

# Research for a Peaceful, Just and Prosperous South Sudan



## **THE SUDD INSTITUTE**

### **Special Report No. 1**

## **Mapping the Sources of Conflict and Insecurity in South Sudan**

*Jok Madut Jok*

January 12, 2013



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RESEARCH FOR A PEACEFUL, JUST AND PROSPEROUS SOUTH SUDAN

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## SPECIAL REPORT

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### Mapping the Sources of Conflict and Insecurity in South Sudan

*Living in Fear under a Newly-Won Freedom*

Jok Madut Jok

*The crocodile wants to enjoy the landscape and can't because it has to sit up, but it can't sit up as its tail stands in the way. –West African proverb*

#### Summary

- Ethnic violence continues to plague rural communities across South Sudan, in many cases preventing citizens from enjoying the benefits of peace and the promises of independence.
- This violence, combined with the trend of rising urban crime, the actions of security forces, the targeting of foreign laborers, and the weakness of the justice system, means that South Sudan is a society living in fear.
- In the eyes of many South Sudanese, the state has consistently appeared weak or complacent in the face of these complex and varied security challenges.
- The government is burdened by South Sudan's history and by the need to juggle the many interests at play in the new country due to the various liberation ideologies and factions that proliferated during the independence struggle.
- In the absence of functioning law enforcement and judiciary systems to address the uptick of insecurity and violence in urban centers, the country is left in a climate of accusations and rumors.
- Instead of freedom, security, and hopes for a new future, many South Sudanese say all they have experienced so far is increased violence and disappointment that their own government is not guaranteeing their safety.

## Introduction

Despite the euphoria, sense of freedom, and high hopes that came with South Sudan's independence declaration in July 2011, the people of this young state are still living in fear. In some areas of the new country, and at times even in the capital, this climate of fear is reminiscent of some of the most violent periods of the North-South civil war that ended in a 2005 peace agreement and paved the way for South Sudan's independence vote. South Sudanese citizens remain confronted by myriad forms of violence, ranging from localized ethnic conflicts to urban crime and violence perpetrated by security forces; there are increasing signs of xenophobia against East African laborers and business owners. Since independence a year and a half ago, the new government has not made any significant changes; any tangible steps to bolster security or lay the groundwork for providing services to citizens could have helped to reassure them that there truly is a new system in place.

Although the Sudanese government's Antonov bombings of South Sudan have stopped, in many areas, the level of local violence has intensified since July 2011. Militia activity and rebellions from South Sudan's national army—still bearing its war-time guerilla name, the Sudan Peoples Liberation Army (SPLA)—are among the factors that have compounded the insecurity and suffering in several strategic states.

The brutality and scale of the various forms of violence plaguing the country have shocked citizens. In the eyes of many South Sudanese, the state has consistently appeared weak or complacent in the face of these admittedly complex and varied security challenges.

Although some of the current forms of violence can be attributed to the enduring consequences of the decades-long conflict between what are now the “two Sudans,” new and different forms of violence have emerged over the past several years. These new manifestations of violence are occurring in a political climate where stability and freedom were the “peace dividends” most anticipated and needed by citizens; many people expected these “fruits of independence” to materialize immediately after July 2011. Instead, old forms of violence have continued and new forms have emerged, increasing the burdens on a population already weighed down by a long history of violence, rendering the sense of freedom and sovereignty almost meaningless. A despondent citizen describes the current situation this way:

We have to be alive to enjoy freedom...but if our loved ones are being shot and someone is dying everyday somewhere in this country at the hands of our own government and we are constantly living in fear, that an activist can be abducted and tortured, that expressing an opinion in one's free country is a deadly affair, what does it mean to be a free country?<sup>i</sup>

In the Sudd Institute’s policy brief on ethnic violence and other sources of insecurity, we outlined some of the new sources of insecurity in the new state (Jok, 2012). These included the actions and mentality of some members of the state security forces; complicity of security agencies in urban crime; and violence against civilians in the context of the state’s efforts to combat ethnic tensions. We also cited the broader context in which South Sudan’s security forces are operating. Factors shaping the current environment include: the widespread presence of and easy access to small arms throughout the country; the legacy of decades of conflict between the South and the North of the Republic of Sudan (prior to the South’s secession in 2011); equally, the legacy of conflict among southerners during the North-South conflict; the volatile relationship between the two Sudans in the aftermath of South Sudanese independence; and rising urban crime linked to a spiraling economic problems born of the austerity policies introduced by the Juba government after it shut down its oil production in January 2012 during a still-unresolved dispute with Khartoum over the two nations’ shared oil industry.

This special report expands on the original brief, analyzing the latest consequences of these new forms of violence on the stability of the new state. It also addresses two questions that many South Sudanese citizens are raising: what are the main causes of the pervasive insecurity and violence gripping the country, and who is primarily responsible for the climate of fear resulting from this status quo? The report focuses on four types of violence: rural ethnic-based violence worsened by the legacies of the liberation war; urban criminal violence including the targeting and harassment of foreign workers; violence attributed to security forces; and politically-motivated violence linked to unresolved problems between the governments of the two Sudans. The report concludes with policy implications and recommendations.

## **Forms of Violence in South Sudan**

A year and a half after South Sudan joyously declared independence amid the high hopes of its citizens for the future of their nation, many of the country’s rural communities continue to suffer from local ethnic violence including deadly militia attacks and cattle raiding. Between 2005 and 2011—during the “interim period” of the 2005 Comprehensive Peace Agreement (CPA) and prior to South Sudan’s independence declaration—pervasive insecurity was often blamed on Khartoum. During this period, the semi-autonomous government of South Sudan made many pledges to address insecurity and various forms of violence once it became the government of independent South Sudan. Since independence, to the disappointment of many South Sudanese, Juba has taken very few concrete actions to address the high levels of insecurity and violence.

