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# **Militarised Post-Conflict Statebuilding:**

Explaining South Sudan's War-to-War Transition

September, 2016

University of Sussex

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Thesis submitted for the degree of Doctor of Philosophy in  
International Relations

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## Summary

South Sudan's recent war-to-war transition, and its post-conflict statebuilding experience prior to renewed mass violence beginning in December 2013, has upended conventional wisdom on post-conflict peacemaking. Analysts have been left scrambling to explain the apparent implosion of South Sudan's political and military system, often reverting to problematic or discredited analytical frameworks – including 'ethnic conflict', 'failed states' or variants of the 'greed not grievance' argument – to interpret the violence, or else have emphasised the chaotic and disorderly nature of conflict and governance in South Sudan. This thesis argues that in order to make sense of South Sudan's tragic and unshakeable relationship to political violence, an explanation grounded in the concepts of militarism and militarisation, and the framework of militarised statebuilding, is required. The post-conflict statebuilding process in South Sudan has further militarised social relationships whilst considerably expanding the state, creating an enabling environment for war to occur either on the margins of the political system established in the course of statebuilding, or from within it. Simultaneously, it has compelled those making political and economic claims on the state to do so through engaging with this militarised state infrastructure, or else through organising violence to gain entry into the state. However, this militarised statebuilding project entered a state of crisis since independence in 2011, culminating in the mass violence of December 2013, when the same forces which had propelled the expansion of the state would propel its sudden and violent contraction. This militarised statebuilding process has provided much for some sections of South Sudanese society (and especially its elites), but has also left the country particularly vulnerable to large-scale violence among its vastly expanded and heavily armed military. This framework of militarised statebuilding has the potential to speak to enduring militarism and violence in cases of post-conflict statebuilding beyond South Sudan, and advances debate on the relationship between statebuilding and violence in contemporary international politics.

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## List of acronyms

AAA – Addis Ababa Agreement

ARCSS - Agreement on the Resolution of Conflict in South Sudan

AU – African Union

CPA – Comprehensive Peace Agreement

DDR – Disarmament, Demobilisation and Reintegration

DRC – Democratic Republic of Congo

GoSS – Government of Southern Sudan

GRSS – Government of the Republic of South Sudan

ICG – International Crisis Group

IGAD – Intergovernmental Authority on Development

JEM – Justice and Equality Movement

JIU – Joint/Integrated Unit

LRA – Lord’s Resistance Army

NCP - National Congress Party

NIF – National Islamic Front

NGO – Non-Governmental Organisation

OAG – Other Armed Groups

SAF – Sudan Armed Forces

SALW – Small arms and light weapons

SLA – Sudan Liberation Army

SPLA – Sudan People’s Liberation Army

SPLM – Sudan People’s Liberation Movement

SPLM-N – Sudan People’s Liberation Movement - North

SPLM/A – Sudan People’s Liberation Movement/Army

SPLM/A-IO - Sudan People’s Liberation Movement/Army – In Opposition

SRF – Sudan Revolutionary Front

SSDA-CF – South Sudan Democratic Army – Cobra Faction

SSDDRC- South Sudan Disarmament, Demobilisation and Reintegration Commission

SSDF – South Sudan Defence Forces

SSDM/SSA - South Sudan Democratic Movement/ South Sudan Army

SSLM/A - South Sudan Liberation Movement/Army

SSNPS – South Sudan National Police Service

SSR – Security Sector Reform

UN – United Nations

UNMISS – United Nations Mission in Sudan

UNMISS – United Nations Mission in South Sudan

UPDF – Uganda People’s Defence Force



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## Introduction

Across a range of societies emerging from war, attempts at organising the building or rebuilding of states are being accompanied by similar efforts at organising armed violence, either by those assisting with or controlling this post-conflict statebuilding process, or groups and factions resisting the encroachment of the post-conflict state. This relationship between statebuilding and violence is present and ongoing in countries as diverse as Afghanistan, Iraq, the Democratic Republic of Congo, Uganda, and South Sudan, and the violence surrounding the statebuilding process is not merely confined to the interiors of post-conflict countries, but often extends beyond their territorial boundaries, and in some cases is being organised from afar. Throughout each of these examples, militaries – be they conventional or irregular, national or international – are exerting not just a continued influence in post-conflict societies, but often a growing one. In the course of post-conflict statebuilding, many societies are being transformed by the increasing penetration of the military in social, political and economic life, despite the apparent arrival of ‘peace’.

This thesis is concerned with the increasing militarisation of post-conflict societies, and how this may help to explain the relationship between post-conflict statebuilding and violence. It is contended that it is not simply a post-conflict statebuilding process that is in operation across a number of countries emerging from large-scale conflict, but a *militarised* post-conflict statebuilding process. Through directing attention to militarism and militarisation, it becomes possible to understand how societies transitioning out of war are being bound to militaries in a variety of ways in the course of statebuilding, and how this militarisation is making both post-conflict violence as well as relapses into large-scale warfare possible.

## Understanding Statebuilding and Violence

The key topics addressed in the course of this thesis are those of post-conflict statebuilding, civil war, and the trajectories of violence and militarism in South Sudan. As a greater degree of attention was given to civil wars by academics and policy-makers since the close of the Cold War, a similar and steadily increasing amount of effort has been directed towards the issues surrounding the reconstruction of war-torn societies, with a view to ensuring such societies do not experience a relapse in civil war. The study of post-conflict statebuilding has gradually displaced the study of post-conflict peacebuilding since the mid-2000s, fuelled by a sizeable (and ever expanding) body of both practical and critical literature on the topic. Initially pitched as a supplement to or “sub-component” of peacebuilding (Call, 2008; Paris and Sisk, 2009), statebuilding has subsumed not only

peacebuilding, but swept up a number of more technical sub-fields concerned with conflict and security management – including Security Sector Reform and Disarmament, Demobilisation and Reintegration – along the way. This ensures it remains a flourishing area of inquiry, and a focal point for critique.

In the dominant, liberal conception of statebuilding, a concerted effort is made to enhance and extend the capacity of the state, particularly with regards to its ‘core’ functions of taxation, security provision, finance, and (typically rudimentary and skeletal) social service delivery, often through strengthening and refashioning the institutions of the post-conflict state. This is intended to steer societies towards liberal methods and values of ‘good governance’, but also avoid a relapse into civil war, and requires the material and technical assistance of major and middle international powers, working in conjunction with (what is hoped to be) competent and compliant partners in ‘recipient’ societies. In such an idealised account, a state rises like a phoenix from the ashes of war, radiating peace and development into the hinterlands of its territory.

This liberal understanding of statebuilding, and the war-to-peace transition it is intended to support, was swiftly being challenged by a variety of authors surveying the statebuilding process in societies as diverse as East Timor, Afghanistan and Sierra Leone, who noted the serious tensions, compromises and often violent conflicts that accompanied or followed in the wake of post-conflict statebuilding (e.g. Rubin, 2008; Sherman, 2008; Bowles and Chopra, 2008; Suhrke, 2009; Kurz, 2009). Even early proponents of building state institutions to manage war-to-peace transitions reluctantly acknowledged that so-called ‘liberal peacebuilding’ and ‘liberal statebuilding’ – and the broader ‘liberal peace’ they were said to be enmeshed in – have been struggling to realise their goals, whilst lashing out at critics of these projects for failing to come up with practical alternatives of their own (e.g. Paris, 2010). The idea that statebuilding could assist or even drive transitions from an era of war and state atrophy to one of peace, justice and prosperity appeared to have been a decisive blow by the experience of South Sudan. Despite an enormous influx of donor aid and support for various capacity building projects in a new country haunted by lengthy and complex experiences of violence, and a history of state neglect and predation, dismal progress was being made against most security and development benchmarks, before South Sudan imploded into mass violence within the space of a few days in late 2013, completing its tragic war-to-war transition, and mocking the trajectory the new state was expected to pass through. Recrimination for the spectacular disappointment of South Sudan’s statebuilding trajectory soon set in, with the South Sudanese state being cast as more of a vulture than a phoenix, preying on a war-ravaged society (de Waal, 2015a). South Sudan therefore represents an important case through which to reflect and rethink our understanding of post-conflict statebuilding, and in particular the relationship between large-scale violence and the building of states emerging from war.

As the study (if not practical success) of post-conflict statebuilding has bloomed, the study of civil war more broadly has arguably set into a gradual decline. The debates which once animated the field, such as ‘resource wars’, ‘greed and grievance’, and so on,

were presumably resolved to the point where authors felt comfortable enough to slowly disengage from them. In their place, new debates such as the ‘liberal peace’, ‘post-conflict violence’ and the importance of the ‘local and everyday’ have gained ground, and intersected with the study of post-conflict statebuilding. The intellectual field of conflict studies has been progressing in new - and sometimes welcome - directions, but has perhaps lost sight of some of the core questions it never quite answered, and is at risk of drifting further away from them still. Paradoxically, the state of inquiry has become increasingly confused yet simultaneously specialised and professionalised, and hung up on binaries such as state versus non-state actors; the ‘local’ and ‘international’; and the validity of the distinction between ‘war’ and ‘peace’ in an era where some post-conflict societies seem to be experiencing similar, if not higher, levels of violence to those in the midst of civil war. This last question, about the persistence of violent conflict across the boundaries of ‘war’ and ‘peace’, in spite of statebuilding programmes which were expected to prevent this from happening, is of particular concern to this author as well as others (e.g. Steenkamp, 2011; Suhrke, 2012). As such, this thesis returns to some of the fundamental questions surrounding the study of organised armed violence – including the reasons for its occurrence, its preparation and conduct, and its relationship to the state - fusing the study of conflict to the study of statebuilding, whilst mobilising the framework of ‘militarised statebuilding’ to chart a way out of this confusion. In the process, this speaks to wider debates about contemporary civil war and the difficulties of realising a meaningful peace with the existing instruments favoured by international powers.

The case study through which this is developed is that of the Republic of South Sudan. This thesis aims to speak to both broader debates about post-conflict statebuilding and civil war, whilst also addressing the complexities of violence in South Sudan, before relating the findings regarding South Sudan’s statebuilding experience back to this broader debate.

To approach these complex issues, two relatively straightforward research questions guide this inquiry:

- 1) *How should the relationship between post-conflict statebuilding and violence be understood?*
- 2) *What explains recurrent violence in South Sudan?*

These may appear to be simple questions, but the answers to them have so far remained elusive. This thesis contends that through understanding South Sudan as being an example of ‘militarised post-conflict statebuilding’, we are able to better understand both violence and statebuilding in South Sudan, and potentially in other sites of post-conflict statebuilding in contemporary international politics.

## South Sudan

From the initial violent penetration of present-day South Sudan by Turco-Egyptian forces from 1820, to the Anglo-Egyptian re-conquest of Sudan and later southern Sudan from the 1890s onwards, Sudan and (in particular) its peripheral regions have been sites of intensive, complex and intractable conflict.<sup>1</sup> In 1955, shortly before Sudanese independence from joint British-Egyptian ‘Condominium’ rule a year later, southern Sudanese soldiers serving in the Equatoria Corps of the national army mutinied, amidst concerns over the terms upon which the under-developed and politically marginal south was to be incorporated into an independent Sudan. The ‘Torit Mutiny’ was violently suppressed, whilst rebellion mounted in the south, although large scale (organised) fighting did not begin in earnest until 1963, when the Anya-Nya rebel movement was founded by Joseph Lagu. In the Sudanese capital – Khartoum – the first of several military governments took power in 1958, only to be replaced in a popular uprising in 1964 (de Waal, 2013). Whether under civilian or military rule, the government was experimenting with and refining an increasingly lethal range of counter-insurgency tools, which would refashion both Northern and southern Sudanese society.

The First Sudanese Civil War, having claimed approximately one million lives, was brought to a close with the Addis Ababa Agreement in 1972. It was Anya-Nya, now known as the Southern Sudan Liberation Movement, which represented southern opinion in the peace talks, in spite of its military and political fragmentation and decentralisation. In the years leading up to the talks, the military had once more taken control of government in Khartoum, following a coup staged by mid-level officers under the leadership of Colonel Jaafar Nimeiri in May 1969. A serial maker and breaker of agreements, Nimeiri was able to negotiate for a heavily qualified form of semi-autonomy for the southern rebels, resulting in a weak Southern Regional Government based in the town of Juba, which would become increasingly divided over the following decade as Nimeiri manipulated southern political and ethnic blocs, with a view to capturing newly discovered oil reserves in the south. In 1983, following a decade of minimal development gains, mounting insecurity, and political division (including a perception by representatives of a range of Equatorian ethnic groups that the south was being dominated by its largest ethnic group, the Dinka), rebellion broke out again, marked by a mutiny in the town of Bor.

The Second Sudanese Civil War can be roughly divided into three phases. The first phase of the war (1983-1991) saw the ascendancy of a new rebellion – the Sudan People’s Liberation Movement/Army (SPLM/A) – led by Dr John Garang, against an unstable political system in Khartoum, which was struggling to manage the pressures of mounting debt and capital flight, and increasing insecurity in peripheral parts of Sudan (Woodward, 1990; de Waal, 1997). John Garang articulated a vision of a ‘New Sudan’, in which a structural transformation of the state was advanced as a solution to the economic, cultural

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<sup>1</sup> For a compelling account of colonial conquest and violence in Sudan, see Thomas (2015). The following passages outlining the broad contours of the Sudanese Civil Wars draw primarily from Johnson (2003), LeRiche and Arnold (2012) and Poggo (2009).

and political marginalisation of peripheral regions of Sudan, and to address the racially stratified political economy of Sudan. This was not a vision shared by all the leadership or soldiers of the rebellion, who were committed to the secession of the south rather than the restructuring of the existing state and its relationship to society. In spite of these ingrained tensions, the SPLM/A would – with tactical and material assistance from Ethiopia – seize vast swathes of the south, and encroach into the ‘transition zone’ along the colonial north-south border.

Internal divisions within the deeply militarised rebellion - and the Sudanese government’s skill at playing southern armed groups against one another - would structure the second phases of war, from 1991-1996. During this time, a confluence of factors resulted in the SPLM/A splitting into two factions, with the latter faction (under the leadership of Dr Riek Machar and Dr Lam Akol) in particular splintering repeatedly, under the guidance and manipulation of Khartoum. In part, this was a result of the SPLM/A’s internal organisation, which was paradoxically centralised yet fragmented, and largely under the tight grip of its leader, John Garang. Meanwhile, and backed by key elements of the Sudanese commercial elite, the National Islamic Front (NIF) seized power in a coup in 1989, and under the leadership of President Omar al-Bashir and ideologue Hassan al-Turabi, the government was able to reverse the tide of the conflict. This was facilitated by the collapse of the SPLM/A’s primary source of external support: the Ethiopian government under control of the Derg regime. These developments would turn the south into a mosaic of government-held garrison towns, SPLM/A occupied territory in parts of greater Equatoria and Bahr el Ghazal, and a plethora of militias and breakaway rebel factions contesting control or organising into local ‘self-defence’ units in the remainder of the region.

The final phase of war, from 1997-2005, saw the SPLM/A regain ground against Khartoum and its proxies. Steady progress was made towards reconciling certain breakaway factions with the original SPLM/A and reincorporating prominent individuals (notably Riek Machar) into the movement. Meanwhile, the ruling NIF (now rebranded as the National Congress Party, NCP), was reaping the fruits of its militia strategy, having cleared serious organised resistance and much of the civilian population from oil fields in north-eastern southern Sudan (see HRW, 2003). It was in the context of a military stalemate between the government and SPLM/A - with the government likely to strengthen its position once oil revenues increased, but the SPLM/A strengthening its links with regional neighbours as well as the USA and other Western states - that revived peace negotiations under the guidance of the Intergovernmental Authority on Development (IGAD), and especially Kenya, as well as the ‘troika’ of Norway, the USA, and the UK. Three years of negotiations would produce the Comprehensive Peace Agreement (CPA) in 2005, paving the way for the secession of the South, in a referendum that was to follow six years of interim administration, where the SPLM/A and NCP were expected to jointly govern the country (now comprising two largely separate political systems, in the north and south) in such a way as to “make the unity of the Sudan an attractive option especially to the people of South Sudan” (CPA, 2005: 2; see also Young, 2012). This was supplemented with the

Juba Declaration of 2006, which brought the largest armed rival to the SPLA – the South Sudan Defence Forces – into the new government and military. By this point, the south had been ravaged by two decades of complex fighting, with estimates of the lives lost ranging between 1.5 to 2.5 million, the majority of whom were southerners.

Following a tense and often violent interim period, and an overwhelming vote in favour of independence, southern Sudan seceded from Sudan on July 9<sup>th</sup> 2011, becoming the internationally-recognised Republic of South Sudan. The Republic of South Sudan has lurched between crises in the years to follow, notably during the oil shutdown of 2012, where overnight the government lost 98% of its revenues following a dispute with Sudan over transit fees for the use of its oil pipelines. But the most serious crisis started in the South Sudanese capital, Juba, on December 15<sup>th</sup> 2013, when Nuer (the South's second largest ethnic group, after the Dinka) members of the Presidential Guard resisted President Salva Kiir's order that they be disarmed by their colleagues, sparking in-fighting within the military – the SPLA - which reverberated around Juba. This was in the context of escalating tensions within the SPLM party over the course of the year, in which President Kiir had fired a number of political rivals from key positions (including his Vice-President, Riek Machar, a Nuer) and restructured the government in July, reducing the number of ministries by a third. As the events of December progressed, mass defections and mutinies within the army and police ensued, plunging the country into a new civil war. The mutineers would coalesce under the name of the Sudan People's Liberation Movement/Army – In Opposition (SPLM/A-IO) headed by the former Vice-President Riek Machar.

The First and Second Sudanese Civil Wars have been understood, variously, as being an example of violent primitive accumulation; a conflict over natural resources and land; an ethno-religious war between an predominantly Arab-identified North and a black, Christian and animist South; as conforming to the dynamics of a 'successfully failed state'; or as stemming from Sudan's entrenched patterns of political and economic exclusion – which has concentrated wealth and power at the centre of the north of country (in and around the capital Khartoum) – at the expense of Sudan's vast peripheries, comprising southern Sudan and the borderlands above it, Darfur to the west, and eastern Sudan, each of which have experienced significant conflict.<sup>2</sup> Each of these factors plausibly speaks to some important element of Sudan's wars, and many recent accounts acknowledge this.

De Waal's (2007a, 2007c) 'turbulent state' thesis succinctly captures this complexity whilst providing a broad explanation of violence up until the latter stages of the Second Civil War. The turbulent state thesis acknowledges that many of the aforementioned explanations of violence in Sudan – ranging from the exploitation of natural resources, entrenched inequality, and the presence of (often highly visible) ethnic and religious fault lines – all speak to some of the causes which have animated violence in the country. Indeed, as de Waal (2007a) notes, any one of these issues could conceivably cause conflict

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<sup>2</sup> See Ayers, 2010; Deng, 1995; Johnson, 2003; Jok, 2007; Prunier and Gisselquist, 2003; de Waal, 2007a and 2007b.

in any given society, and Sudan has the misfortune of experiencing each of these potential flashpoints simultaneously. Yet amidst this complexity, de Waal identifies two particular characteristics which have propelled violence in Sudan, and governed its conduct. On the one hand, de Waal emphasises the political and economic inequities and modes of exploitation which structure relations between the core of the country to the north (consisting of Khartoum and its environs), and the vast peripheries of the south, east and west of Sudan. On the other hand, the fractious intra-elite competition which characterises politics in the core and the ensuing elite struggles to consolidate their control of the state whilst displacing violence to the peripheries ensures that conflict not only persists, but also extends from the core to the peripheries, with elite groups increasingly turning to militias and commercial networks to help preserve their control of the state against potential rivals, both from the core and the peripheries. Together, these two dimensions of Sudan's complex political economy have generated and prolonged much of the conflict in Sudan, with ethnic or religious violence, or conflicts surrounding the acquisition or access to natural resources, typically being a by-product of these broader dynamics. More often than not, the objective of peripheral rebel movements is to either capture state power, or else to find some way of accessing its benefits, typically through seeking a tactical alliance with the central government (see Young, 2012; D'Agoot, 2013). For groups in the core, the retention of state control is achieved through a mixture of military power, divide and rule tactics, as well periodic military coups. All powerful groups – whether in the core or periphery – seek to exploit external forces, and particularly military assistance of one kind or another, in order to assist in the capturing or maintenance of state power.

This explanation is arguably the most compelling account of the causes and continuation of political violence in post-colonial Sudan, and accordingly, this informs the ways in which the First and Second Sudanese Civil Wars (1955-1972, and 1983-2005, respectively) are understood in this thesis. However, and as a caveat, it is important to emphasise that this internal 'turbulence' is itself embedded in broader patterns of regional and international turbulence and intervention, and has its origins in colonial governance and the political economy it engineered, as will be discussed further in chapter 5 (see also Ayers, 2010; Thomas, 2015). Furthermore, this thesis parts ways from de Waal's more recent work on South Sudan, which mobilises the alternative framework of the 'political marketplace' to make sense of the political economy of violence in post-CPA South Sudan (see de Waal, 2014b, 2015b), and which will be discussed further in chapters 4 and 5.

However, South Sudan's relapse into mass violence - as well as considerable violence prior to December 2013 – all occurring alongside a post-conflict statebuilding process which has been structured and generously funded by a range of international actors, has not been convincingly explained. Seasoned analysts have attempted to understand these development chiefly through offering descriptive accounts of intra-SPLM rivalry which are largely divorced from thematic or theoretical debates (e.g. Johnson, 2014; Rolandsen, 2015a), or with the aid of problematic frameworks that bear a disconcerting similarity to the 'greed not grievance' thesis (e.g. de Waal, 2014b), whilst many journalists, research institutes and advocacy groups have unearthed the questionable explanations of



‘ethnic war’ and ‘failed states’, which should probably have been left buried (e.g. HRW, 2014; Fund for Peace, 2014; *The Guardian*, 2013).

This thesis argues that since 2005, South Sudan has been the site of a militarised post-conflict statebuilding process, and that the potential for war both within and at the margins of the new South Sudanese state has been gradually increasing as result of this process. The principal South Sudanese actors involved in statebuilding have skilfully attempted to centralise power and the means of violence in a hazardous regional context, whilst excluding or selectively incorporating armed groups perceived to jeopardise this form of statebuilding, and evading or placating international donors. During this process, the size of the state has expanded at a brisk pace, with social, political and economic constituencies becoming increasingly invested in and dependent upon the militarised system being developed, and in particular the SPLA and its auxiliaries. This militarised statebuilding has its origins in the Second Civil War and the peace agreements that concluded it, which have guided the South Sudanese state down this path and constrained the possibilities for revising or demilitarising the statebuilding process, whilst amplifying the possibilities for organised violence. Although this militarised statebuilding process has created beneficiaries, it has come at great expense to much of the population of South Sudan, and much of the violence from 2005 to present can be understood as deriving from it. It has generated war at the margins of the system from groups seeking inclusion or preferential status in the emerging political order, and, through significantly expanding the coercive branches and appendages of the state, has providing the groundwork and infrastructure for the current civil war by augmenting the coercive potential of the state whilst curtailing the political room for manoeuvre or change. Since independence in 2011, however, the militarised statebuilding process has entered into a state a crisis. Statebuilding has largely stalled, but the disputes and tensions across the multiple power centres trapped within the system created by militarised statebuilding have continued to grow. The central government has since made several moves to regulate and check the power of its internal rivals, and has resorted to a set of measures which have further militarised the conduct of politics, culminating in the attempt at the disarmament of some of the President’s own Presidential Guards in December 2013, which sparked the current civil war and the unravelling of the order created in the course of statebuilding.

## Structure

In chapter 1, we develop the framework of militarised post-conflict statebuilding. This chapter surveys much of the literature on the relationship between statebuilding and violence, teasing out how authors from different theoretical approaches – including liberal, realist and critical perspectives – have understood this relationship, and drawing attention to how violence has been understood as being either a productive or destructive force. Noting a range of inadequacies with existing explanations, it will be argued that an approach which foregrounds the concepts of militarism and militarisation – understood as the extent to which war and war preparation have penetrated and infused social relations –

can offer a more promising direction for making sense of how violence is related to statebuilding. Finally, the framework of militarised statebuilding is advanced, which refers to a process by which statebuilding drives militarism – rather than violence *per se* – in a society, and looks to the influence of war and war preparation on the political, economic, military and international relations of Sudan prior to 2005, creating a set of indicators we can use to chart the militarised statebuilding process underway in the South since 2005.

Following the theoretical framework, the four empirical chapters are devoted to charting the contours and manifestations of militarised statebuilding in South Sudan, including the distribution of armed violence from 2005 onwards (chapter 2); the process of regulating and obtaining armaments, and the functions it serves for the statebuilding project (chapter 3); efforts at simultaneously building and reforming the institution of the military, and its impact on social relations more broadly (chapter 4); and the political economy of development and state finance, and its place in supporting the militarised statebuilding process underway in the country (chapter 5). In short, the chapters can be understood as speaking to violence, arms, institutions, and development, respectively. Each chapter successively delves further back into aspects of the history of war, statebuilding and militarism in Sudan and its restive south, in order to gradually reveal the origins of this militarised statebuilding project.

In chapter 2 – ‘Mapping violence in South Sudan’ – a thorough review of organised violence since 2005 is undertaken. Although highly complex, patterns can be found in the data. Two in particular stand out above others. First, that levels of violence have, with some exceptions, remained relatively consistent in this period, and have often matched those of the latter years of the Second Civil War. Second, much of this violence is directed both outwards and towards political and military centres, especially Juba and provincial towns in the South. It is argued here that, amidst this complexity, violence seems to be targeted with an eye to gaining access to the state and its institutions, or enhancing the position and status of armed factions within the state. Conversely, the state appears to be either absorbing or resisting attempts by excluded or unfavourably incorporated groups. Panning back, the levels and frequency of violence indicate that – in an apparent era of peace and post-conflict statebuilding – South Sudan has continued to experience considerable violence from the signing of the CPA onwards. The proceeding chapters will attempt to make sense of this violence, through the framework of militarised post-conflict statebuilding.

In chapter 3 – ‘Arming South Sudan’ – the history of arms acquisition, distribution and regulation is explored, to determine the relationship between the arms system in the country to patterns of violence. The analysis concentrates on the shifts in political, economic, military and international relations of South Sudan which have enabled or driven the SPLM’s particular strategies for obtaining and controlling arms. It will be argued that, contrary to popular conceptions, South Sudanese society is not as heavily armed as has been suggested, nor is the system of acquiring or distributing arms reliant upon non-state actors, including arms traffickers or smugglers. Instead, a significant proportion of arms are

in the possession of South Sudanese authorities, who have been relatively effective at marshalling the support of regional (and sometimes distant) governments to expand their already sizeable arsenal. Turning to 'civilian disarmament', and the intense violence which has often accompanied it since 2005, it is argued that there has been a misreading of civilian disarmament by external observers (who, incidentally, have been neatly shut out of disarmament activities), and that rather than being a bloody failure, disarmament serves a number of political interests by different factions of the South Sudanese government. Disarmament, alongside re-armament, are important instruments through which the state seeks to regulate excluded pools of armed youth labour in the country. With reference to the framework of militarised statebuilding, not only is there an amplification and consolidation of the government's control over the means of violence, and new strategies for regularising the application of military power, but this has been facilitated – directly and indirectly – by the international relations South Sudan has cultivated and imposed. Behind this, it appears as though attempts at acquiring and regulating arms are in the service of thwarting political moves by rivals to the SPLM-led statebuilding project, which have exploited groups at a distance from the militarised statebuilding project.

Chapter 4 – 'A Hall of Mirrors' – builds on this finding by directing attention to the Sudan People's Liberation Army (SPLA), often identified as the culprit for much of the violence since 2005, and attempts to make sense of the SPLA. This chapter surveys the contours of the 'security sector' in the South, questioning whether the term is in fact applicable, before moving on to a case study which explores the progress of Security Sector Reform (SSR) and Disarmament, Demobilisation and Reintegration (DDR) in the armed institutions of the government. It is argued that the apparent lack of success of these processes gives clues about the place of the SPLA in the society and politics of South Sudan, raising questions about the functions and rationale of the SPLA. This is explored further through, first, a reassessment of the history of the SPLM/A, drawing largely on insider accounts, and second, an analysis of the SPLA following the signing of the CPA and Juba Declaration. It is argued here that the SPLA has been quietly assuming functions beyond the mere provision of 'security', to the point where it is providing a number of additional functions, including welfare provision and an arena in which political ambitions can be pursued. This is masked by its opaque and inaccessible institutional configuration, which has also concealed the penetration of militarism throughout South Sudan which has accompanied the exponential growth of the SPLA, and made the SPLA the focal point for political and economic claims on the state, amplifying the militarised political and institutional structures of the SPLM/A rebellion in the process.

In chapter 5 – 'A Perfect Storm' – the final empirical chapter of the thesis, an explanation for the spread of militarism, and its relationship to the political economy of war and development in Sudan, is advanced. This chapter revisits parts of the Second Civil War in order to illuminate how society was already becoming increasingly dependent on welfare-providing institutions through the strategies of armed groups, which sought to generate and exploit forced displacement. An interplay between increasingly militarised political and economic relations in the south underpins these processes. By the time the

CPA had brought a formal end to this intensive conflict, south Sudanese society was already reliant on certain institutions to sustain their livelihoods, with the government now meeting some of these needs through providing salaries and employment in rapidly expanding state institutions, backed with newly available oil money. The tension between accessing these salaries by excluded or marginally incorporated groups on the one hand, and the state's efforts at using the SPLA to both absorb and attack these groups is identified as being at the root of much of the violence in the post-CPA era. However, rather than this merely representing the ascendancy of a corrupt and violent state (although both corruption and violence have surrounded the state), this is in large measure the consequence of the CPA, and the 'peace trap' it established. The terms of the CPA effectively served to trap together a number of principal and secondary armed actors within a relatively rigid political system, curtailing the repertoire of available actions to rival groups, and necessitating that resources and statebuilding efforts be directed towards and concentrated around already militarised institutions. This has been especially acute with regards to the SPLA, which has been subject to an almost permanent crisis regarding who is able or entitled to access the forms of welfare, power and security afforded by membership, which has resulted in the consolidation of several rival power centres within the system built since 2005. This has fed into a broader crisis within the militarised statebuilding project since South Sudan's independence, whereby the system is no longer reproducing itself, and is no longer able to defer addressing its fractious internal politics. The core of the government, and associated politico-military elites, have since attempted to regulate this volatile politics by reactivating paramilitaries, in an effort to contain political problems in the system. This has resulted in militarism driving the statebuilding project, reversing its previous direction.

In sum, the conduct of the Second Civil War, and the constraints and opportunities provided by the CPA, has ensured that post-conflict statebuilding efforts have successively militarised society. This militarised statebuilding has provided much for some sections of South Sudanese society (especially its elites), but has also taken much away in the process, and left the country uniquely vulnerable to large-scale violence among its vastly expanded and heavily armed military. This was in the context of an increasingly unstable and constraining political system, which had generated widespread hostility through its practices of excluding armed groups and militias, who soon piled in to join the spreading conflict once elite rivalries could no longer be contained in the events of December 2013.

## Research design and method

The thesis draws data from a number of sources in the course of answering the core questions. Primary data was gathered during three months of fieldwork in South Sudan from June to September 2013. This was mainly undertaken in the capital, Juba, with a weeklong visit to rural areas in the state of Central Equatoria, particularly around the tri-

border area with the Democratic Republic of Congo and Uganda, undertaken with the Deutsche Gesellschaft für Internationale Zusammenarbeit. In total, 22 semi-structured elite interviews were conducted, across a range of interviewees, including South Sudanese officials in local government positions as well as two prominent South Sudanese elites, alongside a range of international staff involved in peacebuilding, statebuilding and Security Sector Reform. The identity of these interviewees have been anonymised, either at their own request, or because increasing state repression and further closure of political space in South Sudan since the start of the new civil war in December 2013 has meant that their welfare could be compromised as a result of their words.

In addition to these interviews, fieldwork provided a unique opportunity to gauge the social and political context of South Sudan, albeit over the course of only three months. Plentiful informal discussions and interviews and time spent socialising with South Sudanese and outsiders – elite or otherwise – often yielded insights and information which would not normally be obtainable through interviews, including information about the inner workings and practices of official institutions and external donors, as well as accounts of corruption. Whilst this information is not cited in the thesis to ensure that standards of research ethics – especially informed consent and informant security – are upheld, it has nonetheless been insightful, and helped sharpen this researchers understanding of the conduct of politics and development within the country. This was notably the case with those working for the United Nations Mission in South Sudan (UNMISS), who were unable to be formally interviewed, seemingly due to the rules of the institution. Without such discussions, as well as information shared with this researcher, the thesis would have been weakened. However, one consequence of institutional restrictions which appear to prevent staff from agreeing to interviews is that the ability to study and understand UNMISS is impaired, evidenced by the surprisingly few academic studies or think-tank and research institute reports on UNMISS. It is not clear what benefits accrue to UN more broadly or to UNMISS specifically as a result of making staff inaccessible to researchers (and also what pressures compelled the UN to adopt these procedures), nor whether they are worth the costs to knowledge and transparency which follow from these restrictions.

Additionally, seemingly mundane observations were garnered both passively and actively (through attending, amongst many other things, Independence Day celebrations, and an NGO-organised workshop on policing), which brought to the fore things that were often hiding in plain sight. These include prominence of military personnel and regalia in public life; the stark differences in lifestyles and residencies of elites (both South Sudanese and outsiders) compared to non-elites, often expressed through architectural designs isolating elites from their surroundings; and the politics of vehicle license plates and driving customs. Vehicles with colour-coded plates reading either ‘GoSS’ (Government of Southern Sudan), ‘GRSS’ (Government of the Republic of South Sudan), ‘CD’ (Diplomatic Corp) and in particular ‘SPLA’ (Sudan People’s Liberation Army)<sup>3</sup> are frequently given

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<sup>3</sup> Employees working for the US military and intelligence who were involved in providing military training and support to the South Sudanese military had SPLA plates on their vehicles, reportedly at the insistence of the American government (author observations, Juba, 2013).

priority on roads and at intersections in Juba, and sometimes permitted to ignore military checkpoints which appear in the late evening onwards as part of the government's unofficial curfew, and from this researchers own experience, are generally best avoided. However, vehicles with plates referring to the state in which they are registered (e.g. 'CE' for Central Equatoria' state), or else with the abbreviations 'NGO' (Non-governmental Organisation)<sup>4</sup> and even local government or United Nations plates, having less currency in such an environment. Whilst such observations could be dismissed as 'anecdotal', they often provide some important clues and indicators about social and political relations in politically turbulent or divided societies, and as such their significance should not be discounted (see Mac Ginty, 2013a; Smirl, 2009; Duffield, 2010). The benefits of these indirect forms of fieldwork, including informal conversations and interviews, and observations, have been significant, and inspired the development of the 'militarised statebuilding' framework which guides the thesis.

Given that much of the fieldwork was undertaken in Juba, and to a much lesser extent parts of rural Central Equatoria along the strategically important border with Uganda, this thesis largely tells the story of post-CPA South Sudan from the perspective of Juba. On one level, this is both necessary and desirable, since official political and military power – as well as commercial power - has been increasingly concentrated in the city since 2005 (and bringing complications and tensions to the residents of Juba in the process (see Badiy, 2012)), and the city has assumed the role of being both a key site for international donor and non-governmental organisation activity, and as a key logistical node for international development and relief programmes operating in more peripheral parts of the country. This has dramatically elevated Juba in the political economy of South Sudan (and to a lesser extent the region, given the political and commercial links formed between South Sudan and the neighbouring countries of Uganda, Ethiopia and Kenya), and accordingly, any study of post-conflict statebuilding should engage with this concentration of power. On another level, however, the 'view from Juba' is not representative of all parts of South Sudan. The clustering of South Sudanese, regional and international elites in a single city located near the regional powers of Uganda and Kenya invariably means this study concentrates more on those with power than those without it. Adopting different vantage points within South Sudan would likely reveal different stories of South Sudan's pre- and post-2005 trajectory, and of how these regions perceive and engage with Juba, and central authority more broadly. This would, in all likelihood, expose even more of the contradictions and uneven relations of power and strategic interests in the country, and provide a richer account of the dynamics governing the distribution of power and resources between the centre and its peripheries, and the different variations and subversions of such spatial categories (see Schomerus and de Vries, 2014). A focus on Juba and some of its surroundings has enabled an argument and framework to be developed and deployed, but South Sudan has a fascinating (if, it must be said, infuriating) habit of

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<sup>4</sup> These NGO plates are seemingly numbered so that government-favoured NGOs have higher numbers allocated to them, e.g. Norwegian People's Aid, an early supporter of the rebellion, has plates reading 'NGO 1'.

producing competing or contradictory readings depending on the vantage point which is adopted. As such, this thesis should not be read as providing a complete and comprehensive account of post-conflict statebuilding and its relation to violence in South Sudan, but a partial one, and one which is (hopefully) compelling within its constraints.

Some of the difficulties of conducting fieldwork in South Sudan centred on the related issues of security and insurance. The three month spell of fieldwork in the country during mid-to-late 2013 was originally intended to be supplemented by a return trip to South Sudan in the first half of the following year, in order to conduct follow-up fieldwork. However, given the outbreak of mass violence from December 2013 onwards, practical constraints meant this was not possible. This is partly due to the concerns about the physical safety of the researcher, as well as the diminished possibilities for accessing elites and conducting interviews during a time of national crisis.

But beyond this, it is worth specifically mentioning the difficulties of obtaining insurance from universities. Originally, this thesis was a comparative study between Somaliland and South Sudan, premised on a central puzzle, namely that political stability and development seemed to be materialising in one country (Somaliland) which lacked formal diplomatic recognition, and had difficulties accessing development aid and assistance as a result of this, with the reverse appearing to be present in South Sudan. However, this study was severely restricted by the fact that this researcher could not get permission to visit Somaliland, on the grounds that the University of Sussex would be unable to provide insurance during any field research to the country. This was in spite of the relative security in the self-declared capital of Hargeisa, and to a lesser extent elsewhere in Somaliland. Conversely, South Sudan, as this thesis notes, experienced widespread violence from the signing of the CPA up to its independence, which continued and, ultimately, intensified in the years to follow. The reason provided to this researcher by the then Head of School for Global Studies was that the UK Foreign and Commonwealth Office travel advisory for Somaliland was to ‘avoid all travel’ to the region (advice which changed to ‘avoid all essential travel’ to Hargeisa in the latter stages of researching this thesis), and insurance companies would not be able to offer insurance to the University due to this travel advisory. South Sudan was objectively more dangerous than Somaliland, but no travel warning was in place for the new country, excepting the border regions with Sudan, and later on, Jonglei state. South Sudan would later find itself in the unconverted category of ‘avoid all travel’ following the events of December 2013, where it remains today.

Curiously, the UK Foreign and Commonwealth Office diverged from the travel advisories issued by the US, Canada, and Australia, which had warned against all travel to the country, generally due to high levels of ‘inter-ethnic’ and criminal violence. This may indicate that the UK’s travel advisories were governed more by political and diplomatic considerations than they were by an objective assessment of the risks to one’s physical security, with South Sudan being a key site of UK development and statebuilding activities (and with the UK playing an important role in mediating and shaping the CPA), in spite of

the obvious insecurity in a number of regions of the country, whilst Somaliland was lower development priority for the UK government, and with an undetermined sovereignty status. Yet the discrepancy between the UK's travel advisory and the travel advisory of the US State Department regarding South Sudan is puzzling, since both were heavily invested in South Sudan. This suggests that further research of the politics of travel advisories is required, which takes into account different cultures of risk assessment, alongside the potential for politicisation (as well as securitisation) of travel advisories. Moreover, such a study could also consider the nexus between the provision of insurance on the one hand, and travel advisories on the other, and the dynamics governing this relationship.

Partly as a result of these restrictions, these fieldwork experiences have been conjoined with extensive desk research on various aspects of war and statebuilding in South Sudan, and in particular, reports from research/advocacy groups, which have helped to compensate for the relatively short duration of fieldwork, as have the first-hand accounts of a number of authors associated with the SPLA, including Peter Nyaba, Bona Malwal, Majak D'Agoot, and Lam Akol. Reports from a number of organisations – especially the International Crisis Group (ICG) and the Small Arms Survey – have been utilised, alongside academic literature and regular monitoring of South Sudanese media outlets. It is worth discussing some of the challenges which accompany a partial reliance upon research conducted by the Small Arms Survey, and especially the ICG. Both of these organisations, but in particular the ICG, have attained prominence in the international conflict 'knowledge market', through a blend of public and behind-the-scenes advocacy; field research (involving privileged access to key players); regular detailed reports; and pre-emptive conflict risk alerts, notably in the monthly Crisis Watch updates of the ICG (see Bliesemann de Guevara, 2014a, 2014b). As such, reports by the ICG have become increasingly utilised by policy-makers and practitioners, as well as academics, and this study is no exception. However, the inner workings, as well as the normative underpinnings and political commitments of the organisation are themselves under-researched (*ibid.*). Whilst the Small Arms Survey is more specialised in its scope, it has a number of 'Focus Projects' offering in-depth analysis on certain themes, and in particular, for specific countries and sub-regions. Sudan and South Sudan are well represented here, with several dozen Working Papers, Issue Briefs, and information bulletins produced through the 'Human Security Baselines Assessment for Sudan and South Sudan', on issues including arms supplies, armed groups, and patterns of political and 'local' violence.

It is common not only for researchers specialising on Sudan and South Sudan to make use of the research outputs of both organisations (and on occasion, to undertake research and analysis work for the Small Arms Survey), but also for these organisations to extensively reference each other's work, as well as their own research output. There are good reasons for this, given that reports by both organisations often supply extensive, rich and useful detail, and indicate privileged access to local and national elites – elites who would not necessarily be accessible to researchers (particularly junior researchers), who tend to rely on international interlocutors to offset this inaccessibility – and also appear to be far less constrained by the financial, insurance and security restrictions which



accompany fieldwork in conflict and post-conflict societies. Yet it is important to acknowledge that both organisations have agendas and interpretive frames of their own, which, in spite of the increasing reliance by academics upon these organisations (including by this author), have not been subject to much academic inquiry.

