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POLICY BRIEF

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Managing Violence in Jonglei *A Test of Legitimacy and Credibility in Juba*

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The 2005 Comprehensive Peace Agreement (CPA), carefully crafted, was principally aimed at addressing all sorts of conflicts and introducing development as a recipe for sustainable peace in the then Southern region, now South Sudan. Following the installation of the regional government, Southern Sudan embarked upon disarming the civil populations, among other high priorities. But the inauguration of the CPA, along with the subsequent programming of possible regional stability it so embraced has not effectively responded to inter-communal violence, particularly in the nation's most populated state, Jonglei. Notably, the history of ethnic discord in South Sudan, premised upon a wide range of social and political explanations, is as old as the society itself. However, more recent trends have been awfully perturbing. Since 1991, several deadly conflicts associated with tribal discontents involving the Dinka, Nuer, and the Murle have been documented. The Human Security Baseline Assessment (HSBA) approximates resulting deaths at 2,000 or more in 1991; 1,000 in 2009; 2,167 in 2011; and 1,516 in 2012 (HSBA, 2012). On Sunday, 20th October 2013, another violence purportedly executed by largely Murle backed rebel group struck Jonglei's Twic East County, killing nearly 80 people and wounding several others, majority of them women and children (Sudan Tribune, Oct. 22; Gurtong Trust, Oct. 21). The attack ensued after the floods that necessitated out-migration in Twic East County, making the community more vulnerable to the rebels. After several hours of fighting, the rebels, having looted thousands of cattle, burned houses, and kidnapped women and children, retreated. Sadly, those who are stranded in the county remain at the mercy of disease, starvation, and physical insecurity, as the South Sudanese government and the UNMISS failed to effectively respond to the crisis.

The most unsettling aspect of this more recent conflict in Jonglei is the government's blatant indifference towards it, seemingly failing a test of legitimacy and credibility before an outraged public. While the threatened Twic East County languished in fear for days, Juba authorities were busy pursuing other 'more important' endeavors, including hosting President Bashir of the Sudan and making appearance at UN gatherings. The government's apathy toward this crisis caused an incredible uproar in the citizenry, as Juba continued to ignore the County Commissioner's cries for help. Attempts to seek intervention from the Sudan People's Liberation Army (SPLA) were unsuccessful, with the institution's spokesperson blaming nonresponse on infrastructural challenges and lack of fuel. This pretext was considered rather riveting and bogus by the governed, considering that the SPLA owns a number of helicopters that are suited for situations of this kind. Even worse, it took Juba 4 days to publicly respond to the crisis, releasing a statement that belittled the grieving innocents by unnecessarily extending an amnesty to a killer, David Yau Yau. To many, the best the Juba administration could have done following four days of suffering and anguish in the county was the appearance of President Salva Kiir in person to console those affected, both a thoughtful thing to do and an obligation of sort for a democratically elected leader. But this was not the first time Juba resorted to silence after a serious crisis struck; it did so on several occasions, angering the voters and the international community. The little aid that was gathered in support of Twic East County came exclusively from the general public, with the diaspora playing a leading role. For Juba, disappointingly, all else was business as usual.

An angry public considered the government's approach a complete disappointment. Analyses suggest arrays of explanations, including severe lack of leadership, incompetence, lack of discipline, lack of emergency preparedness program, negligence, and corruption that plagues, among others, the most funded institution of the nation: the SPLA, which receives about 40 percent of the country's total budget. Some resultant discussions accused the Juba based administration of treating citizens as mere voters who only matter during leadership contest. Others blamed members of the South Sudan's legislature for not doing enough to protect their constituencies from security risks. A number of analysts and regular citizens alike called for an immediate resignation of the nation's Ministers of Interior and Defense, citing the duo's inability to perform their primary functions. Others suggested that the youth of Twic East and neighboring counties threatened by Yau Yau's rebellion should be rearmed.

These recent gruesome attacks on Dinka communities of Twic East County in Jonglei State were yet again a demonstration of the grave security challenges that the new state of South Sudan faces following independence from Sudan in 2011. As deadly, destructive to livelihoods, and ravaging to ethnic relations as this latest episode was, it did not seem surprising for those who follow Jonglei's security situation. This type of violence has characterized the country's largest province for the last 8 years. The incident also seemed to ring familiar to all the South Sudanese who have been so heavily affected by this type of calculated and yet reckless violence in other states of the country. The rampant violence of the last eight years since the CPA was signed,

ending the longest war between the north and south of what was Sudan, has produced a stark divide between the majority of South Sudanese who have become so exhausted by it and the political class who are being looked to for solutions, but whose responses have not been able to make a dent on the crisis.