Despite the disappointment, communities are not yet directly blaming the government. Juba and the ten state governments are still being given the benefit of the doubt: the country is still young, citizens reason, with undeveloped institutions and other impacts of the liberation war still burdening the state and its citizens. But

the government of South Sudan is increasingly appearing unable to provide protection to its citizens due to the challenges it faces in attempting to establish an effective security sector. In these efforts, the government is no doubt burdened by South Sudan's history and by the need to juggle the many interests at play in the new country due to the various liberation ideologies and factions that proliferated during the independence struggle.

The following sub-sections describe the various forms of insecurity and violence facing the new nation:

### **'New' Rural Ethnic Violence in Historical Perspective**

Answering the question of why extreme forms of ethnic-based violence in Jonglei and six other states emerged in the run-up to independence and have persisted in its aftermath requires examining the social order and complex historical context of each of these localized conflicts.<sup>ii</sup> Various recent analyses of ethnic violence have agreed on the extent and severity of the problem of localized inter-ethnic violence in states such as Jonglei in recent years. However, researchers have not agreed on the causes of this violence, and few analyses have carefully examined the recent history of regions like Greater Upper Nile, particularly the lasting impacts of decades of war.

The North-South war strained relations between ethnic groups in a number of ways, hardening divisions between South Sudanese communities that endure to this day. The Sudanese government's counter-insurgency tactic was to pit South Sudan's ethnic groups against one another. The reactions of the SPLA to South Sudanese who were thus seen as having sided with "the enemy" sowed seeds of discord that continue to cloud inter-ethnic relations long after the North-South conflict ended. This section details how war-time events, practices, and tactics remain relevant in explaining the current level of violence.

Tensions among and divisions between South Sudanese that developed during the war now influence how citizens seek political office. They also affect how the Juba government allocates government jobs and distributes national resources, and how the armed forces interact with certain ethnic groups. This internal competition has led ordinary citizens to advocate for the appointment of their community members in the central or state governments regardless of the person's qualifications for the job. Current relations between ethnic groups are often influenced by stereotypes that write off entire ethnic groups as "enemies of state" and that tie entire ethnic groups to certain political or military figures with checkered war-time histories.

For example, some members of the ruling Sudan People's Liberation Movement (SPLM) describe the whole of the Shilluk as supporters of Lam Akol, just because his party, the SPLM-DC, fared well in Shilluk areas of Upper Nile state in the 2010 general elections. This stereotype ignores the fact that several prominent members of the SPLM, such as Pagan Amum Okiech and Peter Adwok Nyaba, are Shilluks. Similar generalizations are made about the Murle of Jonglei based on the war-time

allegiance of some Murle to Khartoum-backed militias that fought the SPLA. Stereotypes about the Murle have been applied most recently in light of the rebellion led by David Yau Yau; careless statements by government officials that depict the entire Murle community as rebels loyal to Yau Yau's small group could easily drive more Murle youth to join anti-government rebel groups like Yau Yau's. The SPLA spokesperson has on more than one occasion called "upon the Murle" in the media to shun militias including David Yau Yau's. Many Murle have expressed unhappiness with such statements.

Throughout the Republic of Sudan's history up to secession of the southern half of the country in 2011, successive governments in Khartoum have employed an effective "divide and rule" counter-insurgency strategy. Khartoum recruited militias to fight the southern opposition by proxy. Capitalizing on the perception that the SPLA had been predominantly Dinka, some ethnic groups were recruited to fight the SPLA on account that the guerilla movement was leading a "Dinka rebellion" and imposing itself on all tribes. This perception was obviously incorrect, given that most ethnic groups were represented in the SPLA and Khartoum's anti-SPLA recruits were sometimes drawn from Dinka. But the National Islamic Front (NIF), which later transformed itself into the National Congress Party (NCP), took this practice to a new, more oppressive level than prior governments in Khartoum. During the various decades of war, Khartoum recruited various groups of southerners, co-opting them to fight against the SPLA. Some key examples of this strategy include Khartoum's backing of the Anyanya II separatists in the early days of the second North-South civil war (1983-2005); its outreach to ethnic groups who believed Khartoum's claims that the SPLA was purely a Dinka movement; and urban vigilantes that the government recruited in the garrison towns of Juba, Wau and Malakal. These various campaigns succeeded in convincing a number of southern minorities—from the Mandari near Juba and the Dedinga and Toposa in Eastern Equatoria to the Fertit near Wau—that the SPLA was not a liberation army as it claimed to be but an occupation force bent on imposing repressive policies on them. Many sections of these groups were encouraged to fight against the SPLA in the name of freeing local communities from its abuses, sparking inter-communal clashes and setting South Sudanese on a collision course against one another instead of uniting to form a collective front against what the majority of South Sudan viewed as the oppressor: the Khartoum government.

Khartoum's project of using anti-SPLA southerners as part of its war strategy has left behind bitter histories among South Sudanese that could not be massaged away by reunification of these forces or by independence alone. There are still some words such as the Nuer word, *Nyagat* that continues to be used to describe anyone who disagrees with certain national policies. The word means renegade and was first applied to SPLA officers who broke away, but was gradually applied to other behaviors such as cattle theft and robbery. Such words are very negative and have the potential to tear at the concepts of integration and collective national identity, with consequences for stability throughout the nation and within critical institutions such as the army. ,

Another historical trend behind the current dynamics of violence is the displacement of Dinka Bor from Jonglei into Zande territory in Western Equatoria. This movement quickly became a classic conflict type between cattle herders and farmers over the destruction of farms and cattle occupation of vast territories, which had not traditionally been home to cattle-related economic activity. In other areas of the country, ethnic conflicts originally occurred over indigenous resources such as cattle and grazing land, especially between Nuer and Dinka, and between different Dinka sections and Nuer sections. But this changed significantly between 1991 and 1998, the most deadly period of the long North-South conflict, when resource-based conflicts escalated, becoming more violent and widespread partly due to the influx of weapons during the war and to Khartoum's policies of stoking tensions between southerners. The liberation process also created new types of contacts and relations between the Nilotics from the Upper Nile and Bahr el-Ghazal regions and the populations of Eastern Equatoria. These groups had never shared any resources or borders and had little information about one another beyond some negative stereotypes; some of their contact during the war sowed seeds of disunity that stoke some of the current violence in these areas of the country today.