Bliesemann de Guevara (2014a, 2014b) offers a thorough critique of the ICG's organisational and methodological opacity, as well as the potential compromises which arise from the ICG's much touted national and international connections. The main criticisms are as follows. With regards to methodology and analysis, ICG reports are characterised by having a lack of historical depth; an opaque fieldwork methodology; and often adhere to a simplified moral script in which the organisation claims to represent the 'victims' of conflict against the perpetrators, representing violence as a pathology in the process. More specifically, the low priority for monthly Crisis Watch reporting within the organisation, at least compared to full length reports, could lead to potential inaccuracies and factual errors (important, given that Crisis Watch updates are a key tool through which the ICG engages with the public and policy-makers). Politically, the ICG is said to offer an essentially liberal character of reporting, which disciplines the audience, whilst providing policy recommendations which do little to challenge powerful global interests. Indeed, the ICG's posture in the global conflict knowledge market means that its analysis tends to be 'success-' rather than 'problem'-oriented, and there is a tendency for the ICG to adjust its research (and by extension, advocacy) priorities for global hot topics (e.g. terrorism, or the drug war in Mexico), in order to stay relevant in the knowledge marketplace. Finally, there is a risk of researchers becoming entangled with their object of study, and either becoming part of the story, or engaging in a political fight to ensure their own narrative of events prevails.

Many of these objections are valid ones. However, some qualifications must be made. First, the critique does not apply equally across all ICG reports and researchers: some are worse offenders than others. In particular, recent ICG reporting on South Sudan (from early 2014 onwards, and authored by Casie Copeland) consistently makes a number of provocative and insightful statements which often go against the grain of the (generally liberal) policy recommendations and analytical orientation of the organisation as a whole. The possibility that such differences (and even tensions) may exist between different levels of the ICG is acknowledged by Bliesseman de Guevara, and the more recent reporting on South Sudan is a good example of this.

Second, the critique does not go far enough. In particular, rather than the ICG attempting to compete in the marketplace of ideas to frame a conflict in a particular way, the ICG – at least in its reports which are familiar to this author – appears to be broadly in line with the existing, dominant frames which have increasingly shaped how conflict is understood not only by research/advocacy groups such as the ICG or Small Arms Survey, but also by many academics, as well as NGOs such as Saferworld. In particular, ICG reporting tends to be resolutely internalist in its analysis. Rather than integrating regional and international dimensions into the analysis, such dimensions tend to be partitioned,

either in separate reports or else in sections or sub-sections of reports, which are merely attached to the analysis. Moreover, the critique offered by Bliesemann de Guevara ignores the creeping influence of both the 'local turn' in peace and conflict studies as well as a shift to a micro-level focus, both of which permeate much ICG reporting, and are typically manifested through the narrow spatial contours of certain research (e.g. reports which concentrate on a specific sub-national region), as well as through excessive detail and description of local politics and power dynamics, and an often ambivalent analysis. Further still, and as noted by Bliesemann de Guevara, there is a not-so-subtle emphasis on the destructive nature of violent conflict in the reporting and posture of the ICG, with war being presented as something to be avoided (as evidenced by the monthly Crisis Watch alerts), and if it does occur, something which should be brought under control as swiftly as possible (as seen in the recommendations which precede each full-length report). Whilst this emphasis on the destructive nature of conflict is understandable on a normative level, the productive and creative dimensions of war should not be overlooked, as argued in the first chapter of this thesis. For Bliesemann de Guevara, however, the only side-effect of presenting violence in this way is that it depoliticises armed struggle and contestation. This is correct, but the critique could have been further developed.

Third, both the critique offered by Bliesemann de Guevara, as well as the expanded critique outlined immediately above, are equally applicable to much of the current academic knowledge production, too. ICG reporting has a receptive academic audience, who also partake in this kind of analysis, and is therefore emblematic of the broader preferences of much of the academy. Indeed, several of Bliesemann de Guevara's critiques of the ICG appear equally applicable to much academic output (including the tendency for academics to adjust or calibrate research designs in order to attract funding, as well as a lack of attention to historical processes), as are the critiques outlined above.

This takes us to the central issues which are at the core of the problem with much of the ICG as well as the Small Arms Survey reporting: they reflect and reproduce a number of problematic assumptions and normative preferences which arguably constitute the prevailing discourse on conflict and armed violence, a discourse shared not only by research and advocacy institutes, but also by many academics and practitioners. As Stavrianakis (2011) argues, much of this discourse derives from a dominant reading of the post-Cold War era which is heavily informed by the 'New Wars' thesis (discussed in the following chapter), and conjoined with a set of solutions which resonate with the 'human security' paradigm. The central themes of the discourse emphasise first, the 'blurring' of armed state, non-state and civilian actors in the global South; second, the blurring conflict and crime in the global South; third, a conviction that 'development' is a largely pacific endeavour and a benign force for good; and finally, that statebuilding is an unquestionably desirable end goal which can resolve the problem of disorder. The result of this is a set of categories and assumptions which are Eurocentric and hierarchical in nature, and serve to misrepresent logics and patterns of violence in the global South, whilst remaining largely silent on Northern complicity in contemporary civil wars, and obscuring the historic role of violence in the creation of Northern states and their empires.

The central issue from a research perspective is how to disentangle the valuable information contained within reporting from research/advocacy groups, whilst being aware of the latent assumptions and claims underpinning most (but not all) of this research. This, it must be said, is also a problem which extends to the work of some academic writers too, as seen when interesting and revealing information has been coupled with a problematic analysis. In both cases, a candid response would be that there is no right answer here, particularly given the uncertainty regarding the influence that these problematic assumptions and claims that constitute the prevailing discourse have had for the collection of data, as well as the findings which have been highlighted in reports and publications (and also those findings which have been disregarded). Perhaps the best approach it is to strategically utilise the information (which is often based on privileged access, and may not otherwise be obtainable) contained within expert reporting of this kind, whilst recognising how the wider story told and analysis proffered by research/advocacy groups are clearly not neutral or impartial, but instead reflect dominant understandings of war shared by many Western governments and academics alike. The next step is to expose and challenge the questionable or problematic assumptions underpinning this research, and hopefully, provide a more compelling alternative.

## **Chapter 1: Violence, Statebuilding and Militarism: Towards a Framework of Militarised Post-Conflict Statebuilding**

This chapter is guided by the overarching question “How has the relationship between statebuilding and violence been understood in existing approaches to statebuilding, and what – if any – problems may accompany such understandings?” The goal of this chapter is to build the framework of ‘militarised post-conflict statebuilding’, which can be used to locate South Sudan’s experiences of statebuilding and violence within, and may speak to cases beyond South Sudan. In order to do so, three broad approaches to understanding statebuilding will be covered in turn, with special attention dedicated to how – if at all – these approaches link statebuilding processes to violence. To uncover these sometimes hidden or implicit linkages, a series of sub-questions will be applied to each approach, to tease out any relationship between statebuilding and violence that has been identified within each intellectual tradition, and unpack the assumptions which accompany each approach:

- 1) Do these approaches identify a relationship between statebuilding and violence and, if so, what sort of relationship is outlined?
- 2) What assumptions about how a state ought to function are present in this approach?
- 3) Is violence presented as being productive or unproductive of state power?

With regards to violence, the focus will be upon *physical* violence, unless otherwise stated. Whilst theories of structural violence can be insightful, they can also distract from or derail attention from the central objects of enquiry; in this case, physical force and coercion. Insofar as the framework of structural violence is helpful to explaining physical violence, it will be considered, but structural violence is not the central object of enquiry for this study, nor for the majority of authors covered in this chapter.

We first provide an account and critical assessment of how liberal writers have understood the relationship between statebuilding and violence. To begin, we consider how liberals have perceived and understood civil war violence. From here, we investigate the statebuilding rationale provided by liberal authors, and consider why statebuilding is rarely discussed in relation to violence. Finally, we will consider how liberal perspectives have understood the productive potential of violence. A number of criticisms of liberal perspectives will be made, and three broader issues will be identified. Firstly, civil war violence is understood to have largely negative consequences, and is entropic in character. Violence works to dissolve state structures, and is unlikely to assist in purifying or reforming these state structures when hostilities have come to an end. Secondly, liberal writers have a shared understanding of the arc or transition of conflict, whereby a country moves between conditions of ‘war’ to conditions of ‘peace’. Violence, in this reading, could

not easily coexist with ‘peace’. Thirdly, and despite the dichotomous framing of the forces of ‘war’ and violence as being antagonistic to those of statebuilding and ‘peace’, violence is not deemed to be wholly unproductive when external actors employ or organise it through intervention. *Internal* violence, on the other hand, and the actors associated with it, lacks this productive potential. The liberal perspective ultimately provides infertile ground for tracing the linkages between statebuilding and violence.

Next, we engage with realist perspectives on the relationship between statebuilding and violence. This will begin by unpacking the concept of the ‘failed state’ that realist scholarship has employed to comprehend disorder and violence in the global South, and justify corrective statebuilding policies. This reveals some limitations in the way realists have characterised the state, but is primarily used to set up an account of how realists believe the condition of state failure can be overcome. From here, we explore these prescriptions, determining that advocates of ‘autonomous recovery’ (Weinstein, 2005) and ‘giving war a chance’ (Luttwak, 1999) present a relatively clear (and, at times, surprisingly nuanced) account of the relationship between statebuilding and violence. Finally, a critical assessment of realist claims is undertaken, which highlights the strengths and weaknesses that accompany the realist approach.

We then move on to assess critical perspectives on violence and statebuilding, starting with political economy accounts of civil war, focusing on the work of Cramer (2006). This analysis of violence, it is argued, helps to clarify some of the dynamics of civil war violence absent from realist explanations, and is well-positioned to explore the linkages between ‘external’ and ‘internal’ interests, agendas and processes. Next, we turn to theories of the ‘local’ and ‘everyday’, associated foremost with Richmond and Mac Ginty. It will be argued that, despite their normative appeal, such theories suffer from a number of misleading exaggerations, which call into question the utility of basing analysis around these ideas. Finally, we consider the political sociology approach to studying violence, statebuilding, and non-state orders of violence, associated with Bliesseman de Guevara and Bakonyi (2009). Despite certain strengths to this approach, it suffers from similar problems to those of Richmond and Mac Ginty, coupled with an overly-ambitious and impractical framework.

Lastly, and building on the critical assessment of the various approaches to understanding statebuilding and violence, the chapter will conclude by making the case for incorporating the concepts of *militarism* and *militarisation* into the investigation of statebuilding and violence, and outlining a framework of *militarised post-conflict statebuilding*. Using a sociological conception of militarism, this framework captures the ways in which a post-conflict statebuilding process may be driving and entrenching militarism in society, rather than violence *per se*. This introduces new analytical possibilities, whilst enabling certain binaries and problems haunting the study of violence and statebuilding to be overcome. This framework will be elaborated through outlining the forms and indicators of militarism detectable in recent South Sudanese history, allowing us to trace the expansion

or recession of militarism in South Sudan following the Comprehensive Peace Agreement which paved the way for its independence.

## Liberal statebuilding

### *Violence, civil war and the state*

It is helpful to understand liberal perspectives on statebuilding in conjunction with liberal accounts of conflict and civil war. Liberal debates on statebuilding have tended to present statebuilding as the end point of a trajectory, in which war-torn states are expected to make the transition from a chaotic condition of civil war, to an orderly and stable peace, which enables the resumption of development. It is this sequential conception of a ‘war-to-peace transition’ that represents the core of the liberal understanding of how violence and statebuilding may relate to one another.

Across the spectrum, war is understood as an aberration from the idealised path that states in the global South are expected to take. The expression “war is development in reverse” is recurrent in liberal accounts of statebuilding, either explicitly (e.g. Call, 2008: 2) or implicitly (e.g. Paris and Sisk, 2009; Sisk, 2013: Chapter 2). As well as amounting to an impediment to development, violence is consistently presented as a ‘problem’: its destructive potential far outweighs any productive properties violence may possess. Sisk’s (2013: chapter 2) overview of the causes of civil war and state ‘fragility’ is probably the most comprehensive effort at outlining liberal understandings of violence and statebuilding in an intellectual climate that has moved past the Greed and Grievance debate, and is no longer able to orient itself around a simple, binaric theory of conflict. The picture that emerges here is indecisive and non-committal about the causes of civil wars, and almost paralysed by the complexity and the multiple drivers of conflict operating at different levels of analysis (e.g. sub-state, national, and international). However, the account gradually converges on the culprit of civil war violence in developing nations: the state, and the elites that seek to capture it. The state is viewed as a potential source of conflict before and during the civil war that preceded statebuilding, either through its avaricious practices that are pursued in the context of an illiberal political system which excludes sensible and progressive forces, or through its status as a ‘prize’ to be captured by actors prepared to violently seize control of it from its current rulers. Predatory and unaccountable leadership – often guided by a determination to utilise the state to enhance personnel political and economic power, and realised through carving parallel structures that bypass official state institutions - are deemed to be the crucial indicators of a state’s likelihood to experience mass violence (*ibid.*: 24-26). Although there is some acknowledgment that inequality (presided over by the state) is a factor in spurring civil wars, this is only to the extent that elites who have acquired control of the states’ institutions are selectively and unevenly allocating resources. In this sense, the current liberal account of conflict is far closer to the work of Reno (1998) than of Collier (2000), with its emphasis on rationality, parallel

structures, elite bargaining, and state predation. To this we might add that liberal writings implicitly rest upon certain conclusions of the ‘New Wars’ thesis; namely that intra-state warfare has become increasingly apolitical since the end of the Cold War, to the point where centrifugal dynamics that have taken hold in certain civil wars are taken as evidence that violence dismantles institutions and formal political structures, and this may be both a consequence and goal of the war-fighting practices of armed actors (see Kaldor, 1999).

In sum, whilst conflict may stem from multiple causes, violence is understood to be largely uni-directional and entropic, and is held to dissolve existing political and economic infrastructures and systems, or else ‘warp’ their trajectory. Accordingly, statebuilding is expected to *manage* cycles of violence, which is – by virtue of the liberal account of conflict – unresolved, *pre-existing* violence from the civil war that necessitated statebuilding (Sisk, 2013: 35). We now turn our attention to liberal understandings of statebuilding, and how such an understanding may relate to violence.

### *Sequences of violence and statebuilding*

Although the liberal understanding of statebuilding has come to represent the conventional model - and by default the model that critical accounts are pitched against – it is important to recognise that liberal accounts of the necessity of statebuilding has certain overlaps with realist views on statebuilding (see below). The two positions converge upon the belief that statebuilding is primarily concerned with the (re)creation of *institutions* in countries that lack a commonly accepted set of viable and functional institutions. These institutions are, in turn, expected to regulate disorder. The necessity for this stems from a particular reading of externally-led peacekeeping – and later, peacebuilding – missions from the late 1980s onwards:

Implementing peace agreements in places like Bosnia... underscored how important developing a viable state was for consolidating peace – and for enabling international troops to depart. Other factors – such as the spectre of weak or “failed” states engaged in terrorism and the development community’s emphasis on the institutional foundations for sustainable development – also brought the state and statebuilding to the fore of policy discussions. (Call, 2008: 2)

This is based on a contention that the central reason for several high-profile relapses into conflict was the continued existence of a certain type of state in such countries, namely a state which is judged to be ‘weak’ in its design, functioning, and territorial coverage: “[t]he weakness of state institutions proved elemental in poor outcomes of the peace processes in Liberia, Sierra Leone, Haiti, and the Democratic Republic of Congo” (*ibid.* 12). However, it is not merely the presence of such a state that is responsible for a return to large-scale violence, but also misguided attempts at redesigning or reforming these state institutions (largely under the supervision of external actors) that can explain the turbulence of post-conflict politics. In particular, the tendency of interveners to encourage an ‘opening’ of political and economic space in post-conflict countries, through policies of democratization

and economic liberalisation, was identified as increasing the likelihood of renewed conflict and disorder, without a sound framework of ‘strong’ institutions to structure and facilitate a gradual transition to a liberal order (Paris, 2004).

What does this tell us about liberal understandings of statebuilding and violence? First, liberal writers have viewed statebuilding as an ‘antidote’ to recurrent instability and cycles of violence. Although this conception may be informed by a certain reading of peacebuilding failures that followed the twilight years of the Cold War, it is arguably connected to a liberal understanding of the causes of civil war, which directs attention to the potential for an unaccountable, inefficient and corrupt state to cultivate conflict. This feeds into the objective of creating not just self-sustaining and viable states, but states also inscribed with the virtues of ‘good governance’. The overarching notion here is that post-conflict statebuilding – if correctly implemented – bequeaths a set of institutions to a host country that have the qualities of permanence and stability, and allow for a more inclusive political space. There may be modifications or adjustments to the institutional composition of the bequeathed state, but this is expected to be dealt with through ‘peaceful’ means, rather than through violence.

Second, whilst there is an acknowledgement that policies inspired by liberalism have the potential to disrupt the social fabric of a post-conflict country, these policies are not themselves subject to much revision or reflection. Policies and institutional frameworks derived from liberal principles are not identified as directly causing conflict; rather, it is the internal fragility or weakness of the society in question – and the political deviance of its elites – that generates conflict. As such, a deceleration of transformative, liberal policies is advocated, as the act of statebuilding is expected to bestow ‘resilience’ upon the society undergoing transformation.

Third, external actors are deemed – in most cases, at least – as being crucial to realising the vision of peace encoded in the liberal reading of peace- and statebuilding. As Sisk (2013: 7) argues, externally-supported statebuilding “expedites” and “shapes” otherwise largely “internal” processes. But importantly, the goal of statebuilding is not only to build a ‘viable’ and ‘self-sustaining’ state, one which allows international actors and resources to vacate the host society after a “consolidated” peace takes hold. As will be discussed below, external intervention may be required to build such state institutions, not simply due to the high material cost of doing so, but because – left to their own devices – political forces in a post-conflict society may reconstruct the same type of ‘weak’ state that caused conflict in the first place.

Whilst liberal understandings of statebuilding appear to be guided by the belief that (largely ‘internal’) violence can be, in effect, *tamed* through statebuilding, the central concern of most liberal writers is to realise ‘peace’. Earlier works on statebuilding posed the central question of inquiry as being “the state and its relationship to peace” (Call, 2008: 2). Tellingly, this is not framed in terms of violence, or the potential for statebuilding to be associated with an increase or concentration of violence. This tendency to speak of statebuilding and peace in the same breath, but not statebuilding and violence, reflects the



sequential understanding of how war progresses to peace shared by liberal writers. The conception of peace, which statebuilding is presented as a possible contributor to, is rarely made explicit, but seems to refer to both the absence of physical violence, and the return to 'normal' economic development. However, it is difficult to see how violence that occurs during 'peacetime' can be conceptually associated with this understanding of war-to-peace transitions: by dint of the sequential war-to-peace transition envisaged by liberals, it would not seem that violence and peace could coexist.

This appears to be the by-product of linear conceptions of both violence and statebuilding within liberal thought. Violence uniformly dissolves and weakens political structures, whilst statebuilding attempts to repair, strengthen and develop them, whatever difficulties the statebuilding process may run into. This is not to say that liberals are oblivious to violence that occurs during statebuilding – recent literature has begun to acknowledge the phenomenon of post-conflict violence (e.g. Sisk, 2013: 32). But this violence is rarely related to statebuilding.

### *The productivity of violence*

The final dimension of the liberal account of the relationship between violence and statebuilding concerns the productive potential of violence. Given that liberals tend to view violence as entropic, and therefore antithetical to building institutions, it would appear as though violence could not have any productive properties. The qualification here is that the liberal account of civil war apports culpability for violence to the 'weak' or poorly governed states, implying that only certain figurations and expressions of state power produce violence within unstable polities in the global South. This qualification is important to unpacking the liberal understanding of the productivity of violence, and in particular, how so-called 'internal' violence serves little productive purpose, but violence (or the threat of violence) emanating from or managed by external actors engaged in peace- and statebuilding interventions has the potential to contribute to positive outcomes.

Part of the liberal justification for statebuilding is not just its perceived necessity to prevent recurrent warfare, but also a belief that a political order based on customary or 'local' power structures is likely to be inherently unstable (Call, 2008: 365-66). Paris and Sisk (2009) assert that for a country to complete a war-to-peace transition, three simultaneous processes are expected to occur. First, a "social transition" (vaguely described as a war to peace transition); second, a political transition from a war-time government (or the outright absence of government, in extreme cases) to an unspecified "post-war government"; and thirdly, an economic transition "from war-warped accumulation and distribution to equitable, transparent postwar development that in turn reinforces peace" (2009: 4). Whatever the merits of this disaggregation of the overarching 'war-to-peace' transition, the account of the economic transition reveals a distrust of local power within liberal thinking. Local armed actors are perceived as having acquired deviant forms of economic power through practices of warlordism and predation, and rectifying these

distortions is taken to be crucial for returning a country to a more pacific path. Warlords present obstacles to this process, and their ill-gotten gains made during war-time are not understood to be productive, but to “warp” the post-conflict political economy. This distrust of ‘local’ power is shared by Sisk (2013: 9-10), who presents local actors and armed groups in post-conflict societies as being unavoidably necessary to the statebuilding processes to avoid further violence or ‘spoiler’ tactics, despite their potential for venal, incompetent and predatory behaviour when in formal office. Call notes how “...the predominant approaches to peacebuilding, humanitarian aid, and development have long neglected institutionalization of state agencies precisely because those agencies are deficient and thus obstacles to effective outcomes” (Call, 2008: 8). However, external engagement with the actors occupying institutions in the post-conflict state is necessary to propel the transition to peace, and to prevent a ‘weak’ state sowing the seeds for another round of civil war.

Beyond this distrust of impure local power and a reluctant acceptance of the need to engage with such power, there is a belief among certain thinkers that customary societal structures may not withstand the transformative forces of a war-to-peace transition:

Although the old and the new may blend into new hybrid forms of political and social organisation, they often generate conflicts and transformational tensions that are not uncommon in developing societies undergoing rapid change. These can serve as a dangerous source of destabilization in the particularly fragile conditions of countries just emerging from civil wars. (Paris and Sisk, 2009: 306)

Taken together with the distrust of local actors, however, and it appears as though the preference for liberal statebuilders is to bypass corrupt and predatory local political actors, and assist the civilian population of a post-conflict society on their path to peace and development. However, as mentioned, the apparent failure of peacebuilding missions from the 1990s suggests that engaging with local power is an unfortunate necessity. The understanding of progress and transition embedded within liberal statebuilding thinking, as Jahn (2007a; 2007b) notes, contains explicit parallels with those posited by modernisation theory of the 1960s and 70s, and may generate a dynamic of ever-deepening engagement by international actors to realise their vision of development and peace, and a corresponding resistance from local actors.

Behind this, there is a not-so subtle distinction being made when the productive dimensions to violence are considered. ‘Internal’ violence has little, if any, productive potential. Yet externally organised or implemented violence may be vital, in the liberal reading, to ensuring that a ‘fragile’ society progresses towards peace and development, and that corrupt local actors do not sabotage this progress. To be clear, external actors would not necessarily need to employ violence or ‘enforce’ the peace, but their ability to marshal resources, and preside over institutions capable of using violence for productive purposes (including international peacekeepers, military forces or police) or exert leverage over the security institutions of the host country, constitute valid and effective means of creating stable institutions in post-conflict societies. The allies of external actors in this endeavour

are the local (civilian) population, and a romanticised civil society. The obstacles would be recalcitrant, self-interested political forces that have come to occupy positions of power in the post-conflict order.

### *Conclusions*

Liberal thinking on statebuilding has come to represent the orthodox perspective, but there are serious inadequacies with the liberal account of the relationship between statebuilding and violence. The tendency among liberal authors to view conflict and violence as being largely internal to a society comes at the expense of considering the regional and international dynamics of conflict (e.g. Paris and Sisk, 2009: 305), including the effects of colonialism for structuring 'weak' states, support for proxy groups in conflict zones by external actors, and global economic power relations and structures that may be involved in producing or sustaining conflict. Moreover, the assumption that 'internal' violence is both deviant and destructive discounts the possibility that violence may forge (illiberal) political and economic structures that may be a measure more representative, stable and adaptive than externally imposed ones. And in contexts where the structures that emerge from war are none of those things, analyses and explanations as to why this is the case is inevitably restricted by the preconceptions embedded in the liberal approach. Importantly, in the process of writing out the potentially productive aspects of 'internal' violence, whilst legitimising the productive possibilities of external intervention, liberal accounts of war-to-peace transitions serve to set up conflict-affected societies for various forms of external intervention, whilst simultaneously ignoring how external actors and processes may have actually helped foster the conditions which resulted in war to begin with, or else helped to prolong it. These problems are situated in, or perhaps derive from, a simplistic and confused account of civil war dynamics; a crude analytical distinction which separates war from peace, and presents post-conflict statebuilding as the vehicle between these two conditions; and a questionable conviction that external intervention and force can counteract harmful and avaricious local forces, which itself rests on a binary which organises the local population into 'civilians' on the one hand, and rebels, warlords and militaries on the other.

## Realism, Disorder and Violence

### *Disorder and state failure*

Almost without exception, the starting point for a realist analysis of civil war, violence, and statebuilding is the concept of the 'failed state'. As Lake asserts:

Any theory of state-building must begin with a definition of state failure and, before that, a conception of the state. One cannot prescribe an effective

“treatment” for a sick patient before diagnosing what brought him to death’s door. Similarly, we cannot build a state until we know what led it to fail. (2007: 5)

Although the failed states concept - and its corresponding discourse - has fallen out of academic favour in recent years following sustained criticism from multiple vantage points, unpacking the realist perspective on statebuilding and violence requires outlining the core assumptions of the concept, and the framework for explaining violence that derives from this concept. Moreover, whilst it is increasingly rare to encounter talk of ‘state failure’ in the statements and policy documents of key northern powers, its legacy can be found in the successor concept of the ‘fragile state’, which bears many of the hallmarks of the failed states discourse. Therefore, the concept remains relevant to understanding how territories exhibiting signs of chronic violence or lawlessness are imagined and perceived by Northern actors and institutions.

The concept of the failed state was first introduced by Helman and Ratner in the article *Saving Failed States* (1992/93), but arguably has its lineage in Jackson and Rosberg’s earlier (1982) distinction between ‘empirical’ and ‘juridical’ states. Surveying a range of post-Cold War conflicts, Helman and Ratner identified a troubling new trend in the international system: “the failed nation-state, utterly incapable of sustaining itself as a member of the international community” (1992/93: 2). The ‘failure’ of the state manifested itself in civil war and internal strife; in harsh economic conditions; and in the erosion of the governing capacity of the state. Furthermore, whilst the debilitating costs of state failure are largely carried by the populations of these countries, the dangers of contagion and ‘spill over’ effects have the potential to impose these problems upon neighbouring countries (*ibid.* 8).

Such (primarily) descriptive accounts of failed states would continue throughout the 1990s, in the work of authors such as Zartman (1995). Gradually, and following the equation of failed states with ‘ungoverned spaces’ and ‘terrorist havens’ by Northern powers in the aftermath of 9/11, a more concerted effort was made to elucidate the notion of a ‘failed state’, and describe its dynamics. This signified a shift from approaching failed states primarily in relation to the suffering of those directly affected by the consequences of so-called ‘failure’, towards an emphasis on the regional and international security implications of collapsed or dysfunctional states (Fukuyama, 2004; Rotberg, 2004: 41-42; see also Bøas and Jennings, 2005).

One of the more developed accounts of the dynamics of state failure that emerged from this period came from Rotberg (2004), who made headway into the question of how states were expected to function, and established a hierarchy of priorities that were required to ensure the continued reproduction of statehood. At their essence, states exist “to provide a decentralized method of delivering political (public) goods to persons living within designated parameters (borders)” (*ibid.* 2). There are multiple goods a state can be expected to provide, though they are not all - according to Rotberg - equally important. Instead, they can be ordered hierarchically, with the provision of security foremost amongst these goods. The ability to tackle threats such as internal or external armed

aggression and widespread crime, along with providing outlets for disputes between citizens and the state to be resolved without recourse to violence, is deemed a prerequisite for the provision of other political goods (*ibid*: 3). Beneath security, other important political goods include the rule of law (taken by Rotberg to comprise an enforceable body of law, the upholding of property and contractual rights and obligations, and an effective judiciary) and the rights of citizens to engage freely in democratic politics and compete for office, in a context of tolerance, legitimate state institutions, and respect for civil and human rights. Finally, social and economic services including healthcare, education, public infrastructure, communication networks and banking institutions should either be provided by the state, or in some cases exist in a privatized form under the regulatory supervision of the relevant state authorities.

States can then be 'classified' according to the levels of public goods they provide, from 'strong' to 'weak'. A 'failed' state, however, is "tense, deeply conflicted, dangerous, and contested bitterly by warring factions" (*ibid*: 5). Such states feature chronic insecurity across significant portions of their territory, in which multiple armed factions may be expected to take up arms against the state. It is through this inability to provide security across much of the territory that the provision of secondary public goods is jeopardised, imposing additional hardship upon citizens. Infrastructure, health and educational services atrophy or enter into informal ownership in much of the country, whilst increasing street-level crime and corruption within the compromised state institutions further the misery for the civilian population. A loss of legitimacy can accompany (or precede) state failure, as "[t]he state increasingly comes to be perceived as being owned by an exclusive class or group... The social contract that binds inhabitants to an overarching polity becomes breached" (*ibid*: 9). The corollary of this analysis is to identify methods of reversing the slide towards insecurity and anarchy, which enables the restoration of secondary political goods in the state in question. This, in a nutshell, is the realist conception of statebuilding, and the problems it is expected to confront.

What then, might this tell us about the realist understanding of statebuilding and violence? First, the conception of the state in realist analysis is uncritically informed by an understanding of the state drawn from Western experiences. One consequence of this approach is that 'failed' states risk being defined by something they are not, rather than what they are, and with little effort made to determine who or what has been 'failed' by failing states (see Hill, 2005; Bøas and Jennings, 2005, 2007). Second, the key concern of realist scholarship is that of 'security', with insecurity taken to follow from internal disorder or anarchy. Third, the more developed account of Rotberg is agnostic on the productive potential of violence with regards to establishing a political order. Whilst violence – of differing degrees of organisation – is likely to be both a cause and a consequence of state failure, the use of violence as a solution to state failure is not ruled out in such a framework. Lastly, and relatedly, the kind of violence that may be necessary to overcome conditions of failure may be internally or externally-led.

*Establishing congruence*

It is through exploring the apparent ‘solutions’ to state failure that a more precise account of how violence and statebuilding may relate to each other within a realist framework becomes apparent. There is a tendency for realists to diverge into one of two camps here. The first strand argues for a sustained and intensive international intervention in failed states (e.g. Helman and Ratner, 1992/3; Fukuyama, 2004; Krasner, 2004; Lake, 2007), whilst the second recommends a “positive disengagement” (Kahler, 2009) from societies experiencing certain patterns of violence (e.g. Herbst, 1996, 2004; Luttwak, 1999; Weinstein, 2005).

The idea that external actors should take an assertive and interventionist posture in cases of state failure was initially advocated by Helman and Ratner (1992/3). The authors plead for the United Nations to undertake "nation saving responsibilities", and relax the legal concept of sovereignty to allow for more extensive intervention in failed states, in order to "save them from self-destruction" (*ibid.* 12). The extent of intervention in a given country would depend upon the severity of its 'failure', with 'failing states' subject to "governance assistance" programs, whereby the UN bolster the capacity of the state through assigning specialists to work alongside government departments. Such assistance may be directed towards altering the political structures and processes to ensure the long-term survival of the state, whilst simultaneously promoting democratic institutions and assist the building of a 'civil society' (*ibid.* 13-14). For the most severe cases of state failure, 'trusteeships' administered by the UN would be necessary, with echoes of the transitional governments employed by the international community to oversee decolonisation. Here, the UN would assume *all* governing functions of a state. Such extreme intervention should be voluntarily accepted by the state in question, who would retain no powers of veto over UN decisions.

In contrast to these arguments, a number of realist authors have called for international actors to refrain from intervening in conflict and post-conflict contexts, when circumstances suggest a more legitimate order could be realised through ‘giving war a chance’ (Luttwak, 1999). In this argument, the restoration of political order does not need to surface in the form of a state, even if this is the preferred outcome, and ‘autonomous recovery’ is seen as a possible route to establishing a legitimate social order:

[W]hile external intervention offers the possibility of stopping mass killing in the short-term, it may stunt processes of internal, institutional change that warfare reflects. Autonomous recovery elevates strong leaders who are able to secure the resources necessary to win wars and have the power to implement far-reaching policy reforms, but it favors strong fighters who tend not to embrace power-sharing arrangements of the type favored by international actors. (Weinstein, 2005: 5)

The rationale for such ‘positive disengagement’ is statistical evidence that suggests that conflicts ending in a decisive military victory by one party are more likely to produce a

lasting peace, compared with conflicts that are brought to a halt by external peacemaking and intervention. This is, in part, because “intervention serves to freeze unstable distributions of power and to provide a respite from hostilities for groups that are intent on continuing the conflict when the international community departs.” (*ibid.* 9). Here, war is conceived as a mechanism for testing the endurance and commitment of warring parties, and their ability to translate this commitment into an exclusive control of territory: “It places competing claims to sovereignty in direct conflict with one another and relies on the process of war-making to separate out those groups that can mobilize resources from those incapable of turning rhetorical claims into power” (*ibid.* 11).

Drawing from historical sociology accounts, Weinstein argues that war can be a productive process, and “generates incentives for rulers to secure the consent of the governed and build representative institutions” (*ibid.* 13). Seen this way, war-making is not relentlessly destructive, but involves actively securing both consent and support from rival groups, as well as the civilian population. Such a view is broadly shared by Herbst (2004), who calls not just for a disengagement by international actors (where appropriate), but a “decertification” of states that demonstrably fail to provide political goods to their populations. For Herbst, post-conflict statebuilding has a logic that does not work alongside the logic of state failure, that, it is claimed, creates *congruence* between interests (which could include economic interests, or preferences for a reorganisation of the state to take into account ethnic or religious diversity) and stable outcomes, provided conflict is allowed to play out.

This reading of war and statebuilding rests on an understanding that violence is a means to an end, but crucially, it must be conjoined with elements of reconciliation. This reconciliation need not be of the kind envisaged by peacebuilding practitioners, but could also occur through a convergence of interests between the ruled and their rulers, as skilful armed groups build bridges in the process of fighting.

Arguably, it is the latter of the two approaches to reversing ‘state failure’ that is the definitive, and more persuasive, realist understanding of the relationship between state building and violence. Although both approaches seek the establishment of a stable order, the former is far closer to the transformational project advocated by liberal statebuilders, even if it is articulated through a more muscular vernacular that places a greater degree of emphasis upon security and order. Where these two realist approaches differ, however, is in their normative preferences for this order to manifest itself in the form of a state. The former, interventionist approach can be characterised as ‘statebuilding at any cost’. The imperative of both international and local security dictates that a state must be restored, and that external management of this restoration process will often be unavoidable. However, the latter approach is more attentive to the realities of how conflict produces order; war and violence are recognised as creating a congruence between rulers and ruled which results in a lasting stability and legitimacy. The former approach, by contrast, rests on the belief that the general application of violence (or the threat of violence) by a powerful actor – including external militaries – is capable of suppressing chronic violence

and insecurity. Such an application of force, however, amounts to an artificial attempt at curating a convergence of interests, which may have the effect of reproducing or perpetuating conditions of conflict.

In theory, there is nothing within the latter approach to ‘autonomous recovery’ which says that the key political units need to be states, or aspire (in the short term, at least) to achieving statehood. Indeed, some realist scholarship on conflict and violence has made advances to recognise the existence of alternative units of analysis, be they termed “states-within-states” (Kingston and Spears, 2004) or “autonomous political entities” (Lemke, 2011). Arguably, detaching political order exclusively from the state enriches the analysis of the relationship between statebuilding and violence, as different actors with state-like attributes can be considered alongside one another, and the effects of international statebuilders willingness to recognise the existence of such entities (and perhaps privilege one of these actors above all others, or encourage a blending of different entities) can add an additional layer to the appreciation of how statebuilding and violence may relate to each other. This facilitates the move away from treating violence as a purely negative and destructive force, towards recognising its productive potential, and how the existence of multiple productive projects within the same geographical area or territory may generate friction, cooperation, or further violence.

### *Critical assessment*

Taking the ‘autonomous recovery’ realist explanation of the connection between statebuilding and violence as our basis for discussion, we shall now discuss some of the merits (and demerits) of the relationship presented by realists. Although a number of welcome insights are offered by realist analysis, there are several problems constraining this account. However, some of these problematic aspects may themselves indicate a direction for the further study of statebuilding and violence.

One major advantage of realist analysis, at least compared to liberal perspectives, is the way violence is approached without much normative baggage. Realist scholars appear attentive to the costs of violence, and do not seem to romanticise its use, but are open to the possibility that in specific circumstances, it can be a force of creativity and construction. In addition, certain instances and forms of violence can also be understood as a means of resistance against unjust or exploitative expressions of power. That violence is not precluded from being understood as being productive of political power (be that power rooted in state structures, or alternative political structures), or a valid means of resisting rival attempts at producing power, allows for a more open discussion of violence in relation to statebuilding, even if few realists take up this offer.

The second welcome insight of realist accounts is the notion that the character of violence needs to be taken more seriously. In particular, the recognition that in order for violence to be successful as a means of pursuing a political goal, reconciliation, concessions and overtures to opponents and potential supporters will likely be made, yields a more



nuanced account of the interaction between commonly accepted institutions, and the employment of violence. This draws attention to the importance of *consent* in statebuilding, at least among former belligerents.

Yet, despite some promise, the realist account of statebuilding and violence has a number of issues that inhibit its explanatory potential. Some of the problems that accompany the realist account are similar to those found in liberal approaches, albeit for slightly different reasons. Indeed, despite different preferences for which concepts to use, and distinctive ways of expressing their arguments, arguably the crucial differentiator between liberal and realist authors often boils down to the question of whether external intervention is helpful or necessary to resolve civil war, or not.

The first issue with the realist position outlined above is a logical problem present within the ‘give war a chance’ argument. In this argument, it is claimed that by allowing war to take its ‘natural’ course in certain circumstances, would-be interveners are actually facilitating the transition to a stable and peaceful order within a war-torn territory, or permitting a necessary re-ordering of the state (including secession, or a restructuring of relations between the different constituent parts of a state). Now, this argument only makes sense when civil wars are understood to be more-or-less exclusively *internal* conflicts, with causes and dynamics that are insulated from outside interference. This denies the reality that conflicts are shaped (directly and indirectly) by international actors and processes, whilst also denying agency to the belligerents, and their ability to forge relations with external political and economic actors (e.g. armed groups in Colombia, see Gutierrez-Sanin, 2008), and participate in illicit commercial networks that may have already existed prior to the conflict (e.g. illicit networks in north-west Africa and armed groups in Mali, see Boas, 2012). If many conflicts are already regionalised or internationalised in some way, then they are in any case subject to the distorting effects (and interests) of external involvement, which may also have a bearing on the structure and stability of the post-conflict society. It may well be the case that external mediators and peacekeeping forces *do* promote a peace that is unlikely to hold, or engage in peace- and statebuilding practices that make a relapse into conflict more likely, but this is not demonstrated in the argument.

The second issue of concern is a lack of specificity regarding which types and forms of violence may be productive of political order, and which types are less likely to lead to durable order or dispensation, and produce disorder and ‘failure’ instead. This is largely a consequence of the extremely basic analytical direction provided by the ‘failed state’ concept. As well as being normatively loaded with preconceptions as to how states should function, the concept is unhelpfully vague and impressionistic in its accounts of the precise forces and dynamics that create or perpetuate ‘failure’, and appears to discount interests (be they ‘internal’ or ‘external’ to the conflict) that have an interest in continued warfare. Without this precision, violence appears almost *accidental* in this model; the by-product of some mysterious force, which ripples indiscriminately across a territory until harnessed for productive ends. This masks violence which is very deliberately targeted or

directed to achieving political goals, including violence that is meant to appear chaotic (see Keen, 2008).

## Critical Approaches to Statebuilding and Violence

Within the past two decades, there has been a gradual rise in 'critical' accounts of the relationship between conflict, security and development, often pitched in opposition to essentialist or reductionist accounts of post-Cold War intrastate conflicts. This process began with reassessments of the received wisdom or problematic analyses inherent to much of the mainstream literature by authors working in the political economy tradition (e.g. Duffield, 2001; Berdal and Keen, 1997; Reno, 1998; Nordstrom, 2004), and has more recently culminated into a critique of the 'liberal peace' from an assortment of perspectives, which have tended to focus upon the potential for resolving conflicts through concentrating analysis on the 'local', 'everyday', and resistance (e.g. Mac Ginty, 2011; Richmond, 2009; Autessere, 2010). Arguably, the shift in what has come to be known as 'critical', and the accumulation of new approaches (from Marxian to post-colonial, among many others) that have been automatically lumped into the 'critical' category, speaks to the fact that the term is losing coherence, and has begun to splinter into a variety of quite distinctive bodies of literature and debates. We will survey, in turn, three of the most relevant theories to our guiding questions in this section: the political economy approach of Cramer, the 'local' and the 'everyday' associated foremost with Mac Ginty and Richmond, and Bliesemann de Guevara and Bakonyi's 'Mosaic of Violence'.

### *The political economy of state formation and war*

One of the strongest critiques of post-Cold War accounts of violence in the global South, and the methods such accounts rest upon, is found in the work of Cramer (2006). Surveying the history of war finance in Western Europe and North America, Cramer argues that war is also a driver for the formation of states, and challenges the notion that state intervention in the economy is necessarily 'bad' for development. The insights offered in his account are welcome, but appear to have been prematurely forgotten by more recent critical authors.