The more the former is embroiled in violence the more the latter seems disconnected. The more violence the rural citizens endure and the larger the scale of death by violence, the more it seems that the government has become numb to it, playing an indifferent approach. To the rest of the people who watch from afar, the paradox of increasing violence in the times of peace, with the inauguration of the CPA, the conduct of referendum, the independence of South Sudan and the creation of the country's own institutions of government, is not lost. It has been more than 8 years since that big war ended and yet the people of South Sudan have continued to bury so many people who have died from what may be described as purposeless violence, not that any purpose of any kind could justify the taking of human life. But is this violence really without purpose?

The Attacks

The Twic East attackers were heavily armed, wore military uniforms, and numbered approximately 700, reportedly from the Yau Yau's rebel group. The group attacked the Dinka cattle camps and villages in the early hours, as the cattle herders were just preparing their herds for the day's grazing. These attacks killed 78 people and wounded nearly 90 others in Maar, Paliau, and nearby settlements. Most of the victims were women, children and the elderly, according to the County Commissioner, Dau Akoi Jurkuch. Some youth, including police officers, were also killed or wounded while trying to defend their people, homes, and herds. The state government has blamed the rebels led by David Yau Yau, which the latter has categorically denied, stating that "our forces are not in that area and we do not attack civilians." This attack comes at a critical moment in negotiations that had started between Yau Yau forces on the one hand and religious leaders and supported by the United Nations, aimed at ending the strife, on the other. The acting governor of the state, Hussein Maar Nyuot, fears that the talks, which have been underway for over three months now, might be jeopardized by this latest incident.

That this massacre and the looting of cattle should happen in the midst of heavy concentration of the national defense forces and the state failure to protect the citizens or provide humanitarian assistance has raised serious questions in the discussions that followed, those that will probably remain difficult to answer with certainty. Are rebels or tribal militias still outgunning the police and national army? Is it then the absence of government in the lives of rural people that exposes them to these incidents? Are national security forces tired of conflicts and refusing to respond meaningfully to the cries of rural civilians? What are the factors that continue to fuel this type of violence, not just in Jonglei, but also across the country, and why has the state proven so weak to protect its citizens, acting as a deterrent against violence?

Why Violence Persists

Like so many incidents of violence of similar nature that have happened in Jonglei in the past several years, there were many attempts to explain what triggered it this time around. The questions from social researchers, journalists, human rights monitors, ordinary South Sudanese citizens, and the victims, include why the authorities do not seem to have the capacity or will to stop this violence or track down the culprits. Questions about the root causes of ethnic violence have become even more piercing and disturbing as South Sudan becomes increasingly characterized by this type of violence. Is the violence ethnic, i.e., driven by tribal hatred, as some try to explain it? Is it competition for public office, fueled by politicians? Is it over scarce economic resources, fanned by lack of development, youth unemployment, and diminishing opportunities? Could it be best explained by poor infrastructure, which keeps rural societies isolated from one another and disconnected from services and from security forces? Or could this horrendous loss of life be better explained using the inefficiency of the security organs or weakness of the justice institutions? Or is the historical baggage from the liberation wars still weighing down on the social and cultural fabric of South Sudanese communities?

These questions have been asked over and over again, extensively studied, and conclusions have been reached that the above issues are all at the heart of the continuation of a lethal violence in South Sudan. A question that remains unanswered is on the national government's silence over the Twic East County's incident and over several others that have occurred over the past several years in so many parts of the country. Why is there always such a slow or an indifferent reaction from Juba?

Government's Silence

It was indeed quite puzzling that the massacre did not seem to alarm the central government. Days went by before the political leadership, from the minister of information, who is the spokesperson for the government, to the security apparatus and the office of the president, made a statement about this incident. The only immediate word of condemnation came from the Greater Bor Community, the citizens of Twic East County itself, from the Diaspora and from high profiled citizens who are not in public office. A strong condemnation also came from the diplomatic missions of the United States, Norway, Britain, the European Union, and the United Nations in Juba, to which the government has also developed a thick skin over the years, especially with reference to violence in Jonglei. Is there possibly a sense of embarrassment among the leaders for the failure to acknowledge the multitude of factors listed above, to strengthen these institutions and to assert the state's role, not only in terms of its responsibility to protect but also in acting as a deterrent to such violence? But the question that asserts itself more prominently this time around, in blogosphere, listserv debates, and in public statements by affected communities, is the paradox of violence in Jonglei despite the heavy concentration

of the Sudan People's Liberation Army (SPLA), the nation's defense force, there. Could it be that the state's embarrassment is magnified by its failure to create platforms for dialogue and reconciliation between feuding communities? Is the government/state's legitimacy weakened by this state of affairs? How can it restore its legitimacy?