### **Stoking the Problem: Government Responses To Ethnic Violence?**

In confronting ethnic violence, the Juba government has on many occasions over the past several years, tried to use the police to provide security and disarming armed civilians, but this plan has resulted in ill-trained and poorly equipped police dying at the hands of tribal militias who often outgun any government force. But the subsequent use of the army to break up ethnic feuds or to find and apprehend armed civilians risks a remilitarization of the society. Army deployment to maintain everyday security has often resulted in excessive use of force and to confrontations between government and citizens that have caused citizens to mistrust the state as the ultimate protector of basic rights. In some cases, communities blame the government for failing to stop inter-ethnic violence or to punish the culprits of previous instances, or even accuse armed forces of supporting parties to these conflicts or directly participating in them.

Similarly, the government's most recent civilian disarmament programs have had unintended consequences that have not reduced inter-ethnic violence or improved security.

So then it seemed that the next obvious step for the government to take was civilian disarmament programs. Unfortunately these programs have resulted in serious security problems. Obviously, they can only work if the army had the capacity and resources to afford a simultaneous disarmament of communities that are at war with each other. Having attempted to disarm one community at a time has meant that one community is left without the capacity for self-defense. This has been the case with Nuer-Dinka conflicts on the borders between Warrap and Unity states and within Jonglei, where attempts have been made to disarm one community only for its members to be slaughtered before the disarmament force reaches the opposing side.

In November 2011, for example, just four months after independence, the SPLA was deployed in Gogrial East county of Warrap state to disarm the Dinka cattle guards there (known in Dinka as Titweng). The area was attacked within two days by the Bul Nuer from Mayom County of Unity state who had heard that their tribal enemies had been disarmed. The SPLA force that carried out the disarmament did not intervene when the Apuk Dinka from which the Titweng has been disarmed were slaughtered, abducted and their cattle looted, mainly because they had just turned in their guns and could not defend themselves.

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. For these reasons, the government should not assume that such conflicts will cease easily or quickly now that South Sudan is independent. Rather, the government must carefully consider its obligation to protect all of its citizens.

### **Political Competition on Ethnic Grounds**

Later in the course of the liberation wars, a new conflict type emerged. This conflict continued during the CPA’s interim period, and has worsened since South Sudan gained independence. It is triggered by feelings of exclusion from national resource distribution and competition over political space, which historically started as competition between key political figures but have morphed, making ethnic loyalties the basis for competition for public office. Though this conflict occurs in urban settings among political elite, it often also plays out in rural areas, with physical confrontations taking place in villages and deeply impacting rural inhabitants.

If left unaddressed by the government, this conflict—which involves both authorities in the central government and everyday citizens in peripheral regions—could pose real threats, potentially rendering the new republic so unstable as to be ungovernable. Its capacity to destabilize the country stems from the fact that such ethnic-based competition for political space and resources tears at the very idea of sharing a state—the thread that links all the ethnic groups.

It is also the type of conflict that negatively affects the level of infrastructural development in both rural areas and urban centers. A good example of the impacts of such conflict are the events of 1982-83, when then- president of Sudan Ja’afar Muhammad Nimeiri threw out the Addis Ababa Agreement that had ended the first round of war (1955-1972), revoked the autonomous status that the agreement had granted the South and re-divided the region into three weaker polities of Equatoria, Upper Nile and Bahr el-Ghazal. The idea of re-dividing Southern Sudan had been instigated by Equatorians who complained that the government had been dominated by the Dinka and



the Nuer; the Equatorians demanded that all non-Equatorians vacate the capital of Juba and return to their own homelands. This call was supported by leading Equatorians including Joseph Lagu and James Tumbura. This policy became one of the many Nimeiri policies that triggered the onset of the second round of the North-South war, to the regret of many of these leaders who had supported the re-division of the south.

### **History Playing Out In Today's Ethnic Politics in Juba and Beyond**

Since the 2005 CPA established the initially semi-autonomous government of southern Sudan (which is now the sovereign government of South Sudan), tensions have been on the rise once again between the Equatorians and the rest of the South Sudanese in Juba, especially on account of perceptions that practices similar to those in the 1980s are returning regarding land allocation, public office, and the daily aggressive behaviors of soldiers who are mainly Nuer and Dinka against the civilian population.

Interviews with randomly selected residents of Juba have confirmed what has been heard informally over the past few years, that many Equatorians have repeatedly complained that their interactions with soldiers have been characterized by ethnic chauvinism by the soldiers. Equatorian motorists report that when they get stopped on the road by a soldier for any reason, the soldier will begin speaking either Dinka or Nuer; that the soldier might be more lenient on a person who might speak back in the same language, whereas not speaking the soldier's language might land one in more trouble. This trend has already begun to reveal itself as a thorn on the side of the central government in Juba and will likely become a new cause of instability if appropriate policies are not put in place to correct the situation, regardless of whether the claims by Equatorians about ethnic-based discrimination are based on facts or on mere perceptions.

Many of the current tensions that have held over from the CPA interim period, particularly in the area of cattle rustling and revenge attacks between the Nuer, the Murle and the Dinka are rooted in the historical complexities of the war era. This is also the case among various sections of Nuer, like the Luo and Jikany of Jonglei and among Dinka sections such as the Agar and Gok of Lakes. Rivalries and disputes among sub-sections of these communities continue to cause severe violence and senseless death.