In an argument which draws from the work of Charles Tilly, Cramer claims that "[m]uch of the institutional apparatus of modern government and economic management has its origins in [the] compulsion to finance wars" (*ibid.*: 178). This process can be largely traced to the increasing technological sophistication of interstate warfare, combined with the trend by government rulers to strengthen and consolidate power within emergent states. These activities placed significant financial pressures upon the early 'statelets' of Europe. In the cases of Britain and the United States, 'internal' (and for Britain, 'external') conflicts prompted the formation of taxation and monetary institutions to finance warfare and state consolidation. This gradually foisted new political and economic relationships

between classes and the state, as governments renegotiated existing relationships between the nobles, peasantry, merchants and emergent capitalist classes. However, taxation was politically problematic, and tended to be insufficient to fund state formation and warfare. This compelled states to pay for war through credit, initially borrowing from international networks and later developing domestic sources of credit. These processes would assist in the establishment of capitalism in the emergent states of the West (*ibid.*: 179-186; 211-215).

What sets apart Cramer's work from that of Tilly is his attempt to combine historical insights and narrative with a theory of violence, based upon transitions between economic and political systems, and the accumulation of capital:

[T]he accumulation of know-how and wealth [developed during] war may, as an unintended consequence, contribute to the formation of capitalist classes compelled to invest in their own economies; for war finance methods like these represent a classic case of what Marx called 'primitive accumulation' - that accumulation of capital occurring at the foundation of and as one precondition for latest capital development (*ibid.*: 196-97)

The theory is expressed through a metaphor based upon the double helix structure of DNA. Without the aid of visual imagery, this theory can be explained as operating on a distinction between developing countries and the economic and social transformations that are underway within them on the one hand, and the interests of advanced capitalist countries and enterprises on the other. These two 'strands' are separated by the productivity gap between developing and developed countries, accounting for the 'lateness' of developing economies. Cramer raises the possibility that a general theory of conflict is unattainable by noting the diverse forms of conflict throughout the world, and the inability of recent explanations to accurately capture the causes and drivers of civil war when subjected to case-specific historical scrutiny. Cramer thus attempts to capture this diversity and apparent heterogeneity in the 'bars' that connect the two strands of developed and developing economies. These bars include some of the issues, institutions and processes that are sometimes singled out as being of significant to understanding contemporary civil war, such as 'commodity markets', 'history', 'ideas, ideals and norms', 'IMF and World bank conditionality loans' and 'regional spillover effects' (*ibid.*: 200-201).

Underpinning this is the role 'transitions' play in driving conflict. These transitions can be gradual or abrupt, and denote "the immense upheaval of a society's shift from one prevailing and largely accepted form of social, economic, political and institutional organisation to another" (*ibid.*). Transitions are, according to Cramer, generally violent, and underlying his theory of conflict is the argument that for the most part "the principal sources of violent conflict lie in the structural, relational and institutional tensions of particular transitions" (*ibid.*: 244). This is due to a combination of factors: first, traditional institutions that regulated social conflict may be unable to contain or resolve new forms of social conflict. Second, when a changing social system has yet to settle into a rigid form, actors compete to attain a social position within it. Third, transitions may draw upon traditions of violence within a society, and invite "specialists" in violence to take charge

(*ibid.*: 215). Fourth, this violence is more likely to occur when an authority that monopolises the means of and exercise of force is missing. Fifth, existing principles and structures of power are in an (often violent) process of revision during transition, and finally, the "terms of accumulation and distribution of wealth and the institutions in which these terms are cast are contested", leading to the emergence of new classes forming around the changing social and economic order, whilst existing classes attempt to retain "accustomed sources of wealth and survival" (*ibid.*: 216).

Cramer stresses that using categories such as 'civil war' and 'state formation' can contort the true nature of present day conflicts through "encouraging a teleological projection" that assumes present day conflicts are "simply repeating now what European states underwent hundreds of years ago and, therefore, that the outcomes will doubtlessly be similar" (*ibid.*: 199-200). Instead, Cramer notes that the 'late' transitions to capitalism taking place in much of the global South are to *some extent* without precedent, and will not inevitably lead to liberal forms of ordering. This is, in part, because of the presence of more developed capitalist economies that seek to constrain protectionist and interventionist economic policies from being pursued by elites in the developing world, despite industrialised countries having used these very same policies themselves to initially develop their economies. Furthermore, developing countries face intensive competition from technologically developed industrialised societies. More broadly, Cramer observes that changing global political and ideological conditions make the economic and political transitions that are underway in 'late' developing countries distinct from earlier transitions, in part through the role of international financial institutions micro-managing and externally restructuring the economies of indebted nations, and also through the changes wrought by colonialism (*ibid.*: 230-31).

Cramer offers a confident articulation of how war and state power interact and oscillate, and how, at least historically, war has had productive role in forging state institutions and spreading this model across new territories. At the same time, this account is informed by compelling critical assessment of various tropes and deficiencies which have accompanied liberal and realist explanations of contemporary civil war violence, whilst – importantly – recognising that the contemporary violence and state formation occur in a markedly different context to historical state formation. Whilst Cramer's thesis remains among the most excellent of recent works on violence and the state, there are a handful of issues. Arguably, there is an over-reliance on the notion of 'unintended consequences' which permeates his framework. Without wishing to deny that unintended consequences occur, this can only take us so far before war – as well as the state – can appear to be almost accidental outcomes, rather than calculated ones. More precision would be welcome, particularly to cover instances of organised violence which is intended to create state-like structures in areas where they are missing, or where the state exists in a partial and/or illegitimate form. And finally, the major examples deployed in Cramer's work are the historical cases of the US and UK, and more contemporary examples of civil war and organised violence in former Portuguese colonies, namely Brazil, Angola and Mozambique. This is not to be scoffed at, and it would not be reasonable to expect a greater range of

cases in a work of already considerable scope. Nonetheless, a recognition that the ideas developed in Cramer's work have been primarily developed to speak to only a handful of societies, and may therefore have less applicability to contemporary cases of civil war in non-Portuguese colonies, is required.

*The local and everyday*

As international conflict management techniques appeared to converge around a set of increasingly intrusive and co-ordinated forms of intervention - emanating from a range of international organisations and states - the idea that a 'liberal peace' was being pursued began to take hold in critical literature on peace and conflict. This 'liberal peace' was said to amount to a concerted effort to reorganise post-conflict economies and politics along liberal lines (including liberalised markets, democratisation initiatives, and rule of law programmes to uphold property rights), whilst gradually accruing a security inflection in line with changing Western attitudes towards the 'dangers' of under-development, international terrorism, and the failed states discourse, which facilitated the eventual privileging of post-conflict statebuilding over post-conflict peacebuilding by many Western states (Duffield, 2001; see also Sabaratnam, 2011). In response to the rise of this so-called 'liberal peace', a number of authors – notably Mac Ginty and Richmond – have spearheaded a turn towards the 'local' and 'everyday', in the hope that through engaging marginalised groups (and the 'local' level more broadly) in societies subject to international intervention, new perspectives and practices with an emancipatory potential may emerge, correcting the limitations and problems of the 'liberal peace' whilst allowing societies to determine the kind of peace and conflict transformation they wish to experience. As well as making a normative case for incorporating the 'local' - derived from a blend of post-colonial, critical and resistance theories - it is hoped that this represents the basis for a practical alternative to existing peace- and statebuilding strategies, which have tended to reward unrepresentative local elites; sharpen socio-economic inequalities whilst providing new economic opportunities for elites and foreign investors; and done little to reduce violence or realise a 'positive peace' in post-conflict societies.

For Richmond (2014), internationally backed post-conflict statebuilding is effectively 'failed by design'. Ideas and templates of statebuilding derived from a selective reading of Western experiences of state formation are being imposed upon societies emerging from war by a range of Northern political centres, which have little understanding of the realities and needs of their inhabitants, nor of their complexities. This has failed to bring either a positive peace, or legitimate, stable states, whilst prompting acts of resistance to statebuilding by a variety of marginalised (as well as state) actors. In place of this, Richmond suggests that a locally-determined and negotiated form of peace backed by an agenda of 'peace formation' can unleash transformative and emancipatory change, and rises from the local to the global. Mac Ginty (2014), similarly argues for the empowerment of the 'local', and emphasises the hybrid nature of statebuilding, peace and conflict, in which the actions (coercive or incentivising) of international actors rub against the capabilities of local actors to resist, contest and negotiate statebuilding which is often

imposed by international and domestic elites. In this argument, through recognising that statebuilding is often a hybridised process, we can draw attention the tensions and interfaces between the different actors, and how various forms of top-down and bottom-up interactions shape consequences and chances of success of post-conflict statebuilding.

There is much to appreciate in this work, and doubtlessly both Mac Ginty and Richmond are correct to highlight the troubling normative and practical implications of silencing or selectively incorporating 'local' voices (however these may be defined), and the consequences this has for realising a meaningful peace which extends beyond the suppression of violence. Despite this, there are three central problems that call into question an approach based on the 'local' and 'everyday' in an era of 'liberal peace'. These relate to certain exaggerations which are made in these arguments, which, when taken together, produce a feedback loop which makes each of these exaggerations appear more convincing or appealing, but masks a problematic analysis.

First, an exaggeration of both the unity and competence of the assortment of external interveners said to be involved in the 'liberal peace' project is being made, which is conjoined with a misreading of the liberal nature of these interventions, which can downplay the enduring centrality of geopolitics and state power that infuse contemporary peacemaking with a variety of distinctly illiberal practices and interests (Selby, 2013). This is, in large measure, due to a reluctance on the part of the authors to question whether the idea of a 'liberal peace' initially outlined by Duffield (2001) actually exists as describes.<sup>5</sup> Second, an exaggerated account of the irrelevance of the post-colonial state is discernible in this work, which sometimes stretches the boundaries of plausibility. When conflict-affected states are not deemed to be irrelevant, they are instead cast as malevolent or authoritarian (e.g. Richmond, 2014: 12-13). This may be the result of a normative framework which is indebted to theories of 'resistance', but appears to be very much an over-simplification. And third, an over-emphasis on the 'local' nature of violence is recurrent throughout much of Mac Ginty and Richmond's work, which appears to stem more from the analysis of peace- and statebuilding failures than from any concerted analysis of conflict dynamics, and redirects attention away from violence emanating from national institutions and actors, not to mention regional actors, which may be disguised as 'local' violence (see Simons, *et al.* 2013).

These exaggerations feed into one another, and constitute a significant part of the intellectual and analytical foundations from which the 'local' and 'everyday' are built out of. If violence is in fact being organised and enacted primarily from states and governments, as well as larger rebel movements aspiring to statehood, and if international motivations for engagement in war-torn societies are being conditioned by traditional, conservative geopolitical interests and practices, then the potential for a framework based on ideas of

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<sup>5</sup> Richmond and Mac Ginty (2015) attempt to refute this assessment of their interpretation of the 'liberal peace', without engaging with many of the substantive points raised by this critique. Instead, a defensive and often self-referential response is offered which cedes little, if any, ground to these reasonable objections.

the local and everyday to account for the relationship between statebuilding and violence is questionable.

*The Mosaic of Violence*

The work of Bliesemann de Guevara and Bakonyi (2009) on the “Mosaic of Violence” speaks directly to a number of the issues this chapter – as well as the thesis more broadly – is concerned with. In the Mosaic of Violence, an analytical framework is developed to both overcome the (alleged) state-centric bias within the study of conflict, and to help explain the ‘mixed’ results of statebuilding projects, in which “alternative forms of social regulation and governance tend to prevail under the cover of formal state control” (*ibid.*: 399). Whilst recognising that “the state does play a role” in many cases of violence in conflict and post-conflict societies, the framework takes “the violent processes in these social spaces at the margins of and beyond the state [as forming] the starting point of analysis” (*ibid.*: 400). The objective here is to develop a framework which can identify and trace the logics of violence that develop in conflict-affected societies, through exploring instances and processes of violence in many parts of the state’s territory, and operating at different levels of analysis. Thus, a more comprehensive picture of the ‘mosaic of violence’ can emerge through combining micro and macro perspectives on violence, allowing the processes and institutions which lead to the development or maintenance of “violent orders” to be identified. An almost bewildering array of questions stem from this approach:

How, by whom and to what end is violence mobilised and organised? Can actors resort to institutions and structures of peace in times of violence, and if so, how can these institutions be utilised for violent purposes? What are the motives of violent actors and why do they resort to violence at all? Who decides about friend and foe, how are they defined, and how is this knowledge spread amongst different actor groups? Which role do narrations and rumours play previous to and in the course of violent events? How far do international structures and actors contribute to the instigation, perpetuation, or ending of violence? Of which quality is the relationship between violent and nonviolent actors? How do people organise their survival in violent settings? And which forms of resistance to violence can non-violent actors resort to? (*ibid.*: 400)

To bring a semblance of structure to the enquiry, and to relate these questions to the broader macro processes of violence at the core of the endeavour, the authors employ the concepts of *social habitus* (as developed by Pierre Bourdieu) and Charles Tilly’s *repertoire of action* to mediate between the two levels of analysis emphasised. These concepts both speak to the cultural and historical traditions and actions which groups can draw upon to identify sources of grievance, and then to express dissatisfaction and grievance with a particular order. (*ibid.*: 402).

Two insights generated by this model are particularly noteworthy. First, interesting patterns can emerge when violence is studied over a significant time span, including

variations in the intensity of conflict, and the presence of peace. As Bakonyi and Bliesemann de Guevara argue, “because escalated violence brings about enormous destruction, it sooner or later also leads to the exhaustion of resources – human beings as well as material means. Violence is therefore unable to perpetuate itself as sheer escalation or excess. On the contrary, in areas marked by ongoing violence phases of escalation are usually followed by phases of de-escalation and relative calmness.” (*ibid.*: 407). This is joined by the second insight, which concerns how multiple orders emerge across a territory experiencing high levels of violence: “violence may also normalise and institutionalise itself and become part of the everyday lives of people. It can lead to the establishment of ‘new’ social orders, or to use Bourdieu’s terminology, it may constitute its own ‘social field of action’ with separate rules and regulations.” (*ibid.*: 407-8). Viewed this way, actors engaged in conflict with one another are producing both violent *and* political orders, rather than simply being engaged in the negation of an existing order. Compared to liberal (and to a slightly lesser extent, realist) approaches, this represents a more sophisticated understanding about how violence may not only be productive of political order and for establishing rules within that order, but also ignores some the formal boundaries of ‘war’ and ‘peace’ bookended by peace agreements.

The framework places a promising emphasis on historical patterns of violence, and the repertoire of violent acts and methods that have evolved within these historical trajectories, whilst drawing welcome attention to how violence is organised and initiated. However, it is also an *excessively* comprehensive framework, which amounts to analysis by over-inclusion,<sup>6</sup> whilst simultaneously downplaying the possibility that seemingly ‘non-state’ violence may be shaped, sponsored or informed by external processes and actors, including practices associated with internationally-led statebuilding projects. This latter problem can be chiefly attributed to the orientation of the framework to explaining *non*-state violence; an exaggerated account of the irrelevancy of the state in war-torn and unstable contexts; and a mistaken assumption that existing literature on conflict and violence is “state-centric”, even if many of the liberal and realist solutions to recurrent violence can admittedly be said to carelessly advocate the extension and reassertion of the state as a means of realising peace and order.

Since there are a number of approaches described as ‘critical’, some of which are largely incompatible with one another, there are fewer firm conclusions that can be made compared to liberal or realist scholarship. The strengths of Cramer’s analysis – namely a serious consideration of the relationship between warfare and state power, and the ways in which this relationship has been altered over time and across different contexts – are worth retaining. Although the Mosaic of Violence approach may be an impractical one, it does draw welcome attention to how violence can bleed across boundaries of ‘war’ and ‘peace’, and is often derived from historical traditions and repertoires of violent action. However, through being coupled with an excessive focus on the non-state, it shares similar problems to that of Mac Ginty and Richmond’s writings, suggesting there is a need to avoid dismissing the

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<sup>6</sup> Here I invert David Keen’s (2012) critique of Paul Collier’s ‘Greed and Grievance’ argument, which notes how Collier’s framework is an example of “analysis by exclusion”.



state or external processes on the one hand, or exaggerating the local or non-state on the other.

## Militarised Post-Conflict Statebuilding

Having surveyed liberal, realist and various critical perspectives of violence and statebuilding, and identified strengths and drawbacks with each of these approaches, it is time to develop a framework that builds on these approaches. This final section will make the case for incorporating the concept of militarism into the study of statebuilding and violence, and outlining a framework based around 'militarised post-conflict statebuilding'.

### *Militarism and militarisation*

Although once relatively common in both critical and mainstream International Relations, the concepts of militarism and militarisation have become increasingly marginalised within the discipline in general, as well as in the study of African politics and conflict. This marginality appears puzzling. The continued predominance of military regimes, arms flows, violent conflict, and security services identified as being in need of 'reform' throughout much of the global South has attracted a large and growing level of interest from academics and policy-makers in recent decades, yet in the main, the tendency has been to compartmentalise inquiry into these issues either into technical sub-fields such as 'Security Sector Reform' (SSR), Disarmament, Demobilisation and Reintegration (DDR) and 'civil-military relations', or else locate them within broader debates on the 'New Wars', 'Failed States', or 'security' more broadly (see Stavrianakis and Selby, 2013).

A similar fate has befallen the concepts in Africanist literature. Discussions of militarism in Africa prior to the end of the Cold War primarily came from authors working in a Marxian tradition, and tended to emphasise the effects of neo-colonial political influences and economic imperatives in generating militarised politics, arms races, and military governments (e.g. Murray, 1966; Luckham, 1980). However, of late, such discussions of militarism in Africa have given way to the study of civil-military relations and in particular the military's engagement with processes of democratisation (e.g. Luckham, 2003; Cawthra, 2003; Hutchful, 2003). Where they haven't - as with accounts of 'militarised politics' in the Democratic Republic of Congo (Tull, 2007), or with recent theories of militarised 'political marketplaces' applied to Sudan, South Sudan and Chad (de Waal, 2013, 2014; Debos, 2014) - militarism has simply been used to capture a particular character of politics, namely the proclivity to use force, without sufficiently explaining the processes underpinning and giving rise to this character.

Concurrently, the concepts and frameworks which have displaced militarism when approaching issues of contemporary violent conflict (such as 'failed states' and 'New Wars', as well as 'Greed and Grievance' and 'ancient hatreds') have been roundly criticised for offering Eurocentric and shallow analyses of the issues they purport to speak to.

Concurrently, the field of conflict studies has become increasingly introverted and specialised, with new sub-fields such as SSR and DDR becoming silos for technical knowledge, if not echo chambers within which a few dominant voices have monopolised the terms of debate. Critical and mainstream researchers have become obsessed with supposed puzzles such as ‘post-conflict’ violence (always in quotation marks), non-state actors and the violence they perpetuate, and the distinction between the ‘formal’ and ‘informal’ (e.g. Suhrke and Berdal, 2012; Davis, 2009; Lund, 2006). To resolve these issues, or perhaps to avoid resolving them, there has been a marked shift in types of research being conducted and funded, towards seemingly unending, increasingly technical, and often micro-level case studies, which typically emphasise the overwhelming importance of ‘context’, and make perfunctory references to external factors deemed to be at play. At times, this research on serious organised violence is awkwardly – and unconvincingly – squeezed into the label of ‘security’, which speaks only to a handful of aspects of contemporary violence and warfare, and even then typically from constructivist or quasi-liberal standpoints. Clear and incisive analysis from authors such as Cramer (2006) or Keen (2008) has largely given way to vague, indecisive and introverted accounts of violence, a process which is being masked under technical language that serves to produce the illusion of certainty, or else through tiresomely problematising binaries without offering anything particularly satisfactory to replace them with.

In order to overcome some of these issues, the concepts of militarism and militarisation will be mobilised. These concepts have traditionally been understood in a variety of ways, with theorists agonising over whether and how to first define, and then to distinguish, militarism from militarisation, at times resulting in a level of confusion which risks “becoming almost unbearable” (Shaw, 1991: 13).<sup>7</sup> To avoid this, it is best to use a simple and more elegant definition of militarism, with militarisation and demilitarisation referring to the waxing and waning of this militarism. *Militarism*, at the broadest level, refers to the ways in which war and war preparation are embedded in society (Stavrianakis and Selby, 2013: 14). However, war and war preparation are not the exclusive preserve of the institution of the military, and, following Shaw, the military is understood not so much as a discrete institution, but rather to describe “all social relations, institutions and values relating to war and war preparation”, with militarism denoting “the tendency and extent to which these military relations influence social relations as a whole” (Shaw, 2003: 106), and *militarisation* and *demilitarisation* signifying whether these military relations are increasingly influencing other social relations, or are instead diminishing in influence. As Stavrianakis notes, “[t]his is a much more abstract definition [of militarism], the empirical content of which depends on the case under analysis” (2015: 492), meaning that greater specification and concretisation can be achieved only through engaging with the specific characteristics and traditions of war and war preparation affecting the society in question.

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<sup>7</sup> Reviews of the different ways in which militarism and militarization have been defined and utilised can be found in Ross (1987: 562-64) and Stavrianakis and Selby (2013: 12-14). See also Skjelsbaek (1980), Kinsella (2013: 105-7).

Two qualifications are necessary. First, although organised violence and its legitimisation are at the essence of this definition of both the military and militarism (Skjelsbaek, 1980: 80), this does not necessarily mean that militarism should be straightforwardly associated with a tendency to use violence or engage in war. And second, this association between militarism and organised violence should not be taken as a normative judgement on the desirability or otherwise of militarism in society: rather, “militarism is not a matter of good or bad, but of how far military organization and values (which sometimes may be justified and necessary) impinge on social structure” (Shaw, 1991: 12). Instead, this understanding of the concepts at hand (the military, militarism and militarisation) directs attention towards the multiple ways in which war and war preparation can become embedded in society, and influence and reshape relations in the social, political and economic spheres as well as within militaries themselves, so that they become increasingly connected to and supportive of the practices, values, and institutions pertaining to war and its preparation. *War*, following Goldstein, is simply understood as “lethal intergroup violence” (2001: 3). This is agnostic about questions of scale and which actors are involved in this violence, and does not prejudice the question of whether war is a productive or destructive force (or both), whilst ensuring a focus on relatively organised and generally reciprocal violence. For the purpose of this study, violence is understood as physical violence, with the focus being on lethal physical violence conducted with firearms or other modern weaponry. This is not an unproblematic definition, especially with regards to serious forms of organised violence which are not necessarily (but can be) immediately lethal, including rape and slavery, both of which have accompanied war in Sudan and South Sudan. As such, this understanding of war means that the arguments developed in this thesis are not to be taken as the final word on violence in South Sudan or elsewhere, but instead as covering one very important dimension of it. *War preparation* describes the processes by which war is produced. This, according to Shaw, has three basic stages:

1. the raising of fighters, weaponry and equipment to create and sustain armed forces that are prepared to fight;
2. the deployment of armed forces in war;
3. actual engagement in battle. (2003: 22)

For our purposes, the third stage of this process falls sufficiently under our definition of ‘war’ for it to be subsumed under it, and as such, only the first two parts constitute ‘war preparation’.

Seen this way, militarism is present to some degree in many - if not virtually all - societies, but will take different forms and at different times, and can cross territorial boundaries without generating too much attention. Its continuing presence may be disguised by, for example, a decline in the official budget, size or political importance of the institution of the military in a given society, whilst that same society simultaneously takes an increasingly proactive role in military operations, training, and intervention abroad; maintains or increases its arms manufacturing and export activities; or offers a range of

defence studies or office training programmes to military personnel from friendly countries. Conversely, it can be highly visible, such as when there is a significant deployment of soldiers during times of heightened national security threats; when recurrent violence between non-state actors such as pastoralist groups or gangs - involving relatively sophisticated logistical and organisational structures - takes place and comes to reorganise local social, economic and political activity around these structures and practices; or when the state uses military tactics and equipment to police its own population (including against armed gangs or pastoralists) or to prevent people attempting to enter or leave its territorial borders. This latter set of processes and activities are typically explained or described using terms other than 'militarism' (e.g. domestic or internal security, criminality, and policing, respectively) which serve to normalise such organised violence whilst differentiating or disconnecting it from the institution of the military, despite clear similarities that betray the influence of more conventional forms of war and war preparation upon structures that demonstrate considerable potential to organise, threaten and enact violence, even if the institution of the military is not always directly implicated in them.<sup>8</sup>

This conception differs from classical understandings of militarism, which variously restrict the meaning of the concept to refer to either martial cultures and values; the propensity to use violence in domestic and/or international politics; or to the relations and boundaries between political and military institutions (i.e. civil-military relations), alongside some quantitative conceptions that focus upon build-ups in armaments, military expenditures and personnel (Stavrianakis and Selby, 2013: 12-14). Whilst all of these are important aspects of organised violence (and intuitively relate to the concept of militarism), they tend to reinforce and normalise liberal notions of 'normal' politics and 'deviant' forms of martial culture and government, and importantly, do little to actually explain why these processes come into being in the first place, and instead concentrate largely on the consequences or outcomes of these processes. They also unintentionally downplay the ways in which liberalism itself can be militarised, and lead to military adventurism, involvement by liberal governments in external wars, and the importance of security interests and arms networks which sustain conflicts in the global South (de Waal, 2002; see also Feinstein and de Waal, 2015; Barwaki, 2001).

As indicated above, whilst militarism should not necessarily be equated with war or an increased willingness to engage in it, there is nonetheless an intuitive connection between militarism on the one hand, and violence and war on the other. In his influential book *Global Governance and the New Wars*, Duffield argues that "war [can be regarded] as a given: an ever present axis around which opposing societies and complexes continually measure themselves and reorder social, economic, scientific and political life" (2001: 13), but it is contended here that it is actually *militarism* that can more plausibly be regarded as a

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<sup>8</sup> However, the more widespread use of the term 'militarised policing' to refer to the tactics and equipment used by Special Weapons and Tactics teams in America - as well as the increasing employment of former military personnel in the American police force more generally - suggests this might be changing (see *The Economist*, 2015).

given, and that it is through the methods and degrees to which the military (understood in the broad sense outlined above) penetrates and reorders society *that war is made possible*. This is due to the ways in which militarism legitimates, authorises, and readies society for war, whilst also investing important political, social and economic constituencies in the military, and by extension, organised violence. This militarism may also have a bearing on the likelihood of war and the form that it takes, and in highly militarised societies (including South Sudan), this militarism may amplify the possibility for war, as well as the scale and intensity with which it is fought if war does occur, although it is not strictly a direct cause of war as such. Such an understanding is in line with neo-Weberian conceptions of militarism as being a largely autonomous force or structural property which is present both within societies as well as in the relations between them, rather than being an extension or by-product of a different force or set of relations (e.g. capitalism, nationalism) or type of political unit (e.g. the state), and it is likely to interact with and take a leading role in shaping the form and functioning of these other fundamental properties of society (see Mann, 1984; Barkawi, 2011).

Through using militarism and militarisation as core concepts from which to approach and identify the social relations of conflict, earlier debates about the ‘causes’ or ‘root causes’ of civil wars (e.g. single factor explanations such as ‘greed’, ‘grievance’, ‘resource wars’ or ethnic divisions, and to a slightly lesser extent explanations predicated on a distinction between ‘structural’ and ‘proximate’ causes tailored to a specific conflict) lose some of their centrality, and can instead be located within a broader understanding of how war is planned for, legitimated and enacted, via the ways in which military relations influence social relations more generally. Whilst some excellent work on the causes of civil war has emerged in recent years and enriched enquiry on these matters, many contemporary conflicts are not reducible to any one cause or even a handful of causes, especially since different segments of society may disagree on what counts as a cause, and that causes may in any case change over the course of a protracted war (Woodward, 2007). In our case of South Sudan, for instance, the Second Sudanese Civil War was so complex and lengthy that emphasising one or two factors alone as being responsible for conflict would be an insufficient explanation, and accordingly analysts have recently shifted towards identifying deeper, structural characteristics inherent to the political economy of Sudan and/or to the history of the state and its relationship to society as a ways of situating this violence (e.g. de Waal, 2007a, 2007b; Thomas, 2015). Likewise, explanations of the current civil war in the country – which often (plausibly) draw attention to political schisms in the ruling Sudan People’s Liberation Movement (SPLM), or incompatible ambitions amongst its leadership (e.g. Johnson, 2014; Rolandsen, 2015a) – cannot convincingly explain why these high-level political tensions have led to such intensive violence involving large swathes of South Sudanese society.

As such, understanding war on a more systemic level is often hailed as being necessary to overcome the limitations of exercises which seek to pinpoint specific causes of civil war (Keen, 2008: Ch. 2; Richani, 2002), and for our purposes, this will be done through

emphasising militarism (i.e. the social relations of war and war preparation); the diffusion of militarism during post-conflict statebuilding, and how this process makes war possible, and influences the likelihood and form that this war will take. This has the potential to offer a fresh approach which places us in a position to reassess the nature and cause of organised violence in contemporary politics, and its relationship to state, society and international forces. It also unlocks certain binaries which writers have recently become preoccupied with. Since militarism is present in both times of 'war' and 'peace', and can be used explain the relationship between violence and politics across both, whilst exposing the limited utility of the distinction. Further, since this understanding of militarism is not centred exclusively upon internal dynamics in a particular society, but allows for external forces to propel or initiate militarisation, the binaric distinction between 'internal' and 'external' factors in organised armed violence can be recast. Further, the fixation upon the problem of distinguishing between and defining the state/non-state (or formal/informal) binary which has seeped in to recent literature is rendered less of a problem in this account, as the concept of the military is not tied to official military power, but to the diffusion of norms and practices of war and war preparation across society.

We now will turn towards the framework of 'militarised post-conflict statebuilding', and then to specifying the ways in which militarism might be identified.

#### *Militarised post-conflict statebuilding*

*Statebuilding* is understood broadly as any deliberate effort to amplify and reconfigure the state's power and relationship to society emerging from war. This will typically be led by the dominant actor at the close of hostilities, but could potentially involve several rival actors co-operating under a power-sharing arrangement who agree to pursue an explicit or implicit statebuilding project together. *Post-conflict statebuilding* refers to a more specific type of statebuilding, in which international actors – in conjunction with select domestic partners in the 'recipient' society – seek to reconfigure the state in a society emerging from war in such a way as to expand its reach and functioning, in order to prevent a relapse in mass violence whilst enabling 'development' to occur. The distinction between 'statebuilding' and 'post-conflict statebuilding' is not a hard and fast one since overlaps are inevitable, and at times I use the terms interchangeably.

Through understanding contemporary statebuilding alongside the concepts of militarism and militarisation, we are able to not only recognise, but also work towards an explanation of, the tendency for militarism to inform and influence recent statebuilding experience for societies deemed to be emerging from war. Across a range of post-conflict societies there has been a trend in the latter stages of the Cold War onwards whereby militaries and militarised groups have assumed power, and continued to exercise military force either internally and/or across territorial boundaries long after conflict has supposedly ended. From the early 1990s, the new governments in Ethiopia and Eritrea have both used the threat or application of force to deter dissent among their own

populations – as well as against each other’s militaries – and have intervened covertly (Eritrea) or quite explicitly (Ethiopia) in Somalia, as well as in parts of Sudan, in the course of predominantly internal statebuilding processes which have sought to consolidate and augment the power of the rebel movements that came to power in both countries (see e.g. de Waal, 2004; Lata, 2003; Reid, 2011). The Museveni government of Uganda has similarly imposed military rule upon parts of northern Uganda (ostensibly to counter the Lord’s Resistance Army, but just as plausibly to suppress northern political opposition to the government), whilst intervening in South Sudan and the Democratic Republic of Congo (DRC), as well as taking a lead role in the African Union Mission in Somalia (see Tull, 2007; Dunn, 2007; Allen, 2010). The DRC itself has, in addition to experiencing considerable and complex ‘internal’ violence, been subject to military interventions and interference from a range of nearby countries and armed groups originating in neighbouring states, and the UN has become implicated in the complex armed politics of the eastern regions of the DRC through engaging in counter-insurgency operations (as in Mali, see Karlsrud, 2015), in a context of protracted UN-backed peacekeeping, peacebuilding and statebuilding missions intended to restore peace and order to large areas of the country (Autesserre, 2010). In our case study of South Sudan, a similar experience of considerable and complex violence has occurred alongside an internationally-backed peace- and statebuilding project, with the governments in Juba and Khartoum stoking violence in one another’s territories and along the contested border regions. Meanwhile, Afghanistan and Iraq have both experienced considerable violence in the wake of US-led invasions in 2001 and 2003 and in subsequent ‘stabilisation’ and counter-insurgency campaigns, which have themselves intensified conflict as well as spurring the proliferation of armed groups and militias, who often enjoy the support of external patrons, in some cases from the US. This has facilitated the rise of “the fierce but weak states” that exist in the two countries today (Dodge, 2013: 1192; see also Barnett, 2008; ICG, 2015b).

Whether in the context of internationally-backed post-conflict statebuilding programmes; military-led stabilisation missions; or statebuilding pursued without the explicit assistance of international donors, these examples demonstrate that militaries and militarism play not only an active and continuing role in the course of their own societies’ statebuilding processes long after peace has officially arrived, but often in one another’s. It is becoming increasingly clear that understanding this connection between militarism and statebuilding is central to making sense of trends in contemporary conflict and peacemaking, and may well go some way to explaining the apparent failures and mixed successes of the era of international statebuilding, if not beyond. Moreover, this can be a useful corrective to the liberal and realist understandings of civil war violence as being largely ‘internal’, whilst exposing the restrictions that arise when debate is largely premised upon the question of whether or not international intervention to realise peace is desirable or not, in the face of the powerful force of militarism and continued prominence of military actors. This might also give further reason to withhold faith in the power of the ‘local’ against such forces.

How, then, would we go about developing a framework based on militarism and statebuilding? Existing literature on militarism can only take us so far. Certain authors working in the neo-Weberian historical sociology tradition (e.g. Mann, 1984; 1986; Shaw, 1991) explicitly marshal the concepts of militarism and militarisation to explain, variously, state formation; the relationship between capitalism and militarism; or the changing relationship between war, war preparation and society; but their arguments are generally directed towards explaining state formation in Western contexts and/or 20<sup>th</sup> century Great Power relations, and as such are not directly or unproblematically transferable to post-colonial societies in the global South.

Let us survey some arguments of potential relevance to our own framework, which may inform what this framework will look like. Wendt and Barnett's (1993) account of the processes of 'dependent' state formation and militarization - understood as the capacity to engage in organised violence, with an emphasis on arms build-ups - in the global South. Drawing a distinction between 'capital-intensive' ('conventional' militaries using technologically advanced weaponry and largely detached from the civilian sphere) and 'labour-intensive' militarization (either conscript armies or a 'nation in arms', supported by militias or guerrilla forces, both requiring a degree of popular consent), and situating this distinction in an understanding of state formation in the global South, Wendt and Barnett argue that elite actors in 'weak', Southern states have embarked on a particular path of militarisation, which leads to the formation of capital-intensive armies whose posture is designed to prevent internal security threats (i.e. threats to the current governing elites), with these elites taking inspiration for capital-intensive armies from a predominantly Northern security culture. Interestingly, the idea that dominant powers seek to cultivate relationships of dependent militarisation with clients in the South, to encourage both self-reliance as well as dependency in such Southern states, who in turn may desire such relationships to ensure continued regime security (*ibid.*: 336), illustrates some of the ways in which the concept of militarisation (if not militarism) can help to connect aspects of war preparation across the international system.

However, despite certain strengths within Wendt and Barnett's argument, there are also some problems. In particular, the idea that elites from the global South tend towards capital over labour-intensive armies does not hold in all regions, particularly in parts of Africa experiencing civil war both before and after the time of writing. In the case of South Sudan, as will be discussed in chapters 3 and 4, quite the opposite has happened, as the size of infantry forces of the Sudan People's Liberation Army (SPLA) and its auxiliaries have dramatically increased, with arms procurement largely directed towards arming this ever-expanding military with small arms. A contention of this thesis is that this swelling membership of the 'security sector' of South Sudan, and perhaps also of certain armed groups challenging official government and military power, has less to do with popular support or consent for the military (an important dimension of Wendt and Barnett's understanding of 'labour-intensive' militarisation), and more to do with the increasing importance of the social, economic and political functions of the military since the signing



of the Comprehensive Peace Agreement in 2005. These more recent trends in post-2005 South Sudan have themselves followed from the lengthy Second Sudanese Civil War which similarly confounds the explanation of Wendt and Barnett. This war saw the Sudanese state sponsor a wide range of militias in and around the southern periphery, and from the early 1990s, attempting to conscript Northern Sudanese, whilst cultivating a domestic military-industrial complex centred around Khartoum (see de Waal, 1993; Young, 2012: 35). These are suggestive of more complex military, socio-economic and political dynamics at work than are allowed for in Wendt and Barnett's argument, and ones which run directly counter to the claims being made. The notion that in general, militaries are - in effect - extensions of elites and their desire to retain control of state apparatus, would run into problems in the event that intra-elite rivalry and competition were shaping forms of militarism (including military doctrine or structures), as well with regards to addressing rebel, paramilitary and militia groups that retain links with elements of the central state, and who potentially operate both within and across territorial borders. Moreover, this argument presumes that the primary functions of militaries lie in the realm of security provision; an idealised understanding which largely discounts the possibilities that militaries and militarism more broadly serve a broader array of functions across political, social and economic space.

If a framework connecting militarism to statebuilding in the global South is to be developed, it would therefore need to speak to different domains than security alone, and it would also have to acknowledge some of the complexities of contemporary war and war preparation in the global South. This requires the more inclusive and broader definitions of the 'military' as well as 'militarism' which were outlined earlier, and also a more specific focus on post-colonial states actually experiencing civil war, in order to identify more appropriate indicators which can trace militarism in such contexts. Let us briefly return to Shaw's work. Although, as noted above, Shaw's writings primarily speak to militarism within and between states in the global North, some attention is given to the issue of 'Third World militarism'. Noting that the vast majority of literature on militarism in the global South utilises a quantitative conception of militarism and accordingly is concerned with military build-ups, and that such accounts often conclude that since the 1980s militarism has either stalled or even declined in these countries, Shaw (1991: Ch. 3) argues that through adopting a sociological understanding of militarism - as has been adopted in this thesis - we can see that militarism continues to be prominent in a number of Southern societies even if arms build-ups are on the decline, particularly those experiencing civil war or internationalised civil wars. One of the inescapable difficulties of operationalising such a conception of militarism, Shaw notes, is that finding indicators of this militarism - and by extension indicators for whether it is waxing or waning in a given society - is complicated by the broadness of this definition. Despite this, Shaw identifies a number of characteristics of 'Third World militarism', which are primarily advanced in relation to society's currently experiencing civil war and/or military intervention. It is not necessarily the size of a military or arms acquisitions in a given society which signify the presence of militarism, but rather the ways in which militaries influence social relations, and the ways in which war and war

preparation have a totalising or dominating effect on politics, economy and culture (*ibid.*, see also Shaw, 2013: 25). More specific manifestations of this militarism could include the tendency of insurgencies and governments to “introduce military command systems into social organization”; efforts by both governments and rebels to ideologically mobilise the population for war; the overlaps between military struggles in adjacent countries; and economies can come to be “run for war purposes” (Shaw, 1991: 96), and that these manifestations constitute a broader trend whereby “the strongest cases of militarism in Third World countries are not the products of military regimes, but of societies with civilian governments, engaged in total wars – and mobilized by national political and religious ideologies” (*ibid.*: 98). The distinction between civilian and military regimes in power becomes less relevant in such contexts, as “military power is a central means by which the state apparatus controls society”, whether or not this state apparatus is formally controlled by the military (*ibid.*: 102).

We should therefore keep in mind that conventional markers of militarism – such as military capacity, military activity, or military governments - are insufficient or even misleading for the purposes of identifying militarism (and by extension its relationship to war and statebuilding) in conflict-affected regions of the global South, and further that global political and economic circumstances and norms may put a check on such processes that would traditionally be understood to indicate militarisation. For example, the central state in a developing society (and in particular one experiencing protracted conflict) will not necessarily be in a financial position to procure large quantities of armaments or maintain large standing armies. Moreover, state violence may have to be organised and conducted through proxies and paramilitary groups in order to compensate for such financial constraints, and the use of such groups may also be spurred on by a desire on the part of state engaged in counter-insurgency to avoid damaging its relationships with great powers or risk the sanctions which may follow if excessive violence is utilised in pursuit of military objectives. Likewise, military governments may have to adopt a more civilian appearance to avoid becoming a magnet for international attention or sanctions. Such international pressures and constraints may therefore have helped induce distinctive (and potentially more subtle) manifestations of militarism, and we would do well to look beyond arms build-ups and the frequency of military activity or clashes, and instead contextualise such developments in processes of militarism which initially appear to be counter-intuitive, for instance when militarism is accompanied by the downsizing of the official military and security services but an increase in paramilitary or militia activity, or when the institution of the military takes on functions that appear to have little to do with war-fighting. Likewise, what at first sight may appear to be a process of state atrophy - where a government cedes certain functions to non-state or parastatal groups, including its (sometimes already weak) monopoly on violence - may actually represent a different approach to statebuilding, which mortgages select functions to either preserve the whole, or else as part of a particular statebuilding agenda.

These insights are at the core of our conceptions of militarised statebuilding and militarised post-conflict statebuilding. *Militarised statebuilding* refers to a process whereby a state takes actions that militarise its relations with society – and by extension, societal relationships more generally – in order to pursue or protect a statebuilding agenda, which may be deemed by the state to be in the interest of society as a whole and/or in the interests of important political, social or economic constituencies that make claims on the state. It does not necessarily mean that the military itself has assumed or taken control of the polity, nor that statebuilding is necessarily being pursued through increasing organised armed violence. It is important to decouple the concept of military government from militarised statebuilding. Whilst the military may indeed become increasingly important in the politics of the state during militarised statebuilding, and even seize direct control of the government, both militarism and militarised statebuilding are the product of various sustained encounters between domestic and external forces and actors, and cannot be reduced to the issue of who holds power at the national level, however important that question may be. *Militarised post-conflict statebuilding* likewise refers to this same process occurring in the context of an internationally-backed post-conflict statebuilding project, which takes place at the end of war, and typically after the signing of a peace agreement. Given our conceptions of militarism and statebuilding outlined earlier, and the enduring presence of militarism across most societies, militarised statebuilding is a process which many states and societies will experience, and most of the time. We will be focusing specifically on militarised post-conflict statebuilding in this thesis, given that South Sudan has been an important site – if not testing ground – for post-conflict statebuilding.