It may be difficult for the army to be everywhere due to poor transportation infrastructure, the vastness of the country, the security challenges at the border with Sudan, which has engaged a lot of soldiers, and above all, because the army should not be in charge of enforcing everyday security. What about the police then? Has South Sudan resigned to the idea that the work of protecting people and property beyond the capacity of its police, or does this institution need to be further strengthened, equipped and further mandated to monitor ethnic violence? What would it need in order to carry out the role of civilian protection? If these questions are also being asked within these institutions, the public needs to know why the police is not functioning as expected, what challenges it faces in doing so, and whether the nation should improvise by setting up a special force whose main goal would be to prevent violent conflicts that take ethnic fault lines, identifying what legislative mandate, special training, or kind of equipment such a force would need.

But it remains unclear as to why government authorities and politicians do not show emotions, remorse, solidarity and sympathy towards the victims. If they cannot prevent these horrendous acts of violence, they should at least show that they care about their people. It is common practice in both the traditions of South Sudan and in many other countries that when a crisis of such magnitude befalls a community, the leaders often rush to the site, to comfort the victims, show solidarity with them, and condemn the case of violent actions in the strongest terms possible. Have our leaders become numbed by violence to the point that over 70 precious lives of their citizens can be taken without any meaningful reactions, or have they become rulers, not leaders?

The Role of a Responsible Government: Some Policy Pointers

A theory of 'a government of the people by the people' is modest and straightforward. By the virtue of this principle, the government is a contractor, playing by the rules handed to it by the contracting authority, the people. To play by these rules is to be responsible and accountable. The Government of South Sudan's response to recent crisis in Jonglei violated this contract with an extreme magnitude, putting its legitimacy and credibility at stake. How the recent crisis in Jonglei was handled, poor as it overtly appeared, indisputably ruined the trust the citizens had in their government. Both the larger citizenry and the Twic East County residents felt neglected, ignored, and betrayed by their own government. Though the conflict in Jonglei State is quite multidimensional, presenting various challenges in mitigating it, the fact that Juba clearly shows lack of concern is disturbing, if not completely unacceptable. Votes matter, but the greatest expectation from the government-people's contractual relationship is the protection of basic human

values, including security and self-worth. In the event the government fails to meet this basic function, as was the case recently in Jonglei, a number of consequences must surface, some of them quite dire.

Viewed from an immediate public response, which was overwhelming, a transformation in several layers of the public administration, particularly in Juba, has been suggested. This consequence readily surfaces in light of the seemingly broken trust between the governors and the people they try to serve. A resignation call for the ministers of Defense and Interior favorably typifies this gesture. A political lens of this puts the South Sudanese ruling party (SPLM) in a politically fragile position in the country's most populous state. Worse still, the faltering relationship comes at the period when the Juba administration is progressively losing popularity in the entire region of Upper Nile by a comparatively higher margin compared to the other two regions (IRI, 2013). Here, the ball is in the SPLM's court as it seeks to advance its leadership aspirations due for contest in approximately two years.

Absent of elections, the government's persistent failure to protect compels people to seek other alternatives for security. The call to rearm the youth where insecurity has become unbearable is real and threatens peace and stability in the entire country. The case in point is the rearmament of the Lou Nuer youth over the years—a direct consequence of tribal feuds involving the Murle and the government's inadequate role in taking full charge (HSBA, 2012). Because there is little justice and the state lacks power to ensure safety for all, there is a high risk of citizens regularly taking matters into their hands, threatening each other's security. The January 2012 march by the Lou Nuer youth to Pibor County, executing it openly before both the UN and the SPLA, aptly demonstrates the dangers of unresponsive justice and security systems. As well, the government's inability to discipline the civil population, as in perpetually letting civilians massacre themselves in Jonglei State, invokes a question of legitimacy.