Conversations with various community leaders, youth and urban elite have established clear lines connecting the current level of violence to specific events during the war, when competing ideologies between military and political leaders of the liberation movements translated into tribal conflicts. For example, much of the current killing is enabled not just by easy access to weapons left over from the war but also by ethnic stereotypes that emerged out of the liberation ideas that promoted the notion that some groups contributed more to the liberation cause than others. This notion allows a damaging culture and language of violence to persist, leading to a miserable existence for people caught up in this violence.

For example, between 2007 and 2009, travel between the Equatoria region and Lakes state became a dangerous affair due to the feud between the Agar of Rumbek and Jur

Bella of Mvolo. Innocent travelers were ordered out of their cars and executed on the basis that they were members of the other groups. A similar situation continues to this day along the route from Juba, through Yirol and to Rumbek and especially between Rumbek and Cueibet, where any travelers can be robbed, shot at, or executed by one group or the other due to suspicion that they may be from the opposing side. A few years ago, some degree of prudence in killing was applied in Lakes state when tribal markings were scrutinized to determine whether or not someone was indeed from the opposing group. There were even instances where individuals were spared in the Gok and Agar feuds if the individual in question was found to be uncircumcised, as the Dinka of Lakes state generally do not practice male circumcision while the Dinka Rek of the Bahr El Ghazal region generally do. However, given that so many people are no longer practicing tribal initiation markings and that some Lakes state Dinka, especially urban dwellers, are now also circumcised, these traditional practices have proven an inefficient way to identify people, so killing is once again being carried out indiscriminately.

The same level of callous killing is also occurring among Dinka sub-groups in Tonj County in Warrap State. Groups of Dinka have begun to hold grudges and to carry out gruesome acts of violence against each other over minor incidents such as the unsettled debt of a cow or over insults against a group. Acts of violence between sub-groups of the same ethnic group indicate that communities are committed to avenging historical acts of murder because the justice system has not been able to settle them to the satisfaction of the aggrieved parties. People take the law into their own hands when the “law has failed to show its presence,” in the words of one resident of Gogrial County.<sup>iii</sup>

### **Causes and Consequences of Urban Insecurity**

Violence in Juba and in other urban areas is steadily worsening in the wake of independence, posing specific threats to the government and risking damaging consequences for the nation’s stability. Recent news reports have shocked Juba residents and increased their fears. Robberies have become more brazen over the past year; daylight killings of people leaving banks with cash are cause for extreme concern not only among local residents but also for foreign businesses and the international aid community.

In a shocking recent incident, prolific journalist and opinion writer Isaiah Abraham was killed at his home. A gang of armed men arrived at Isaiah’s house in a vehicle, forced their way in, dragged him out into his compound and shot him execution style. This particular case was publicly decried by both government officials and ordinary citizens, and calls were made upon the government to make sure that it sufficiently investigates the incident and brings those responsible to justice. Shortly after Abraham’s death, a Ugandan “boda boda” driver was shot dead from close range by a police officer in the Juba suburb of Gudele.

These cases are telling illustrations of the challenges the country faces in providing protection to its citizens and to foreign residents; they also point to the shortcomings or outright inability of security forces to apprehend the perpetrators of such heinous crimes

and of the justice system to prosecute them. It appears that both of these institutions presently lack the capacity to effectively respond to the current levels of urban violence. Moreover, political will of key authorities to bolster these institutions also seems lacking. These incidents have further solidified suspicions among citizens about the involvement of security forces in the increasing urban violence. They also reveal the loss of a certain social order that South Sudanese societies historically relied on for maintenance of moral and ethical expectations—something community organizations and leaders will have to work hard to restore.

These incidents, while hardly surprising for quickly growing and poor urban centers, leave questions about the causes of this upsurge in urban crime and about urban life in independent South Sudan. An immediate problem confronting urban centers such as Juba, Wau, and Yei is that their rapid growth has outpaced their ability to deliver services to residents. Over the last seven years, the population of Juba has grown from approximately 300,000 to 1.2 million people (National Bureau of Statistics, 2012). Basic services such as water, electricity, health care, and educational and other infrastructure such as housing have not kept pace. South Sudan has a very young overall population. The rapid rural-urban migration is driven mostly by the mobility of young people in search of opportunities outside of their villages. Lacking skills for urban life, some crowd into the homes of their few relatives with salaried jobs while others set up in slums, making towns and cities breeding grounds for crime and breakdown of public health.

This increase in robberies and in theft-related murders is related to several connected developments. First, austerity policies introduced after the government shut down oil production in January 2012 have reduced the salaries of people in uniform, notably security forces. Second, an increasingly large population of unemployed youth are desperate for opportunities to improve their financial situation, which do not exist; especially concerning is the issue of recently demobilized former combatants who left the armed forces and anti-SPLA militias with little hope for an alternative source of livelihood for them or those with the background in militia membership. Finally, there are notable economic disparities between South Sudanese youth and youth from neighboring East African countries. The foreign nationals have shown admirable entrepreneurship skills, demonstrating resourcefulness and work ethics that South Sudanese youth have not yet displayed. There are growing claims from local youth that foreign workers have “stolen” their jobs, even if these youths never held jobs.