This understanding of militarised post-conflict statebuilding introduces a possibility which is not considered in the literature on statebuilding and civil war, which is that instead of either directly driving or resolving *violence*, post-conflict statebuilding may actually be driving or deepening *militarism*, i.e. the social relations pertaining to war and war preparation.

#### *Identifying militarism in South Sudan*

With the concepts of militarism and militarised post-conflict statebuilding now outlined, we can work towards fleshing out a framework which utilises both of these concepts, and which can be used to make sense of South Sudan's experience of violence and statebuilding following the signing of the Comprehensive Peace Agreement in 2005.

As hinted at above, it is worth recognising that through adopting a sociologically-informed understanding of militarism (as we have), rather than say, a quantitative one concentrating on arms build-ups, the issue of how to actually establish whether or not a society is becoming more or less militarised is challenging, especially since militarism may manifest itself in different forms and draw upon distinct traditions of war and war preparation across different societies. In other words, militarism in advanced, Western democracies may look very different to the kinds of militarism in industrialising societies,

or – closer to our own investigation - societies with a recent experience of serious violence and perhaps even total warfare. What kind of indicators could be used to identify the extent to which society is militarised, and what decisions can be made to facilitate inquiry? Firstly, for our inquiry we are primarily interested in societies in the global South with a recent experience of conflict as well as post-conflict statebuilding, rather than militarism across all societies. Second, it would be sensible to acknowledge that even if militarism does have some universal properties or characteristics, the social relations of war and war preparation are contingent and conditioned by a society's particular historical experience of both, in line with Bliesemann de Guevara and Bakonyi's 'Mosaic of Violence' framework, which (among many other things) draws attention to the importance of historical repertoires and traditions of preparing for and enacting violence. Last, such characteristics will invariably be informed or shaped by external engagement, since the vast majority of civil wars do not occur in a vacuum, but are often regionalised (if not internationalised) in a variety of ways, as captured by Cramer. Identifying indicators of militarism in this way is best understood as an art rather than a science, and to a certain extent an exploratory exercise, but in the absence of virtually any precedent for establishing indicators of militarism in Southern war-torn or post-conflict societies, this is all but unavoidable.

To identify some of the indicators of militarism in South Sudan, it would be sensible to highlight some of the central characteristics of war and war preparation in recent South Sudanese history. Although a very plausible case can be made for patterns and experiences of war, state power, and uneven economic development in present-day South Sudan being derived from its lengthy and violent colonial experience from the early 19<sup>th</sup> century onwards (see Thomas, 2015), we shall restrict our examples to more recent strategies of war and war preparations in South Sudan's post-colonial history, for reasons of space and scope. The notion that South Sudan is militarised or has been subject to a process of militarisation during the Second Civil War is not uncommon (e.g. Copnall, 2014a; Jok and Hutchinson, 1999; de Waal, 2014b), whilst certain authors contend that this militarism is somewhat overstated in contemporary South Sudan (e.g. LeRiche and Arnold, 2012). However, militarism or militarisation are rarely defined with much precision (if they are defined at all) in these accounts, and the origins or causes of this militarisation are normally talked around. This is understandable insofar as these are difficult issues to address in the first place, especially when there cannot be said to be any comprehensive or established precedent in the literature on militarism or civil war which could form a basis for establishing indicators of militarism in the context of a civil war.

Whilst these constraints are effectively unavoidable, it should not stop us from trying anyway. To do so, we will be looking at the major characteristics of war and war preparation in Sudan which have impacted upon social relations – particularly in the restive south - and use this assessment to identify some indicators of militarism in post-2005 South Sudan. A relatively straightforward method of doing so is to distinguish between how war has impinged upon political, economic and international relations in Sudan, as well as the organisation of the military and the conduct of the military, in order to chart

how these specific relations have been militarised during Sudan's lengthy civil wars. These can, in turn, be integrated with the concept of militarised post-conflict statebuilding to expand the framework from which to assess the relationship between violence and statebuilding from 2005 onwards. Two qualifications are in order, however. First, the boundaries between political, economic, military and international relations are not clear cut, and overlaps are inevitable. Second, it is sensible to acknowledge that the institution of the military – including its organisation, and its strategies of conducting violence – will undergo changes in the course of war. Even if it would seem tautological to speak of 'militarised military relations', the internal organisation of the means of violence, as well the application of violence by the military, can both be reshaped through war, reconfiguring relations between the military and society in the process. As such, military organisation and military conduct – and the changes to both – are considered alongside political, economic and international relations.

With this in mind, we shall now review the central characteristics and traditions in Sudan, and how these have affected political, economic, military and international relations.

*i. Political relations: The capture of state power by military groups, and the reproduction of military governments via peace agreements*

The first characteristic of war and war preparation in Sudan concerns the tendency for state power to be the focal point of conflict, and the increasing tendency for contests over the control of the apparatus of the state to be pursued through military means, and determined by both military struggle as well as peace agreements. As D'Agoot explains: "Sudan's social core had been threatened by... volatile crosscurrents, which since independence in 1956 have taken the form of fierce competition between the centre and peripheries. Access to state power has been inextricably fused with the collective welfare of the various competing social groups thereby making the state apparatus the focus of conflict" (2013: 58).

The route to accessing state power, or to maintaining it, has consistently emanated from the military. For groups in the core, this takes the form of using military force to contain rebellion from the peripheries, as well as periodic coups, which constitute a main form of power transfer in Khartoum. Aside from three brief periods of some semblance of democratic rule during the late 1950's, mid-1960's and the mid 1980's (with the latter two spells of civilian government ushered in by well-coordinated popular uprisings), power in Khartoum has consistently rested in military hands, although it has adopted a more civilian façade in the more recent years of National Congress Party rule, with ritualised, rigged elections (see de Waal, 2013; Young, 2012).

Meanwhile, for peripheral groups, the goals of accessing (if not capturing) state power has come from increasingly organised rebel groups, sometimes with roots in the official military forces. Significant rebellion in the south always begins with a mutiny, where an element of the national armed forces reacts to wider political developments and

articulates its grievances through mutinous behaviour, which is intended to attract support from other elements of the armed forces whilst civilians or irregular armed forces are expected to participate in due course. This occurred in Torit in 1955, Bor in 1983, and more recently, in Juba in 2013. These forces have attained a much greater degree of centralisation in between the First and Second Civil Wars, yet factionalism and fragmentation has been a constant feature, as has a culture grounded in military values and supremacy: “Like [Any-Nya], the SPLA/M had authoritarian and less than democratic leadership structures.... they tended to emphasise military culture, especially hierarchy and obedience” (Kalpakian, 2008: 165).

A new twist emerged during the Second Civil War, however, as disaffected elites and factions within rebel movements sought to access state power through defecting from the SPLM/A, and aligning the breakaway group with the state, with considerable violence ensuing from these political and military realignments. In a sense, this amounted to a shift in the relationship between peripheral violence and the state: rather than capturing state power, such peripheral groups were instead being captured by the state. These were not usually permanent arrangements, with captured groups retaining the option of defecting once again when circumstances enabled it, as seen in the gradual return of former-SPLM/A factions to the SPLM/A in the run-up to the signing of the Comprehensive Peace Agreement (CPA) in the early 2000’s. This tendency for defection is sometimes explained as deriving from Khartoum’s mastery of divide and rule tactics (Keen, 2008), but it is equally important to note that factionalism has been present in peripheral rebellions since the First Civil War, and further that – at least in the case of the SPLM/A – violent internal policing and ruthless centralisation created conditions which ensured the rebellion was susceptible to splits, and that those splits would be accompanied with considerable violence, as will be discussed further in chapter 5.

In the course of these developments, politics has become increasingly narrowed as well as militarised, with the central government in Khartoum being under the control of the military in one form or another, and politics in the peripheries conducted and settled through the use of organised violence. In part, this is due to the ways in which peace agreements have reproduced the dominance of military forces (governmental or rebel), who have been the principle political beneficiaries of peace agreements, and have either been incorporated into the military or political structures of the central state (as seen in the Addis Ababa Agreement, AAA), or awarded a significant degree of political and military autonomy from the central government (as seen in the CPA).

ii. *Military relations i: Organisation of the means of coercion: Expansion, centralisation, and administration*

One outcome of this increasingly militarised politics – predicated on capturing and/or accessing the state – as well as the tendency for peace agreements to privilege military

actors, has been a significant increase in the number of people in some way affiliated with war and war preparation, with those directly engaged in conducting and violence being almost exclusively male. This has also fed into the emergence of new forms of military organisation, often intended to meet political objectives as much as military ones.

The expansion of the number of men in arms has occurred both in the military, and (partially) outside of the institution of the military, through the establishment of paramilitary forces, and particularly militias. With regards to the latter, paramilitary structures became increasingly prominent in the violence between the First and Second Civil Wars (discussed below), which helped to create an infrastructure for violence which would greatly expand as the Second Civil War unfolded. One of the distinguishing characteristics of violence from the inter-war years and the Second Civil War onwards was the increasingly widespread use of militias of various stripes by all major belligerents, but especially the government in Khartoum. This ‘militia strategy’ vastly increased the number of armed groups operated in Sudan (which sometimes had their own interests in both conflict and peace), and turned the south and other peripheral regions of Sudan into a “theatre of proliferating conflicts” (Deng, 2006, in LeRiche and Arnold, 2012: 4). At points in the 1990s, there were dozens of armed groups of various sizes contesting the south, greatly complicating efforts at peacemaking.

This militia strategy amounts simultaneous reorganisation and covert expansion of state structures, largely achieved through outsourcing some of the state’s functions and capacities (especially those pertaining to violence) to militia groups. This militia strategy partly reflects the difficulties of building stable alliances within the core of the Sudanese state, but it also indicated how a new approach to statebuilding in Sudan was being pursued through bringing certain peripheral groups into the realm of the state (albeit on qualified terms) and effectively issuing licenses to such groups to engage in violence, whilst providing them with the means to do so. As such, larger portions of society were becoming invested in the relations surrounding war and war preparation, in a process which was being directed from Khartoum. As de Waal argues:

In pursuing the militia strategy, the security cabal [of north Sudan] has often acted beyond the purview of the legislature and executive, and even in opposition to senior officers of the regular army. The security-militia nexus has thrived amid the division and irresolution of different ruling cliques and institutions. It has regularly sought to delay or derail peace negotiations with the SPLA. Arguably, it is the very core of the Sudanese state. (2005: xviii)

Rather than the state cannibalising itself, this can be read as a restructuring of the state and its use of violence in order to allow its elite to ‘survive and thrive’ (de Waal, 2007a: 17), whilst simultaneously widening the number of groups (especially militias) with a vested interest in the survival of the state. In the process, decision-making was being increasingly narrowed and centralised. This parcelling out of the state’s monopoly on violence, usually

in order to sustain some semblance of stability at the political centre of the country, has become more prominent from the late 1970s onwards, and – as will be discussed in chapter 4 – has been carried over into the politics of the Republic of South Sudan. One consequence of this move has been a gradual erosion in the state's capacity to control the militias it has either established or armed, and is emblematic of a paradoxical restructuring of the state's relationship with its peripheries, in which power is routinely ceded to some armed groups in times of crisis, yet the central state remains more or less intact and perhaps even thrives as a result of these actions.

The reasons for engaging in this strategy are two-fold: first, it allows the state to engage in counter-insurgency operations whilst maintaining deniability of its involvement; and second, it partially compensates for the financial and/or military weakness of the state by permitting these militias to engage in self-financing activities (de Waal, 2004b). The state has attempted, with partial success, to regularise and formalise these militia entities as conflict progresses, first through the 'Popular Defence Forces' comprising a range of Arab-identified pastoralist militias, and later through mobilising or sponsoring southern militias, especially through the Khartoum-backed South Sudan Defence Forces (Salih and Harir, 1994: 189; Arnold, 2007). But more broadly, it suggests that nobody in Sudan has ever possessed an absolute monopoly on violence, and has been reliant a mixture of external support as well as the use of local agents to maintain political order, be it for the state or its rebel adversaries.

With regards to the SPLM/A, military structures and decision-making were also being centralised. However, rather than a small cabal of politico-security elites pulling the strings, as was the case in Khartoum, the SPLM/A experienced a much more personalised process of centralisation, in which power over strategic and tactical decisions was concentrated in the person of John Garang (see chapter 4). This meant that the SPLM/A did not make as much use of paramilitary forces as Khartoum, and tended to priorities eliminating or absorbing armed rivals. A partial exception, discussed further in chapter 3, was the vigilante groups armed and organised in order to protect populations from raiding: the *titweng* of Bahr el Ghazal. This group, however, also acted as an auxiliary force and participated in military operations alongside the SPLA (Nyaba, 2001: 2; Pendle, 2015).

Finally, civil administration structures have come increasingly under the influence of military structures, or else have experienced an accelerated process of atrophy as military and paramilitary structures have increased. In the north, the civilian face of the state has become increasingly skeletal in appearance from the early 1980's onwards, as resources for civil administration have declined across much of the country, in a process which has been accelerating following the National Islamic Front's accession to power, and subsequent strategic embracement of neo-liberal reforms (see Young, 2012; de Waal, 2007c, 2015b). Meanwhile, the displacement of (always limited) civilian structures by military ones has taken an exaggerated form in the south. The Second Civil War reduced meaningful governmental presence to a handful of garrison towns and military and/or militia



controlled rural zones, whilst the civil service became a site of patronage and inflated payrolls (interview, senior SPLM politician, Brighton, July 2015). The SPLM/A, as will be discussed further in chapter 4, neglected civil administration in the territories it controlled in favour of a centralised military structure, with only ephemeral civilian structures appearing after the 1991 split, which were largely staffed by former military officers. Not only were military structures themselves changing and expanding, then, but they would come to substitute for or even replace civilian structures.

iii. *Military relations ii: The application and conduct of violence: Changes in the temporal, spatial, and functional dimensions of violence*

Accompanying these changes in military organisation, the application of violence by military and paramilitary entities became increasingly routinized, prolonged, and with a decreasing threshold for its use. Further, violence was present not just in times of recognisably large-scale violence, but were continuing (and altering) in times of ‘peace’. These complex changes in the way violence is conducted are intimately bound up with the militarisation of politics in Sudan, and the changes in how militaries have become organised.

Sudan may have been characterised by serious, large-scale organised violence for much of its post-colonial history, but organised (as well as disorganised) violence are not confined to the lengthy episodes of warfare brought to a halt by peace agreements. Instead, armed violence is a constant, and even when a ceasefire or peace agreement brings large-scale violence in one part of the country to something of a standstill, conflict may well break out in another peripheral region of Sudan, notoriously in the case of Darfur in 2003. For instance in the ‘interwar’ years of the 1970’s and 1980’s, fighting in and around the Abyei region between the Ngok Dinka and elements of the Arab-identified Misseriya pastoralist group would not only bleed through into the Second Civil War, but set the tempo and template for much of the violence during that war. As disputes escalated in this region, the Khartoum government attempted to mask its own role in indirectly causing - but directly exploiting - the violence by downplaying the conflict as a ‘tribal disagreement’ (de Waal, 1993), whilst the Ngok Dinka formed the Abyei Liberation Front guerrilla force (which would merge with the SPLM/A in 1983), and Misseriya herdsman would go on to participate in raids against southerners as parts of Khartoum’s militia strategy (Johnson, 2010). This, in addition to the low-intensity insurgency of the Anya-Nya remnants in eastern parts of southern Sudan throughout the 1970s and 80s, ensured that for certain areas of Sudan, the war which was supposedly concluded via an internationally sponsored agreement between rival Sudanese elites had persisted, but had also shifted in form. This has striking parallels with the ‘peace’ that followed the signing of the CPA in 2005, as will be discussed in the next chapter, which suggest that the primary consequence - and arguably the very function or purpose - of peace agreements in Sudan is to re-order the

composition of the state as well to redistribute organised violence in its territory, instead of realising any kind of 'positive' peace.

Moreover, a number of patterns have emerged over the course of conflict in Sudan indicating that particular techniques of conducting violence has become routinized and ingrained into the institutional memory of larger armed groups and the Sudanese government (illustrated with the militia example above), but also mobilised and deployed with increasing rapidity on the one hand, and with a decreasing threshold for their use on the other.

For rebellions emerging from the periphery, not only has there been a pattern whereby rebels (notably southern rebels) initiate rebellion through mutinying from the state military, but also the time lag between the initial mutiny and the move to organise and unite mutinous forces has decreased markedly between each of the major civil wars. In the First Civil War, it took eight years of disparate, low-intensity rebellion before Anya-Nya was to coalesce. In the Second, it was just four months before the SPLM/A would emerge following the Bor Mutiny. And in the current civil war, it was a matter of days before a recognisable rebellion crystallised, and a month for that rebellion to be named. To be sure, it is likely that improvements in communications technology have enabled this to occur, but this recurrence suggests that those individuals and groups seeking to initiate political change tend to a) emanate from the military and are versed in its customs; b) understand the military as being the correct, or perhaps only, tool to effect political change in Sudan; and c) imitate their rebel predecessors through adopting their strategies of initiating change through the military.

This is because violence has, to a certain extent, increasingly come to be used as form a political currency, and as a communicative tool to bargain with the state (particularly with regards to negotiating peace agreements), and for different factions within rebel movement to bargain with one another. This is in argument which has gained prominence in recent years (e.g. de Waal, 2013, 2014b, 2015b; Leach, 2013; Srinivasan, 2013) with reference to both the north and the south. Although violence has been used as a communicative tool to negotiate with the state, and within rebellions, it may not be repeatedly used to convey the same message. Signals are not endlessly transmitted through violence; the message may change, or the rationale for violence may move beyond purely communicative functions to include strategic considerations, self-defence, economic gain, and resolving internal rivalries within the rebellion, to name but a few. Nonetheless, violence does tend to surround bargaining processes between the state and its rebellions, with major peace agreements invariably restricted to large, organised military-like entities.

The Sudanese state, meanwhile, has routinised violence using several methods, usually to manage and exploit dissent in its peripheries. The first of these is to engage in a collective punishment for suspected sympathisers of rebel groups. The trigger for the First Civil War was the mutiny of soldiers in the Equatoria Corps in Torit, which was followed

by an attack on northern policemen by southern police in Yei, and a subsequent attack by civilians from the Kuku ethnic group against Northerners in the town of Kajo-Keji. These incidents were resolved in a similar manner as the surrender of the original mutineers: an assurance of fair treatment to southerners who revolted, followed by a massacre of those policemen who surrendered at Yei. By October 1955, the original Equatoria Corps had been eliminated, and over the next two years, northern security services stepped up repressive activities, periodically arrested suspected instigators of the mutiny and their sympathisers, and burning civilian houses (Poggo, 2009: 50, 53). The military response to steadily increasing insecurity in the south had gradually intensified throughout the 1960s, but was always underpinned by policy of collective punishment for southerners. This began with the deliberate burning of houses in villages suspected of harbouring rebels, before becoming a systematic policy of harassing and torturing civilians (even in areas where rebellion had yet to make inroads, such as the greater Bahr el Ghazal). This accelerated the exodus of southerners, with fleeing civilians from the western regions of Sudan crossing the borders into the neighbouring countries of the Congo and Central African Republic. In mid-1965, following the election of Mohammed Ahmed Maghoub's government, violence became increasingly indiscriminate, when a series of massacres were committed by the SAF against civilians in Juba, Wau, Malakal and Torit (*ibid.*: 73-75, 78, 83-86).

Second, and as will be discussed shortly, techniques of managing violence have increasingly been used to prolong war, and to facilitate the capture of people instead of territory (or rather, instead of strategically unimportant territory), as will be discussed below. War has enabled the capture resources and labour, and over time, the benefits of violence have been extended to a larger portion of society, particularly to militias. Finally, another way in which war has been prolonged is through the aforementioned ability of Khartoum to exploit dissent within the ranks of peripheral rebellions.

Although developments in the conduct of violence are clearly complicated, they can be grouped into three broad dimensions: temporal, spatial, and functions. Each of these dimensions has been extended in some way. With regards to the temporal dimensions, violence is not only organised and enacted faster, but has been made to last longer, and crosses boundaries of 'war' and 'peace'. Spatially, violence has been extended to cover a greater number of territories (with conflict proliferating throughout Sudan's peripheries, and not just the south), and crucially, a greater number of people, who either partake or are punished by the violence. Finally, the functions of violence have increasingly come to centre upon the capture of people and resources over territory, whilst violence has also become a – if not *the* – primary method for political dialogue between the peripheries and the core.

#### iv. *Economic relations: The capture of resources and labour by military groups*

As noted above, war has increasingly been prolonged in order to ensure that more people as well as resources are captured by warring factions. The political economy of conflict will

be discussed in far greater depth in chapter 5, but for now the key point to take away is that war has been driving economic transformation in Sudan thanks in large part to the increasing power and autonomy afforded to the military and organised rebellions, resulting in a militarised political economy predicated on the capture of labour, and the creation of new dependency relations. This has not been entirely uni-directional however, as the Sudanese government's (sometimes dire) finances have spurred new methods of conducting war 'on the cheap', leading to an increasing reliance on militias and paramilitaries and feeding into the processes of militarisation described above (see de Waal, 2004b, 2007c).

Although military forces in Sudan have previously been associated with the capture of labour and the creation of dependency relations, notably in the *zariba* systems established in the south during the 1840's (see Leonardi, 2013; Thomas, 2015), similar systems began to re-emerge in post-colonial Sudan in the course of the First Civil War. This took the form of large-scale social engineering projects which sought to manage and profit from displacement generated through violence, especially in the form of 'peace villages' and employment schemes. This began in 1956, when government counter-insurgency activities culminated in the forcible relocation of villagers around the major towns that had previously been subjected to massacres, who were resettled along roadsides or within the towns themselves in an effort to separate rebels from potential civilian supporters. Conditions in these 'peace villages' were typically appalling, lacking basic amenities, food and sanitation, resulting in thousands of deaths among the inhabitants through starvation and disease as the final years of war played out (Poggo, 2009: 87-89). These were to be reintroduced during the Second Civil War, alongside new methods of controlling the movements of people, and redirecting them to economically productive work on mechanised farms in the transition zone between the north and south, on highly unfavourable employment terms (see chapter 5).

These methods may be piloted during times of either civilian or military government in Khartoum, but they have become increasingly habitual features of the way the state responds to the presence of violence within its borders. The capture of labour as well as natural resources have become distinguishing features of the war system in Sudan, and have left an enduring mark of the organisation of economic activity and labour, which has also come under the increasingly tight control of the government, military and affiliated elites, with the economic product of these processes often sent outside of the country.

#### *v. International relations: The regionalisation and internationalisation of war*

Finally, it is important to understand how war has affected, and been affected by, Sudan's engagement with international forces. Since the first wave of colonial penetration into southern Sudan during the 1820s, violence has been shaped by – and in turn has shaped – powerful international forces (see Thomas, 2015: Ch. 2). This is something which has only

be partially acknowledged (if at all) in much of the literature on Sudan; a neglect which is not confined to the case of Sudan, and is present in many mainstream understandings of conflict.

Indeed, a significant number of external actors have been involved in the production and reproduction of violence in Sudan. This extends from the lengthy colonial era under successive colonial administrations, to the regional conflagration that surrounded the Second Civil War (and to a lesser extent, the First Civil War, see Poggo, 2009), and up to the steadily increasing diplomatic, humanitarian and capacity-building efforts made by middle and major international powers from the early 1990s onwards.

From the outset of organised rebellion in the early 1980s, the SPLM/A were dependent upon material, ideological and doctrinal support from the Ethiopian government under the Soviet-aligned ‘Derg’, whilst Khartoum was able to receive military assistance as well as financial intervention from the American government, to help manage its escalating debts and renewed insurgency (*ibid.*; see also de Waal, 2007b). As Thomas (2015: 111) argues, the SPLM/A drew inspiration from the “militarist and centralist orientation of Ethiopian socialism”, and produced a rebellion that aspired to be a conventional military from its inception, and a manifesto that was preoccupied with defeating enemies of the SPLM/A, accumulating territory, and militarising social relationships, instead of building links with its population or transforming social relationships within and beyond the south. Tellingly, Thomas recounts how the manifesto:

...sees territory as the subject of liberation and people as its instrument: ‘Politicization, organization and militarization of the peasantry shall follow as areas become liberated’ [in SPLM Manifesto, page 28]. The manifesto aimed to create from this a militarized ‘peasantry’ a conventional army that would fight from the country’s least-developed periphery to transform the centre. (*ibid.*: 111)

This importation of Ethiopian military governance structures and doctrines, together with substantial material support and the sanctuary of bases in Ethiopia, resulted in the SPLM/A being able to assemble large conventional armies, which it used to rapidly seize much of the south from Khartoum over the course of the 1980s. Economic development was to be deferred until after the war had been won, whilst existing local customary governance structures were marginalised in the struggle (*ibid.*: 112-113). However, the withdrawal of Ethiopian support following the collapse of the Derg in 1991, combined with the coup that brought the hard-line National Islamic Front into power in Khartoum in 1989, portended the continual splintering of the SPLM/A throughout much of the 1990s, and the reversal of the SPLM/A’s military gains from the previous decade (Johnson, 2003: 91-97).

This also demonstrated how the turbulent politics of the Horn of Africa – itself subject to Cold War calculations in the 1980s which were being revised following the disintegration of the Soviet power bloc – were bleeding into Sudan’s civil war. Many of

those external actors directly engaged in the backing of one armed party in the Second Civil War have either switched sides in the conflict at least once (e.g. Ethiopia and Eritrea, and the United States of America) or else have varied the type and degree of support offered to southern rebels (e.g. Uganda), with much of these reassessments being made in light of changing geopolitical conditions following the Cold War as well as the 'War on Terror', and in the case of the US in particular, to domestic political considerations (see Mamdani, 2009, Huliaris, 2006, de Waal, 2004b, 2015; Young, 2012). The Sudanese state has, accordingly, altered its external political, military and economic relationships following shifts in Western policies towards the country which it perceived to be unfavourable, most noticeably through cultivating new relations with a number of emerging Asian powers, particularly China, India and Malaysia (see Patey and Large, 2011). Additionally, Khartoum has responded to regional support for rebellion by backing rebel movements in neighbouring countries, creating networks to supply arms to a variety of regional rebel groups (de Waal, 2007b). Both regional and international powers have been involved in Sudan's peace processes, and Sudan has often been involved in its neighbours' peace processes, despite reciprocal support for rebel movements by both Sudan and its neighbours.

The regional and international dimensions of war in Sudan are therefore extensive and complex. Several observations can be made though. First, and speaking in broad terms, war and war-fighting has been more often regionalised rather than internationalised. Second, that peace agreements are more internationalised than they are regionalised, even if neighbouring countries do influence these agreements. Third, that in order to finance their war preparation activities, both Khartoum and the SPLM/A have depended upon external alliances, with Khartoum generally relying upon more distant powers (e.g. the US in the 1980s, and China in the 1990s) to support its economy, and the SPLM/A relying upon neighbouring states to assist its military campaigns and planning, and certain Western nations for diplomatic support (and the US from the mid-1990s onwards). Fourth, both regional and international alliances between the different armed groups as well as the state in Sudan are subject to reversals, which tend to be more abrupt at the regional level (reflecting the turbulence of politics in the Horn of Africa), and slower at the international level, which tend to follow geopolitical developments, but in turn feed into turbulence at the regional level. Finally, and as will be seen in chapter 3, international relations have been conjoined with an expansion of the arms system in Sudan, with Khartoum striving to become more self-sufficient with regards to manufacturing arms and ammunition for use in war through harnessing external connections, and the SPLM/A being increasingly integrated into regional trade in military equipment and arms, with the assistance of its allies.

#### *Indicators of militarism*

By any standard or definition, Sudan – and particularly the south – was intensely militarised during this time. The already established linkages between politics and the military evident since the late 1950s were becoming further entwined as time went by, and political

problems were often being settled with violence. This militarisation of Sudanese society was largely led by politico-military elites (and arguably stoked by the complex and shifting forms of regional and international engagement in the Sudanese civil wars), whether in competition with each other or when co-operating through elite bargains such as the AAA. This has often resulted in the expansion of the size of the state, especially with regards to the number of personnel employed by it following the advent of ‘peace’, as well as through establishing or supporting paramilitary forces and militias which can make certain claims on the resources of the state or predations on society, with the state’s blessing. As will be discussed in chapter 5, a by-product of this was to increase the dependency of large segments of the population – elite or otherwise – into the military, both narrowly and broadly defined. In this sense, militarism was “percolated downwards to the people as a whole”, to borrow Mann’s expression (1984: 43), but was also being further diffused by various forms of external engagement. Arguably, these processes are indicative of a militarised statebuilding process already being underway in Sudan for several decades, led largely by the government in Khartoum. This should make us alive to the possibility that a prototype or blueprint for this form of statebuilding was already present for South Sudan’s statebuilders.

As well as providing much needed context to situate the developments taking place in South Sudan from 2005 onwards, this account also provides us with key indicators of militarism and militarisation based on previous experiences of southern Sudan’s militarisation, which are often linked to the violent amplification of state power:

- 1) Political relations – The capture of state power by military groups, and their reproduction through peace agreements
- 2) Military organisation – An expansion of the number of men under arms and the mean of violence; an expansion of paramilitary forces; centralisation of command; a militarisation of civil administration.
- 3) Military conduct – Decreasing threshold for the use of violence and increasing lengths of violent episodes; violence in ‘peacetime’; strategies to prolong war.
- 4) Economic relations – Socio-economic transformation through the capture of resources and labour in war by military forces and associated elites.
- 5) International relations - Complex patterns of alliance making between the larger armed actors, and regional and international partners; provision of political and material support to belligerents; involvement in peace agreements.

This gives us benchmarks to assess whether South Sudan has become more or less militarised since 2005, which draw on traditions of organising war and its war preparation, and their relationship to state and society in Sudan. As noted above, militarism in Sudan has been mainly perpetuated by politico-military elites, particularly those in the Khartoum government. However, militarism could also have originated or been exacerbated by forces and groups outside of these politic-military elites, namely regional and international powers, as well as societal groups in Sudan who were effectively acquiescing to these developments through agreeing to take on the states functions, i.e. militias. We would therefore need to

consider whether militarisation or demilitarisation in post-2005 South Sudan was being influenced by such forces other than politico-military elites (who have generally been allied to state power). Under the terms of the definition we have outlined earlier, if the post-conflict statebuilding process and the key South Sudanese politico-military actors involved in it are either reproducing or entrenching these characteristics of militarism, then South Sudan can be said to be an example of militarised post-conflict statebuilding. However, if these characteristics of militarism are being reproduced or entrenched by forces other than the South Sudanese state – for instance, international donors, societal demand, or from aggression from outside the South Sudanese state (either foreign or from South Sudanese armed groups who are not participating in the post-conflict statebuilding project), then the picture is more complex than this. It will be contended that whilst these other forces have influenced the spread of militarism, they have been largely subordinate to the key actors within the South Sudanese state who have taken the lead role in statebuilding, relative to other forces.

In order to structure inquiry, we will need to look towards specific aspects of this post-conflict statebuilding process which are likely to engage with the social relations of war and war preparation, and determine whether or not these aspects indicate that the South Sudanese state has militarised society further, and whether its attempts to do so have encountered friction or support from the potential alternative sources of militarism outlined above. These aspects include, above all, DDR programmes; the SSR process; and the social and economic development provisions of the statebuilding project. Given the militarised nature of South Sudanese politics and society at the point of the signing of the CPA in 2005, the impact of these programmes and processes upon these militarised relations is likely to be most acute, and can indicate whether and how the social relations of war and war preparation and their penetration into society at large are either waxing or waning, or undergoing some form of (potentially covert) transformation. Accordingly, the structure of the thesis will be oriented around those aspects of statebuilding which intersect with militarism in the context of South Sudan: violence, arms, institutions, and development. Through doing so, we can not only trace the relationship between post-conflict statebuilding and the diffusion of militarism, but can locate its place in explaining violence in South Sudan, and in particular the renewed mass violence which was sparked on December 2013. Moreover, we can help answer the broader question of *why* this post-conflict statebuilding process was militarised.

## Conclusions

Having undertaken a review of a variety of different approaches and answers to the question of the relationship between statebuilding and violence, and assessed the strengths and problems accompanying each approach, a framework of ‘militarised post-conflict statebuilding’ has been outlined. This framework alters the terms of debate, through approaching the questions surrounding statebuilding and violence through the lens of militarism and militarisation, and directing attention to the possibility that post-conflict



statebuilding may be driving *militarism* rather than violence, and this may help to provide a more sophisticated explanation of contemporary post-conflict statebuilding and its connections to violent conflict, in South Sudan and perhaps elsewhere too. This framework allows us to chart the ways in which the statebuilding process in post-CPA South Sudan may be militarising or demilitarising South Sudanese society, through looking at whether political, economic, international and military relations themselves are becoming more or less militarised. Before applying this framework, we will first conduct a review of the trends and patterns in organised violence in South Sudan from 2005 to present, with subsequent chapters explaining this violence with the assistance of the framework of militarised post-conflict statebuilding.

## Chapter 2: Mapping Violence in South Sudan

This chapter surveys the levels and contours of violence in South Sudan since the signing of the Comprehensive Peace Agreement (CPA) in 2005, including the ongoing civil war from late 2013 onwards. The question guiding this chapter is a straightforward one: *what are the levels, contours and distribution of armed violence in South Sudan from 2005 onwards?* A detailed portrait of physical violence in post-CPA South Sudan provides a foundation for analysis of this violence, and a route to unpacking the complexities and relationships that structure, surround or are subordinate to violence. This in turn provides a basis to explore how violence is organised, regulated and financed in subsequent chapters. Beyond this, a comprehensive and up-to-date account of physical violence in the post-CPA era is increasingly required, given the outbreak of intensive, large-scale violence from December 2013 onwards. The causes and dynamics of the intensification of violence from the end of 2013 are suggestive of both important changes and continuities with violence prior to this time, and invites reflection on how post-CPA violence should be understood more generally.

The explanations advanced to make sense of violence in South Sudan, be they from specialist or non-specialist writers, have tended to misread or unintentionally mystify this violence. This builds upon a history of simplifying the Sudanese wars as either being somehow rooted in Sudan's ethnic and religious diversity (including oppression by the 'Muslim, Arabic north' over southern 'Christian and Animist Africans'), or attempting to determine whether and how the 'resource wars' label may be applied to conflicts which seem to involve certain resources (especially oil), but rarely in straightforward ways. Within popular and media discourse on South Sudan, three narratives have attained particular currency in non-specialist circles to explain the current crisis in the country. First, the notion of a 'leadership failure' is recurrent in political commentary, in which President Salva Kiir and the former Vice President, Riek Machar, are said to bear special responsibility for causing the conflict and refusing to bring it to an end. This attempt to personalise the conflict misleadingly suggests that the civil war is simply the result of two vertically-organised armed blocs operating under the effective control of their respective leaders, which are engaging in a war of attrition to claim power. Second, the concept of the 'failed state' (as well as the 'fragile state') has been revived to simultaneously describe *and* explain the situation in South Sudan (see Fund for Peace, 2014). This betrays, yet again, the analytical uselessness of the 'failed state' concept. And third, the narrative of 'ethnic conflict' between the Dinka and Nuer was swiftly mobilised to interpret the violence, dovetailing with the 'leadership failure' narrative, and implying a collision between discrete

ethnic identities at both the elite and mass levels.<sup>9</sup> This has, arguably, been reinforced by the tendency within the media to cover specific acts of violence which loosely correspond with this ‘ethnic conflict’ narrative, especially when events are condemned by the United Nations.

This chapter provides a complexified account of the violence, and seeks to be more comprehensive in its scope, with regards to incidents, actors and areas in which violence is concentrated. Engaging head on with the complexities of violence in the post-CPA era seems daunting, but actually provides a greater degree of clarity than can be attained through approaching it from a more limited angle. To do so, a range of sources will be utilised, including quantitative data sets, analysis and briefing documents from research institutes and think-tanks, as well as relevant secondary literature. The structure will be divided between three phases of violence. The first phase addresses violence occurring between early 2005 to late 2009, which was characterised by tensions between the Sudan People’s Liberation Army (SPLA) and the Sudan Armed Forces (SAF) and certain allied groups; frequent attacks by the Lord’s Resistance Army (LRA); and mounting low-intensity violence in certain parts of southern Sudan, which at times intersected with violent disarmament campaigns led by the SPLA. The second phase – from early 2010 to late 2013 – saw a number of insurgencies emerge in the south, whose entrance into the political and military systems of South Sudan accompanied national-level political milestones, in a context of continuing violence and violent disarmament in specific parts of the country. The final phase concerns the outbreak of mass violence from December 2013 to present day, and charts the changes and continuities in the current civil war from the violence preceding it. Each section is divided into three parts, concentrating on the chronology, geography and actors implicated in the violence respectively, with a brief analysis bridging the three phases.

One issue which needs to be anticipated is the risk of an internalist bias which accompanies this approach. A number of regional and international actors who are not directly involved in conflict and violence in South Sudan, yet have helped facilitate it in a variety of ways (intentionally or otherwise), do not feature prominently in this analysis. Such actors, primarily the US, China and member states comprising the Inter-Governmental Authority on Development (IGAD) are covered in later chapters. Violence in South Sudan, as elsewhere, can rarely be satisfactorily explained without reference to external actors complicit in its production, and the processes which surround or sustain it. In the South Sudanese case, a variety of actors associated with political centres in both Sudan and South Sudan, as well as in regional and international economic and political hubs, have spurred and reconfigured violence, whilst relationships between these political

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<sup>9</sup> There are abundant examples of both the ‘leadership failure’ and ‘ethnic conflict’ explanations in large segments of both the Sudanese and Western media reporting, as well as in opinion pieces on the *Gurtong Trust* website ([www.gurtong.net](http://www.gurtong.net)) and *The Sudan Tribune*. There are exceptions to these accounts, especially on the *African Arguments* ‘Making Sense of the Sudans’ blog, and from a number of reporters, notably James Copnall. The notion – stemming largely from Western journalists – that the conflict was somehow ‘ethnic’ or ‘tribal’ in nature was strongly rejected as being an inaccurate over-simplification by many South Sudanese writing in online forums and news comments sections in the early stages of the conflict.

centres have themselves been refashioned in the course of conflict. In this sense, the creation of South Sudan and the subsequent civil war in the country - which threatens to develop into a regional conflict (see ICG, 2015a) – has churned the already complex relations within the greater Horn of Africa.

An in-depth analysis of the three phases of violence reveals a complex – but by no means bewildering – dynamic of conflict that surrounds the mobilisation and exercise of violence in South Sudan. Rather than being merely ‘local’ or ‘cyclical’, as some analysts have argued, violence is largely regulated through and directed outwards from political centres in Juba, Khartoum and elsewhere in the region. Neither is anti-government violence purely opportunistic, but instead indicates a desire or perceived necessity to establish a regularised relationship with the state, or to respond either per-emptively or in reaction to the threat and practice of violence by the state. But beyond this, and hiding in plain sight, is the fact that South Sudan has been extremely violent since 2005, despite – or perhaps even because of – the signing of the CPA and the post-conflict statebuilding process which followed.

## Violence from 2005-2009

The first phase of violence is bounded by the signing of the CPA in January 2005, to the end of 2009. During this time, multiple actors were engaged in armed combat, and violence flared considerably in 2006 and especially in 2009. A number of disarmament campaigns took place during this time (with many being conducted by the SPLA violently, or with the threat of force), and, together with conflict along both the northern and southern borders of southern Sudan relating largely to unresolved or unaddressed political issues lingering from the Second Civil War, constitute the main forms of war during this phase.

## Chronology

Levels of violence in Southern Sudan decreased markedly in the aftermath of the signing of the CPA, albeit from a high level in the months leading up to the finalisation of the agreement, and in the backdrop of intense conflict in Darfur.<sup>10</sup> Several incidents were

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<sup>10</sup> Much of this information in the chronology parts of this chapter is reliant on International Crisis Group (ICG) Monthly Updates on Sudan and South Sudan, which cover only some instances of conflict and violence from this time. These are only referenced when quoting directly from the Monthly Updates. It is often the case that full-length ICG reports written at later dates significantly revise casualty estimates made in Monthly Reports (often upwards), whilst reporting additional clashes and acts of violence not covered in monthly updates. Additionally, ICG Monthly Updates sometimes refer to “government forces” involved in fighting. Given that Khartoum cultivated relations with a number of armed groups during the Second Civil War which often operated in conjunction with its regular armed forces (the SAF), including the arming and/or creation militia groups and other allies, it is not necessarily clear whether this term refers exclusively to the regular SAF, allied groups, or some combination of the two. Where more specific information about the armed actors participating in fighting is available, this has been included. Otherwise, the term ‘government forces’ is used where this information is lacking.

reported in 2005, including “clan violence” in the southern part of Lakes state in May, leaving 75 dead and 4,000 displaced (ICG Monthly Update, June 2005). This was part of a trend of deteriorating security in Lakes following the signing of the CPA (see SAS/HSBA, 2006a). However, a seismic political shift occurred on the 30<sup>th</sup> of July, with the death of John Garang in a helicopter crash. Garang’s death sparked riots in both Khartoum and Juba, with at least 130 people killed over three days of violence. Whilst the death of Garang brought considerable political uncertainty about the fate of the peace agreement between the SPLM/A and the National Congress Party (NCP), the swift replacement of Garang by Salva Kiir averted a political crisis, whilst creating more favourable conditions for a separate agreement between the Sudan People’s Liberation Movement/Army (SPLM/A) and their armed rivals in the south, who had been excluded from the CPA process, especially from the South Sudan Defence Forces (SSDF, see below).

In November of 2005, clashes between Dinka and Zande groups, as well as the SPLA, left “several dead and forced humanitarian groups to evacuate” from Western Equatoria, a traditionally stable part of the country spared from much of the violence during the Second Civil War (ICG Monthly Update, December 2005). These clashes occurred in the state capital, Yambio, as well as Ezo town, and were believed to have resulted in the death at least 33 people, in addition to a “substantial” number of SPLA soldiers (O’Brien, 2009: 39).