As the security situation worsens in the country, an inactive reaction from the government threatens national peace and security. Numerous political crises in North Africa, Middle East, and even Sudan—all occurring quite recently—were triggered by government's mishandling of common, yet legitimate disquiets. The lead architects of violence in Jonglei and elsewhere in South Sudan are youth, majority of them destitute and unemployed. An extremely limited access to basic services in a population whose proportion of persons 30 years and under is well above 60 percent makes for a precarious political environment. The disgruntled youth, so to speak, represent the most ardent spoilers of peace. Moreover, it does not help when the population as large as Jonglei State is marred in violent conflicts that the government is miserably unable to contain.

But things do not have to be this way. Some or all of the above scenarios can be avoided or reversed using more sober administrative, political, and development techniques. Chiefly, the government must take a complete charge and strictly adhere

to the principles of good governance. The first step may constitute apologizing to every South Sudanese for mishandling a series of crises, and coming up with unbiased, comprehensive, and pragmatic management instruments—with home-conceived strategies. A system that prioritizes on equity in public service provision needs instituting. Reports show Pibor County as one of the remotest places in South Sudan. A state strategy that prioritizes development in places like Pibor County as an instrument of peace may bear good fruits. In addition to making basic public service a priority in all corners of South Sudan, emergency preparedness must be built into the system, particularly within the security and health sectors. Responding to a crisis is not an option that requires political deliberations, it is an obligation—the government, as a servant of people, must swiftly intervene in life threatening events. Like Kenyatta or Obama, whoever is closer to home, President Salva Kiir Mayardit needs to get out and bond with South Sudanese, especially during the time of crises. It is humane and a sign of leadership, not to reference its weight on securing public office.

South Sudanese were jubilant when the SPLA acquired a number of helicopters mainly because of their importance to serving humanity. Paid for using public dollars, the government has no option but to use them for bettering South Sudanese lives. Our neighbor, Kenya, recently demonstrated exceptionally how a responsible government reacts to a national crisis, with security apparatuses onsite the moments the Westgate Mall fell to the insurgents. With Yau Yau and his rebels remaining at large, civilians in Jonglei continue to face security predicaments. For instance, the Citizen Newspaper recently warned the commissioners of Akobo, Duk, Twic East, Uror, and other neighboring counties of an imminent attack by the Yau Yau rebel forces, as the group is spotted to have been making movements toward these areas in large numbers. This necessitates an immediate action from Juba, a timely deployment of security forces in all vulnerable areas.

On November 4th, 2013 South Sudanese youth wrote a petition to United Nations Mission in South Sudan (UNMISS), threatening it to provide security protection or leave the country. This is a growing view where citizens seem to export responsibility. While UNMISS has a security role to play in the country per its mandate, this is rather subsidiary in relation to that of the South Sudanese government. Rather, the responsibility to protect South Sudanese primarily rests with the government, although the international community, including UNMISS could assist in a very limited capacity. Hence, citizenry frustrations should be directed to the government, with accountability unequivocally demanded.

In leadership as in life, mistakes are inevitable. However, administrative errors are seldom forgiven—normally, there is a price for a missed function. That is, resignations must be enforced to discipline poorly performing officers. Since South Sudan came into being nearly a decade ago, the Parliament and the Office of the President have been very timid in showing individual authorities door for mishandling a public affair. Those common practices of good governance must take shape or a public demand for a more satisfactory performance is unavoidable.

Finally, it is government's principal function to provide security for all its citizens. Due to rampant insurgencies there, the protection of civilians in Jonglei State should be a government's top priority. There is need to employ SPLA forces in all counties of the state in order to maintain peace there. Where ground access is strained, the military helicopters must be utilized for personnel distribution and security surveillance. While on the ground, the SPLA soldiers must assist with local development; extra incentives for soldiers involved in such tasks must be made available by the central government. Again, this is not optional; it is an obligation. By paying a prudent attention to these fundamental issues, South Sudanese, at least majority of them, would be able to live in peace and prosperity, with the government regaining trust, credibility, and legitimacy—a win-win enterprise for all.

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About Sudd Institute

The Sudd Institute is an independent research organization that conducts and facilitates policy relevant research and training to inform public policy and practice, to create opportunities for discussion and debate, and to improve analytical capacity in South Sudan. The Sudd Institute's intention is to significantly improve the quality, impact, and accountability of local, national, and international policy- and decision-making in South Sudan in order to promote a more peaceful, just and prosperous society.

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