East Africans conducting business in Juba and throughout the country express concerns that they are targeted—in some cases directly by members of the state security forces—in this violence. The Eritrean community in Juba has reported, through their embassy in Juba, to the Ministry of Foreign Affairs, that 45 robbery-related murders of their members have occurred since January 2012. The Sudd Institute’s inquiries into this issue found that none of these cases has been solved by the authorities. The Somali community, which conducts most of its business importing construction materials, speaks of constant harassment by the police over petty issues.<sup>iv</sup> The home of a Somali businessperson was attacked by an armed gang in November 2012. Three people were blindfolded and executed in the house, which is across the street from the house of a senior government

official. Motorcycle drive-by shootings and grabbing of women's handbags on the streets and attempts at bank robberies by people reportedly working as "boda boda" drivers have increasingly become the talk of a society that is practically living in fear. There have also been terrifying stories of armed groups that roam Juba neighborhoods and surrounding suburbs such as Munuki and Gudele at night. These groups allegedly arrive in vehicles without license plates, surround houses, then hold residents at gunpoint, robbing them and often sexually assaulting young women. According to reports by many residents of various neighborhoods interviewed for this report, these armed groups do not hesitate to kill anyone attempting to resist during their raids. Radio stations and newspapers have regularly reported on these incidents over the years.

If histories of other countries are a guide, attacks on foreigners suggest the beginning of a trend of xenophobia—a dangerous development that South Sudan, as a new country whose citizens were hosted by neighboring nations for many years, must work to counteract. In the immediate future, South Sudan certainly will continue to need the skilled labor force from these countries to contribute to fields such as hospitality, construction, teaching, health care, mechanics, electricity etc, skills South Sudanese have not had opportunities to acquire due to war.

To target others for our own failures seems misguided. The East African youth work hard, carrying out tasks that are extremely strenuous, indeed, unenviable tasks. But it is not just the unemployed youth who are envious of the success of East Africans. Our research, which involved observations at markets and interviews with foreign business owners and some security individuals, uncovered a large number of cases in which harassment against foreigners is carried out by police and other security agents. The government must lead the way in raising awareness among South Sudanese about the dangers of harassing foreigners and other xenophobic practices—especially among government agents, who should be protecting the foreigners rather than victimizing them. Security incidents involving foreign residents of Juba are damaging for the image of the whole country and risk negatively affecting bilateral relations and foreign investment.

Some of the law enforcements agents interviewed for this report have made unsubstantiated claims regarding the involvement of immigrant youth in some of the crimes described above. If law enforcement agencies can demonstrate that these immigrants are partly responsible for growing crime in urban centers, authorities should take legal action to investigate suspected perpetrators and take necessary follow-up measures such as arresting and deporting individuals. Legal methods are not, however, being used by law enforcement agents who are largely ignorant of the law. During our research, we repeatedly observed interactions between traffic police and foreign truck drivers, between plainclothes security agents and foreign shopkeepers, and between senior officers in the army and foreign business owners. Many of these interactions are characterized by efforts to extort money from foreigners, and, arguably, aiding crime by demanding payment for undocumented crimes and looking the other way, instead of stopping unscrupulous foreign business owners from committing crime in the course of their business.

In the absence of functioning law enforcement and judicial systems to address the uptick of insecurity and violence in urban centers, the country is left in a climate of accusations and rumors (Leonardi et al, 2011). Citizens suspect government agents are involved in crime, based on the fact that no arrests are made after even high profile incidents of violence and crime. Members of the public are asking questions about why the authorities do not take disciplinary measures against members of security forces who abuse civilians. The Sudd Institute has documented cases in which courageous civilians have reported abuses by security forces against them only to be treated as if they were the offenders; this frequently leads to private citizens opting not to seek justice against members of the security forces. Government officials tend to react defensively when security forces are accused of abuses instead of inviting the public to provide information that could aid investigations and bolster popular confidence in authorities.

### **Security Forces as Sources of Insecurity**

The most outrageous of the reported security incidents in the capital and across the country are those known to have directly involved uniformed security services. Outrageous because people know that the perpetrators of such crimes are not punished due to the culture of impunity that is already rooted in the country or because of the failure of the existing (but failing) mechanisms of justice and restitution. Many citizens have told the Sudd Institute that they fear reporting the abuse they have suffered at the hands of security agents who abuse; aside from the likely frustration and financial costs of seeking justice, citizens fear revenge by members of the security forces. And investigations of incidents involving security agents that do take place do not move beyond the pronouncements of senior officials about the importance of investigation and punishment of these crimes.

Offenses by security agents inflict suffering on entire communities. They threaten the stability of the nation because they pit civilians against the forces meant to defend them. The relationship between civilians and security forces is characterized by fear on the side of the civilians and generalized suspicion on the side of the security agents. As a result, respect by citizens of their country's armed forces is low. Many people interviewed by the Sudd Institute for this report spoke of how the SPLA was a much better army as a guerilla force than it is now as a national army of an independent nation. "Despite some negative memories about our relationship with the SPLA, they were our army, our sons and brothers, but now since the CPA, they act as if they are a foreign army, with very little regard for the history of how and why they got here," suggested one commentator.<sup>v</sup>

The haphazard structure of the SPLA also contributes to ongoing insecurity. The national army consists of the former freedom fighters of the SPLA; former soldiers of the Sudan Armed Forces (SAF); and Khartoum-sponsored militias that fought against the SPLA during the war. The latter two were absorbed into the SPLA in an attempt to create a diverse national army and to embrace a "big tent" approach to prevent further internal conflict. By accommodating all former foes in the SPLA, the government hoped to initiate a new era of nation building by creating the only institution that will ever be as vast and diverse as the ethnic make up of the whole country itself.

Despite the good intentions of this effort, this integration policy compromised military professionalism for the imperative of a political settlement. It created an army without a shared institutional culture, a unified vision of the responsibilities of a soldier, a well-understood command structure, or a unified philosophy to bind the forces together. Instead, the army is unwieldy, suffers from a checkered history, and soldiers remain difficult to control at least in part because they are paid irregularly. When left without regular pay, soldiers quickly become a serious liability to the state, sometimes taking their unhappiness out on ordinary civilians in vulgar ways such as robbery and sexual assault. Some rebel, desert or simply go AWOL, usually with their guns, endangering civilians in the communities that they flee to (Warner, 2012).

