with democracy and distrust in the state (Leach, 2011: 61). Particularly given that other livelihoods factors have not notably changed for those unable to access the dividends and resources available to those elites, the rural population continues to deal with livelihood and physical insecurity the same way it always has: by engaging in the mini-wars over land, cattle and resources it has been fighting for decades, if not longer. Until the government is able to offer both security and opportunities representing a significant improvement in livelihood conditions for much of the population, they have little incentive to act any differently (Arensen, 2012b). It can only be hoped that these lessons will be taken to heart in the resolution and aftermath of the current (2013/14) crisis.

## **5.5 Cultural shifts**

The slide toward constant conflict and extreme violence that began in the early 1990s and accelerated with the White Army and more recent Jonglei conflict points to broader **cultural shifts** and weakness in the social fabric that underlies intra- and inter-group dynamics in Jonglei. These in turn have a direct impact on the current conflict. The disintegration of ethical limitations on warfare illustrates conflicted power dynamics within ethnic groups, and is an indication that different voices – or perhaps none at all – now hold sway where previously elders or spiritual leaders may have had much more influence (Hutchinson, 2001). Also, while the chief hierarchy still holds significant weight among some groups, such as the Lou Nuer, efforts to formally integrate chiefs into GoSS have proceeded poorly, owing to ambiguity on the issue in the Local Government Act of 2009 as well as a lack of attention and resources allocated to it. As a result, there remain a variety of perspectives and a great deal of haziness about chiefs’ authority and loyalties, even among those communities where their influence is significant (Bennett et al., 2010).

Among the Murle, the social power structure is completely different and currently highly contested (Arensen, 2012a). The lack of hierarchical authority within age-sets and the competition for dominance among them mean different groups among the Murle are operating independently from and often in opposition to one another. Cattle raiding and its accompanying violence, in this sense, actually have little to do with those being raided, but are actually carried out in the context of fighting *between and within* Murle age-sets. Not only does the whole age-set gain social power from proving the ability of its members to carry out large-scale raids, but also individuals gain respect and prestige – and the economic and social ability to marry – from proving their own fighting and raiding capacity to fellow members of their age set (Arensen, 2012b). As the current fight between the age-sets for dominance continues, likely to last at least several more years, there is only greater incentive for raiding of and violence toward other groups (ibid.).

In the meantime, peace processes that depend on Murle elders and leaders may be placing tremendous pressure to deliver results (decreased raiding) on Murle ‘representatives’ who actually command no such authority in their communities. In addition, peace talks tend to be reactive, one-off events instead of strategic pieces of a broader approach. Thus far, they have been poorly integrated with one another, much less into any longer-term strategy articulating the true range of actors that would have to be involved in order to realise true success (Rolandsen and Breidlid, 2012). The very recent ceasefire agreement between GoSS and David Yau Yau may incline some toward optimism about broader peace between the Murle and their neighbours, but in reality these situations and processes may have little relation to or influence over one another, and should not be presumed to overlap.

## 5.6 Socioeconomic and political grievances

Another reason there is little incentive for the Murle to give up raiding is that it is the chief source of economic status and wellbeing for many, with few other options available. Such **socioeconomic and political grievances** are a significant source of animosity for many in Jonglei, where – as was discussed above – poverty is extreme and access to functional infrastructure and basic services scarce (and now even worse than in the immediate post-independence years, given current violence and displacement). As a result, economic and livelihoods pressures, combined with inter-group antagonisms and a propensity toward increasingly vicious settlement of disputes and widespread availability of weaponry normalised over decades of war, lead easily to continued, escalating violence.

The isolation of many communities in Jonglei is severe, their security poor and water, health, education or other services very difficult if not impossible to access. Lack of access to services and livelihood options is often suggested as a driver of conflict, and is certainly an issue for all communities in Jonglei. Communities are aware, and outside observers confirm, that the flow of resources from the national to state level and from the state to local levels has never been equitably distributed among communities (CDI, 2012). The perception that other communities have better access, added to an overall lack of mobility of people and information, has solidified distrust between communities (Small Arms Survey, 2012; interviews, February 2013). However, the issue is not such a simple one that increased access to services for all the communities involved – were it possible – would reduce conflict, unless similar attention is paid to the history, politics and other dynamics informing various groups’ perceptions of power and access (as pointed to in the quote at the beginning of this report).