2006 saw intensifying violence during the first half of the year, especially in Jonglei, and was marked by clashes elsewhere in the country, notably between the SPLA and elements of the SSDF. In the wake of the Juba Declaration of January 2006, in which the SSDF was expected to integrate with the SPLA, a number of sporadic and lethal clashes involving both soldiers from the SPLA and SSDF occurred in the first few months of 2006, seemingly at locations close to the north/south border. Meanwhile, the first wave of an SPLA-led disarmament took place in Jonglei at the beginning of 2006, targeting the ‘White Army’ militia in Jonglei state, as well as a general disarmament exercise in Upper Nile. In January, an SPLA contingent was ambushed by the White Army, leaving 300 SPLA dead, who mainly died of thirst or starvation after being scattered in the attack (Arnold and Alden, 2007: 364). Persistent clashes between the SPLA and White Army continued in the first half of the year, causing significant casualties to the White Army, who engaged in pillaging of neighbouring areas, whilst the SPLA selectively burnt huts belonging to White Army members (*ibid.*). In total, an estimated 1,600 people died during this disarmament campaign, of which 1,200 were Lou Nuer members of the White Army, and “at least” 400 SPLA (ICG, 2009: 3; Rands and LeRiche, 2012: 11); figures, incidentally, which are not recorded in most conflict data sets (e.g. ACLED).

As the Jonglei disarmament came to a close, clashes between the Sudan Armed Forces (SAF) and SPLA were reported in Rubkona town in Unity state in July, killing 15, whilst up to 70 people (unspecified) were killed in new “inter-tribal” clashes in Lakes state (ICG Monthly Update, August 2006). Throughout the year, the Lord’s Resistance Army were active in Central Equatoria state, including in and around Juba, resulting in

approximately 50 civilian deaths. The final notable event of 2006 occurred in November, when hundreds were reported killed in Malakal, Upper Nile state, following in-fighting between Khartoum-aligned SSDF and the SPLA serving within a Joint/Integrated Unit (JIU) of the army, which escalated into fighting between the SAF and SPLA.<sup>11</sup>

2007 saw a decline in violence in the first half of the year, although a number of large raids took place. In May, a series of raids and armed clashes between Dinka and Lou Nuer occurred, with the (now partially disarmed) Lou Nuer having become targets of Dinka and Murle raiders later in 2006 (ICG, 2009: 3). There is no clear estimate of the numbers killed or injured during these attacks. Additionally, towards the end of September or early October, 2007, around 41 people were killed in cattle-related clashes in Cueibet County, Lakes state, whilst a confrontation between police and SPLA in Western Equatoria (most likely in Yambio) led to SPLA soldiers opening fire on a police station, killing 9, including 6 senior police officers (O'Brien, 2009: 23, 39). Again in May, a group of Didinga women and children were attacked south of the town of Kapoeta in Eastern Equatoria by a group of heavily armed Toposa men, "estimated at the strength of a battalion", some of whom were seen wearing uniforms (Schomerus, 2008: 38). This resulted in 54 deaths, 11 injuries, as well as 400 heads of cattle being stolen. The second half of the year was characterised more by political tensions between the SPLM and Khartoum, and in October these tensions culminated in the temporary withdrawal of the SPLM from the CPA-mandated Government of National Unity, with President Bashir threatening to reopen "training camps for "mujahideen" Popular Defence Forces [PDF] militia" (ICG Monthly Update, December 2007). Meanwhile, at the end of November, 7 people were reported to have been killed at an MSF hospital in Bor, following incidents of pastoralist conflict which left at least 20 dead in the area. Although the SPLM rejoined the government at the end of December, on the 23<sup>rd</sup>-24<sup>th</sup> December a set of clashes which pitched the SAF, PDF militia and Misseriya fighters against the SPLA occurred along the border region, with fighting concentrated in Southern Kordofan and Northern Bahr al Ghazal.

Fighting in the northern borderlands flared at various points in 2008, including on March 1st where up to 70 were killed in clashes around Abyei between the SPLA and Misseriya militias, who had been aligned with Khartoum for much of the Second Civil War. On the 24<sup>th</sup> April, approximately 30 were killed in renewed clashes in Abyei following reports of government forces redeploying in the area. The 14<sup>th</sup> May saw renewed clashes in Abyei, killing at least 89 and displacing at least 50,000 (O'Brien, 2009: 44). In June, the SPLM and Khartoum agreed to refer the issue of Abyei boundaries to the Permanent Court of Arbitration in The Hague, bringing a temporary end to the fighting.

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<sup>11</sup> The JIUs were intended to be units consisting of equal parts SAF and SPLA troops, and were to be stationed at various parts of the country, especially the South, but also Khartoum and in the contested border regions above the South, albeit in smaller numbers. They were tasked with various functions including common national defence, as well as being a "symbol" of national unity sovereignty, and, somehow, in the "reconstruction of the country". They would "constitute a nucleus of a post referendum army of Sudan, should the result of the referendum confirm unity", or else would dissolve in the event of secession, with the different components "integrated into their respective forces" (CPA, 2005: 'Security Arrangements', Article 4)

Whilst Abyei was the epicentre for north-south fighting in 2008, a number of other incidents occurred that year. First, in early March, 20 south Sudanese were reported to have been killed by an unspecified group of Ugandan gunmen. Second, and in the same month, 95 people died in “inter-tribal” fighting in southern Lakes and Warrap states (ICG Monthly Update, April 2008), which according to interviews by researcher Adam O’Brien (2009: 23-24), may have had an actual death toll closer to 150 in Lakes alone. Additionally, 15 civilians were killed and 20 wounded in clashes in August, north of the Lakes state capital, Rumbek (*ibid.*: 29).

In the second half of 2008, a country-wide disarmament process was launched at the behest of President Kiir, which sparked several incidents of violence in the states where the order was carried out. In Hiya payam, Eastern Equatoria, at least 8 SPLA soldiers and 11 civilians were killed when citizens resisted disarmament (*ibid.*: 19). On the 8<sup>th</sup> September, SPLA soldiers surrounded and cordoned Rumbek in order to begin a coercive disarming of the town, which resulted in violence against civilians after drunken soldiers rampaged, likely killing two civilians and wounding a further seven, and raping one woman. In late September, following the departure of the SPLA from the area, a car carrying local dignitaries was ambushed, killing at least two and wounding a further seven, and October saw three incidents of clan-related violence in the counties surrounding Rumbek, killing 11 and wounding 2 (*ibid.*: 29, 32). Finally, SPLA-led disarmament in Unity state from September to the end of the year did not result in any reported fatalities, but accusations were made that the SPLA abused civilians during the process, and a small clash occurred in Leer, with two civilians wounded (*ibid.*: 46-47).

Intra-southern violence increased significantly during 2009, and was largely concentrated in Jonglei state. On the 11<sup>th</sup> of January, 7 state wildlife and police personnel were attacked near the town of Poktap in Duk county, Jonglei, whilst delivering salaries to predominantly Lou Nuer government personnel, an event which would set off further tensions involving the Lou Nuer, as well as Murle militias, throughout the year (ICG, 2009: 3). In January, a Murle attack in Akobo against the Lou was estimated to have killed approximately 300 people, predominantly Lou (SAS/HSBA, 2012b: 3). This was followed by further Lou and Murle violence in March and late April, with approximately 450 Murle believed to have been killed in the attacks near Pibor in early March, as well as an unspecified number of Murle children abducted, whilst attacks on the 18<sup>th</sup> April by armed Murle against the Lou Nuer are believed to have killed around 250 Lou in Akobo county (*ibid.*). A smaller attack occurred on 22 May at an (unspecified location) in Jonglei killing an unspecified 22 people, whilst a Murle assault on Mareng on the 2<sup>nd</sup> August resulted in 185 deaths, mainly of women and children (ICG, 2009: 6).

Further north from southern Jonglei, violence between Lou and Jikany Nuer militias intensified across the borders between northern Jonglei and Upper Nile states, building on tensions over land, migration and administrative boundaries which had been mounting since the early 1990s. Following a series of cattle raids throughout the spring, Lou youth surrounded and attacked a Jikany Nuer cattle camp, killing 71 (mainly women

and children), with a number of the attackers said to be uniformed (*ibid.*: 7). On June 12th, a convoy of World Food Programme barges moving from Malakal in Upper Nile towards Akobo in Jonglei were attacked by Jikany Nuer militias and armed civilians, with the ensuing three days of fighting killing 119 people (89 SPLA, and 30 local Jikany) (*ibid.*).

Later in the year, Lou Nuer grievances against both the Southern government and security institutions, and against certain neighbouring Dinka groups, were channelled towards Dinka areas of Jonglei state. On the 28<sup>th</sup> August, Lou Nuer fighters attacked Wernyol in Twic East county, killing 42, wounding 60 and displacing hundreds (ICG, 2009: 3). This attack was led by Chibatek Mabil Thiep, a Lou Nuer and a former militia fighter said to be disgruntled with the unfolding integration of armed groups into the SPLA, who again mobilised Lou youth to attack the town of Duk Padiet on 20<sup>th</sup> September, killing at least 167 (85 of whom were Lou youth, and the remainder being a mixture of civilians, police, SPLA, and interestingly, National Intelligence and Security Services (NISS) personnel) (*ibid.*: 3-4). In these two attacks, cattle were not taken whilst town centres were targeted, suggesting these could not be convincingly explained as being instances of ‘cattle violence’, which has often been the default explanation for violence favoured by many analysts. By May, escalating violence in Greater Upper Nile led to the Southern Sudanese government announcing a crackdown, and on the 23<sup>rd</sup> of September the government announced that it would be deploying “hundreds of troops” to secure Jonglei, and disarm the population (ICG Monthly Update, October 2009, see also Young, 2010).

Although clashes (primarily) involving the Lou Nuer against neighbouring groups were the deadliest series of encounters that year, a number of other instances of violence are worth noting. On February 24<sup>th</sup>, approximately 100 soldiers and civilians were killed in Malakal (with reports of a hundred wounded), during clashes between the SPLA and former Nuer militiamen (who comprised the majority of the SAF component of the Malakal JIU) (ICG, 2009: 10). This was the second such incident in Malakal, and on both occasions they appear to have been sparked by the return on Gabriel Tang-Ginye, a former Nuer militia leader and now a Major General in the SAF, to Malakal. Meanwhile, an LRA attack in Western Equatoria the same month resulted in 2 deaths, and displaced hundreds. LRA attacks continued throughout the summer, reportedly killing 180 people (in addition to abductions). By the end of the year, UN OCHA reported that “over 220 killed and 157 abducted in attacks by suspected LRA rebels in southwest over 2009” (ICG Monthly Update, December 2009). In addition, unspecified “tribal clashes near Malakal” on the 1<sup>st</sup> of November were reported to have killed at least 8 people, whilst cattle raids in Lakes on the 16<sup>th</sup> November killed 47 (*ibid.*).

The ICG provides an estimate of 2,500 deaths in Southern Sudan throughout 2009, with 350,000 displaced as result of this violence (2009: 1). As will be seen shortly, violence would continue to intensify as the CPA-era rumbled on. For now, we will introduce some of the primary actors involved in violence during this phase, and note its geographic dimensions.



### Actors

A plethora of armed groups have been implicated in violence in the early years following the CPA. The most significant of these groups are outlined below.

i. *The Sudan People's Liberation Army*<sup>12</sup>

The SPLA is the largest of South Sudan's official security branches, and has been steadily growing in size since the signing of the CPA, when it was separated (at least on paper) from the SPLM, and became the standing army on the Government of Southern Sudan (GoSS). During these initial years following the CPA, the SPLA has faced a number of challenges to its institutional structure and internal coherence, including the absorption of rival armed groups (notably the SSDF), the CPA-stipulated requirement to co-operate in JIUs, as well as attempts by politicians and some within the military itself to oversee a reform and restructuring of the SPLA, and to specify its role and responsibilities (see Rands, 2010). In addition, the SPLA has been involved in numerous armed encounters, including with Khartoum-aligned forces around the northern border, the LRA to the south-west, certain elements of the SSDF, and notably, armed civilians and militia groups. The SPLA has been tasked with intervening in clashes, and disarming swathes of the population. The militarised peace enforcement and disarmament strategies which characterise the SPLA's approach to managing violence have, at times, incited conflict, and tends to provoke groups to re-arm and organise against it.

ii. *The South Sudan Defence Forces*

The SSDF was a loosely organised rival to the SPLM/A, comprising numerous armed groups which entered the Second Civil War at various stages, with some members fighting Khartoum since the 1970s as part of 'Anyar-Nya II', some being drawn from anti-SPLA self-defence militias in parts of Greater Equatoria and Bahr el Ghazal, and many more joining following the SPLM/A split in 1991 (see Young, 2006: 13-18; see also Blocq, 2014). The SSDF was formally given its name in the Khartoum Peace Agreement of 1997, which brought many of these southern armed groups into an uneasy tactical alliance with Khartoum, and with one another. Some of these groups had already received support of varying degrees from Khartoum, and Khartoum was keen to ensure that the SSDF not only served the purpose of weakening the SPLM/A, but also would remain a weak force in its own right, playing off commanders against one another. During the late 1990s, elements of the SSDF would play a key role in depopulating the oil fields to the north-east of southern Sudan.

The SSDF was classified as an 'Other Armed Group' in the CPA, and were excluded from the negotiations. Sensing the political momentum of the SPLM/A in the south, and following the defection of several key SSDF figures (notably future Vice-President Riek Machar and Taban Deng) to the SPLM, the nominal leader of the SSDF – Paulino Matiep – signed the Juba Declaration with the SPLM/A in January 2006, which

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<sup>12</sup> The SPLA will be discussed in greater detail in chapter 4.

called for the integration of SSDF soldiers into the SPLA. Whilst many of the SSDF did integrate, an unknown number of soldiers from the SSDF refused to join the SPLA following the Juba Declaration in 2006, and remained affiliated with the Sudan Armed Forces under the leadership of Major General Gordon Kong (Young, 2012: 308; see also Arnold, 2007; Bubna, 2011: 4). Kong – alongside Matiep – was an early member of the secessionist Anya-Nya II movement that jostled for the mantle of ‘lead’ southern rebellion with the SPLM/A during the early years of the Second Civil War, elements of which would go on to form the core of the SSDF, with others joining the SPLM/A. Kong developed a bitter enmity towards John Garang during the initial years of the Second Civil War (Hutchinson, 2001: 311), and would replace Matiep as the head of the SSDF in 2006. Whilst the Khartoum-affiliated remnants of the SSDF were believed to be relatively small, with the majority of SSDF commanders and combatants either integrating into the SPLA or withdrawing from organised armed groups altogether, many remained part of the JIU’s stationed in a number of urban centres throughout Sudan. Kong is believed to exercise command over Gabriel Tang-Ginye and Thomas Mabior, implicated in the outbreaks of serious JIU violence in Malakal. Although a significant figure during the Second Civil War, Kong – now based in the Republic of Sudan – appears to have retreated or abstained from intervening directly in South Sudanese politics, and is characterised more by the potential or threat of violence which surrounds him. As with the SPLA, estimates of the total size of the SSDF prior to their integration vary wildly, with lower estimates placing SSDF combat personnel at around 30,000 (SAS/HSBA, 2006b), and higher estimates suggesting the SSDF was at least equal to the SPLA in terms of parade strength (e.g. Young, 2012, who had previously given the figure of 30,000), though no reliable figures for either exist (see Chapter 4).

*iii. Sudan: Khartoum and affiliated armed groups*

The multiple branches of the Sudanese state and military, including the Sudan Armed Forces (SAF), the National Intelligence and Security Services (NISS), and paramilitary groups organised under the Popular Defence Forces (PDF), had orchestrated much of the violence in southern Sudan – and elsewhere in Sudan – during its various civil wars (see de Waal, 1993, 2004b). Although the SAF was actively engaged in combat with southern rebels, as well as the occupation of towns in the south, Khartoum refined a counter-insurgency method involving the creation and/or funding of armed militia and rebel groups to destabilise specific peripheral regions, whilst enabling Khartoum to deny involvement in the violence. In the post-CPA era, groups backed at one time or another by Khartoum, including the LRA, Misseriya and Rizeigat militias within the PDF, and SSDF remnants, were engaged in violence against both civilians and the SPLA, especially in the border regions. Moreover, the SAF clashed with the SPLA on a number of occasions, typically in areas along the northern border.

*iv. The Lord’s Resistance Army*

The LRA have a complex and poorly understood history, often recited through rumours, myths and speculation. Originating in northern Uganda in the late 1980s, and deriving

much of its initial membership from anti-government forces in the north of Uganda (including the related Holy Spirit Movement active from the mid-to-late 1980s), the LRA have become synonymous with acts of extreme violence against civilians, as well as abductions. The specific motivations of the group are unclear, though seem to involve redressing a history of marginalisation in parts of northern Uganda, creating a political order based on a fusion of customary spiritual beliefs and elements of Christianity, as well as grievances generated in the course of engaging with other armed groups. The Ugandan government, meanwhile, is said to have benefitted politically from the threat they pose to the restive north of the country, with soldiers and military officials alleged to have financially profited from the emergency conditions imposed on the north (see Dunn, 2007; Allen and Vlassenroot, 2010). The LRA have been active in Greater Equatoria in southern Sudan since the early 1990s, and received financial and logistical support from Khartoum since at least 1994, although it is unclear whether or to what extent Khartoum has provided support to the LRA in the last decade (Atkinson, 2010: 205-6).

Following the CPA, the LRA became increasingly exposed once most armed groups fighting the SPLM/A dissolved or integrated into the SPLA, and drifted from its bases in Eastern Equatoria towards the DRC, via Central and Western Equatoria states, engaging in violence *en route*. By July, 2006, the LRA entered into peace talks with the Ugandan government, mediated by GoSS (with Riek Machar taking a lead role). The Juba talks broke down over the course of 2008, with President Kiir indicating that GoSS would no longer support an open-ended peace process (*ibid.*: 220). Following the breakdown of the talks, the LRA engaged in extensive violence in the Southern Sudan-DRC borderlands in 2009.

#### *v. The White Army*

The ‘White Army’ is the name given to an assortment of armed youth groups, primarily located in present-day Jonglei state. Although the origins of the White Army are opaque, Young (2007: 11-13) identifies the emergence of a recognisable White Army following the 1991 split in the SPLM/A. Armed youth in parts of Greater Upper Nile, largely from Nuer clans (including elements of the Lou, Gawaar and Jikany Nuer, as well as Duk Dinka), had become increasingly armed during the Second Civil War, a process accelerated by Riek Machar with assistance from the SAF following his split from the SPLM/A. In addition to arming youths, Machar and his subordinates were able to periodically mobilise the White Army during this phase of the war, notably in the 1991 Bor Massacre.

Rather than being a coherent or regular group, Young suggests that viewing the White Army as a series of smaller ‘White Armies’ - which occasionally coalesced to participate in larger attacks - provides a more accurate understanding of the organisation (*ibid.*). A precise estimate of the size of the White Army is therefore impossible, since membership of the group was ad hoc and informal, and its overall size fluctuated. Smaller White Army militias could exert control over their surrounding territory, with varying degrees of permanence, whilst a larger confederation of White Army units could be mobilised swiftly, often in the pursuit of a short-term goal. Upon taking power in the south

in 2005, the SPLM/A made disarming the White Army a priority, in order to reduce insecurity in Jonglei state, and to pre-empt efforts by Khartoum to use the White Army to destabilise the Southern government (Arnold and Alden, 2007). Whilst costly in terms of lives lost (see above), this temporarily broke the White Army, although armed youth from Jonglei would again reform under the banner of the White Army in subsequent years.

### **Geography**

The geographical concentration of violence during this phase of violence largely reflected the previous distribution of sites of conflict and displacement from the Second Civil War. This included intensive violence and chronic insecurity in parts of Greater Upper Nile, and simmering conflict in the borderlands with Uganda. However, the changes to the political order of Sudan endorsed by the CPA helped define some of the geographical parameters of the violence. In the main, armed conflict tended to cluster around border regions. To the north, the (disputed) border between the north and south was a focus point for clashes between the SPLA and Khartoum-aligned forces, notably in Abyei. Armed violence involving JIUs also broke out in nearby Malakal. Towards the southern border with Uganda, LRA activity intensified along the southern and south-western borders, either side of the failed Juba peace talks from 2006-08. In this sense, a number of the external forces which had entered the southern theatre of conflict during the Second Civil War – with the LRA and the Ugandan military to the south, and the forces of Khartoum and their agents along the northern border – continued to make incursions into the emerging SPLM-dominated political system.

Meanwhile, the periodic disarmament campaigns launched by GoSS signalled not only a new method of controlling and conducting violence, but the beginnings of a shift in the political geography of violence. This saw violence being directed outwards from political centres within Southern Sudan, be it from Juba or certain state capitals. This established the first forms of a concentric structure of violence in post-CPA South Sudan, which, over time, would lead to a reorientation of violence away from the peripheries to the urban political centres. Violence in Jonglei state, meanwhile, sits at the crossroads of both lingering pre-CPA violence, and forced disarmament.

### **Analysis**

Although uneven and fluctuating, violence persisted throughout this period, and at times exceeded levels of violence during the quieter years of the later stages of the Second Civil War (ACLED, 2013, 2014). Up until 2009, much of this violence could be directly linked to events and relationships between violent actors dating from various stages of the Second Civil War (including the CPA and Juba Declarations between the major belligerents, which were accompanied by slight surges in clashes and levels of violence), but the resurgence in

violence in Jonglei state in 2006, and especially in 2009, is suggestive of new inputs into the violence, where disarmament initiatives as well as the gradual unfolding and extension of state power appeared to be inciting conflict, or intersecting with dormant or suppressed conflicts.

A paucity of academic literature exists on violence during this time. Instead, the violence has tended to be couched in terms such as 'local', 'communal' and 'clan'-based by reports from think tanks and research institutes, which dominate the literature. The causes of this violence have typically been acknowledged to be multi-faceted, involving a complex combination of (often unspecified) political and economic interests on the part of state officials and elites, pursued in a context of resource scarcity which pre-existing communal tensions are played out in by militias and armed tribal groups. This is generally held to have been facilitated by the widespread diffusion of small arms, which the SPLA has been tasked with addressing, seemingly without sufficient preparation or training (e.g. ICG, 2009; O'Neill, 2009; SAS/HSBA, 2006a). Pendle's (2014) account of conflict between Dinka clans in Warrap state from 2005-2008 provides one of the few exceptions in this regard, and attempts to chart the relationship between statebuilding and violence in this specific period. Pendle explains how violence can intensify when state authority disrupts existing political relationships and the "balance of power" between 'local' groups, regardless of whether the agents of state power have a benign or ulterior motive for intervening in these power relations. Whilst there is some merit to this argument, it ultimately does little more than apply a realist framework to the micro-level, with the concomitant problems of analytical exclusion and the omission of regional and international inputs into violence going unaddressed. The fact that the scope of this study has been narrowed to study a limited geographical region in a concentrated time period, whilst understandable, similarly limits the argument's ability to speak to the range of processes and actors engaged in violence throughout the post-CPA era.

Arguably, part of the difficulty of interpreting and deciphering violence in this era is that it sits at the fold between the political and economic order of the Second Civil War, and the emergence of an independent South Sudanese state. Any analysis of violence during this time must contend with the fact that violence is often being carried over from disparate, unresolved conflicts prior to the signing of the CPA, as well as from the early stages of forging a new political order in the south, whose outcome would be uncertain. At times, for instance in Jonglei state in 2006 and 2009, as well as with occasional skirmishes between SSDF and SPLA forces, violence has a foothold in both the past order and the emergent one.

Finally, it should be noted that there is some uncertainty regarding the LRA attacks against civilians during this time period, which suggests that violence may have been chiefly organised by a state (rather than non-state) actor. Whilst the LRA were often labelled the culprits of these attacks, it is conceivable that the Ugandan military, the Ugandan People's Defence Force (UPDF, see below), were actually responsible for much (and perhaps most) of the violence against Equatorial civilians during this time, despite ostensibly being

deployed to southern Sudan to protect civilians and defeat the LRA. Moreover, their actions may have also stoked actual LRA violence either side of the Juba Peace Talks (Schomerus, 2012). The UPDF, including their activities in this violence, will be discussed further below.

### Violence from 2010 to 2013

Violence continued throughout 2010 and 2011, and was characterised by the emergence of a number of militia groups and small-scale rebellions around the time of the April 2010 elections, as well as in the aftermath of the vote for secession in early 2011. Many of these armed groups were led by commanders who were implicated in the complex politics that followed the initial split in the SPLM/A in 1991, and had plunged the Greater Upper Nile region into a series of proliferating and inter-locking conflicts, driven by a mixture of personnel feuds, political and economic ambitions, and changing tactical and strategic circumstances (see Hutchinson, 2001; Johnson, 2003: Ch. 7 & 8; Nyaba, 1997). Indeed, there are certain parallels between violence in the 1990s and the violence beginning in 2010. In this phase, political violence had begun to cross a threshold, in the sense that that violence was becoming more organised, and was being explicitly directed towards the state by a variety of groups, with the state in turn formalising its repertoire of responses to violence, through the instruments of disarmament, counter-insurgency, and amnesty agreements. Given that the violence stemming from the rebellions was both extensive and complex, involving numerous armed groups as well as the SPLA, and that the specificities of these instances of violence provide important clues as to the relationship between violence and statebuilding, these rebellions will not be discussed in the chronology. Instead, they will be explored more thoroughly in the ‘actors’ section, with the chronology below detailing violence taking place largely outside of these rebellions (though sometimes intersecting in important ways).

### Chronology

Prior to the rise of numerous rebellions beginning in April 2010, the first quarter of 2010 saw a number of violent incidents taking place. The ICG reported that in January, “[v]iolence surged again in the South: 17 reportedly killed early month when armed civilians resisted official disarmament drive; at least 154 killed in separate inter-tribal clashes in remote Tonj region and Jonglei State” (ICG Monthly Update, February 2010). The following month, at least 52 were reported to have been killed in “clashes between military and armed civilians” (ICG Monthly Update, March 2010), whilst on the 19<sup>th</sup> of March at least 13 were killed when SPLA fought nomadic groups migrating from the north, both at

unspecified locations. This continued into April, with “26 killed in 5 Apr tribal clashes over livestock in Warrap” (ICG Monthly Update, June 2010), and the SPLA engaging Darfuri nomads towards the end of the month, with 58 reported to have been killed in these clashes. Finally, on November 13<sup>th</sup> and 24<sup>th</sup> the SPLA were attacked by SAF helicopter gunships in Northern Bahr al Ghazal, with the SPLA reporting that 10 were killed and 6 injured in these attacks, with the SAF forces claiming the SPLA were attacked in “error”, when the SAF were pursuing Darfuri rebels who had withdrawn into the South (ICG Monthly Update, December 2010).

In the early months of 2011, a number of insurgencies again broke out following the January referendum on Southern Sudanese independence, notably by forces loyal to Peter Gadet. The majority of violent incidents for this year, as with 2010, would involve fighting between these small-scale rebellions and the SPLA (see below). In addition, JIU violence occurred again in Upper Nile state on February 3<sup>rd</sup> between the SAF and SPLA components, over issues surrounding the ownership and relocation of weapons to the north, leaving at least 50 dead. The SAF would go on to invade Abyei in May, primarily through their militia affiliates from nomadic groups north of the border, whilst periodic SAF air raids on parts of the south occurred over the next twelve months. Throughout the year, the ICG reported that 54 incidents of conflict reported in the tri-border area between Lakes, Warrap and Unity States, resulting in 300 deaths (2011: 27). Some of these incidents are likely to have been related to the influx of arms into the area which accompanied the outbreak of new insurgent violence.

Serious violence between (predominantly) Lou Nuer and Murle militias intensified from August 2011, with an 18<sup>th</sup> of August Murle (retaliatory) attack on 3 Nuer villages leaving “at least 600 dead, 200 possibly abducted, up to 30,000 cattle reportedly stolen” (ICG Monthly Update, September 2011). At the end of December, a large column of White Army fighters (estimated at between 6,000 to 8,000 men, primarily Lou Nuer, alongside some Dinka) advanced towards Pibor in southern Jonglei. Although casualty figures for this incident are disputed, they are believed to have numbered in the high hundreds, and were followed by (smaller) retaliatory raids by Murle fighters in early 2012. Jonglei state was declared a “disaster zone” by the government, who, in conjunction with the United Nations Mission in South Sudan (UNMISS, see below), had been outgunned and unable to protect civilians.

Violence decreased somewhat in 2012, but remained high. Clashes between armed youth in Warrap state in January claimed around 70 lives, whilst in early February 37 people were reported to have died when gunmen fired on a reconciliation meeting in Unity state, and an attack by Bor Dinka on the Murle near Pibor lead to 9 fatalities, and a number of injuries. In March, yet another disarmament campaign was launched in Jonglei following the events of late 2011, where the SPLA were accused of abusing Murle civilians and extrajudicial killings. This disarmament drive was also met with resistance from Dak Kueth – a Lou Nuer prophet affiliated with the White Army – who marshalled fighters to attack the SPLA in a small-scale campaign, with the only major incident being an attack on an

SPLA boat on the Sobat river in August (ICG, 2014b: 9). In April, amidst deteriorating relations between the SPLM and Khartoum (over a number of issues, including oil transit fees, as well as the unresolved status of Abyei), President Kiir ordered the SPLA to attack and occupy Heglig, near Abyei. This attack – carried out with the assistance of rebel groups based in the north (see below) – drew international condemnation, and the SPLA was later expelled by the SAF, with high SPLA casualties reported.

The second half of 2012 saw a renewed rebellion by David Yau Yau in southern Jonglei from the summer onwards, which caused significant casualties in the course of fighting the SPLA. In December, protests in the town of Wau, Western Bahr el Ghazal state, led to the deaths of a number of civilians following a police crackdown. Throughout 2013, the rebellion by David Yau Yau's forces continued, and intersected with another mass mobilisation of the White Army in Jonglei in July and early August, 2013, leaving hundreds dead in overlapping violence between multiple actors (see below). Levels of violence were consistently high between 2010 to early 2012, and less so from 2012 until late 2013, whilst patterns of violence were becoming increasingly tangled and complex throughout this time.

### Actors

The phase of violence during 2010-2013 saw the rise of numerous militias and small-scale rebellions. The dynamics of militia group formation and integration with the state are akin to the patterns of a kaleidoscope, expanding and contracting, or abruptly shifting into new configurations. Whilst the overall pattern is complex, specific information on the inner workings of militia groups is limited and fragmentary. These problems are especially acute with regards to their organisational structures, as well as the backgrounds of lower-ranking combatants and/or armed men who are affiliated with a given movement, but not necessarily in a full-time capacity. These gaps may partly explain the tendency for insurgencies to be named after their senior commander, which can obscure both the internal structures as well as external support networks of these groups, whilst serving to reinforce the notion that they are merely the personal vehicles of senior figureheads. Moreover, when the name of an insurgent or militia group is either unknown – or presumed non-existent – such groups will frequently be referred to by the name of the ethnic groups they are assumed to represent, or at least purport to represent, for example 'Shilluk rebels' (SAS/HSBA, 2011b), or 'ethnic militias'. The politics of naming armed groups – and categorisation more broadly – may seem to be merely of secondary concern to the violence attributed to such groups, and the threat they are said to pose to the stability of South Sudan, but recognising how the act of labelling of such groups (whether they are self-labelled, or named by other actors) may ascribe certain properties or motivations to such armed groups has the potential to distort and mystify an already complex situation is something to be mindful of. The Small Arms Survey/HSBA Issue Brief *Fighting For Spoils:*



*Armed Insurgencies in Greater Upper Nile* (2011b) provides the most detailed survey of so-called ‘political militias’ in South Sudan, and forms the basis for much of the information below, unless otherwise noted.

## **Rebel groups and militias**

### *i. Peter Gadet and the South Sudan Liberation Movement/Army*

The forces of General Peter Gadet’s South Sudan Liberation Movement/Army (SSLM/A) were active in Mayom county, Unity state, and in the border between Unity state and South Kordofan in Sudan. Gadet is routinely described as a ‘serial defector’, having fought in the SSDF, where he was implicated in SSDF activity in the oil fields of present-day Unity state (involving the depopulation of oil-producing areas, and providing security for oil installations on behalf of Khartoum and the SAF), and was the occasional deputy to Paulino Matiep (see Johnson, 2009). During the Second Civil War, Gadet bounced between the SPLA and SSDF on several occasions, with his activities seemingly “motivated by a mixture of objectives more often tactical than strategic” (ICG, 2011: 12), and would later challenge Paulino Matiep for control of the same oil fields he had helped to depopulate for Khartoum following his temporary defection to the SPLA in 1999. His eventual, semi-permanent return to the SPLA as part of the Juba Declaration saw him awarded with the position of ‘SPLA Commander of Air Defence’, only to be reassigned as Deputy Division Commander for the 3<sup>rd</sup> Division in Northern Bahr el Ghazal in December 2010. This reassignment was perceived by Gadet to be a more marginal position than his rank in the SSDF entitled him to, and therefore a demotion from his previous position in the SPLA (Young, 2012: 305). Gadet, a Bul Nuer, may also have perceived the 2010 SPLA promotions and reassignments - initiated by President Kiir in October 2010 - to have privileged Dinka figures in the military, at the expense of non-Dinka officers, or officers who he believed were on separate list of officers who could not be ‘trusted’ due to a past association with anti-SPLA forces (*ibid.*: 306).

Gadet began his insurgency in the run-up to Southern independence. His defection from the SPLA in March 2011 was followed by the ‘Mayom Declaration’ in April (named after Mayom County in Unity state), which decried corruption, tribalism and incompetence within the Southern Sudanese government and SPLA (*ibid.*; Mayom Declaration, 2011). On April 21<sup>st</sup>, shortly after the declaration was issued, Gadet’s forces attacked Mankien town in Unity, which was retaken by the SPLA the following day, although the SSLM/A then advanced towards Mayom Town, before once again attacking Mankien on May 20th. Following a series of clashes in May, an agreement for Gadet to re-join the SPLA was reached, and confirmed in early September. These clashes reportedly resulted in hundreds of deaths, as well as mass displacement in parts of Unity. However, these were – according to interviews by the ICG (2011: 13-14) – predominantly military casualties between SPLA and SSLM/A forces, with civilians and NGOs not directly targeted by the SSLM/A. The SPLA was, however, accused of burning several Bul Nuer villages during the second battle

around Mankien in late May (later denied or downplayed by GoSS and the SPLA), and also accused of forcibly recruiting youth (including under-age combatants) from the area, as a means of “rebuilding depleted force strength and preventing youths from joining the rebellion”, with an SPLA official later claiming that these recruitments were not endorsed by Juba, but were instead organised at the “state-level” (*ibid.*: 14). During these clashes, Gadet was implicated in arming “communities and young cattle raiders”, with Gadet’s group as well as these armed communities blamed for a wave of violence throughout northern Unity, and in neighbouring Lakes and Warrap State in May and June (*ibid.*: 14). Khartoum, meanwhile, was accused of providing new weapons and ammunition to Gadet, with some SPLA officials speculating that this was part of a strategy by Khartoum to distract SPLA forces and compel them to engage with insecurity generated by the SSLM/A, whilst Khartoum prepared to invade Abyei in May of the same year (*ibid.*). Although Gadet ultimately rejoined the SPLA in late 2011 – with 980 soldiers awaiting reintegration in Western Bahr al Ghazal – he was one of the highest profile defectors during the events of December, 2013, and has since attained prominence in the military command of the SPLM/A-IO. Prior to this, Gadet survived an assassination attempt in Eastern Equatoria in March 2013, and later “a tense standoff between him and SPLA headquarters in northern Jonglei in October”, occurring alongside reported efforts by elements of the government to suppress and marginalise a number of senior Nuer military and politico-military figures from late 2012 onwards (ICG, 2014c: 10-11).

There are certain themes and commonalities to take notice of here. Whilst Gadet is often portrayed as being in some sense ‘disloyal’ or opportunistic, given his propensity to defect, he is said to enjoy support among some sections of the Nuer populations in addition to his forces, and has likewise strived to defend Nuer interests when they are perceived to have been threatened by the state. Gadet’s recent tendency to concentrate on attacking military or political centres, whilst arming (but not necessarily attacking) civilians shares commonalities with a number of armed militias fighting around the time Gadet launched his rebellion. His preference for integration into the military, and on favourable terms, is also shared by a number of commanders. And lastly, assassination or assassination attempts – with disputed or opaque accounts of the perpetrator ultimately responsible for organising them – is a recurrent issue with several commanders of militia groups. It is possible that Gadet, alongside other militia leaders, regards defection as a way of pre-empting violence from the state, either against his person, or his interests.

## ii. *Gadet ‘breakaways’*

A number of smaller factions have been loosely affiliated with Gadet’s SSLM/A, creating a continually morphing constellation of armed militia groups throughout Unity state. The ‘Mayom Declaration’ of April 2011 was co-signed with Brigadier General Carlo Kol (a deputy commander of a JIU in Juba) and Colonel Bol Gatkouth Kol, former SPLM member of the South Sudan Legislative Assembly (ICG, 2011: 12). Additionally, a number of smaller armed groups entered into a loose alliance with Gadet’s SSLM/A, with these

groups continuing to fight the SPLA after Gadet's 2011 reconciliation with the government. These groups were headed by James Gai Yoch, Kol Chara Nyang, Bapiny Monituel and Matthew Puljang, and were present (if not always active) in additional parts of Unity state and South Kordofan across the border with Sudan, but are said to "act independently from each other for the most part" (SAS/HSBA, 2011b: 2). Bapiny Monytueil and James Gai Yoch were generals affiliated with the SAF, whilst Matthew Puljang defected from the SPLA in 2010 "allegedly in response to discontent over both integration delays and the conduct of the Unity state election" (*ibid.*:11). After Gadet – along with Gatkouth – returned to the SPLA, there were conflicting reports from both these groups and the SPLA about the outcome of clashes around small towns in northern Unity state in late 2011. The forces of Gai Yoch – reported to number approximately 1,000 armed men – subsequently spread across northern Unity state (the oil-producing areas), but were unable to position themselves to attack their principal target of Bentiu (Young, 2012: 317). Whilst there is little information on the activities of these militias in the years following, they are known to have re-joined the SPLA in August, 2013 (ICG, 2015a).

### iii. *George Athor and the South Sudan Democratic Movement/ South Sudan Army*

The South Sudan Democratic Movement/ South Sudan Army (SSDM/SSA) was founded by Lt. General George Athor (retired) in late April or early May 2010, and operated in the northern counties of Jonglei. Whereas Peter Gadet launched his rebellion following perceived marginalisation within the SPLA, the SSDM/SSA was one of a number of insurgencies which emerged following the disputed elections in 2010. Athor troubles one of the dominant narratives surrounding insurgent violence in the post-CPA era, which holds that the most (if not all) political militias and insurgencies involve opportunistic defectors, who switch between the SPLA and armed insurrection in order to maximise their political or military status (see de Waal, 2014b). Instead, Athor (a Padeng Dinka) was a long-serving member of the SPLA since 1983, with no previous history of defection, and had occupied the position of Deputy Chief of Staff of the SPLA since 2005, from which he was reassigned by the SPLA to allow him to pursue a political career in Jonglei. His 2010 bid to unseat (current Minister of Defence) Kuol Manyang Juok from his then position as Governor of Jonglei in the April elections of that year was unsuccessful, with Athor alleging government rigging and intimidation were responsible for his failure. According to Young, Athor took up arms against the government and SPLA, and "was able to mobilize some discontented military officers, but his primary basis of support was among the Lou Nuer, who had been forcibly disarmed by the SPLA and were in search of weapons to protect themselves and their cattle from the neighbouring Murle tribe" (2012: 310). Following a number of confrontations with the SPLA in May and June, 2010, in northern Jonglei state which reportedly left scores of soldiers dead,<sup>13</sup> President Kiir issued an amnesty in October of that year. Athor then entered into talks with government via intermediaries, which were halted after the SPLA attacked his forces (*ibid.*).

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<sup>13</sup> See ICG Monthly Updates for Sudan, June 2010 and July 2010.

Athor's SSDM/SSA continued to engage the SPLA during 2011, notably in fighting around Fangak county (Jonglei) at the start of the year. A new amnesty was offered, although the government again attacked SSDM/A forces moving through a "designated ceasefire corridor and in the presence of church mediators" (*ibid.*: 311). Skirmishes between the SSDM/SSA and the SPLA persisted throughout 2011 - with the SSDM/SSA reportedly losing ground to the SPLA and suffering desertions from Lou Nuer fighters returning to engage in renewed conflicts with the Murle - before George Athor was killed on 21<sup>st</sup> December 2011. Although Athor was reported to have been killed by the SPLA, the location of his death – Morobo County in Central Equatoria state, near the Ugandan border – raised suspicions given its significant distance from Jonglei. It is highly probable that Athor, summoned to Kampala for one-on-one peace talks with Ugandan President Yoweri Museveni at the time of his death, was assassinated by the Ugandan security services before being delivered to the SPLA (*ibid.*: 319).

The SSDM/SSA is an instructive example of the problems not only with the 'defection' explanation of rebellion, but also with the notion that insurgencies are 'tribal' in composition – or formed from commanders somehow activating or instrumentalising ethnic loyalties - given the presence of Lou Nuer fighters in a movement led by a Dinka. It also challenges the binary between 'communal' or 'tribal' militias on the one hand, and 'political' militias on the other, given that the group's membership can plausibly be presented as conforming to both of these categories, although not necessarily simultaneously. Beyond this, the circumstances surrounding the killing of Athor may inform attitudes of other militia groups to offerings of peace by Juba, and breed suspicions about mediation with third-parties known to support the government.

#### iv. *The rebellion of Gatluak Gai*

Gatluak Gai, a Jagei Nuer from Unity who had previously fought for a number of Khartoum-backed militias in the Second Civil War, again rebelled following the April 2010 elections. However, Gai himself did not contest any seats in this election, but had instead backed Angelina Teny (the wife of Riek Machar) in her campaign to unseat Taban Deng Gai from the Governorship of Unity state. Taban Deng, a prominent member of the SSDF until his return to the SPLM/A in 2001, was regarded as an unpopular and authoritarian governor, whose position was secured, in part, through his sizeable private militia, as well as a desire in Juba to keep him on-board until Southern independence was realised (see ICG, 2011; Young, 2012). Deng was controversially fired in mid-2013 by President Kiir, before attaining a leading position in the SPLM/A-IO as chief negotiator for the rebellion. Gatluak Gai had a personal grudge with Deng as a result of Deng's refusal to promote Gai to the position of county commissioner in his home county of Koch. Following the elections, Gai launched a low-level insurgency lasting throughout 2010, and initiated with attacks against SPLA bases in Mayom and Abienhom counties in northern Unity. In late 2010, a state-level reconciliation process was initiated by Deng – and with the unlikely

support of Riek Machar and Angelina Teny – although Gai’s forces continued to engage in sporadic clashes in Koch and Mayom counties during the run-up to independence.