Corruption and mismanagement of army resources has also prevented requisite training, purchase of equipment and creation of military industrial projects, hurting confidence in the army and leading to widespread discontent among the ranks (Rands, 2010). What we are left with, despite the presence of dedicated and proud professional military leaders, is a national army made up largely of people who view their role as a mere means of receiving a salary. When that salary is unpaid or reduced due to austerity measures, the country is left at the mercy of armed men.

Failed attempts at security sector reform during the CPA's interim period and South Sudan's weak post-independence justice system, also hinder the effective functioning of the army and of the other institutions in the state security sector. Acts of violence by members of the security forces mainly go unpunished, contributing to the widespread notion among civilians that, soldiers and police officers are above the law. The prevailing air of impunity in the new republic is institutionalizing alarming practices. For example, it has become common practice for police not to respond to citizens' reports of assaults, robberies or rapes by soldiers since many police responses to such incidents have resulted in fights that pit the police against the army, escalating the situation and endangering the police. The army members involved in these types of incidents often claim that military police will arrest any culprits, but these arrests rarely happen because the self-monitoring institutions within the army are deficient or defunct.

That these situations continue to happen in a country whose recent past is characterized by a popular resentment of the Sudanese state for similar behavior by the Khartoum government is already being viewed by citizens as consistent with the political hypocrisy and double standard practiced by many African leaders and governments. Coming into existence at this stage in history and with a sense of holding the moral high ground, many hoped that South Sudan's political class would learn from the mistakes made by other countries and reward their citizens with the sense of freedom that they deserve. So what went wrong? Why should a new, hopeful nation, one that enjoys so much international goodwill, not live up to the expectations of its long-suffering population?

Two things are at the heart of soldiers' violent actions against one another and against civilians. The first is a sense of entitlement widely expressed by members of the SPLA who take every opportunity to state the fact that "we liberated this country," and demand

“respect and recognition of the sacrifices we have made,” as one officer once stated in response to my question about why they were beating a man, an incident I happened to witness in a busy market in Juba. The second is the claims to nationalism made by the different units and commanders and rank-and-file soldiers, based on whether one was an SPLA “proper” or was absorbed into the national army from various war-time militias. Those coming from a militia background are often taunted by members of the “mainstream” SPLA as unpatriotic and insultingly characterized as people who are just reaping the fruits of others’ labors. One result is the mistreatment of some members of the armed forces by others. Both the perpetrators and the victims of such mistreatment then take out their unease on civilians who find themselves accused of being ungrateful for the sacrifices made by the SPLA or as “guilty” of not contributing to the liberation struggle due to their background as former militia members. In either situation, civilians suffer. It has become a near-daily reality to hear of a beating, shooting, raping, or robbing perpetrated by members of the security forces on a largely helpless civilian,

### **Insecurity Related to Post-Independence Disputes with Sudan**

Another key element of the current dynamics of insecurity in South Sudan stems from the contentious relationship between the new state of South Sudan and the Republic of Sudan. Although the hope of a “united Sudan” was the underlying philosophy of the CPA, the actions of the leaders of the North and the South, especially the Khartoum government, destroyed this hope prior to South Sudan’s independence vote. Throughout the CPA interim period (2005-2011) unresolved issues made it difficult for the two sides to respect each another and honor commitments they made when they signed the CPA. The two sides have struggled to reach agreements on issues related to wealth sharing (especially oil), citizenship, division of state assets and international debt, and security of the border areas. Simmering disputes over these issues reveal the desire of each side to negotiate on a win-lose, “zero sum” basis. Khartoum, though first to recognize the independent sovereign status of South Sudan, seemed to tie that recognition to the willingness of the latter to continue to share its resources with the Republic of Sudan. Instead of taking pride in being the government that agreed to end decades of brutal civil war, Sudanese authorities seem to wish for a weak South Sudan that remains an appendage to the rump state.

Both Juba and Khartoum are guilty of trading accusations about an issue full of double-standards: proxy support to armed groups. Khartoum accuses Juba of supporting the SPLA-North (SPLA-N), an armed Sudanese opposition movement that fought alongside the SPLA in the North South war; the group now says it is fighting for political space and basic rights on behalf of the people of the Nuba Mountains and Blue Nile state. Khartoum has been tying agreements over restarting oil production to its demand that Juba sever its ties to these groups and participate in disarmament of SPLA-N fighters. Juba describes the SPLA-N rebellion as an internal Sudanese affair that does not involve South Sudan and says that Khartoum authorities must work out their political problems instead of blaming others for their own failures, as President Salva Kiir of South Sudan put it during a press conference at Malut on the occasion of laying a foundation stone for a refinery in November 2012. On the flip side, Juba accuses Khartoum of supporting rebels and

political opponents within South Sudan such as the rebellion in Jonglei lead by David Yau Yau, some militias in Unity state, and individuals like Lam Akol, all of whom are said to be in the pay of the “enemy.”

Why are the Yau Yaus and the Lam Akols considered products of Khartoum’s meddling in South Sudan’s internal affairs, while the SPLA-N is seen as a Sudanese internal political and military problem? With such trading of accusations, it becomes illogical for either side to claim that these issues are internal affairs of the other. But the fact is that the actions of each side seem aimed at weakening the other, perhaps each side hoping that the other will collapse sooner, making it unnecessary to negotiate and reach deals or make compromises. The result is that violence rages on in the border areas and the two sides continue to exercise a kind of brinkmanship that ups the chances of a return to all-out war and hurts the possibility that future negotiations will lead to sustainable settlements. This climate that fuels violence on both sides of the border, not only between two armed forces, but between security forces and civilians, who are inevitably drawn into the cycle of war, militia activity, easy access to arms, and violence against civilians. This cycle threatens national security in both states and is rapidly leading to the new state becoming the dominant source of insecurity for South Sudanese citizens.