Competition for natural resources has also intensified over the past decade, as a changing climate and environmental degradation, as well as violence and political instability, have contributed to severe food insecurity and increasing competition for water and grazing rights (Arensen, 2012b; Richardson, 2011). The link between climate change and violent conflict is much debated but – as of yet – poorly established (Forsyth and Schomerus, 2013), and such competition is not a new aspect of pastoralist life (Hendrickson et al., 1996; ICG, 2009). However, pressures are rising, and such factors must not be ignored in analysis of the region’s conflicts. South Sudan is the most rapidly warming location on earth, with average temperature increases of 0.4 °c per decade, or nearly four times the global average, and rainfall is steadily decreasing (USAID and USGS, 2011). Under these conditions, adequate productive and grazing land is becoming ever more scarce (ibid.). Partly because of delays in agreeing on and implementing a new national Constitution, and partly because of limited legal infrastructure and resources for enforcing whatever legal agreements may be made, land and grazing rights remain murky and must be negotiated between groups and individuals according to long-standing custom (Brookings Institution, 2012) – yet the traditional relationships and mechanisms for doing so are breaking down. Intercommunity mobility and trade in response to these pressures are disintegrating at the same time that they are becoming more necessary than ever (Omondi, 2011).

## 5.7 Marginalisation

The issue of **marginalisation** is often noted as a conflict driver in Jonglei. While potentially useful, though, the term requires unpacking. It may include lack of services and other grievances mentioned



above, which could result from any number of causes, ranging from discriminatory, politically strategic spending choices to the hard fact of economic austerity and GoSS' lack of capacity – financial and otherwise – to build up the infrastructure necessary for service delivery (da Costa, 2012; Laudati, 2011; Omondi, 2011; UNMISS, 2012). It may also include violence and resulting displacement; military and political domination; and deliberate exclusion from political processes (DDG et al., 2012; Small Arms Survey, 2012). There may be no single obvious responsible party, although blame is generally placed on the government, including both GoSS as a whole and powerful individual actors at various leadership levels, and the SPLA (Rands and LeRiche, 2012). Beliefs persist that there is enormous wealth in particular areas, proceeding from both oil revenues (or the promise thereof) and the cattle economy, and that such wealth has been rather shamelessly appropriated by political elites (HPN, 2013). The state has played a minimal, if not negative, role in mitigating disparities in access to these resources and economic opportunities, preferring to manage loyalties through patronage networks whose alternative is marginalisation in the myriad ways described here. In other words, people either benefit from patronage relationships or are excluded by them (Bennett et al., 2010). Such practices are highly problematic for both the current and the future stability of the state.

Many Murle reportedly feel they are the most isolated and underdeveloped group in the whole of this isolated and underdeveloped state, and that they are unfairly blamed for much of the violence that occurs (Arensen, 2012a). Other observers confirm that these are fair charges, as noted above. The Murle have an exceptionally difficult relationship with GoSS and the SPLA, which not only offer them little physical or social protection but also perpetrate violence against them under the guise of disarmament or fighting rebel advances.

Many Nuer believe they are marginalised by Dinka and other elites who want to sideline them in the struggle for national dominance and access to power and resources. Whether ethnic group divisions are the foundation or product – or both – of such perceived discrimination, they clearly become a convenient and even potentially deadly form of demarcation between friend and foe in periods of heightened tension. Some Nuer believe they are left purposely exposed to Murle attack (interviews, February 2013), by way of a lack of SPLA and police protection and inadequate Murle disarmament. There are varying explanations for the lack of protection, ranging from lack of GoSS capacity to political manoeuvring and gamesmanship on the part of those in power, but the end result is the same: perceived discrimination, lack of trust in institutions and authorities and more violence by both the state and 'informal' (non-state-sponsored) actors.

## 6 Conclusion

The basic goal of conflict analysis is to determine and describe the actors and drivers of conflict, so that better understanding can guide policymaking to address those causes and alleviate violence. De Waal's (2007) reference to Sudan's civil war(s) as 'peculiarly intractable' owing to their 'multiplicity of causes' applies equally well to conflict in Jonglei in the years since the CPA and independence (p. 1). The convenient labels of 'tribal clashes' or 'traditional conflicts' over cattle and resources barely scratch the surface of the situation in Jonglei in recent years (Rolandsen and Breidlid, 2012). Lack of socioeconomic access and opportunities or a clear national agenda; constant physical and livelihoods threats; legacies of the very recent and devastating war with the North; proliferation of weapons; contested national and group territorial borders and boundaries; intra- and inter-group struggles for power and wealth; increasing climate pressures; the breakdown of traditional conflict mitigation, limitation and resolution mechanisms; and the near-complete unpredictability of events unfolding at the national, state and local levels all contribute to the extremely complex security situation in Jonglei.