In late July, 2011, whilst finalising direct negotiations with Deng (and notably *not* the SPLA or GRSS) for integration into the military, Gai was supposedly killed by one of his subordinates – Marko Chuol - whilst sections of Gai’s forces were moving to Mapel in Western Bahr al Ghazal for integration into the SPLA. However, suspicions about SPLA involvement in his killing linger (ICG, 20011: 12; 2015a: 9). Significantly, had the integration process been finalised, Gatluak Gai would have been promoted from the relatively junior rank of colonel in the Unity state prisons system, to the rank of lieutenant general in the SPLA. As noted by the Small Arms Survey, “[e]ven if he had lived to begin the integration process of his forces in the SPLA, the precedent set by his meteoric promotion would have endangered the SPLM/A’s ability to accommodate other insurgents” (SAS/HSBA, 2011b: 7).

As of November, 2011, 350 of Gai’s soldiers were awaiting integration near Mapel. The disputed circumstances of Gai’s killing have invited speculation, which can lead to explanations of militia and state violence being steered towards conspiracy theory. However, this should make us alive to the possibility that multiple actors have interests in manipulating the trajectory of a relatively small-scale insurgency. Taken in conjunction with the death of George Athor in December of the same year, Gai’s death suggests at the very least that the cycle of ‘integration – defection – reintegration’ identified by a number of analysts as driving rebellion in post-CPA South Sudan is insensitive to interests either within the SPLA, GRSS, state or county-level politics, or within the insurgent groups themselves, which may seek to prevent leaders instrumentalising rebellion for the purpose of advancing their political, military or economic status.

#### *v. David Yau Yau and the South Sudan Democratic Army – Cobra Faction*

The South Sudan Democratic Army – Cobra Faction (SSDA-CF) associated with David Yau Yau has been among the most prominent of rebel militias during this time, with organised violence occurring in two waves. Yau Yau first began his rebellion against the government following the April 2010 elections, when he lost an election for a (relatively low-key) position in the Jonglei state assembly, representing his home area of Pibor as an independent candidate following his failure to receive the SPLM nomination. The rebellion initially resembled a series of banditry attacks against SPLA soldiers by Murle fighters – with rumours of support from the former (Khartoum-aligned) Murle governor of Jonglei, Sultan Ismael Konyi (ICG, 2014c: 3), and who would later become a peace advisor to President Kiir from 2006 (when he joined the government, and integrated his militias the following year) until his apparent dismissal in July 2010 (*Sudan Tribune*, 2010; Todisco, 2015: 18) - and remained at a low level until President Kiir’s general amnesty offer of September 2010. At this point, Yau Yau entered into talks with the government, which stalled following accusations that Yau Yau’s forces attacked a group of civilians in Pibor

county the following month. Talks resumed (at an unspecified time), with Yau Yau accepting the position of major general (a significant promotion for someone of no formal training) in June, 2011, whilst his forces (estimated to be around 200 strong) remained in the bush prior to integration. During this time, Yau Yau's forces were alleged to have distributed weapons to their (western) Murle kin, which may have been used in a series of escalating 'cattle raids' between the western Murle and Lou Nuer beginning in August of 2011, and culminating in mass violence at the end of the year. This, incidentally, would have occurred at a similar time to the mass desertion by armed Lou Nuer fighters from George Athor's SSDM/SSA, who would likely have been involved in violence against the Murle in the second half of the year, under the banner of the 'White Army'.

Yau Yau took up arms again in August 2012, seemingly in response to a violent SPLA-led disarmament campaign, in which Murle civilians were subject to serious abuses by government soldiers (*ibid.*: 9). Intermittent clashes between the SPLA and SSDA-CF continued in 2012, with UN peacekeepers reportedly witnessing an air drop from Khartoum to Yau Yau's forces on September 24<sup>th</sup> (ICG Monthly Update, October 2012). Violence escalated in early 2013, and a number of significant battles around the towns of Pibor and Boma left scores dead, with Boma being briefly captured by the SSDA-CF on May 7<sup>th</sup>, before being retaken by the SPLA on 20<sup>th</sup> May. Throughout the summer, the government's counter-insurgency campaign against Yau Yau intensified, and overlapped with violence between Lou Nuer and Murle militias, which had reignited in July. The SPLA in Juba and Jonglei was alleged to have provided "highly organised support" to the Lou Nuer against Murle militias and the SSDA-CF, whilst the Murle revenge attacks against the Lou Nuer were supported by the SSDA-CF, who supplied arms to Murle militias (ICG, 2014c: 6-7). The SSDA-CF eventually sealed a peace agreement with the government, with talks beginning in September 2013, and finalised in January, 2014. As a result of this agreement – and likely due to new civil war raging in the country – the SSDA-CF were awarded with the 'Greater Pibor Administrative Area' in south-eastern Jonglei. The creation of this anomalous political structure was approved by the South Sudan Legislative Assembly at President Kiir's insistence, and affords a considerable degree of political autonomy to Yau Yau himself.

#### vi. *The 'Shilluk rebels' of Upper Nile state*

A number of (apparently unnamed)<sup>14</sup> Shilluk rebel groups emerged in 2010 in Upper Nile state, with three factions led by Robert Gwang, Alyuak Ogot and Johnson Olonyi, all of whom "served at various times in branches of the Southern security forces, but their stated reasons for rebelling were not explicitly linked to discontent with the leadership of the SPLA, police, or prison services" (SAS/HSBA, 2011b: 7). Instead, these commanders articulated grievances relating to land disputes between Shilluk and Dinka populations,

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<sup>14</sup> The SAS/HSBA 2014 briefing "The Conflict in Upper Nile" refers to Johnson Olonyi's forces as the 'Shilluk South Sudan Defence Movement/Army', although this is the only source which ascribes a name to this group.

compounded by a perception that Shilluk were marginalised by a “pro-Dinka Upper Nile state government and an openly hostile SPLA presence in the area” (*ibid.*). Of these leaders, Gwang – who had announced his defection prior to the April 2010 elections – was generously awarded with a promotion to the rank of major general in August of that year, whilst Ogot and Olonyi’s factions engaged in violence with the SPLA until 2013. During March 2011, Olonyi’s forces twice attacked heavily-manned SPLA positions, first next to the SPLA 7<sup>th</sup> Division Headquarters in Owachi (south of the state capital Malakal), and second in Malakal itself. The Shilluk rebels – alongside civilians loyal to the group – appeared to have suffered scores of casualties in both attacks (60 and 30, respectively, compared with apparently minor SPLA casualties), with the SPLA using the latter attack as “rationale for rounding up scores of Shilluk youths, arbitrarily detaining them, and generally worsening relations between the Shilluk community and the Dinka and Nuer populations in Malakal” (*ibid.*). The two rebel factions of Olonyi and Ogot continued to fight against the government until June 2013 before being re-integrated into the SPLA (ICG Monthly Update, July 2013).

#### *The United Nations Mission in South Sudan*

The UN presence in South Sudan was born out of the United Nations Mission in Sudan (UNMIS), which had been established in 2005 to monitor the implementation of the CPA. UNMIS enjoyed poor relations with Khartoum, and also with the SPLM, and was criticised for doing little in the face of continuing violence throughout Sudan during its existence (see Clingendael Institute, 2014: 8-9). As Rolandsen (2015b: 356) observes:

Because of its initial design and the political situation at the time (2005), UNMIS was not intended to be a major provider of security or facilitator of the international presence in South Sudan... Indeed, the mission was neither the vanguard of international engagement there, nor necessary for it. The presence of a UN military contingent was first and foremost symbolic—a gesture demonstrating the interest and commitment of the international community, and giving the UN greater weight in dealing with Sudanese and South Sudanese parties to the peace agreement.

UNMIS was terminated at the point of the South’s secession, to be replaced by a hastily organised successor, the United Nations Mission in South Sudan (UNMISS).

UNMISS has an ambitious and contradictory mandate; a mandate which can be interpreted in various ways. The Clingendael Institute (2013: 2) notes how UNMISS’s mandate encompasses not only traditional peacekeeping activities, but also extends to a broader array of peace- and statebuilding support roles. More specifically, UNMISS’s activities range “from early warning, conflict prevention, mitigation and resolution, and [Protection of Civilians, PoC], to assisting the authorities of the Government of the Republic of South Sudan (GRSS) in building effective and accountable governance, security

and justice institutions” (*ibid.*). According to one report, “[w]hereas other UN missions usually position state building, democratisation and security sector reform as part of their exit strategies, UNMISS positioned state formation as an entry point for strategic engagement and programming” (Clingendael Institute 2014: 13.). Additionally, UNMISS has provided logistical assistance to the South Sudanese authorities during disarmament campaigns (typically storing weapons), which, taken alongside its justice and security sector roles, would – in theory at least - place the Mission at the core of the coercive aspects of the statebuilding process in the country (Ylonen, 2014: 103). Further, the Civil Affairs section of UNMISS “is focused on conflict management and extension of state authority at the local level, although it also plays a significant part in cross-mission representation, monitoring and facilitation”, with “Civil Affairs officers deployed to collect information, monitor and assist the government in addressing local conflicts” (Felix da Costa and Karlsrud, 2012: 58), and the organisation as a whole has amassed considerable expertise in gathering data on political and security developments at the national and local levels (personal communications, UNMISS staff member, Juba, July and August 2013). Although this may indicate an unusually wide remit, given that there has been a gradual expansion of the number of functions and range of activities UN peacekeeping missions are authorised and expected to engage in since the end of the Cold War, UNMISS cannot be said to be unique in this regard, but the specific Chapter VII mandate for the mission enables it to ‘use all necessary means...to carry out its protection mandate’, placing it at midpoint between the traditional framework and purpose of a UN peacekeeping mission, and the increasingly militarised UN “peace enforcement” missions active in the Democratic Republic of Congo and Mali (see Karlsrud, 2015: 42).

A central focus for UNMISS has been on the protection of civilians, a task which it has repeatedly been accused of failing to deliver on. While UNMISS’ failures are almost necessarily going to be more visible than its successes with regards to protecting civilians, the particular approach of simultaneously supporting the South Sudanese government and wider SPLM/A-led statebuilding project are likely to work at cross-purposes. This is especially so in the event that the state itself is threatening or attacking civilians, a scenario seemingly not considered when the parameters of the mission were established, but one which has materialised on numerous occasions. In a January 2013 report, an anonymous UNMISS official was quoted as saying “[w]e won’t step in if the army turns on communities” (in Clingendael Institute, 2013: 4). As will be discussed in the following chapter, UNMISS has arguably displayed deference to the South Sudanese authorities, whilst seeking to limit its own soldiers and contractors exposure to violence. However, this may in part stem from the surprisingly small size of its peacekeeping force. Indeed, UNMISS was only permitted to employ 7,000 military personnel in a relatively large country wracked with violence, and it did not even initially meet that total. 2,000 of these personnel were ‘enablers’ (engineers and administrative staff), and the Mission started life with only 3,600 infantry, which would rise to 4,600 in 2013 (Johnson, 2016: 323, fn. 4). It should be noted, further, that UNMISS has (commendably) sheltered civilians in its compounds, particularly since the outbreak of the current civil war.



The account of Hilde Johnson, the Head of the UNMISS from July 2011 to July 2014, notes how – given these restrictions in the number of personnel – it was all but impossible to fulfil the mandate of the Mission. However, instead of clarifying the mandate and purpose of UNMISS, Johnson’s account raises further questions about the precise nature of this mandate:

UNMISS had a more ambitious state-building and peace-building mandate than was normal in similar missions elsewhere, with capacity development a priority. In addition to mandated tasks of building capacity in areas such as rule of law, police and law enforcement, extension of state authority, and support for democratic governance, the Mission was tasked with developing and coordinating one of the first Peace Building Support Plans in the UN’s history. Peace consolidation, peace- and nation-building were thus at the heart of the missions mandate. (*ibid.*: 47)

Further, Johnson goes on to note how UNMISS’ mandate encompassed “supporting core functions of the state such as the rule of law, police, the justice sector, conflict mitigation, strategic support to reforms in the security sector, military justice and special protection of women and children”, whilst itself lacking the capacity or numbers to realistically implement these tasks (*ibid.*: 99). And further still, she notes that “[p]reventing inter-communal violence, deterring it, and protecting civilians was at the heart of our mandate. But I soon discovered that our military capabilities were wholly inadequate” (*ibid.*: 104). By this account, UNMISS is a creature with several hearts, and very little muscle.

Yet there are numerous occasions in Johnson’s account where tasks that quite plainly fell within this expansive remit were presented as being outside of the scope of UNMISS’ mandate. These tended to include contentious areas involving the institutions of violence, including Security Sector Reform (see chapter 4), as well as peace mediation and peacebuilding activities in the aftermath of large-scale violence in Jonglei state (*ibid.*: 234, Ch. 4). Yet at other times Hilde Johnson seemed to be intimately involved in attempting to intervene in and diffuse leadership tensions within the SPLM, particularly during the disputes over the leadership of the SPLM which came to a head in 2013 (*ibid.*: 160), despite this seemingly being outside of the scope of the mandate. There was also disagreement with the South Sudanese government as to the mandate, or more precisely its peacekeeping provisions. The government understood this as applying to external aggression from Khartoum (which could conceivably – and indeed did - affect civilians, it should be noted), whereas UNMISS regarded the mandate as applying only to violence occurring within South Sudan. Further, the government disputed the need for UNMISS to concern itself with Protection of Civilians duties, regarding the SPLA and other security forces as being sufficient for this task, and further that activities by UNMISS in this regard would be tantamount to an encroachment of sovereignty (*ibid.*: 98-99). Indeed, as will be seen in chapter 3, the government utilised a number of tools to obstruct UNMISS’ ability to fulfil its mandate to protect civilians. Curiously, Johnson explains that “South Sudan had in fact been consulted about the establishment of UNMISS at an early stage in the process, when

the assessment team was preparing the mission, and subsequently by the country in charge of drafting the resolution in the Security Council, the United States” (*ibid.*: 100). Why only informal discussions were held with the South Sudanese authorities is not explained, and neither is the latitude given the US to shape the contours of the Mission, nor their interests in doing so.

Arguably, UNMISS seemed to be more concerned with limiting or rolling back its commitments, particularly when these concerned violence and the military, and the Mission as a whole appeared more comfortable accumulating information on political and security developments, and periodically engaging with high level political matters and disputes. Its mandate was up for renegotiation both within UNMISS itself, and between UNMISS and the South Sudanese authorities. The Mission also served as an occasional punching bag whenever the government or irregular forces were seeking to blame someone for insecurity and violence.

### Geography

The geography and distribution of violence offers some clues which can focus the analysis of armed conflict during this phase. Broadly speaking, violence has tended to be concentrated in the Greater Upper Nile region and along the border with Sudan. Much of the armed militia violence in these areas of Greater Upper Nile is concentric in three regards. First, armed groups will often direct their violence to these political centres, or towards military infrastructure, including barracks. Second, violence has continued to radiate from urban political centres, often in reaction to violence from the peripheries. And third, insurgent groups are often a crucial conduit in the distribution of arms in and around the regions they operate in, including those sent from Khartoum. This has resulted in insecurity rippling outwards following outbreaks of militia violence against the state, most noticeably in parts of Jonglei and Unity states, where the SSLA, SSDM/SSA and SSDA-CF are identified as arming local civilians and militias. Cumulatively, these patterns of violence in parts of Greater Upper Nile have crystallised into multiple sites of intractable violence, forming an increasingly complex nexus between ‘communal’ and cattle-based violence, political insurgency, and reactive and proactive violence from the state, including forcible disarmament.

This geography of violence has echoes of the Second Civil War, where the SPLM/A rebellion emerged from the peripheries to challenge (and capture) the centre. Indeed, “[w]hile overall state control is seemingly exerted from the new capital Juba, it is worth remembering that South Sudan gradually emerged from its borderlands after decades of fighting...Dr. John Garang de Mabior, used borders – both the physical borders and the notion of being confined to the margins of the state – to bring his rebellion into being and to sustain it” (Schomerus, *et al.*, 2013: 2-3). The discourse of the south – and other peripheral regions of Sudan – being an “underdeveloped and neglected borderland”,

underpinned Garang's New Sudan ideology (*ibid.*: 3). However, this core-periphery tension was being simultaneously reproduced and inverted during this time period, with the SPLM-led government accruing increasing power in the south, and new or breakaway rebellions emerging to challenge this hegemon. As Schomerus *et al.* note, "the former margin – the South – stated to create and construct its own centres and peripheries. The rapid expansion on Juba and the autocratic tendency of the central government in the capital today suggests that a new and dominant center is being created – a process that belies the policies of decentralization to which the government [of South Sudan] is theoretically committed to" (*ibid.*: 3).

Additionally, a number of rebel groups which became active in 2010 and 2011 had their base of operations in - or close to - the oil producing areas of Southern Sudan. Whilst none of these actors were able to seriously challenge the SPLA for control of oil fields, let alone be in a position to occupy and control oil installations themselves, the correlation between oil fields and armed violence is suggestive of the significance of oil in (partially) explaining the causes and patterns of violence.

During the post-CPA years, oil could be understood as a source of local grievances and resentments relating to pollution, land acquisition, and exclusion from job opportunities (which were themselves located in wider grievances surrounding perceptions of corruption and mismanagement in the oil sector throughout Southern Sudan, and especially in oil producing states), with the legacies of violent displacement from the latter stages of the Second Civil War creating problems for returnees (see Nelson Moro, 2011; Patey, 2014). It is possible that disappointment regarding the lack of visible or immediate benefits from oil wealth, combined with the negative side effects of oil production, would have been most acute in parts of Greater Upper Nile, potentially providing a support base for rebel groups in the region. This has been noted in the case of Mayom County, the epicentre of a number of waves of militia and state-led violence. Inhabited by the Bul Nuer section of the Nuer, and close to the frontier with northern Sudan, "Limited development, a sense of neglect, and complaints that they [the Bul Nuer] were singled out for a forced disarmament campaign in 2010 also fuel Bul grievances that some say "softened the ground" for rebel actors in Mayom" (ICG, 2011: 12). This is difficult to firmly establish, however, given the very limited information about membership and recruitment across the different rebel movements emerging in this time, and their (potentially multiple) motivations for fighting. Nonetheless, insecurity in and around oil fields is a potentially serious threat to finances of the state, and by extension, its ability to pay for the SPLA and other security services, as will shortly be discussed in the context of the current civil war.

### Analysis

The multiple, overlapping types and sources of violence, combined with their fluctuating geographical concentration, has made the task of deciphering or explaining this violence a challenging one. Reviewing ongoing violence in post-independence South Sudan, an

ACLED report noted that “[i]n 2011, the number of actors increased from 24 to 44 over the previous year. In Sudan, this number of actors remained almost stable. This suggests that the number of fissures around which violent political conflict occurs is relatively stable in Sudan, while it remains in flux in South Sudan” (ACLED, 2012: 4-5). This implies that violence in the rump state of Sudan was generally predictable in its patterns and structures, whilst in South Sudan, the increasing number of armed groups rendered violence less predictable. Moreover, following the outbreak of civil war in December 2013, ACLED’s March 2014 report recounts how “South Sudan is still fully engaged in its quagmire... and similar to the conflicts of the past two and a half years, it conforms to no standard definition” (ACLED, 2014: 9).

Within the academic literature on violence during this time, a recurrent issue is the search for a single cause or dynamic to explain the violence. For instance, in their otherwise comprehensive survey of South Sudan at independence, LeRiche and Arnold devote relatively little attention to post-CPA violence, and argue that violence is essentially “cyclical”, and can be incited by “higher level political machinations in Juba and the state capitals” (2012: 158). Zambakari’s (2012) account of violence and statebuilding in South Sudan documents a number of instances of violence from 2009-2012, but offers little in the way of detailed analysis or insight, beyond suggesting that the ‘New Sudan’ model associated with John Garang has the potential to reconcile the multiple ethnic and political divisions in the country.

The tendency to either simplify violence and present it as adhering to a single dynamic, or else to present violence as being too complex to satisfactorily explain, is regrettable, and avoidable. Violence in South Sudan during this time may indeed be messy, but it is - to a certain extent - a coherent mess. First, the reverberating, concentric patterns of violence noted above have tended to occur in waves, which typically follow or surround key political events. Armed violence, especially violence directed towards the state, increased dramatically following national-level political events, notably around the April 2010 election, and in the interlude between the vote for secession and independence six months later. At a number of points from 2011 onwards, a convergence between violence typically framed as being ‘intra-communal’ (e.g. local feud, retaliatory attacks) and ‘political’ occurred in parts of Greater Upper Nile, with violence characterised as communal following on the heels of more overtly political violence. This blurring persisted in the latter parts of 2012 and throughout most of 2013, which saw violence – and violent disarmament - being increasingly concentrated in Jonglei, with the notable exception of fighting around Heglig and Abyei.

Second, the direction and targets of rebel violence during this time can nuance our understanding of its logic, and its relationship to the state. Many of the armed groups that emerged from 2010 onwards have not been reported to have directly or deliberately targeted civilians or non-combatants, at least in incidents occurring after the signing of the CPA up until mid-2013. However, they – or their patrons in Khartoum - may have encouraged violence amongst civilians through arming certain youth groups, most evident

in the cases of Peter Gadet's SSLA, George Athor's SSDM/SSA, as well as the SSDA-CF associated with David Yau Yau. Instead, most of these armed rebellions began their assaults by either targeting SPLA barracks, or provincial towns. State capitals were targeted by some of these groups once the rebellion is underway, with one Shilluk rebel faction targeting the Upper Nile state capital of Malakal, whilst Bul Nuer groups were said to have been in a position to threaten Bentiu (SAS/HSBA, 2011b). There have, however, been reports of forced recruitment by the SPLA around Mayom (see above), whilst the Gai Yoach faction of the remnants of the SSLM/A were alleged to be forcibly recruiting youth for future campaigns against the SPLA (Young, 2012: 317), suggesting that the preference for not directly drawing civilians into rebel violence does not hold in all cases.

Interestingly, if it is the case that rebellions have not (in the main) directed violence towards civilians, then non-state violence occurring during this period is dissimilar to patterns of violence during certain stages of the Second Civil War, as well the current civil war in South Sudan, where rebel (and government) forces have been implicated in a number of atrocities against non-combatants, in addition to more conventional military clashes and ambushes (Hutchinson, 2001; Johnson, 2003, 2009). There are a number of potential explanations for this, which are by no means mutually exclusive. First, political and military calculations informing the use of violence and its direction may be altered depending on current configurations of high-level or intra-elite politics, with the political circumstances of the post-CPA dispensation offering little incentive (or moral leeway) for rebel groups to target non-combatants, constraints which may not be upheld during times of larger, more organised 'war-time' violence. Second, that violence which *is* confined to a specific territorial area could be subject to greater control by rebel commanders, and rebel groups may be more sensitive to local support and sentiment in these circumstances. Third, and related to this, violence occurring outside of a territory where a rebellion has been attempting to cultivate a base of support may be subject to different calculations on the part of rebel commanders, and/or the lines of command and control between commanders and their forces is weakened (deliberately or accidentally) when these forces are fighting away from areas they are familiar with or have a strategic interest in creating amicable relations with the local population. Fourth, rebel violence may, in certain cases, be *pre-empting* state violence, if a commander senses that they themselves or their interests are being threatened by the state. This resonates with certain patterns of defection in the current civil war. Lastly, that when the state takes a *reactive* role in responding to violence this may set up conditions for violence to both escalate and affect either non-combatants, or armed civilians not formally associated with an organised armed group. This last point has echoes of violence orchestrated by Khartoum during the Second Civil War.

Finally, and importantly, it should be noted that both levels of violence as well as the number of armed groups appeared to *decline* after the oil shutdown of March 2012. The two main episodes of violence consisted of, first, fighting between the SPLA and their allies and the SAF in Heglig, and second, a counter-insurgency campaign against David Yau Yau's forces by the SPLA and their White Army militia allies (discussed further in chapter 3). It is worth emphasising that government-organised violence in this period of 2012-2013

was either directed *externally* against Khartoum (ostensibly over the status of Abyei, and other post-secession disputes), and when it was directed *internally*, this was on a smaller spatial scale compared to 2010-2011, and took the form of a prolonged counter-insurgency campaign confined to Jonglei. This may indicate that Juba was facing financial constraints which prevented it from either swiftly attacking or absorbing Yau Yau's forces, but also that the SPLM-led government was running out of enemies after the violence of 2010-11, or at least internal ones. This is a point which will be returned to in chapter 5.

## Violence from 2013 to 2015: The current civil war

From late 2013, violence in South Sudan dramatically intensified, following splits in the SPLA and SPLM. The ongoing violence has built upon and amplified a number of patterns and trends identifiable in previous phases of post-CPA violence, with the conflict luring in a number of regional actors who had previously been involved in violence in South Sudan, and establishing a new centre of gravity for the violence in the border regions between the two Sudans.

### Chronology

Violence erupted in Juba on December 15<sup>th</sup>, with reports indicating that fighting took place between members of the Presidential Guard following an order to disarm Nuer soldiers within the unit, reportedly issued by President Kiir. This fighting occurred in a context of intense divisions between different elite-level factions in the SPLM which had been mounting over the course of the year (see ICG, 2014a; Johnson, 2014; Rolandsen, 2015a; Sudd Institute, 2013). When Nuer commanders and soldiers of the unit resisted being disarmed, fighting broke out between members of the Presidential Guard in the 'Giyaada' Headquarters to the south of the city, and spread into the surrounding streets of Juba that evening (HRW, 2014: 22-23).<sup>15</sup> Later, a fierce battle took place around the SPLA ammunition depot near 'New Site' to the north-west of the city, which involved defecting soldiers and SPLA loyalists racing to the depot, with chaotic fighting - including probable instances of friendly fire - ensuing in conditions of darkness.

Following the first night of fighting in Juba, President Kiir announced on December 16<sup>th</sup> that an attempted coup had been thwarted, accusing former Vice-President

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<sup>15</sup> The passages below draw primarily from the Human Rights Watch (HRW) report *South Sudan's New War: Abuses by Government and Opposition Forces* (2014), Section II. Whilst this is a reliable and detailed report, at times it problematically represents the conflict as being mainly a Dinka-Nuer one, whilst unhelpfully reinforcing a rigid distinction between soldiers and civilians at certain points in the report. The information taken from this report should be approached with these caveats in mind.

Riek Machar (who had been dismissed from his post in late July, 2013) and other senior SPLM figures of attempting to seize power through force. Alluding to the Bor Massacre of 1991, President Kiir described Machar as a “prophet of doom”, and announced a dusk-to-dawn curfew in Juba.<sup>16</sup> A number of SPLM elites were placed under arrest, primarily figures who had been dismissed at various points in mid- 2013, whilst Machar fled Juba the previous evening. Continued fighting sporadically occurred in parts of the city or its outskirts until December 17th (including within the SPLA General Headquarters at Bilpam), until rebelling soldiers were pushed out of the city in these three days of fighting. Armed civilians were also reported to be involved in clashes in Juba, with groups of Dinka and Nuer civilians fighting in certain suburbs.

During the fighting in Juba, organised killings of (predominantly male Nuer) civilians by elements of the SPLA and the police occurred at several locations, with many hundreds of civilians estimated to have died in massacres and selective killings, or whilst fleeing towards the two UN bases in the city for shelter, alongside numerous rapes and gang rapes of female Nuer civilians (*ibid.*). However, subsequent reports – including by the African Union – have identified a largely Dinka paramilitary force known as *Dut ku Beny* (‘Protect the President’) under the command of Paul Malong as being particularly active during this violence (discussed further in chapter 3, see also Pendle, 2015).

Since this time, Juba has been relatively stable, save for in-fighting between SPLA units on March 5<sup>th</sup> 2014 (reportedly over non-payment of salaries, with an unspecified number of soldiers killed), and vague reports of tensions and possible clashes between SPLA and Mundari militia acting as bodyguards for the Governor of Central Equatoria, which took place either in Juba or to the north of the city in July (BBC, 2014; ICG Monthly Update, August 2014).

The events in Juba set off a chain reaction which led to the mass defection of SPLA soldiers and commanders, mainly in Greater Upper Nile, and which saw initial fighting concentrated in and around major urban centres (de Waal, 2014b). By mid-January 2014, defecting forces named themselves as the Sudan People’s Liberation Movement/Army - In Opposition (SPLM/A-IO), headed by Riek Machar.<sup>17</sup> The first

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<sup>16</sup> The government’s claim that an attempted coup had taken place would be rejected by many analysts as well as by concerned nations during the month that followed the outbreak of violence (notably by the US government, but not Uganda), and charges against the detainees were gradually dropped over the subsequent months. On balance, whilst it is unlikely that any coup attempt took place, it should be recalled that a number of coup plots – “real and perceived” – have been reported in previous years (ICG, 2014b: 10). As such, it does not necessarily follow – as many senior rebels have argued – that the ‘coup’ narrative was simply invented either to distract from the government’s initial role in perpetrating violence in Juba, and/or as a pretext to remove political opponents of the President (see ICG, 2014a: 1). It is conceivable that the political system in South Sudan, and the historical place of violence, assassinations and factionalism in Southern Sudanese politics which inform both how this system operates and is understood by those participating in it, has generated an excessive alertness or outright paranoia surrounding political opposition to central authority on the part of political and military elites.

<sup>17</sup> This thesis uses the name SPLM/A-IO to refer to the rebellion. This was the first formal name of the rebellion, which appeared on the first Cessation of Hostilities agreement between the government and the rebels, dated 23<sup>rd</sup> January, 2014. However, there is dispute within the movement about what it should call itself, and it technically does not have an agreed upon name (Young, 2015). The 2015 peace agreement

major confrontation outside of Juba took place in Jonglei's state capital, Bor, which changed hands four times over the following month. On December 18<sup>th</sup>, Peter Gadet – commanding the 8<sup>th</sup> Division of the SPLA – rebelled. Alongside an unknown number of (largely Nuer) SPLA soldiers and White Army militia men, Gadet attacked government forces in Bor. This was the first defection of a serving senior military figure. Following this, a number of high and mid ranking former military officers and commanders (largely drawn from the SSDF) also defected, alongside James Koang, who, like Gadet, was still serving in the SPLA (Young, 2015: 17). In the main, these defecting military commanders, as well as significant number of defecting soldiers from various branches of the official security forces, hailed from the Greater Upper Nile region (ICG, 2014a: 8). The splitting of SPLA forces, alongside the police, prison and wildlife services, was believed to have caused numerous casualties – military and civilian - throughout Greater Upper Nile during this time, although a number of SPLA units were reported to have amicably agreed to split without violence.

The fall of Bor prompted genuine concern among senior GRSS and SPLA loyalists that Juba was under threat of falling to opposition forces both in Bor and in the bush between Juba and Bor, where SPLA forces had retreated in each attempt to advance towards Bor. The Ugandan People's Defence Force (UPDF) – which had entered South Sudan in force at the start of the crisis (ostensibly to oversee the evacuation of Ugandan civilians) joined the SPLA in their efforts to retake Bor and settlements on the road leading to it, attacking advancing White Army forces with Mi-24 helicopter gunships and MiG-29 fighter bombers (ICG, 2014b: 17). The SPLA, alongside thousands of UPDF soldiers, recaptured Bor on either the 17<sup>th</sup> or 18<sup>th</sup> January, and have retained control since then, with the SPLA and UPDF steadily making gains throughout southern Jonglei. Reports of massacres and targeted killings in Bor (alongside other locations in Jonglei, notably Akobo) surfaced following the fighting, with hundreds of civilians reported to have been killed since conflict began (see HRW, 2014: 47-56).

Meanwhile, Upper Nile state has been the site of extensive armed violence since late December, with the state capital of Malakal – alongside Upper Nile's oil fields – being magnets for attacks. Malakal has changed hands six times since defecting forces occupied it on December 24<sup>th</sup> 2013, with the government – alongside a former Shilluk rebel group led by Johnson Olonyi - retaining control of the now ruined city and its immediate surroundings from the 19<sup>th</sup> of March 2014, following a post-ceasefire agreement attack by the SPLM/A-IO and allied White Army militias on February 18<sup>th</sup> (*ibid.*). Reports of accidental, targeted and indiscriminate killings of civilians surrounded all of the major assaults on the city by both government and opposition forces, with an unknown number of casualties, likely to be at least in the high hundreds. Fighting has persisted in parts of Upper Nile since mid-2014, including in the towns of Renk and Nasir, and around the oil fields. Fighting also broke out south of Malakal in September over the reported non-payment of salaries to a government aligned Shilluk insurgency led by Johnson Olonyi,

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reached with the government refers to the rebellion as 'The South Sudan Armed Opposition' (ARCSS, 2015: 3).



who had previously been involved in clashes with SPLM/A-IO forces (see SAS/HSBA, 2014a).<sup>18</sup>

A similar pattern has played out in Bentiu, Unity state, which has seen intensive fighting since December 2013, again with reports of abuses by all sides to the conflict (HRW, 2014: 57). Following clashes among SPLA units beginning on December 18th (primarily between Dinka and Nuer soldiers, and mainly in Bentiu's sister town of Rubkona), as well as fighting between Dinka and Nuer oil workers in the oil fields, General James Koang defected on the 21<sup>st</sup> December, seizing Bentiu, and declared himself to be the military governor of Unity. Fighting spread northwards from Bentiu to several locations bordering Sudan. Concurrently, Dinka soldiers were alleged to have killed around 200 Nuer defectors in Pariang and Jaw, as well as executing a dozen Nuer soldiers in the Yida and Ajuong refugee camps for displaced Northerners (ICG, 2015a: 10-11). In late December or early January, the Sudan Revolutionary Front (SRF, see below) assisted government forces in retaking parts of the state, pushing conflict westward around Mayom county, and supporting the government in their retaking of Bentiu and Rubkona on the 10<sup>th</sup> of January. SPLA and SRF forces then reclaimed Machar's hometown of Leer on February 1<sup>st</sup> 2014 (in violation of the first Cessation of Hostilities Agreement signed on the 23<sup>rd</sup> January by GRSS and the SPLM/A-IO).

The next major incident occurred on April 15<sup>th</sup>, when the SPLM/A-IO quickly retook Bentiu and Rubkona from the SPLA. At this point SPLM/A-IO forces massacred many hundreds of civilians and some government officials (with Darfuri civilians singled out, allegedly for the assistance they provided to the SRF near the outbreak of violence), including at religious sites and the hospital (ICG, 2015a: 16-17). Prior to this attack, government forces were said to have violently prevented civilians from fleeing to the UNMISS compound for safety (*ibid.*). The government retook Bentiu on 8<sup>th</sup> May, and has largely managed to hold the city since this time. Bentiu has seen widespread destruction of property in recurrent fighting, and is reportedly little more than a garrison town, with few civilians inhabiting the city (SAS/HSBA, 2015). Sporadic clashes were reported to have occurred throughout the summer of 2014 with SPLM/A-IO forces attacking sites in Unity state once again in late October from their bases near Heglig and Kilo 30 in the Republic of Sudan, including SPLA positions around the Unity oil field in Rubkona county, and briefly occupying the city of Bentiu before being dislodged by SPLA forces. Renewed fighting broke out in January, with the SPLA shelling SPLM/A-IO positions on the Guit and Nhialdiu roads as well in the area around the Unity oil fields. Four days of fighting followed an SPLM/A-IO assault on the Toma South oil field on January 21<sup>st</sup>, which "overwhelmed" the SPLA, who unsuccessfully tried to recapture the field on the 28<sup>th</sup> (*ibid.*: 2, 6).

Lastly, whilst conflict has been concentrated in Great Upper Nile, it is by no means confined to it. A number of incidents of desertions, defections and infighting took place

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<sup>18</sup> Olonyi has since broken away from the SPLA following April 2015 clashes in Malakal, but claims to be operating independently of either the SPLA or SPLA-IO (Radio Tamazuj, 2015d).

between SPLA units in the Greater Bahr el Ghazal region, including in the SPLA base at Mapel in April and May, with an unknown number killed in skirmishes, but likely to be in the low hundreds (see SAS/HSBA, 2014b). Conflict in Lakes state has accelerated throughout 2014, intensifying at the end of the year and in early 2015. Much of this violence is described as being ‘cattle-related’, and involves not just raids by pastoralists, but also between these groups, the SPLA, and other armed civilians, with the SPLA conducting disarmament exercises during this time. This is in the context of political tensions within the state, including an assassination attempt on the caretaker Governor. There is little in the way of detailed information or analysis on the current violence in Lakes, although the ICG has claimed that in January 2015, deaths resulting from clashes in Lakes have overtaken deaths directly related to the ongoing war between the SPLA and SPLM/A-IO in Greater Upper Nile (ICG Monthly Update, February, 2015). Secondly, most of Greater Equatoria has been spared large-scale political and military violence in 2014, excepting the incidents in Juba in the first half of the year noted above, as well as ambushes (potentially by the SPLM/A-IO or affiliates) along the Juba-Nimule road, and clashes and defections reported at barracks in Torit (Eastern Equatoria), Morobo county (Central Equatoria) and Mundri (Western Equatoria) in the early stages of the conflict, with reports of periodic clashes in these areas in 2015, in addition rumours of an emergent rebellion around the Nimule area has prompted SPLA deployments as well as arrests of local political figures in parts of Eastern Equatoria, and the brief closure of the Nimule border with Uganda by the SPLA in early December, which prevented a number of civilians from fleeing the area (Radio Tamazuj, 2014c).

The mass violence between the SPLA and SPLM/A-IO – in conjunction with allied and aligned armed forces on both sides - has provided a new layer and organising infrastructure atop existing violence in South Sudan, drawing in new and old actors (both internal and external), whilst intersecting with a number of existing conflicts in the country. Estimates for the total number killed in the current civil war vary widely, with the ICG providing a figure of “at least 50,000 dead” and “nearly two million” displaced as of late January 2015 (ICG, 2015a: i). This is likely to be little more than an educated guess, given the absence of hard data. Meanwhile, Radio Tamazuj (2014b) reported that according to “unofficial statistics” kept by the government which were disclosed by an anonymous “high-level military source”, a total of 20,000 government soldiers were listed as ‘casualties’ between January and October 2014. Of this number, at least 10,659 soldiers were confirmed to have died in battle, whilst the remainder were listed as wounded. However, given the lack of medical facilities, resources and personnel in the SPLA – which may have been especially acute at the frontlines - it is likely that a number of those soldiers listed as wounded would have later died, with the same anonymous source stating that at least 589 died as a result of injuries sustained on the battlefield, although the actual number could be significantly higher. These figures also do not appear to take into account casualties from late December 2013.

### Actors

A plethora of armed groups and actors have become involved in the current civil war, many of whom have previously engaged in conflict in South Sudan, either before or during the CPA-era. In a sense, violence has come round full-circle, with many of commanders and soldiers opposed to the SPLM/A prior to the CPA once again taking up arms against it. Whilst a recent ICG report (2014c) states that around two dozen armed actors are participating in the conflict, only a handful of the most significant groups are covered here. The remaining groups - which are not all named by the ICG - are most likely to be militia groups of varying sizes, broadly affiliated with either the GRSS, or with the SPLM/A-IO.

#### *i. The SPLA, and the Sudan People's Liberation Movement/Army – In Opposition*

At the beginning of the current civil war, the SPLA split, with defectors coalescing into the SPLM/A-IO over the course of the following month. There are no reliable estimates of the number of soldiers who defected from the SPLA, in addition to other branches of the 'security sector', following the outbreak of mass violence. The chief whip of the SPLM, Tulio Odongi, estimated that up to 70 percent of the SPLA had defected by February 2014 (Sudan Tribune, 2014b), but no hard data was provided to support this claim. A number of the groups who had accepted amnesties defected to the SPLM/A-IO early in the rebellion, notably Peter Gadet and other affiliated SSLM/A commanders, some of whom had re-joined the SPLA as recently as August 2013.<sup>19</sup> Meanwhile, the former rebel commanders who remained with the SPLA have in some cases experienced trouble in securing salaries for their soldiers; are reported to have little command over the SPLA soldiers nominally under their command; and attempts by certain commanders to engage in recruitment activities outside of official SPLA structures has caused tensions with the military (see ICG, 2015a; SAS/HSBA, 2015). The government launched a mass recruitment drive from early 2014 onwards, primarily recruiting from parts of Greater Equatoria and Bahr el Ghazal, and government forces have utilised or activated relationships with a number of affiliated militia groups, in addition to allies from outside South Sudan (see ICG, 2014a; 2014c; 2015a).