Both governments claim that in order to achieve stability in their respective countries, it is in their interest to cooperate with each other. If authorities do believe their own rhetoric, then they must adopt a degree of honesty in assisting each other in settling their internal rebellions, instead of using the turmoil across the border to push the other side towards further instability. But if fingers must be pointed at each other, both governments should make the effort to present evidence to support their claims and accusations. For example, the claim that Khartoum supports South Sudan’s militias can easily be demonstrated by means of the weapons used by the likes of David Yau Yau’s militia, which are the same as the weapons only the SAF use in this region. So the fact that Yau Yau is currently living in Khartoum, making claims from there that he has a strong military force in Jonglei, a force that uses the same weapons as those of SAF, can be the basis for categorically making a case about Khartoum’s direct support for a force whose main goal is to destabilize South Sudan.<sup>vi</sup> Likewise, Juba can also base its denial that it supports SPLA-N on the evidence that much of the weapons used by this movement in the Nuba Mountains were captured from SAF, as the recent report by Small Arms Survey has demonstrated (Tubiana, 2012). The rest of the weapons, including tanks and heavy artillery in use by the SPLA-N, were left over from the days when they were a single force with the main SPLA. The current conflict between the SAF and the SPLA-N in Nuba Mountains and Blue Nile could be resolved if the Juba and Khartoum governments managed to cooperate and act with good faith. The historical connection of the SPLA-N to South Sudan’s SPLA can be seen as an advantage in efforts for reconciliation between the government in Khartoum and the groups that oppose it, while Juba can its influence with the SPLA-N to help mediate a settlement.

## **Links between Sources of Insecurity**

The varying sources and types of insecurity and violence described above have one thing



in common: the inability of citizens to seek and receive legal redress regarding historic and current episodes of violence. As explained in this paper, a combination of a sense of entitlement by the armed forces; the inadequate responses of the police to attempts by civilians to report crimes; the inability of the justice system to effectively prosecute culprits of these crimes, particularly members of the armed forces; and the influence of the biases and stereotypes against certain communities have created an environment in which many South Sudanese live in fear and have very little trust in government as protector of rights of every citizen. The state is currently failing to uphold the rule of law, provide protection for all, and convince citizens that attempts to take matters into one's hands will only worsen the problems of lawlessness and increased violence. These issues are no doubt part of the growing pains of a young country, but they make the lives of everyday citizens who suffered through decades of war even harder. The difficulties of state building in a country with a complex history of conflict, a diverse population, and very little infrastructure make achievements to date by the government impressive. However, if this government does not take greater efforts to address the multiple forms of insecurity and to ensure the safety of its citizens, it will face even greater challenges in the near future.

The nexus connecting the three most prominent sources of insecurity—ethnic feuds, urban crime and the role of security agencies—is justice, accountability and restitution (Jok, 2012). This reality makes these various strands of conflict and insecurity difficult to untangle. Before independence, when South Sudanese hung their entire aspirations on the referendum and independence, the level of violence by SPLA soldiers against civilians was already alarmingly high. At that time, it was easy—and justifiable—to blame Khartoum for its failure to protect its southern citizens from SAF and northern militias and for pitting ethnic groups against one another in a bid to weaken South Sudan's collective resolve to work toward independence.

Since South Sudan declared independence in 2011, the country has experienced an increase in urban crime, violence in several regions by security forces against civilians, and continued inter-ethnic clashes made more deadly due to the easy access to small arms that civilians and militia groups enjoy. Prior to independence, these various forms of violence were commonly blamed on Khartoum and often rightly characterized as part of its policy of destabilizing the South by attempting to weaken the Juba government's support base by making it appear incapable of governing.

So current levels of violence, partly stoked by increasing poverty and youth unemployment, by angry uniformed forces, by ethnic squabbles in the rural areas and fueled by widespread of firearms that were left over from the north-south protracted civil war are all hard for the citizens of a newly liberated country to make sense of. Before independence, all this used to be linked to the counter-insurgency policies of the Sudan government, destabilizing communities as a way to weaken South Sudan's opposition forces by attempting to remove from underneath the SPLA the support base perceived to be coming from the civilian population. Following this logic, independence—the single most popularly desired goal—was viewed as an antidote to localized violence in the South and as a logical conclusion to one of the world's most deadly wars. One prominent

political leader who is distraught over the current direction of the country remarked in an interview:

We thought that having our own country, liberated by our blood, sweat and tears, run according to our own laws, having our peace, stability, justice and prosperity, having our own institutions that are run by a mix of South Sudanese citizens, and having a nation that is built upon our shared history of struggle and our shared cultural values, conscious of how and why we got here, we would be much better off than what generations of our people before us have experienced at the hands foreign rulers since 1821.

Instead of freedom, security, and hopes for a new future, many South Sudanese say all they have experienced so far is increased violence and disappointment that their own government is not guaranteeing their safety. The weakness or failure of state institutions to protect its citizens and to control its security forces were cited by South Sudanese interviewed for this report. By all accounts, uniformed men of all walks, not just those in the formal service, have done more violence against civilians in the post-war era than any other sector of the population of the new state, doing so both in the course of their duties and on their own individual account. Armed forces who see themselves as “liberators” are emboldened by a climate of impunity in which their crimes go unpunished. Few citizens can point out any case in which the law has dealt sufficiently with uniformed men who abuse citizens. Why would the soldier regard the civilian with any respect if, time after time, the ordinary civilian is regarded by uniformed men as a mere object to step upon on the long journey to nationhood?