The manipulation of all of these factors through political, social and patronage networks, exclusionary practices and actual violence or threats of violence by political elites and other actors further complicates the conflict. With the situation so fluid, and predictions of South Sudan's disintegration now seemingly coming true so soon after the country's birth, it is little wonder elites have maintained or fallen back on the strategies they employed throughout the decades of war for solidifying their own social and financial positions in the face of constant threat. And as long as it remains quite predictable that GoSS is unable and/or unwilling to offer meaningful protection from, legal/institutional response to or livelihood alternatives to the drivers of violence and revenge, and that the international community is unable to compel it to do so or to offer other protection, there is little incentive for communities to act any differently than they have been doing over the past several years and even decades of conflict.

Jok (2013b) argues that the factors that must be addressed in order to begin to mitigate conflict include 'division of resources and power, delivery of services such as education, infrastructure such as roads, investment in the youth, control of firearms and restructuring of the state's monopoly of force so as to prevent the actions of some soldiers from further inflaming the situation' (p.1), among others. In other words, the causes of local- and state-level conflict are many, and there has never been a single solution (such as peace talks or service delivery) that would put a stop to it. The paradox of post-independence state building in general, and conflict mitigation in Jonglei in particular, is that the stability and predictability of the situation are simultaneously the prerequisite and the intended outcome. The actors are unlikely to behave differently until they see greater incentive to shift away from (physical or economic/structural) violence than to use it as the preferred expression of or response to grievance. However, those incentives are unlikely to materialise until there is less violence and more space in which to build real communication and cooperation among the parties. Until that tautological puzzle can be solved, perhaps the most that can be asked is that 'the military and political leadership should not allow the situation to frustrate them into temptation to use an axe to kill a fly sitting on someone's forehead' (ibid.). Tragically, the possibility of such restraint itself now seems a thing of the past, and the road ahead for South Sudan as it (hopefully) emerges from the current national crisis will be far harder still than the extremely challenging course it has already faced.

Conflict expert Mary Anderson (2003) notes that conflict analyses often focus so completely on the causes of conflict that they fail to ask the crucial question of what the conflict is *not* about, which is relevant not only for making sure interventions are focusing on the appropriate issues but also to ensure opportunities are not being missed. She also urges development practitioners to ask, 'What needs to be stopped?' as a way of critically analysing which actors, interests and incentives may be perpetuating conflict rather than bringing it to an end. These are both key questions in Jonglei and all of South Sudan. One obvious answer is that violence both actively carried out and passively allowed by the

state against its citizens must somehow be brought to a halt. Another answer is that the desire for relatively quick and clear ‘solutions’ to the challenges in Jonglei and all of South Sudan, while understandable, must be dismissed in favour of more realistic, long-term approaches that prioritise complexity and creativity over one-size-fits-all and quick scaling.

As noted at the opening of this analysis, South Sudan’s international supporters have been long been too quick to equate ‘marginalisation’ of various actors with ‘lack of development’, and therefore to understand lack of development as a cause of conflict and make the corresponding assumption that all development efforts constitute conflict mitigation and prevention measures (Bennett et al., 2010). However, an overly broad concept such as ‘development’ applied to an overly generalised conflict such as Jonglei’s risks only further obfuscation of the issues that must be clearly understood and addressed in order to dis-incentivise violence. Motivations, allegiances and grudges at every level – including those held by or against the international donor community – must be clearly understood, or they are likely only to be exacerbated by mis-targeted agendas and funds coming from well-intentioned donors and authorities. The causes of conflict must be disaggregated and chipped away without unrealistic hopes for quick solutions, and the perpetrators and enablers of violence, regardless of their political or ethnic affiliation, must be *consistently* held accountable through both words and actions, if Jonglei – and the whole of South Sudan – is to make progress down the long road toward real peace.

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Secure Livelihoods Research Consortium (SLRC)  
Overseas Development Institute (ODI)  
203 Blackfriars Road  
London SE1 8NJ  
United Kingdom

T +44 (0)20 7922 8221  
F +44 (0)20 7922 0399  
E [slrc@odi.org.uk](mailto:slrc@odi.org.uk)  
W [www.securelivelihoods.org](http://www.securelivelihoods.org)  
T @SLRCtweet