The SPLM/A-IO has similarly relied upon an assortment of allied forces, in particular Nuer White Army militias, of varying degrees of loyalty and discipline. Whilst the SPLA seems, for the time being, to be relatively stable, it is experiencing acute difficulties in paying salaries, and hence retaining soldiers, who may either leave the institution or defect to the SPLM/A-IO. In turn, the SPLM/A-IO has inherited many of the fault lines which were previously stored within the SPLA, and these fault lines have manifested themselves in terms of military and political divisions, with a worrying potential for factionalism within

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<sup>19</sup> A 2015 ICG report notes that: "In August 2013, with improving Sudan-South Sudan relations, Bapiny, Puljang and other militia leaders accepted Juba's amnesty offer. In November 2013, Bapiny became a lieutenant general; Puljang and Carlo Kuol were appointed as major generals and five other SSLA officers as brigadier-generals. When war broke out [in December, 2013] Bapiny, Puljang and Joseph stayed with the government, while Gadet and others, including Kuol and Gai Yoch, defected" (2015a: 9).

the movement. Generally speaking, the political wing of the movement has been more eager to pursue a peace agreement which would see them restored to power in a government of national unity in Juba, whilst military commanders (largely comprising former SSDF commanders) as well as many rebel soldiers have found fault with the political leadership's eagerness to resume power in Juba. The military wing has favoured continued military operations in the hope of dislodging a government (and especially a President) they regard as being illegitimate, with certain commanders threatening to split from the movement in the event of a compromise deal with Juba (Young, 2015). The political leadership has, in turn, attempted to side-line a number of troublesome generals, with rebel leader Riek Machar even relieving Gadet and placing him in the care of the Ethiopian police in July 2015, prompting Gadet to flee to Khartoum for fear of arrest (*ibid.*: 59-60).

ii. *Ugandan People's Defence Forces*

Uganda has maintained close ties with the SPLM/A since Museveni's National Resistance Army seized power in Kampala in the mid-1980s, intervening directly in the Second Civil War at various points (see de Waal, 2004; see also LeRiche and Arnold, 2012: 203-204). The UPDF was unofficially deployed in southern Sudan throughout the 1990s, and was more regularly sighted from 1996 onwards (Schomerus, 2012: 128-130). Although UPDF activity took the form of a mixture of anti-LRA operations, and pro-SPLA operations, they were underpinned by the interests of Uganda and its armed forces. The UPDF – alongside Ethiopian tanks – had assisted the SPLA in the capturing of Yei town in late February 1997, and immediately prior to this, the UPDF had assisted the SPLA in the capturing of the town of Kaya and the Koboko mountain at the border with Uganda, which the SAF had been using to fire missiles into Uganda (*ibid.*). Despite speculation that this was to be the first stage in a subsequent assault on Juba, the offensive did not push on to Juba. De Waal (2004: 208-9) explains this as part of the regional geopolitics at the time, which (briefly) saw an alliance between the governments of Uganda, Ethiopia, Eritrea and Rwanda, who engaged in military operations in the former Zaire (initially against the former Rwandese genocidaires, and then with an eye to replacing the government in Kinshasa), and also sought regime change in Khartoum. De Waal argues that Ugandan involvement in the offensive against Yei was more likely in service of Uganda's military goals in the former Zaire (which also included neutralising Allied Democratic Forces rebels, who had become a serious threat in Western Uganda from their bases in Zaire), with the Yei offensive intended to block Khartoum's support for Ugandan rebels, as well as any significant military involvement from Khartoum in Zaire. Alongside the aforementioned strategic interests in Kaya, this suggests that Ugandan military involvement at the time were motivated by strategic self-interest first, and solidarity with the SPLM/A second.

In 2002, the UPDF were granted permission by Khartoum to intervene in the south, in pursuit of the LRA, following both the Nairobi Agreement of 1999 (in which

Kampala and Khartoum had officially agreed to halt support to rebel movements), as well as Khartoum's desire to improve relations with the US government in the post-9/11 geopolitical climate, who had incidentally added the LRA to the list of terrorist organisations, at Kampala's request (Schomerus, 2012: 128). Since 2002, the Ugandan military had conducted several anti-LRA military operations and manoeuvres – notably 2002's Operation Iron Fist and 2008's Lightning Thunder – and had increased their presence along the border regions of Southern Sudan, extending well into parts of Western and Central Equatoria.

One consequence of this has been a significant increase in civilian abuses by UPDF forces in Southern Sudan, with UPDF soldiers being implicated in atrocities as well as resource exploitation, and have even disguised themselves as LRA fighters in order to extort or exploit civilians (*ibid.*). But the broader result of a continued UPDF presence in the Equatorias has been to further complicate an already complex security environment, and to further militarise the area through entrenching and normalising both military deployments and military employment in armies which are, generally speaking, neither welcome nor accountable to the local population. The UPDF's behaviour has been at least tacitly (and sometimes explicitly) authorised by the US, and is particularly impervious to change given the UPDF's leading role in the African Union Mission in Somalia, and Kampala's willingness to threaten withdrawal from Somalia whenever criticism of the UPDF's activities in neighbouring countries is broached by international actors. It has also had little positive effect on countering LRA violence, and has in all likelihood inflamed LRA attacks against civilians, whilst helping to jeopardise the Juba Peace Talks (*ibid.*).

Despite periodic diplomatic tensions between Juba and Kampala since Southern independence, Uganda has significant political and commercial interests in South Sudan, and in particular to the stability of President Kiir's government. UPDF soldiers have been based in South Sudan since the early 2000s as part of various anti-LRA forces, whilst the Ugandan security services are likely to have been implicated in the death of General George Athor (see above).

The UPDF intervened almost immediately following the outbreak of violence in Juba, under the guise of a protection force to oversee the evacuation of Ugandan citizens. Whilst this may have been one aim of the Ugandan government, the UPDF has provided vital support to the SPLA in their campaigns against the SPLM/A-IO, especially in Central Equatoria and Jonglei states (see above), with the Ugandan ambassador to South Sudan stating that ““if it weren't for the UPDF deployment, there wouldn't be [peace talks]; there would be urban warfare for control of Juba” (in ICG, 2014a: 23). However, ICG interviews with anonymous Ugandan and South Sudanese officials revealed – curiously - that UPDF forces may have already been at the border with South Sudan two days before the outbreak of violence in Juba, and that UNMISS officials interviewed also disclosed that UPDF units based in Nzara, Western Equatoria (as part of the counter-LRA force) had gone missing in late 2013 (ICG, 2014c: 13). Regardless of whether this is indeed the case (which would

have implications for the narrative of events surrounding the outbreak of violence and the alleged ‘coup’), the UPDF has helped the GRSS shore up control over the south-east of the country. Conflicting accounts over who is paying for the UPDF have emerged, with the South Sudanese Defence Minister Kuol Manyang Juuk disclosing in February 2014 that Juba was paying Kampala for the continued presence of the Ugandan army (with rumours of intense disputes between the two governments over how much should be paid), but this was contested by Kampala, where the parliament approved a supplementary budget to cover the deployment (ICG, 2014a: 23).

### *iii. The Sudan Revolutionary Forces*

The Sudan Revolutionary Forces (SRF) is an alliance between four major rebel groups fighting Khartoum, drawn primarily from Sudan’s peripheries to the west and south. These include the SPLM-N, as well as three Darfuri rebel groups: the Justice and Equality Movement (JEM), the Sudan Liberation Army – Abdul Wahid al-Nur, and the Sudan Liberation Army – Minni Minawi, with the two factions of the Sudan Liberation Army (SLA) resulting from an earlier leadership split in 2006 (see de Waal, 2015b). The SPLM-N, meanwhile, was the northern wing of the SPLM/A fighting in the borderlands between the north and south during the Second Civil War. Today the SPLM-N largely comprises the remnants of the SPLM/A based in the rump state of Sudan (as part of the JIUs stationed in the borderlands), primarily in parts of Southern Kordofan and Southern Blue Nile, who were left stranded on the ‘wrong’ side of the border after South Sudan’s independence, and who were not sufficiently catered for in the CPA (see Young, 2012: Ch. 5).

Escalating violence (largely instigated by Khartoum) in the ‘Three Areas’ of Abyei, Southern Kordofan and southern Blue Nile in the months preceding the secession of the south would result in renewed war in southern Blue Nile and the Nuba Mountains (in Southern Kordofan), and periodic violence and mass displacement in Abyei following the independence of South Sudan. The settled population (as opposed to Arab-identified pastoralists) of the ‘Three Areas’ had largely sided with the SPLM/A during the Second Civil War, with the African- identified population of Blue Nile and Southern Kordofan supporting Garang’s vision of a ‘New Sudan’, and the Ngok Dinka population of Abyei being among the earliest members of the SPLM/A. Despite experiencing terrible violence during the Second Civil War (and for the Ngok Dinka, in the years prior to the conflict), Blue Nile and Southern Kordofan had vague – if lengthy – provisions in the CPA, which would go largely unfulfilled, due to political machinations in Khartoum and Juba. Moreover, the promised referendum which would have allowed Abyei to join the South never materialised due to intransigence of Khartoum, and their need to keep Arab-identified pastoralists - who strongly opposed the secession of Abyei - onside (*ibid.*, see also Craze, 2011, 2013).

Although the two SLA factions had agreed to co-operate with the SPLM-N following the mid-2011 fighting, they were later joined by an initially hesitant JEM, and the SRF was officially announced on November 11<sup>th</sup> 2011, with the alliance attempting to dislodge the NCP government in Khartoum through armed rebellion (McCuthchen, 2014:

14-17). Juba has been regularly accused of supporting these groups through supplying arms and ammunition, as well as territorial sanctuary, and co-ordinated the SPLA assault on Heglig in 2012 with JEM fighters. As outlined above, fighters from the SRF came to the assistance of the SPLA almost immediately following the outbreak, and have helped the government retake territory and urban centres (with JEM using vehicle-based ‘cavalry’ tactics to great effect against SPLM/A-IO forces unfamiliar with this mode of fighting), and were also implicated – like all parties to the conflict along the border – in abuses against civilians. It is likely that SRF factions, who were caught off-guard by the fracturing of the SPLA, are attempting to retain support from Juba when the current crisis is contained or resolved (ICG, 2015a).

### Geography

There are three features to the geography of conflict which distinguish patterns of violence in the current civil war from previous phases of post-CPA violence. First, conflict has tended to centre upon urban political centres, from Juba to the towns of Bor, Bentiu, Rubkona, Leer and Malakal, among others. In part, this is because much of the initial violence was intra-SPLA, with many SPLA units being stationed either in urban centres or in barracks nearby. Fighting for control of towns intensified in the early months of the conflict, and was likely spurred on by a perception in the leadership of both the GRSS and SPLM/A-IO that control of urban centres equated to greater bargaining power in peace negotiations. However, as forces loyal to the government have gradually consolidated their control on urban centres (albeit largely depopulated ones), fighting has been displaced to more peripheral rural areas, mainly in Greater Upper Nile. In a way, this represents a temporary inversion of the concentric patterns of violence from the post-CPA era, where violence takes place in urban centres.

Second, conflict has continued to converge on oil-producing areas, as well as the border with Sudan. Fighting in these areas, in addition to urban centres in the north of the country, has given rise to a new political economy of conflict, with the government prioritising the payment of salaries to soldiers fighting on the front-line areas (SAS/HSBA 2014a, 2015). Since the government’s ability to pay these salaries is contingent upon retaining control of the remaining oil fields, without which it would be unable to fund its fight unless a significant increase in external assistance could be found, this has made the sole producing oil field at Paloich in Upper Nile a key site of conflict.

Finally, fighting across both sides of the (disputed) border between the two Sudans has intensified since the current war began, building on accusations by Juba that Khartoum has been backing a variety of militias and insurgents throughout the south as well as in the border regions at multiple points during the post-CPA era, which have often been countered with accusations by Khartoum that Juba is providing various forms of support to rebels fighting in the north. Both of these positions have more than an element of truth to them, with Juba providing sanctuary and (at least, at times) armaments to SRF forces,

whilst Khartoum has supplied weapons, ammunition and tactical support to many - if not all - of the rebel movements listed in this chapter at one time or another (see ICG, 2015a; Craze, 2013; Leff and LeBrun, 2014), building on its lengthy experience of raising or supporting militias to combat or police the activity of rivals throughout Sudan.

In the current fighting, Juba has utilised SRF rebels to assist in anti-SPLM/A-IO operations. However, there is considerable ambiguity surrounding Khartoum's role in the current violence, although rumours and scraps of information suggest that it may be supporting the SPLM/A-IO to a modest degree through the provision of arms and ammunition, as well as access to Sudan's territory (see ICG, 2015a). In tandem with significant support from the UPDF to the GRSS and SPLA, the civil war in South Sudan is becoming increasingly regionalised, with many of the same actors who fought in the southern theatre during the Second Civil War returning. A new political centre of gravity in Sudan appears to have formed in the borderlands between the north and south, after Juba and Khartoum became established as the twin political centres in Sudan by the CPA (see Young, 2012). External military involvement in the current civil war – from Sudan, the SRF, and Uganda – is pushing conflict towards the borderlands and the oil-producing areas nearby. However, and unlike the Second Civil War, this regionalised conflict appears (for now) to be contained within the two Sudans, with neither Sudan nor South Sudan stoking violence in neighbouring countries in retaliation for military support for rebel movements.

### Analysis

The return to large-scale violence reflects a number of changes and continuities evident in the post-CPA era. First, the rapid fracturing of the SPLA has predictably had serious consequences on the SPLA's ability to conduct and regulate violence. Official command and control structures within the SPLA were reported to have broken down during the initial three days of violence in Juba, with (predominantly) Dinka commanders informally taking charge of Dinka soldiers in this time to secure both the city and the President. Moreover, General Paul Malong Awan, the then (Dinka) Governor of Northern Bahr el Ghazal and, as of April 2014, the new SPLA Chief of Staff, was also reported to have been involved in organising security operations (possibly over the paramilitary *Dut ku Beny* force) in Juba, despite having no official military role. Security officials who were not involved in these efforts to secure Juba later claimed that it was not possible to intervene or take charge in this security context, and instead attempted to use forces remaining under their command to rescue or assist Nuer civilians (*ibid.*: 25-26).<sup>20</sup> Although this is the most detailed example of the breakdown of official command lines, it is highly likely that such lines of command unravelled elsewhere during the initial stages of fighting. Furthermore, the SPLA has been forced to undertake a mass recruitment drive following its internal split,

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<sup>20</sup> The report does not specify the ethnicity of those security officials who did not participate in these security operations and organised killings, although SSNPS Inspector General Pieng Deng (a Ngok Dinka) is included as an example, suggesting that both Dinka and non-Dinka officials were involved in rescue efforts.



and it has struggled to meet its obligations to pay salaries for its existing as well as its new personnel. However, these should not necessarily be interpreted as amounting to a significant change in the functioning of the SPLA, since the lines of command and control on the ground frequently diverged from those on paper (interview, international SSR practitioner, Juba, August 2013), and efforts to expand the SPLA have been underway since at least 2005. In this sense, there are continuities as well as changes to the organisational structure and functioning of the military.

Second, there has been a partial rotation or swapping of positions in the current civil war, with some groups establishing or reaffirming their relationship with the central government, or breaking away to join the rebellion. Of the (surviving) leaders of the rebel groups outlined in earlier, some joined the SPLM/A-IO in the early stages of the rebellion (Gadet, Carlo Kuol and Gai Yoach), with the remainder either staying loyal to the government, or entering into an alliance once the rebellion was underway (e.g. the SSDA-CF). There is no concrete information on whether - or to what extent - the combatants who were either integrated or awaiting integration into the SPLA defected to the SPLM/A-IO following the outbreak of civil war. However, given that former Nuer rebel commanders in Unity were split between remaining with the government or joining the SPLM/A-IO rebellion (which is often characterised as being a predominantly Nuer rebellion), this suggests that there may not be a simple association between ethnic identity and the decision to defect or remain loyal to the government.

Third, both the SPLA and SPLM/A-IO have made use of existing militia groups in the course of fighting, with the SPLA expanding its relationships with a number of these militias, including around the Paloich oil field. The proliferation of quasi-formal militias has been one of the main characteristics of fighting in Greater Upper Nile, and has echoes of the Second Civil War, indicating that the 'militia strategy' of Khartoum is being replicated by the GRSS and SPLM/A-IO. These last two points are suggestive of an emerging dynamic lurking behind rebellion in post-CPA South Sudan more broadly, in which armed groups attempt to establish a regularised relationship with the government, the military, or both the government and the military. This may explain the general tendency for armed groups operating between 2010-2013 to refrain from targeting non-combatants, since a degree of support (or at least toleration) from civilians in rebel areas of operation might be required, or alternatively, it is largely irrelevant to the goal of integration with the state or military. Furthermore, little of the violence associated with armed militias and insurgencies has seriously challenged the state, but such groups instead sought inclusion within the branches of official power, albeit on sometimes enhanced or revised terms. Elements of the South Sudanese state appeared to understand this, with "[t]he stated policy of those willing to, or being instructed to, incorporate rebels into the army was one of "restore but not promote"" (ICG, 2011: 11). The state has not always been consistent in upholding this principle, partly due to a lack of co-ordination or common interest between different actors and institutions within the state engaged in negotiations with insurgencies. This dynamic may extend to the current rebellion. Whilst the SPLM/A-IO has threatened to take a number of political centres in South Sudan (with Juba itself under threat in the first month

of violence), it has not fundamentally challenged either the structure of the state, or the methods it uses to perpetuate its existence. The (multiple) ongoing negotiations between the government and SPLM/A-IO have tended to focus primarily on reintegration with the state (both of political elites, and rebel forces), with reform of the state appearing to be of secondary importance.

## Conclusions

Through a thorough review of instances of violence from 2005 onwards, as well as the actors and geography of this violence, a number of salient themes become visible amidst this complexity. First, and most obviously, South Sudan has been the site of considerable violence since 2005, which has escalated sharply since late 2013. By our definition of war as being 'lethal inter-group violence', South Sudan has had multiple localised wars in the time period surveyed, which have gradually coalesced around a few key regions: Jonglei, Unity and Upper Nile states (the oil producing regions of the country); the contested borderlands between the north and south; and to a lesser extent, certain rural areas of Greater Bahr el Ghazal. This builds on a legacy of extensive violence in these same regions during the Second Civil War, and the current civil war of late 2013 onwards has similarly been at its most intense in the same areas. Second, much of this violence is directed both outwards and towards political and military centres, especially Juba and provincial towns in the South. In the current civil war, fighting has taken place within and for control of these urban centres. When being directed outwards from government and military centres, it tends to take one of two forms: first, civilian disarmament, and second, counter-insurgency. Lastly, and stepping back slightly, much of the violence prior to the current civil war seems to be targeted with an eye to gaining access to the state and its institutions, or enhancing the position and status of armed factions within the state. Conversely, the state appears to be either absorbing or resisting attempts by excluded or unfavourably incorporated groups.

In the remaining empirical chapters, we seek to explain this violence, its complex patterns, and seemingly intractable presence in contemporary South Sudanese politics, and relate it to different aspects of the statebuilding process in Sudan, drawing attention to the ways in which this process may be militarising social relations. We will begin with an analysis of the supply, distribution and control of arms and war material in South Sudan, with a particular focus on one of the regularised forms of state violence in post-CPA South Sudan: civilian disarmament.

### Chapter 3: Arming South Sudan

This chapter concentrates on an aspect of violence and its preparation which has drawn increasing attention from specialists in recent years, albeit in a way which is often analytically divorced from broader processes of war, militarism and statebuilding in operation in South Sudan, and is subject to questionable interpretation in non-specialist coverage. This aspect is the process of arms acquisition and arms control in South Sudan. The overall question guiding this chapter is as follows: *In what ways are the patterns of violence mapped in the previous chapter explained by the distribution, supply and availability of arms, as well as the failure to control or regulate the control of arms?* The focus here is on small arms and light weapons (SALW) and efforts at obtaining, distribution and controlling these arms, given their centrality to the system of arms acquisition that has been emerging in the country since the Second Civil War.

The quote below from a recent Saferworld report on small arms in north-eastern Africa is illustrative of some of issues which have accompanied the analysis of firearms in the South Sudanese context:

The uncontrolled circulation and proliferation in SALW in South Sudan therefore affects the whole country and generates severe impacts, in particular:

- political instability and war, with immediate consequences for the whole subregion;
- displacement of populations fleeing insecurity and war;
- humanitarian crisis and survival challenges for the population; and
- missed opportunities for development and poverty reduction. (Africa Peace Forum, *et al.*, 2014: 15)

This account, alongside descriptions of the two Sudans as being “Africa’s Arms Dump” (*The Guardian*, 2014), reinforces an impression that an indiscriminate arming process has been underway across the entirety of South Sudan, and that it is this proliferation of small arms has generated many of the woes afflicting the country today. Without wishing to suggest that small arms are somehow incidental to the preparation, conduct and likelihood of violence in South Sudan, such accounts appear to be misleading exaggerations, which can (unintentionally) serve to occlude strategies of control, evasion and complicity utilised by many groups (and especially governments) involved in the circulation of arms both inside and outside of the country.

This chapter mobilises the framework of militarised statebuilding to direct attention to the political, economic and international relations of arms acquisition and control, as well as the ways in which military power has been reorganised and repurposed in the course of obtaining and regulating armaments, offering an expanded vantage point to

approach arms control in South Sudan, which can be linked to violence and statebuilding following the signing of the Comprehensive Peace Agreement in 2005. In doing so, the chapter challenges the dominant narratives on arms acquisition and control in South Sudan, highlighting how practices of arms control and acquisition reflect the further militarisation of social relations in the South, whilst situating these practices within the violence detailed in the previous chapter.

Doubtlessly, there are a sizeable number of small arms in South Sudan, with many of them existing outside the effective control of any organised military entity. However, based on a review of the available evidence, it is likely that the majority of arms purchases, distribution and control efforts are organised and directed by the state, representing a relatively sophisticated response to political and security conditions in South Sudan by politico-military elites, in a turbulent regional context where arms supplies are also co-ordinated largely through states and governments. As well as being relatively well-ordered and organised, the system of armament that has emerged in and around South Sudan can be, with some minor exceptions, quite neatly overlaid onto the networks of alliances and rivalries that existed throughout the Second Civil War, on both the regional and sub-national levels. This, taken together with the fact that South Sudan has been accumulating arms in far greater quantities since the Second Civil War, as well as more advanced weapons systems, suggests that the international relations (or more specifically, the regional relations) of South Sudan are not only continuing to be militarised, but this is increasing, and are feeding into the amplification of military and state power in the country. Furthermore, the South Sudanese state has tended to selectively request, or conversely, selectively avoid, international assistance for different elements of arming and disarming. Apparent ‘failures’ in arms control and disarmament on the part of the South Sudanese authorities should be understood in this light, and may in fact reflect deliberate efforts to render dynamics surrounding arms distribution and control ambiguous, with the South Sudanese state attempting to enhance its control over the distribution of arms in this context of ambiguity. The patterns of arms control, as shall be seen, reveal how militarised politics in the south since the signing of the CPA have fed into the organisation and conduct of violence, with international powers (and notably the UN) indirectly supporting this extension of militarism.

This chapter is divided into four parts. We firstly attempt to establish the patterns and contours of the arms trade throughout Sudan during the Second Civil War. Second, we move on to discuss arms acquisition and distribution in Southern Sudan specifically from 2005 onwards, highlighting not only the continuities from the war-time era, but the intensification of a number of patterns and characteristics of arms procurement in a designated ‘peace-time’ era. Third, we will consider efforts at controlling the movement and ownership of arms during this time period, through looking at the politics and conduct of disarmament in South Sudan, and its relationship to Disarmament, Demobilisation and Reintegration (DDR). As well as revealing a number of commonalities between arms procurement and arms control, this section sets up the final part of the chapter, concentrating on the overlaps between violence, arms and state power in Jonglei state, the

epicentre of much of the post-CPA violence in South Sudan, yet firmly in the periphery of the new state. Here we explore the functions of arms control for those supporting or undermining the SPLM/A-led statebuilding project by focusing on civilian disarmament, which has become one of the regularised expressions of state violence since 2005. Through doing so, not only does the centrality of the state to the arms system in South Sudan become clearer; we also see how the state's reasons for centralising and extending its control of this system, whilst regulating those eligible to participate in it through the instruments of disarmaments and rearmament provide important parameters for much of the armed conflict occurring in post-CPA South Sudan, and indicate the further militarisation of societal relationships, and the indirect complicity of the United Nations Mission in South Sudan in this process.

### The emergence of an arms system during the Second Civil War

Establishing even basic information about the quantities and supply routes of firearms in southern Sudan prior to the signing of the CPA is challenging, meaning that any attempt at visualising the contours of the multiple stages of the arms process will be impressionistic at best. Nevertheless, through working backwards, certain patterns become apparent, and can provide a baseline from which the dynamics of arms in the post-CPA era can be assessed.

In early 2007, the Small Arms Survey estimated that the total number of small arms in circulation throughout Sudan was somewhere in the region of 1.9 to 3.2 million (SAS/HSBA, 2007b: 2, 9). Whilst this is clearly a rough figure with a considerable variation in its range, it is nonetheless instructive in two senses. First, it helps to dispel - or at least call into question - the myth that Sudan, and especially South Sudan, is 'awash' with small arms. This has been a feature of some journalistic reporting, which has at times produced claims that multiple firearms are owned by every civilian in South Sudan, with no evidence being offered to support such claims (see, e.g., BBC Radio 4, 2013). Gun ownership is indeed high, but not at the levels speculated by less credible reporting. Second, this figure is broken down into categories, with an estimated 67% of these small arms being in the hands of civilians (in both the north and south of Sudan, with more in the hands of southern civilians), 20% belonging to security of branches of Khartoum (with just under 6% of the total figure in the possession of semi-official paramilitary forces), 8% to the SPLA and other official Southern Sudanese security forces, and just over 4% across armed militias operating throughout Southern Sudan.<sup>21</sup> Despite these estimates being vague, they do help to clarify and order the overall picture, and provide us with a departure point to work backwards from, and through the known strategic, economic and political partnerships between the major belligerents in the conflict and regional and international actors, make

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<sup>21</sup> This figure appears to include the South Sudan Defence Forces.

inferences about the source (if not the quantity) of arms exchanges and flows into Southern Sudan.

Official trade estimates from UN Comtrade suggest that, at a minimum, around \$70 million worth of SALW and ammunition entered Sudan between 1992-2005, with presumably most – if not all – of this materiel passing through official state channels. These records indicate that 34 countries sold arms and ammunition to Sudan during this time, with Iran and especially China providing the vast majority of these arms (SAS/HSBA, 2007b: 1, 5). However, under-reporting of both arms imports and exports ensures these statistics are unlikely to capture the entirety of arms and ammunition officially entering the country (let alone through illicit channels), and differences in customs categories means establishing precisely which types of weapons - or simply whether it was even weapons or ammunition that had been transferred – mean that the picture is an opaque one (*ibid.*: 6). This marked what was, in all probability, a significant decline from arms transfers to Sudan during the Cold War. Prior to 1990, Khartoum had “acquired the bulk of its arsenal from the United States and former USSR”, receiving “hundreds of millions of dollars worth of military aid during the 1980s and was a leading beneficiary of military and economic aid to the African continent”, the loss of which following withdrawal of US support (and a subsequent US arms embargo in 1992) prompted Khartoum to cultivate political and economic relations further afield, notably in East Asia (*ibid.*: 5; SAS/HSBA, 2012a: 2). The shift towards purchasing arms from suppliers such as Iran and China and, to a lesser extent Russia and Belarus, was probably hastened by the 1994 EU arms embargo, which prevented any EU national from supplying “arms and related materiel of all types” to both governmental and non-governmental actors in Sudan, which was later strengthened in 2004 to include prohibitions on a variety of activities relating to arms transfers, including brokering, transportation and financial assistance (SAS/HSBA, 2009: 1-2).

In the backdrop of these arms transfers, Sudan has maintained – and expanded – its own domestic arms and ammunition manufacturing infrastructure. The Al Shaggara Ammunition plant close to Khartoum has produced ammunition for small arms since 1959, but was absorbed into the newly founded ‘Military Industrial Corporation’ (MIC) in 1993. The precise nature and size of the MIC remains shrouded in ambiguity, but it is believed to include at least 7 distinct manufacturing plants, all of which are in or close to Khartoum. Most of these plants were established at various points in the 1990s or early 2000’s, with the exception being the Safat Aviation Complex, which opened in 2005. Taken together, the different installations comprising the MIC manufacture a range of SALW (including ammunition), heavy weapons (including tanks), engineering and communications devices (seemingly for both military and civilian use), as well as clothing and boots for military personnel. A number of outside states are believed to have either been involved in the establishment of these installations, and/or have a stake in owning or operating the different facilities, particularly China and Iran, and to a lesser extent, Bulgaria and Russia. Weaponry manufactured in these facilities is known to derive from Iranian, Chinese and Soviet-era designs, but whether a formal licensing agreement between Sudan and China or Iran exists for the manufacture of weapons based on these designs is uncertain

(SAS/HSBA, 2014d: 4). The total output of arms and ammunition from the MIC during and after the Second Civil War is unknown.

The infusion of arms from external states, in conjunction with Sudan's increasing capacity for manufacturing arms and ammunition, likely accounts for the majority of armaments used by state security forces. However, given the well-documented tendency for Khartoum to support anti-SPLA militias and rebels in the south during this time, we can infer that many of these arms would not remain in the possession of official state security forces. Moreover, anti-Khartoum rebel groups operating throughout Sudan are believed to have secured many of their weapons from the arsenals of Khartoum's various security forces (ranging from heavy weapons and artillery to SALW and ammunition), either through capturing war materiel or through members of the security forces selling their small arms onwards (SAS/HSBA, 2007b: 5). Anti-SPLA groups – notably the South Sudan Defence Forces (SSDF) would, in turn, procure at least some of their arms and ammunition from sympathisers or corrupt SPLA soldiers, but overall remained dependent on Khartoum to secure war material, curtailing their autonomy (Alden, *et al.*, 2011: 47, 59).

Mirroring the sales of armaments to the Sudanese state by external actors, a number of regional states have supplied various forms of support – including arms and ammunition – to a plethora of rebel groups operating in Sudan, with Khartoum in turn supporting insurgencies in these countries in a reciprocal pattern characterising regional relations in the Horn (see Cliffe, 1999; Healey, 2008). Within the south, the major external supporters to the SPLM/A included Uganda from the late 1980s onwards, Ethiopia from the start of the civil war until 1991, and again from the mid-1990s onwards, as well Eritrea for a portion of the 1990s. These have not necessarily been unconditional forms of support, with the SPLA periodically expected to provide assistance to their benefactors, who have often been engaged with armed rebellions of their own (see de Waal, 2004a). The SPLM/A have themselves been a conduit for small arms in the region, supplying armaments to allied militias within southern Sudan during the Second Civil War as well as to Darfuri rebels until at least 2004 (see Tanner and Tubiana, 2007: 21-22), and may have exchanged arms for food in parts of northern Uganda and north-western Kenya, in addition to individual SPLA soldiers selling arms at markets around the Sudan-Uganda border (Mkutu, 2008: 63-67). The provision of arms to allied groups was “a means of rewarding supporters and outflanking rivals” and became “a principal form of control and patronage by the SPLA” (SAS/HSBA, 2007b: 5, 8), echoing their strategy of rewarding or punishing civilians for supporting or resisting the movement, and chiming with John Garang's efforts to engineer the political economy of wartime southern Sudan so that flows of resources – economic, military and humanitarian – travelling across border regions were consolidated under SPLM control (LeRiche and Arnold, 2012: 41-42). This extended to arming communities which were subject to militia raids by Khartoum-affiliated groups (including pastoralist groups north of the border), where the SPLA were unable to establish a permanent military presence (SAS/HSBA, 2006a; Rands and LeRiche, 2012).

Cumulatively, external flows of arms into Sudan from a variety of outside states (neighbouring and distant); the channelling of arms from both the SPLM/A and especially Khartoum to neighbouring countries; and the gradual increases in Khartoum's domestic arms production infrastructure, have placed Sudan at the epicentre of what is both a regional conflict complex, and a regional system of arms production, acquisition and distribution. Several points should be surmised from this. First, that conditions of civil war in Sudan have been an enabling factor for the emergence and reinforcement of such a system of armaments - notably with regards to development of an increasingly sophisticated military-industrial infrastructure around Khartoum - generating networks of production and supply of arms and ammunition which can not only largely cope with demand, but also drive demand as armed groups threaten the interests of neighbouring, unarmed groups. This troubles the notion that war is somehow a uniquely destructive or entropic force, and suggests instead that it is actually solidifying or congealing of certain branches and capabilities of the state. Second, the violent afterglow of this arms system further undermines the idea of a neat divide between 'war' and 'peace'. The legacy of decades of successive arming in the country, and especially the south, has resulted in large quantities of small arms being held by a range of actors, which, as will be seen below, has been perceived as a threat to the security of the South Sudanese state by elements of the SPLM/A, since the political autonomy of armed groups in a post-conflict order may actually increase when large-scale hostilities abate. Third, although states have been the primary channel through which arms enter or leave Sudan (officially or covertly), the majority of the arms within Sudan have ended up outside of the state's direct control, either in the hands of affiliated paramilitary and rebel groups - as well as the SPLA - but increasingly in the possession of civilians. This outcome is likely to be the result of deliberate arming of civilians by the principal belligerents to the conflict, but also weak systems of controlling arms, either through individuals within armed groups re-selling the arms they have come to possess, or through rebels obtaining arms following confrontations with the SAF or affiliated forces. Lastly, the broader contours of the architecture of armaments in Sudan have been shaped by shifting international relations, with the withdrawal of US support for Khartoum and increasingly hostile regional relationships compelling Khartoum to forge relations with several Asian states, and intensifying trade (including arms) with China, and assisting the expansion of a military-industrial complex in the country. Turbulent and acrimonious regional relations, meanwhile, tended to play into the hands of the SPLM/A, who were able to extract various forms of support - including arms - from neighbouring countries at different points in the Second Civil War.

### Post-CPA arms transfers and procurement

Whilst the CPA did, for the most part, suspend outright hostilities between Khartoum and the SPLM/A, it did not suspend arms procurement. The CPA technically prevented both



Khartoum and the SPLA from ‘replenishing’ ammunition, weapons or lethal or military equipment within designated ceasefire zones, comprising Southern Sudan, the Three Areas and Eastern Sudan. However, the CPA did permit the “re-supply of armed forces lethal items” outside of these ceasefire zones, provided these were approved by the CPA-mandated Joint Defence Board (consisting of the Chiefs of Staff for both the SAF and SPLA, their deputies, and an agreed number of senior officers from both armies) (CPA, 2005: ‘Security Arrangements’, article 5.1; ‘Permanent Ceasefire and Security Arrangements Implementation Modalities and Appendices’ articles 5.3.5 and 9.6).

These restrictions were heavily weighted against the SPLM/A, who were unable to purchase arms and ammunition without violating the terms of the CPA. They also had no ability to prevent Khartoum from re-arming, provided it was done outside of the ceasefire zone (Lewis, 2009: 19). The SPLM/A would utilise a number of methods to secure military materiel during this time, contravening not only the CPA, but by extension UN Comtrade reporting requirements as well, which has prevented an accurate and quantifiable picture of arms transfer to the south to emerge (SAS/HSBA, 2009: 2-3). Based on their review of existing information as well as field research, the Small Arms Survey were able to determine that the SPLA obtained arms primarily from Ukraine during the CPA-period, which were routed through Kenya and Uganda, and included over 100 tanks, rocket launchers of varying sizes, anti-aircraft guns, as well as around 10,000 AKM assault rifles (*ibid*: 4). Outside of SPLA procurement from Ukraine, an additional 40,500 AKM Russian-manufactured assault rifles were ordered from Ukraine by the Ministry of the Interior, with 30,000 going to the police (supplementing their existing arsenal of small arms which came from SPLA soldiers transferred to the police), and the remainder to other security forces which fall under the Ministry of the Interior (see below). It is likely that agreements for SPLA procurement from Ukraine were reached in mid-2006, and rather than being made in reaction to specific security or political issues in post-CPA Sudan, they were instead made as part of a long-term procurement strategy (Lewis, 2009: 36). From 2007 to 2008, three large transfers of arms from Ukraine were shipped to Kenya “under contracts labelled ‘GOSS’ but ostensibly consigned to the Kenyan Ministry of Defence” and then sent onwards to Southern Sudan by the Kenyan government, implying the active involvement of Kenya (as well as Uganda, which has been a transshipment point for several deliveries of arms) in assisting the SPLA in their efforts to procure arms (SAS/HSBA, 2009: 4). Logistics for moving these arms shipments were handled by private individuals and companies in Kenya, Germany, Ukraine, the UK and the Isle of Man (Lewis, 2009: 44).

In addition to shipments originating in Ukraine, it is possible that certain regional allies (namely Kenya) provided weaponry to the SPLA from their own stocks, whilst Ethiopia has been implicated in at least two suspicious cases of delivering arms to Southern Sudan in which the SPLA were able provide plausible explanations to account for these, and several in 2008 and again in May 2011 which have not been explained (*ibid*: 37; SAS/HSBA, 2009: 4; SAS/HSBA, 2012a: 2). It is also known that a proportion of the SPLA’s ammunition is of Chinese origin (having been first identified in early 2011, but possibly arriving in Southern Sudan prior to this time), but it is unclear whether this was

procured from China directly, or purchased from a third-party supplier (*ibid.*: 3). Both the US and Russian governments had expressed an interest in supplying military equipment to South Sudan following secession, but the onset of civil war from late 2013 onwards has caused tensions within the US administration regarding the issue of arms transfers to South Sudan (*ibid.*; see also Lynch, 2015).

We will return to this issue of post-2013 arms transfers shortly, but for now, a summary of the arms system in the post-CPA era is helpful. During this period, the available information on the quantity and type of arms flowing towards the Southern Sudanese authorities is somewhat limited, and undoubtedly some way below the actual quantity of arms transferred to Southern Sudan, given the rapid expansion of security services during the CPA-era, and the need to ensure that arms kept pace with this expansion. Table 1 below provides estimates of the total size and arsenals of the different branches of the South Sudanese security forces, as of early 2012:

**Table 1 Estimated force strengths and arms holdings among South Sudanese forces**

Category	Strength	Estimated small arms holdings	Notes
SPLA	210,000 <sup>52</sup>	250,000	Includes some 177,000 soldiers at independence as well as newly integrated JIUs and former rebel forces
SSPS	50,000	50,000	Only 31,000 firearms registered with SSPS
Prison Service	22,000	6,000	Received 4,000 AKM rifles
Wildlife Service	14,000	9,000	Received 4,000 AKM rifles
Fire Brigade	4,000	2,000	Received 2,000 AKM rifles
Customs	Unconfirmed	200	Received 200 AKM rifles
<b>Totals</b>	<b>300,000</b>	<b>317,200</b>	

**Note:** Force strength and weapons holding estimates are based on fieldwork and key informant interviews conducted by the Small Arms Survey November 2011–February 2012.

(Source: SAS/HSBA, 2012a: 4. Note: estimates for the size of the police (SSNPS) and Prison Service have since been revised downwards)

Whilst the difficulties (if not futility) of estimating the size of South Sudan's 'security sector' are covered in the following chapter, small arms holdings provide a rough barometer to gauge the approximate size of official forces, and arms holdings appear to have broadly matched the considerable expansion of all coercive branches of the Southern Sudanese state since 2005. Interestingly, in addition to the Prison and Wildlife Services being relatively well armed, the Fire Brigade possesses enough weapons to cover half its force, and was reported to have been called up to battle during fighting around Heglig in 2012 (SAS, 2014: 4). This tendency for non-military forces to adopt the unorthodox role as armed auxiliaries to the SPLA speaks to the militarised vector which statebuilding has taken in South Sudan, which is reliant on military personnel to staff non-military institutions, and

for these institutions to assume certain functions which would conventionally be understood as military ones. The financial cost associated with sustaining the levels of armaments in this system, let alone salaries, has placed huge burdens on GoSS and the SPLA, and raises questions about the public disclosures of expenditures by the South Sudanese state. The major arms purchases detailed above will have significantly added to existing budget pressures (and these purchases are unlikely to represent the entire spending on arms during this period), and may not be taken into account on official SPLA spending reports (Lewis, 2009: 66-68). Unless either discrete loans or significant foreign assistance were used to help finance these purchases, it is probable that much of this spending was off-budget (*ibid.*).

Outside of the formal security sector, estimates of the number of firearms in the hands of southern civilians during the CPA-era were said to be around the region of 720,000, at a ratio of 8 small arms per 100 civilians, below the SPLA's internal estimates of around 2 million (SAS/HSBA, 2009: 8, 11).<sup>22</sup> Whilst the Small Arms Survey acknowledge the actual number of guns in civilian hands could be higher, this figure once again suggests that gun ownership is not as high as some accounts have suggested, but nonetheless is considerably in excess of those possessed by official security forces. In addition to weapons already in civilian hands prior to 2005, civilians are likely to come to own new weapons via three conduits. First, SPLA and SSNPS personnel and officers may pass weapons onto civilians, either for private profit (earned either from the sale of the firearm, or from the proceeds of a crime committed with the supplied weapons, rumoured to be a factor in some instances of cattle raiding), but also for political reasons, especially if armed personnel perceive their local or ethnic community to be under threat. The South Sudanese authorities may also outsource security provision to local militias under certain circumstances, as will be discussed below (Lewis, 2009: 54). Second, a number of militias which emerged between 2010-11 were supplied with arms by Khartoum, both for use by these militias, but also to redistribute into civilians hands as part of a destabilisation strategy (see SAS/HSBA, 2011b, 2012a, 2012b). This has been reciprocated by Juba, which has been accused of supplying arms and other forms of logistical support to groups comprising the Sudan Revolutionary Front. And third, the 'ant trade' of small arms smuggled across borders by land, or flown in on private planes, is likely to contribute to the recycling and refreshment of weapons circulating in and around South Sudan, but in all likelihood this trade only accounts for a relatively small proportion of weapons entering the South (SAS/HSBA, 2012a; Lewis, 2009: 54-55). Although a precise account of the contours and flows of arms within this 'ant trade' is impossible, it is believed that in the main, weapons may flow into northern Sudan from a number of neighbouring states, whilst arms tend to flow *out* of the South, towards Kenya and Uganda, and potentially to the Democratic Republic of Congo (*ibid.*: 55).

Stepping back for a moment, the concentration of SALW within official structures – which then 'leak' (deliberately or otherwise) a portion of these firearms to groups which

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<sup>22</sup> Population estimates vary for the South, but typically range from 11 to 12 million by 2011.

are (in whole or in part) outside of these structures – builds on certain precedents established during colonial rule. As Pendle argues:

Gun ownership was associated with the government sphere. Prior to the SPLA war, guns were largely limited to government control and ownership. In the latter half of the 1900s, the British government, due to their superior military might, had quashed much of the trickle of arms traded into Sudan from the east and north, often in exchange for ivory. The dominant owners of guns were government officials (using guns to shoot wildlife as well as enhance security) and government chiefs. The association of guns with the government continued into the post-CPA era. (2015: 419)

Upon independence, official restrictions on arms purchases were largely lifted, given both the expiration of the CPA, and the January 2012 decision by the US to remove South Sudan from the 1992 arms embargo for Sudan. The EU, however, swiftly moved to include South Sudan in its arms sales and assistance embargo. However, it is likely that both existing quantities of arms holdings and future arms transfers and purchases will remain opaque given the lack of inventories for the SPLA, as well as the tendency for arms purchases to be “uncoordinated and ad hoc, usually conducted through independent brokers and middlemen in Juba hotels, sometimes at the behest of senior SPLA officials” (SAS/HSBA, 2012a: 2).