Another thread connecting the sources of insecurity is the widespread availability of large quantities of firearms left over from the war. These weapons are now illegally in the hands of youth, some of whom are serving in the SPLA and others who are civilians. This is a particularly strong connection because when war-time disputes between communities or individuals remain unsettled due to the weakness of the justice system and citizens having no mechanism for legal recourse, it then becomes possible for civilians to seek their own justice through violence or take the anger on the members of an ethnic group deemed to have aggressed in the past.

## **Which Way for South Sudan?**

South Sudan continues to grapple with the burden of a very destructive war for freedom, a process that has taken a serious toll on ethnic relations. The war’s enduring consequences negatively impact the prospects of forging a common identity among citizens and promoting national unity and self-reliance of the new country. Toward the realization of these goals, South Sudanese communities should consider the following **points:**

- (1) Try to remind themselves about what they used to be: an open, democratic, peace-loving society, with respect for women and collective caring for children.

- (2) Try to reflect on who or what South Sudanese have become as a result of the challenging historical experiences of war, famines, and erosion of certain positive values that used to be the foundation for social cohesion.
- (3) As a country made up of such a young population, with over 72% below the age of 30, according to the 2008 National Census and Household Survey, South Sudan's people should reflect on what kind of society they wish to become in the future. Should their young people be seen as an asset to utilize in developing the nation, or as a liability, a problem to be dealt with? At the risk of sounding prescriptive, the country bears a collective responsibility to its youth, but the government must design the road map and lead the way. Without such reflection, the country runs the risk of allowing the increasing violence to cause each of its citizens to retrench and arm themselves, each working for oneself. And if that happens, a slide toward chaos, at least in urban centers, would not be unimaginable.

In the interests of improving security throughout the country and preventing further violence, the following steps should be taken:

- (1) A well-designed and well-funded youth engagement program, in skills training, sports, a national youth service and a political space in the affairs of their nation, should be implemented to help combat the problems stemming from high youth unemployment and lack of economic opportunities for the country's large youth population. Poverty and lack of prospects for the future generation are strong drivers of violence, and the government must treat them as such.
- (2) Training programs for men and women who enter the security forces should be reviewed; creating clear and unified policies that are explained to all members of the uniformed forces is a key step in changing the culture of impunity and introducing a new level of discipline into the ranks. Security forces need training not just in the use of the gun and their role in protecting the nation against external enemies and military discipline, but also on the responsibilities that come with being a man or woman in uniform and on the moral duty incumbent upon them as a law enforcement agent. Such a program is just one part of what must be a much broader attempt at security sector reform on a large scale and throughout the country. A revision of programs for rural areas, including the road networks, the kind of infrastructure that enables rural people to easily interact in market places to buy and sell their produce.
- (3) There is also a need for a nation-wide campaign with a special focus on urban centers to lessen the tensions between local and foreign migrant labor. This effort requires strong leadership and open communication by national leaders to the public concerning how deliberate antagonism towards foreign workers reflects negatively on the country. Leaders could emphasize how this behavior runs contrary to the character of generosity towards foreigners that South Sudanese communities are known for.

- (4) Above all, it is the security forces that need training, not just in the use of the gun and their role in protecting the nation against external enemies and military discipline, but also on the responsibilities that come with being a man or woman in uniform and on the moral duty incumbent upon a law enforcement agent.

It is also important to hone in on the issue of poverty and lack of future prospects as strong drivers of violence, not to speak of these being threats to national security.

- (1) A country that does not produce its own food and cannot afford to buy enough from others cannot be said to be a truly sovereign country. It will be recalled that the national household survey of 2008 revealed the reality that the majority of South Sudanese are simply too hungry and that translates into anger. For example, measuring poverty by household daily caloric intake, the survey indicated that the states of greater Bahr el-Ghazal and greater Upper Nile, regions, which are endowed with huge resources in the form of abundant farmland and millions of heads of cattle and small livestock, were the poorest in the union – no wonder they are also the most ravaged by ethnic violence.
- (2) It is not surprising that poverty is closely associated with violence. It would therefore be important for any efforts to reduce insecurity in South Sudan to include improvement of food security as a major component.
- (3) Since it is often the young people who are doing the shooting and other forms of violence, it is obvious which sector of the population needs to be strongly engaged with programs that help build a less hungry and more peaceful future.

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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.

### **About the Author**

Jok Madut Jok is the Executive Director and a co-founder of the Sudd Institute. He is the author of three books and numerous articles covering gender, sexuality and reproductive health, humanitarian aid, ethnography of political violence, gender-based violence, war and slavery, and the politics of identity in Sudan.

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<sup>i</sup> This person is an activist with a civil society organization and was interviewed in Juba in November 2012.

<sup>ii</sup> For example, a number of journalistic pieces have been published by BBC, Reuters and local publications such as the Citizen, almost all of which hardly ever touch on the history of the area. The MSF report in December 2012 was focused on a single county in Jonglei and yet, it generalized about the situation in the whole state.

<sup>iii</sup> This came from an interview conducted in Kuajok, Warrap state in December 2012.

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<sup>iv</sup> We had been hearing anecdotal reports to this effect and we investigated this through interviews with shop owners along one main road that is home to most Somali businesses, and what we heard about the behavior of police toward them was quite disturbing.

<sup>v</sup> This comment was obtained in 2009 in Yambio during an interview for another project, and we include it here to make the point that these things have been happening for a while and will most likely continue if appropriate measures are not taken.

<sup>vi</sup> An example of evidence could be seizing on the military plane that was reported by SPLA and verified by UN Mission in South Sudan (UNMISS) to have dropped military equipment in Pibor County of Jonglei state, supposedly for the David Yau Yau militia. If such an act was thus definitive, it could have been used to shame Khartoum and their global arms suppliers and to unequivocally prove Khartoum's efforts to destabilize South Sudan.