The acquisition and transfer of war material following the outbreak of renewed large-scale violence in late 2013 has largely conformed with the practices and characteristics of the arms system of the post-CPA era, with two caveats. First, that the scale of these arms transfers may have increased significantly (facilitated in large part by South Sudan’s internationally recognised sovereignty); and second, that the increased international attention directed towards violence in South Sudan since the return to civil war appears to have shed more light on the relationships between the belligerents and supporting governments compared to arms procurement prior to this war. Although information is only partial, an August 2015 UN Security Council report details how government forces have been purchasing large quantities of SALW and ammunition from the Chinese state-owned weapons manufacturer – the North Industries Corporation (Norinco) (see UNSC, 2015: 20), building on previous reports that the Chinese state oil company had been paying a local militia to guard its oil fields, with the militia being administered by the South Sudanese intelligence agency (Radio Tamazuj, 2015a).

The South Sudanese government has claimed that this transfer – valued at almost US \$21 million – was “in line with a contract” signed between the two governments prior to the outbreak of conflict, which the same UNSC report acknowledged as being plausible (*ibid.*), but the issue of whether this transfer was altered or tailored to the new security circumstances in post-2013 South Sudan is unclear. Additionally, 4 attack helicopters and 10 amphibious tanks (all of unknown origin, but likely purchased at considerable cost to the government) have been sighted since the outbreak of conflict, alongside Israeli-produced automatic rifles in the hands of multiple branches of the security services,

particularly in the hands of bodyguards of senior officials. In the case of these Israeli-produced weapons, it is noted by the report that these weapons were in the possession of the South Sudanese National Security Service (the state intelligence agency) prior to the current conflict, but this appears to have only become public knowledge in the context of a UNSC review almost two years after this conflict erupted. The report also draws attention to both the scale of purchases by the government and their desire to compensate for the mass defections in the early stages of conflict through embarking on recruitment drives and especially arms and ammunition procurement, but also to the types of weapons purchased by the government (notably the attack helicopters and amphibious tanks), which appear to be made with an eye to giving the SPLA an advantage during the rainy season, where the governments more powerful, mobile weaponry (notably tanks and artillery) are of less use during this long stretch of the year (*ibid.*: 23, 54).

On the part of the SPLM/A-IO, it is believed that the majority of arms and ammunition were initially obtained in the early stages of conflict by soldiers defecting with their weapons, and in subsequent captures of government weapons caches (with both government and rebel forces later adapting by moving their equipment and supplies behind front lines when an attack was imminent). It is also believed that the SPLM/A-IO has been resupplied by airdrops from Khartoum, given the presence of Sudanese manufactured ammunition in rebel areas (damaged in ways which are consistent with low-altitude airdrops), although the scale of these transfers is unknown (*ibid.*: 22-23, see also CAR, 2015).<sup>23</sup>

Although the information above is partial – both before and after the outbreak of conflict in 2013 – several conclusions can be drawn. First, that the majority of arms entering Southern Sudan from 2005 onwards are channelled through states and governments, and the Southern Sudanese authorities have relied on various forms of assistance from regional war-time allies to ensure these arms enter the south, and do so in a relatively covert manner. This implies that military ties and alliances forged during the Second Civil War not only persisted after the CPA, but may well have been amplified, and similarly the desire to keep arms transfers secretive has been maintained. Second, the (official) ‘security sector’ of the Government of Southern Sudan has been expanding at a brisk pace since the CPA, and all branches of this security sector have been armed or re-armed to varying degrees. In conjunction with the previous point, this suggests that ‘peacetime’ in South Sudan has not been associated with a contraction or even a consolidation of the number of men in arms, but has instead been a time of expansion for both the infrastructure and personnel of the coercive power of the state. Third, small arms which end up in the hands of armed groups and civilians in the South (as well as to Sudanese rebels across the northern border) are largely routed through the state channels of Juba and Khartoum. Cumulatively, these points are suggestive of an arms system which – contrary to impressionistic accounts mentioned earlier – is primarily state-based; organised with relative sophistication between the different actors involved in it; and has

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<sup>23</sup> It should be noted that this ammunition was supplied to Conflict Armaments Research personnel by the SPLA, who had recovered it from Pigi county in Jonglei state (*ibid.*).

seen both entrenchment and expansion following the apparent peace ushered by the CPA since 2005. This arms system, both before and after the current civil war, is characterised by deliberate attempt by most parties to render arms movement secretive and opaque to the gaze of major powers and observers. These indicate that South Sudan has in several respects become further militarised since the signing of the CPA, and that multiple domestic, regional and international vectors are implicated in this militarisation. Arms increases have roughly corresponded to increases in the size of the armed forces, whilst the government has – with international (and particularly regional) assistance – been accruing a far greater capacity to engage in violence. This is likely to have come at a significant financial cost, sapping resources from other sectors or priorities.

With these points in mind, we now turn to efforts to control the distribution of arms, concentrating on disarmament strategies by the government and SPLA. In certain respects, attempts at regulating small arms share striking parallels with the characteristics of procuring arms in South Sudan.

### Controlling arms

There is limited information on SPLA-led disarmament exercises during the Second Civil War, meaning that the potential for a comparison between disarmament prior to and after the signing of the CPA is limited. One of the few accounts of war-time disarmament concerns a disarmament campaign by the SPLA against the *titweng* (SPLA-sponsored militias in Greater Bahr el Ghazal, charged with guarding cattle camps), which took place in 2000 in Lakes state. These vigilante groups, alongside civilians who armed themselves for self-defence, were to be disarmed by the SPLA in order to bring a halt to escalating attacks and revenge killings among Dinka clans in the area, which had followed on the heels of lethal clashes between Dinka and Nuer clans in much of the 1990s, and had been partially resolved through the Wunlit Nuer-Dinka Peace Covenant (Nyaba, 2001; Hutchinson, 2009). The *titweng* themselves had moved from acting in a purely community-defence role (authorised by the SPLA, and who had supplied arms to these communities in exchange for food or as gifts), to participating in military operations alongside the SPLA, before becoming perceived by chiefs and elders as an increasing source of insecurity. The SPLA had earlier attempted to control the acquisition of small arms through registering them, but high registration fees deterred armed civilians from complying. The SPLA then disarmed the area through a mixture of violent and abusive methods, as well as moving into an area and living off the population, so that the population would have turned over their small arms in order to prompt the SPLA to leave (Nyaba, 2001).

Whilst this may or may not be representative of other instances of disarmament in southern Sudan during the Second Civil War, as will be argued below, it nonetheless conforms to the dominant mode and experiences of disarmament from 2005 onwards, and speaks to the type of security challenge disarmament was ostensibly intended to address. As noted above, the relatively large number of small arms in the hands of the civilians and

anti-SPLA militias and rebel groups was perceived to be a security concern by the incoming SPLM government, especially if these groups existed in areas outside of SPLM/A control during the war (which included most of Greater Upper Nile).

How, then, did the SPLM/A – elevated to the position of *de facto* hegemon in the south thanks to the CPA (Young, 2012) – intend to address the issue of small arms proliferation and associated insecurity in the areas they came to control? An interesting starting point is to look into the disarmament provisions of the CPA itself. In keeping with the rise of internationally-sponsored DDR programmes in post-conflict zones since the turn of the millennium, the CPA called for DDR to be a key component of consolidating peace in Sudan. Although intended to initiate a general reduction and downsizing of the SAF and the SPLA, the Security Arrangements section of the CPA contains specific requirements of greatest relevance to the south. These included giving the option for southerners serving under the SAF to “be absorbed into various institutions of the Government of Southern Sudan along with demobilized SPLA soldiers”, whilst those belonging to “Other Armed Groups” (OAGs) who “have the desire and qualify shall be incorporated into the organized forces of either party (Army, Police, Prisons and Wildlife forces) whilst the rest shall be reintegrated into the civil service and civil society institutions” (CPA, 2005, ‘Security Arrangements’, articles 3 (d) and 7 (b)). This DDR programme was to be carried out with “international assistance”, and overseen by two DDR commissions from the SAF and SPLA, respectively.

Although DDR was required by the CPA, its evolution was complex and opaque, and only became a formal programme in 2009. Prior to this, there was an interim DDR process beginning in 2005, and then several years of inactivity, until a formal DDR programme was launched in 2009. The overall focus of DDR between 2005-2012 was on demobilisation and reintegration for ‘special needs groups’ (child soldiers, elderly and disabled combatants) and women affiliated with the SPLA, some of whom were pushed into this reintegration programme against their wishes. The only exception here was for soldiers who wanted to leave the army, but it appears as though these were a minority of the total caseload entering the DDR programme (see Chapter 4). Those entering into either the interim 2005 DDR process or the 2009 one appear to have been required to hand over their weapons, but not everyone entering these programmes possessed weapons (especially female members of the SPLA, who often served in non-combatant roles), and there may have been irregularities for those former combatants who at one time or another possessed weapons (SAS/HSBA, 2011a: 6; Nichols, 2010: 10-11). A division of labour and financing for the different components of DDR has emerged since 2005, breaking down as follows:

Demobilization is supported by UNMIS, while UNDP takes the lead in supporting reintegration, cooperating closely with other international partners and national non-governmental organizations (NGOs)... Funding for DDR comes from a number of sources: the Government of National Unity (GNU); the Government of Southern Sudan (GoSS), especially for disarmament; the UN

Department of Peacekeeping Operations for demobilization; and other international donors for reintegration. (Brethfeld, 2010: 8)

These “other international donors” include the German and Japanese development agencies, alongside the IOM and World Bank. Although taking an active role in the demobilisation and reintegration elements of DDR, these international actors had no input into any disarmament activities *per se* (Brethfeld, 2010: 16), nor – to this author’s knowledge – are there any available figures for the number of weapons collected under the official DDR programme.

What, then, is the place of the ‘disarmament’ part of DDR in this programme? Curiously, the CPA does not devote any meaningful degree of attention to the issue of *disarmament* specifically, and the DDR process has reflected this. The emphasis has been largely on demobilisation and reintegration of those associated with OAGs, as well as those deemed ‘non-essential’ to the SPLA, and these components were pursued in a paltry fashion. Since the majority of those involved in this DDR process probably did not possess weapons it is, arguably, fair to say that the overall purpose of this programme was not disarmament. Only 11,000 people completed the 2009 reintegration programme, with some of those having already demobilised under the interim DDR process in late 2005, and others joining later on in 2009, meaning that many participants were technically ineligible for DDR. In fact, it is likely that DDR and SSR programmes have actually *increased* the number of arms in the hands of the state. Those integrating into either the military or other branches of the security forces (as part of either the CPA or the Juba Declaration) are likely to have simply integrated along with their weapons: “[t]he weapons that were once in the hands of the rebel forces now officially belong to the newly developed state defence and security forces. In comparable situations elsewhere, a by-product of restructuring such forces is a surplus of small arms, light weapons, and ammunition” (SAS, 2014: 1).

When disarmament has been undertaken in South Sudan, it has, in the main, been pursued outside of the parameters of the official DDR programme, and has typically been conducted by the SPLA at the behest of the South Sudanese government to disarm either armed civilians or militias (categories which may overlap). Given that disarmament has a symbolic importance in post-conflict societies (not to mention prominence in most conventional DDR programmes), and that international actors are potentially well-placed to oversee and assist in this process, how has this state of affairs come into being?

Below are two passages on the disarmament aspects of this DDR programme, which indicate that because DDR was technically being carried out by two standing armies (the SAF and the SPLA), the international community could have no substantive input into the disarmament aspects of the CPA-mandated DDR programme:

It is important to note, that the discharge and disarmament processes agreed upon by SAF and SPLA did not include any arms reduction component. The SAF and SPLA ensured that ‘combatants’ reported for demobilisation and collected weapons. However, the weapons were not destroyed, but stored under



control of each army. The United Nations Mission to Sudan (UNMIS) issued photo ID cards to ex-combatants at the demobilisation sites to prevent 'double dipping', that is participation in the programme in different locations. (Munive, 2013a: 21)

In Sudan, both armed forces are statutory armies, not rebel groups, and, as such, they are capable of and responsible for disarming their own personnel. The manner in which they do so is their prerogative. There is no mandate in the CPA for international involvement in the disarmament process, presumably because insufficient attention was given to the details of this process when the agreement was drafted. In light of this, the international community's continued efforts to press for more involvement in the disarmament process are unjustified and will accomplish little more than fuelling their own frustration. (Nichols, 2011: 26)

This (apparent) oversight on the part of the international actors involved in the CPA has effectively led to their exclusion from any disarmament activities in South Sudan, including the recurrent SPLA-led disarmament campaigns from 2005 onwards (see below). However, whether this was actually an oversight, or a deliberate move by the signatories to the CPA, is an open question. It is indeed possible that in a peace agreement as lengthy and complicated as the CPA an oversight (albeit a very significant one) such as this could occur. But given the heavily internationalised and protracted nature of the CPA negotiations - involving international lawyers and experts, as well as major, middle, and regional powers in drafting an agreement to conclude one of the deadliest and most intractable conflicts since the Second World War - it is just as possible that the absence of external jurisdiction in matters of disarmament was not an oversight, but something which was insisted upon by Khartoum and/or the SPLM/A.

To summarise, much like the system of procuring arms in South Sudan, systems of controlling arms - primarily through regular disarmament exercises - are largely conducted through state (and especially military) channels, but seem to be predicated on minimal international support or oversight to a greater degree than arms procurement activities. We now move on to consider the practice of disarmament in post-CPA South Sudan, which has, since late 2005, been subject to regular SPLA-led disarmament campaigns (which have been conducted almost annually, in the case of Jonglei), often with the threat or exercise of violence.

### Civilian disarmament in Jonglei

In order to answer the question at hand, and locate the place of the arms system in patterns of violence, this section will be divided into three sub-sections. First, we shall set up the context of Jonglei state, and note the complexity of its violence. However, this complexity can be interpreted as synonymous with a chaotic or uncontrolled environment, much like

the popular framing of the arms system in South Sudan. To avoid this, a framework based around the interaction of conflict zones, the state, and large-scale episodes of violence is outlined to reach a clearer understanding of the broader dynamics of violence in Jonglei. Second, we move onto disarmament in Jonglei, noting the tendency for a discourse of ‘failure’ to be mobilised to understand the violence of ‘civilian’ disarmament, feeding in to the impression of chaos described earlier. Through switching the referent object for disarmament away from *failure* and towards *function*, and also from *civilian* security to the security interests of the *state*, a firmer understanding of the logic of disarmament is revealed. In addition, and in line with findings in the previous section, disarmament is considered alongside *rearmament*. Third, and equipped with these insights, civilian disarmament is re-analysed, and the structured and selective nature of the state’s approach to disarmament is emphasised, as well as the deliberate efforts to render disarmament opaque to both international observers, and importantly, to potential defectors or saboteurs attached to the SPLM/A statebuilding project. This identifies arms control and the broader arms system as being an important instrument for the operation of statebuilding in South Sudan, and for managing pools of armed youth labour which the state refuses to formally incorporate, but that both the loyalist and mutinous elements of the state may seek to utilise as auxiliary forces to influence and manage the militarised statebuilding process. This suggests that political – and perhaps also economic – struggles are driving these changes in the organisation and conduct of violence. Last, we will locate the place of the United Nations Mission in South Sudan (UNMISS) in the violence and violent disarmament of Jonglei.

*Background and context:*

As well as being South Sudan’s largest and most populous state, Jonglei has been one of its most violent. During the interim years under the Addis Ababa Agreement, holdouts from Any-Nya were joined by new fighters and mutineers, variously claiming the mantle of Anya-Nya II. The Bor Mutiny of 1983 marked the start of the SPLM/A, and the Second Civil War that followed wrought devastation upon Jonglei as its communities turned on one another, sometimes along the increasingly fractured lines of the SPLM/A and the civil war more broadly, and sometimes of their own initiative, in a context where political ambitions were playing out at the expense of existing livelihoods and local security (see Hutchinson, 2001; Johnson, 2009; Thomas, 2015).

Despite being the focal point for much of the violence in the south for the past four decades, Jonglei has also been an especially marginal and remote place within an already peripheral region of Sudan. This situation has not altered significantly since 2005, and violence involving a multitude of actors has repeatedly flared across Jonglei in the run-up to independence as well as its aftermath, including in the current civil war (see ICG, 2014c). At times, the dynamics of violence in Jonglei have become complicated enough to appear almost patternless.

Informed explanations for conflict in Jonglei have tended to centre upon ethnically organised violence between Dinka, Nuer and Murle groups over access to resources

(material, but also political); abductions of cattle, women and children and subsequent revenge attacks; the inflammatory effects of forced disarmament conducted by the military; and the complex relations between these instances of violence and the two rebellions of David Yau Yau's South Sudan Democratic Army – Cobra Faction (SSDA-CF), and George Athor's 2010-11 insurrection under the banner of the South Sudan Democratic Movement/ South Sudan Army (SSDM/SSA) (e.g. ICG, 2009; SAS/HSBA, 2012b; Young, 2012). But more specialist as well as South Sudanese media coverage of violence in Jonglei often delves further into the local dimensions of this violence. The principal axes which violence is said to revolve around at this local level include feuds (including over cattle ownership, as well as inter-personal disputes settled in a context where state law enforcement has a minimal presence); political violence (namely disputes over administrative boundaries, violence surrounding SPLA-led disarmament programmes, and militia violence of varying degrees of frequency and intensity); economic factors (including access to grazing lands, as well as cattle raiding relating to dowries); and issues over managing local insecurity (including negotiating access for grazing between armed groups).<sup>24</sup> Meanwhile, the account of violence in Jonglei offered by the former Head of the United Nations Mission in South Sudan, Hilde Johnson, emphasises that the violence is essentially 'communal' in nature (2016: Ch. 4).

These local issues often intersect with state or national-level politics, in which the government and SPLA tend to act in a reactive fashion, and seek to control or regulate the security environment in Jonglei. Sometimes this is intended to defer or defuse local tensions and fissures, exemplified by directives from the President's office not to delineate local administrative boundaries on maps (personal communication, senior UNDP official, Juba, July 2013), at other times this includes military operations against militias and rebel groups, as well as civilian disarmament exercises which target (often selectively) a range of civilian militias and more overtly political militias, as well as offers for amnesty and reintegration which are extended to certain militia groups, but not others (see below). Efforts at controlling violence do not come from the government alone, however, and groups with acrimonious relationships sometimes take steps to warn each other when their youth are intending to raid other groups nearby, to prevent retaliatory attacks either from raided groups, or from the state and its affiliates (interview, senior AECOM employee, Juba, June 2013). Meanwhile, larger militias such as the White Army, the forces of George Athor's SSDM/SSA and David Yau Yau's SSDA-CF, have presented active or passive challenges to the South Sudanese state's authority, and the small arms flowing to them via Khartoum have also - in the case of the SSDM/SSA and SSDA-CF - been distributed into civilian hands (SAS/HSBA, 2011b, 2012a). At times, one or more of these axes may manifest themselves in a large scale episode of violence drawing a range of actors (local,

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<sup>24</sup> This is common place in media coverage from The Sudan Tribune, the Gurtong Trust, and to a certain extent, Radio Tamazuj, as well as in security briefings issued and analyses (including some internal, confidential analyses) produced by UNMISS (documents in possession of the author). In addition, Thomas (2015) and Arnold and LeRiche (2012) draw some attention to these aspects, but connect these to national (and in the case of Thomas (2015), international) processes and dynamics.

rebel, and/or state) together in conflict; at other times smaller episodes of violence can draw a similar number of actors into confrontation.

Whilst many policy and practitioner-oriented accounts contain a welcome amount of detail, this information is rarely marshalled into a clear analysis, and tends to mystify violence in Jonglei. Further mystifying these already complex patterns of recurrent violence is the tendency for conflicting accounts of the actors and rationales for violence to emerge, especially once vague accusations are levelled against state or local-level political agents, which imply that they are important instigators of violence in Jonglei (e.g. SAS/HSBA, 2012b: 6-7). The absence of a clear analysis of violence in Jonglei is discernible in much practitioner-oriented literature (e.g. from the ICG, Small Arms Survey and Saferworld), and has resulted in a palpable sense of confusion about the processes and dynamics in Jonglei. International staff in the peacebuilding sector who were familiar with violence in Jonglei and elsewhere in South Sudan appeared to be almost caught in this kind of paralysis, in which an inverse relationship between levels of knowledge and the degree of certainty was present, and doubts were raised about the information on the actors implicated in violence, and whether these actors could be reliably categorised or labelled:

When you talk about government officials roles in conflict, that's where you get to some of the *most* misleading stories, because you'll hear this person's involved in cattle raiding, they're benefitting, and you'll hear 'no, it's actually their higher up who's involved and he's just somehow protecting him', or maybe he's getting some sort of a back deal. I mean there's constant stories that don't add up. (Interview, senior AECOM employee, Juba, June 2013)

In 2011, 2010 it was dissident rebel commanders and they called them the renegades, once those were dealt with and shifted to the communal conflicts in Jonglei and they tried the Misseriya, and now for 2013 its political conflicts within the SPLM, so there's always this changing dimension of conflict; the actors are the same, but what they claim motivates them changes depending on access to outside sponsors, or what they think the population thinks. (Interview, senior ACORD employee, Juba, August 2013)

There may not be a single or simplistic explanation which can satisfactorily account for the complex patterns of violence. However, in the face of this complexity there is a risk that we will be tempted to resort to an explanation rooted in 'chaos' or 'anarchy'. As Keen warned: "chaos is really a kind of *non-explanation* – a confession of bafflement. Yet the secret weapon of those who advance the 'explanation' of chaos and anarchy is that the more incompetent their attempts to explain what is going on, the more convincing their explanation – that it is all anarchy – becomes" (2008: 13). This advice does not seem to have been heeded in the analyses by research institutes, specialists and NGOs listed above.

Perhaps, then, it is worth developing a framework to organise Jonglei's complexity geographically and temporally, which avoids a retreat into 'chaos', or opaque references to elite political and economic interests in stoking violence. Following the work of Thomas

(2015: 220), clarity can be obtained by locating violence within four major conflict zones in Jonglei state prior to the eruption of the current civil war, roughly located in the four corners of the state.<sup>25</sup> The first of these encompasses the state capital of Bor and its environs at the south-west of the state ('Greater Bor', a predominantly Dinka area bordering Nuer communities); second, the southern areas surrounding Pibor county – including Pibor town – which are associated with the western branch of the Murle ('Greater Pibor') and David Yau Yau's SSDA-CF rebellion; and third, the area of 'Greater Akobo' to the north-east of the state, inhabited mainly by the Lou Nuer. Surrounding these three zones are a number of other Nuer clans and sub-clans. Each of these conflict zones have their own internal dynamics of violence and structures for preparing for violence which encompass many of the local axes of violence outlined above (*ibid.*: Ch. 8), but major incidents of violence tend to involve actors belonging to one conflict zone transiting or encroaching on another conflict zone, with the state periodically intervening when a collision between different conflict systems arises. A fourth, somewhat distinctive conflict zone emerged in 2010 in the north-western areas around Pigi, Fangak and Ayod counties, persisting into mid-2011. Unlike the first three areas, which have tended to be framed as sites of recurrent conflict involving disputes over migration for pasture, cattle and abductions (e.g. ICG, 2009), this fourth zone has involved clashes between the forces of George Athor (a Dinka utilising Lou Nuer fighters) and the SPLA, and was enmeshed with the southern-most conflict system around Pibor, as Athor's forces funnelled arms from Khartoum to Yau Yau's rebellion (SAS/HSBA, 2012b: 4).

In addition to analytically organising violence around four interacting conflict zones, a loose distinction between large-scale waves of violence and smaller, more isolated episodes of violence can be drawn. Large-scale waves of violence tend to draw together several armed groups (including the SPLA), and have occurred in five phases: first, SPLA-led efforts to disarm the Lou Nuer 'White Army' during the first half of 2006; second, escalating patterns of raiding and counter-raiding throughout 2009 involving the Lou Nuer against other Nuer clans, the Murle and (at times) some Dinka clans; third, the emergence of the rebellions of David Yau Yau and George Athor in 2010 and ensuing SPLA counter-insurgency efforts; fourth, very large raids from mid-2011 to early 2012 between the revived 'White Army' and lowland Murle groups, leading to an SPLA crackdown and a second rebellion from David Yau Yau's Murle forces in the middle of 2012; and fifth, escalating violence between Yau Yau's SSDA-CF and the SPLA in early to mid-2013, with Lou Nuer fighters involved in raids against the Murle and Yau Yau's forces during this time. Since the final wave, South Sudan's new civil war has washed over Jonglei, and has led to Yau Yau re-joining the government, and the 'White Army' loosely supporting the SPLM/A-IO's rebellion. These phases of violence have generally involved two or more conflict systems interacting over the course of violence (with the Lou Nuer of Greater Akobo involved in each phase, with or without the 'White Army' mantel featuring), and all have involved disarmament and/or counter-insurgency campaigns by the SPLA to varying

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<sup>25</sup> Thomas bases his account around three conflict systems, to which I have added a fourth conflict zone to the north-west of Jonglei.

degrees of intensity, with the targets for these military campaigns often changing across the different phases of conflict.<sup>26</sup>

For our purposes, we are primarily concerned with these large-scale phases of violence, and especially the first wave (the disarmament of the White Army), but we will also be referring to fourth and fifth waves of violence. These phases are all connected to ‘civilian disarmament’ by the SPLA (conducted with serious violence), and relate to the determinations made by the South Sudanese authorities regarding which groups are targeted for disarmament versus which groups are deemed eligible for integration into the SPLA.

*Approaching disarmament in Jonglei:*

In the context of these multiple, co-existing conflict systems which have generated significant violence in Jonglei, the SPLA has conducted disarmament exercise on an annual basis up until 2013. Whilst other regions of the country have experienced SPLA-led disarmament (see O’Brien, 2009), Jonglei has been the focal point for disarmament. The most notorious of these exercises took place in 2006 and 2012, which were characterised by confrontations between the SPLA and those groups or communities subject to forcible disarmament. In late 2005, the government undertook the decision to disarm the Lou Nuer ‘White Army’ in the Greater Akobo region of Jonglei and neighbouring parts of south-eastern, central and northern Jonglei. This was conducted in two phases, with the SPLA leading disarmament in central and northern Jonglei, and the UN supporting voluntary disarmament around Akobo town. The SPLA encountered fierce resistance from the White Army in January 2006, before launching an assault against White Army areas that bore as much a resemblance to counter-insurgency as to forcible disarmament. This resulted in the deaths of approximately 400 SPLA soldiers and 1,200 supposed ‘White Army’ members over the course of the exercise, in addition to an unknown number of civilian casualties and significant damage inflicted to local properties and livelihoods, chiefly by the SPLA, and saw the (temporary) disbanding of the White Army. Meanwhile, in Akobo, a peace agreement following raiding between Lou Nuer and Murle communities was mediated by PACT Sudan, and enabled voluntary disarmament of Lou Nuer communities to occur. Then, in September, the Murle Major General Ismael Konyi of the SAF agreed to integrate with the SPLM/A, seemingly realising that forced disarmament of Murle communities was going to occur with or without his joining the new Southern government, which permitted voluntary disarmament to proceed in some Murle areas (SAS/HSBA, 2007a; Young, 2007, 2010). Mixed reports of the numbers of weapons collected suggested they were likely to be in the region of around 5,000 SALW of varying types across both phases of disarmament. Likewise, there is conflicting information on what happened to these arms, though it is possible some arms were re-distributed across the official security services, whilst others

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<sup>26</sup> For detailed accounts of each of these waves, see Arnold and Alden (2007), ICG (2009), SAS/HSBA (2007a, 2011a, 2012b), Young (2010, 2012: Ch. 7), Rands and LeRiche (2012), ICG (2014a and 2014c), and Thomas (2015: Ch. 7, 8 and Conclusion).

were reported to have been looted from sites in Jonglei and Upper Nile by communities who had been disarmed (SAS/HSBA, 2012b: 4; Young, 2010: 6-7)

Disarmament occurred again in 2007 and 2008 (in Pibor county in both years, and Akobo and Duk counties in 2008, with additional counties refusing to disarm in this year due to Murle raiding), and passed without significant violence, yielding around 1,100 small arms in 2007 and 2,000 in 2008 (O'Neill, 2009: 21). A 2009-2010 campaign occurred following large-scale violence in 2009, but limited information exists about this campaign. In March 2012, and in response to mass violence over the preceding six months, the SPLA deployed 12,000 soldiers to Jonglei to conduct a simultaneous disarmament of all communities in Jonglei, rather than the county-by-county approach of previous years. 11,000 weapons were collected, 4,000 of which were "seized from state security force depots in Bor, because there was suspicion that [police] personnel were holding civilian-owned firearms in their stores", reportedly causing embarrassment to the police (SAS/HSBA, 2012b: 8). The remaining arms were collected not from those involved in the large-scale raiding that prompted the exercise, who had fled with their weapons, but from households who possessed weapons for self-defence. This campaign was characterised by serious abuses of local groups, notably the Murle, who were subjected to torture, murder and systematic rape by SPLA and police involved in the disarmament campaign, and is believed to have prompted the start of David Yau Yau's renewed rebellion against the government, and was used to mobilise support for this second defection (*ibid.*: 8-9, HRW, 2013).

As the CPA does not provide any openings for international actors – including the UN – to carve out their own role in disarmament, they have been relegated to support roles when requested by the Southern Sudanese authorities. Additionally, since the UN will not, in most cases, support coercive disarmament, this has largely meant providing logistical assistance, namely assisting in the storing of weapons, as well as facilitating 'voluntary' disarmament efforts typically supported by local officials, teachers, and religious and civil society groups (SAS/HSBA, 2007a). Given that the SPLA retains the option of forcibly disarming if voluntary disarmament is not effective (and has exercised this option), however, control of disarmament rests firmly with the South Sudanese authorities.

Several strong critiques of civilian disarmament have been advanced by a number of analysts. Below is a synthesis of the critiques, drawn from a number of sources studying different disarmament campaigns (Arnold and Alden, 2007; ICG, 2009; SAS/HSBA, 2007a, 2012b; Mc Evoy and LeBrun, 2010; Johnson, 2016). Whilst these analyses are speaking to different disarmament campaigns, the points made are applicable to both of the major SPLA-led disarmament drives in 2006 and 2012, and importantly, illustrate the consistent emphasis on 'failure' which is ubiquitous across these accounts. The critiques are as follows: first, that disarmament – forced or otherwise - does not collect many weapons. Second, that due to logistical shortcomings and oversights, the SPLA is forced to live off

the populations being disarmed, breeding resentment.<sup>27</sup> Third, disarmament is selective, disproportionately targeting some ethnic groups, and leaving them exposed to raiding from nearby groups. This is sometimes explained as stemming from a lack of capacity on the part of the SPLA, who are unable to engage in simultaneous disarmament across warring communities. Fourth, there is inadequate training for the SPLA to conduct these campaigns, and in any case they should preferably be undertaken by a (well-trained) police force. Fifth, that the violence of forced disarmament is a concern not only in and of itself, but for its potential to incite new conflict in an already troubled part of South Sudan. The final two points are illustrative of the militarised tactics of peace enforcement displayed by the SPLM/A during disarmament, a point emphasised in Small Arms Survey assessments of civilian disarmament, which draw attention to the violent conduct of civilian disarmament (or the ‘threats’ of forced disarmament the SPLA issues to generate compliance for voluntary disarmament), and its problematic implications (see SAS/HSBA, 2007a, 2012b; O’Brien, 2009, Mc Evoy and LeBrun, 2010). This militarised method is succinctly encapsulated by the then SPLA Chief of Staff James Hoth Mai, who justified coercive disarmament with the logic that “It is better to kill ten, to save 100” (in *ibid.*: 40 (fn. 36)).

Although these accounts raise very reasonable objections to the conduct and goals of disarmament, and suggest that it has been a bloody and even perverse failure on its stated terms, they also raise more questions than answers. Why does the SPLA repeatedly engage in disarmament – coercive or otherwise – if it consistently fails to meet its stated goals? Why are some armed groups subject to disarmament, and others for demobilisation and reintegration? Why does the SPLA pursue disarmament in such a militaristic fashion? Why does this not tend to resolve security in Jonglei, and also to lead to further insecurity? To approach these questions, three analytical shifts are required: first, a shift from understanding disarmament in terms of *failure*, and instead identifying its *functions*.<sup>28</sup> Second, shifting the referent object for disarmament away from the security and well-being of *civilians*, and reorienting it to the security interests of the *state*, and the different factions of the politico-military elite that are involved in the statebuilding project. And third, viewing disarmament alongside other aspects of the arms system in South Sudan, including the distribution of arms and *rearmament*.

Disarmament should not be understood as a neutral exercise intended to realise pacific relations between communities, nor as a prerequisite for ‘development’ to spontaneously arise in disarmed areas, even though this forms the thrust of the official South Sudanese discourse on the goals of disarmament (Young, 2010: 2). As the ICG notes, despite the government and SPLA claiming that disarmament is necessary to reduce

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<sup>27</sup> This criticism was made by Arnold and Alden (2007) for the 2006 campaign, and it is not clear to this author whether it remains a problem in subsequent disarmament exercises. However, it has echoes of the SPLA’s pre-2005 disarmament strategy, as noted earlier.

<sup>28</sup> Here I follow David Keen’s (2008) emphasis on the positive functions of violence, which provides a useful lens through which to consider violence which cannot be explained through other methods. Despite the clear merits of this approach, it appears to have been forgotten in the study of conflict in recent years, especially in analyses of violence in South Sudan.



violent conflict, “[t]his masks murkier political realities; disarmament has been a violent state-building tool, often targeting communities with difficult relationships with the SPLA. It has never been neutral or equally applied, has only rarely succeeded and has in some cases increased violence” (2014c: 8).

This makes for a more insightful vantage point to approach disarmament from, but must be conjoined with a recognition that the elites controlling the South Sudanese state – itself being built atop decades of violence, splintering, and compromises – are not necessarily going to adopt or execute a unified approach to disarmament, and that the politics surrounding arms control may indicate the continuation of fractious war-time politics, and the balancing acts entailed by this. This was exemplified in the nation-wide civilian disarmament process in 2008, in which a number of state governors ignored the directive from Juba (at the behest of the then governor of Jonglei) for the ten state governors to initiate general disarmament of the country. In the case of Western Equatoria, this was to reassure civilians that they would be able to defend themselves from ‘outside’ groups, notably the Lord’s Resistance Army, in the absence of SPLA protection, whilst the majority of other governors selectively or half-heartedly implemented the order (see O’Brien, 2009), and did not, to this authors’ knowledge, disarm any bodyguards or personnel militias they possess. The apparent lack of consequence for failing to fully comply with the directive indicates awareness from Juba that keeping governors with their own armed constituencies or previous affiliation with Khartoum on side requires tolerating a degree of disobedience, but also that governors may possess a different stance on disarmament to Juba, and are prepared to exercise discretion. Moreover, it is possible that an element of anticipating moves by individuals and groups liable to defect from or sabotage the SPLM-led statebuilding project permeates the disarmament process, as will be argued below.

*Re-assessing disarmament:*

Recalling the questions that have gone unanswered in most assessment of disarmament, it’s possible to account for the recurrent ‘failures’ of civilian disarmament - as well as the issue of how a determination is made for armed groups to be integrated or disarmed – through re-orienting the analysis to focus on the functions for disarmament on the part of those actors involved in the SPLM-led statebuilding project in South Sudan.

It is no coincidence that there is a convergence between disarmament being largely reserved for the hinterlands of the state’s territory, and for rebellion to be concentrated in these same hinterlands. Likewise, the tendency for disarmament to resemble a “violent state-building tool”, as the ICG noted, should be taken as a cue for considering disarmament as part of the repertoire of statebuilding instruments favoured by the SPLM/A. But what explains the militarised character of disarmament and statebuilding, and in particular, why groups targeted for disarmament do not appear to be candidates for incorporation into state structures?

The answer might be found in a strange convergence of interests that exist between rival elements of the SPLM/A politico-military elite (mainly between those loyal to the current SPLM government, and those of questionable loyalty), which may be responsible for the decision to engage groups such as the White Army, as well as youth militias more generally, through forced disarmament rather than DDR. Firstly, the White Army is both too large and, crucially, too nebulous with regards to its organisational structure, methods and goals vis-à-vis other armed militia groups to be integrated into the SPLA. As Thomas argues:

One possible theory explaining the persistence of raiding in Jonglei is that it is a form of political organization by youths excluded from the state – rural youth who are not educated enough to get state posts, and are not able to get army posts because they were not members of militias formally incorporated into the SPLA. They mobilize around authority figures – prophets and drum chiefs – that are autonomous from official politics, and they are not easily comprehensible within the official political order. (2015: 236-37)

In addition to having a complex and often antagonistic relationship with the SPLM/A, the White Army is not a legible organisation as such. It would complicate rather than clarify the political order that was emerging in Southern Sudan from 2005 onwards were it to be included in the post-conflict statebuilding process; groups such as the White Army are militarized, but in ways which are perceived to be incompatible with other militarized forces in the country. A smaller nebulous group, or a larger group with a clearer agenda, could potentially still be integrated into the state in some capacity, but the White Army combines two undesirable properties. As such, coercive disarmament is a useful technique for excluding the White Army (and the armed youth it can draw upon) from accessing the emerging state, and jeopardising its consolidation.

Secondly, this disarmament campaign can be understood as a pre-emptive counter-insurgency campaign against potential defectors or saboteurs of the SPLM-led statebuilding project. It may be in the interests of elements of the SPLA loyal to the SPLM government to deny the use of the White Army to these rival elements within and outside of the SPLA through the use of forced disarmament, which may also signal to incoming militias and would-be defectors that the arming of civilian militias will be met with this kind of ‘disarmament’ from the military. This is significant, since the timing of the first (2006) disarmament of Jonglei coincided with the signing of the Juba Declaration in January 2006, which brought in a number of Other Armed Groups (largely drawn from the South Sudan Defence Forces (SSDF)), and the decision to enact disarmament against the White Army may have been a message to incoming groups that defection from the SPLM-led statebuilding project would result in violence.<sup>29</sup> Furthermore, this was in a context where the SPLA believed that commanders of the SSDF who had not demobilised as part of the Juba Declaration were moving in to White Army-controlled areas to build up their support base with armed youth, possibly with a view to increasing their bargaining position

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<sup>29</sup> The process of incorporating Other Armed Groups is discussed further in the following chapter.

regarding their terms of integration with the SPLA (Thomas, 2015: 210). This was conjoined with fears by the SPLM/A that factions of the SSDF were being used by Khartoum as a conduit for supplying arms to youth (including the White Army) in Jonglei, in a context of mutual suspicion between elements of the SPLA and the SSDF (Young, 2010: 2-3).

Despite the horrendous violence that accompanied the 2006 Jonglei disarmament campaign, this appears to have been a broadly successful strategy on the part of the new government when viewed in these terms. This was backed up by a public threat made by President Salva Kiir in July, 2006, to forcibly disarm the remaining militias who did not adhere to the CPA's requirement to integrate with either the SPLA or SAF (Alden, *et al.*, 2011: 51-52), supporting the view that disarmament was becoming both a political and military tool to ensure compliance with the SPLM's statebuilding vision. Whilst it is unclear whether this encouraged many of the incoming SSDF forces to complete their planned integration, it certainly did not appear to discourage this from happening, and this pre-emptive counter-insurgency seems to have ensured that the bulk of the Other Armed Groups remained onside through much of the CPA period. When asked why the SPLA did not attempt to disarm militias and instead seemed concentrated to their disarmament efforts on civilians in the interim years of the CPA, one senior SPLM politician argues that disarmament:

...was a political agenda, because Salva was giving promise to these commanders, those of Paulino Matiep and the rest, and then becoming an issue between these militias and the commanders of the SPLA, creating a lot of rift and problem... again it is based on the fact that the proliferation of small arms is becoming a threat to the security, and that's why, because the militias, the idea of militias was not one of disarming them, it was more of absorbing them. So it was not an issue, because most of them they had been absorbed into the SPLA. (Interview, Brighton, UK, July 2015)

Lastly, it may be in the interests of elites of questionable loyalty to the SPLM government to permit the disarmament of the White Army, but retain the option of re-arming them at a later point in time to use as a reserve auxiliary force for their own political projects in the event that the deal reached under the Juba Declaration did not hold. A reserve force of armed youth outside of official state security institutions may be easier to manipulate for political purposes, meaning that it is better to disarm the White Army, perhaps temporarily and leave it outside of official state structures. In this sense, at the time of the 2006 disarmament different factions of the SPLM/A all had an interest in excluding the White Army and similar groups from the DDR process, albeit for different reasons.

This argument can be developed further and related to the question animating this chapter through considering the events that followed the disarming and temporary dismantlement of the White Army in 2006, in which it becomes apparent that elements of the newly enlarged SPLM and SPLA – loyal or otherwise – have exercised the option of *rearming* these disarmed groups. Retaining or indeed creating irregular auxiliary forces – and

regulating them through arms control - is not just confined to potential defectors or saboteurs of the statebuilding project in South Sudan, as evidenced when the state, or the SPLA themselves, create and arm militias and youth groups outside of official state oversight when it is deemed necessary to do so. Kuol Manyang Juuk, the governor of Jonglei until his mid-2013 promotion to Minister of Defence, was suspected to have armed youths in Jonglei in 2010-11, whilst concurrently the SPLA “with the endorsement of the local government – formed a paramilitary force called the ‘SPLA Youth’, comprising untrained Murle youths to counter Yau Yau” (SAS/HSBA, 2012b: 4). Additionally, previously hostile auxiliary forces which have continued to exist outside of official state structures may be mobilised by different factions of the state for various tactical reasons, and prior relationships between these auxiliaries and the state can be revised and reassessed in the process. This can be seen in the phase of large-scale violence in Jonglei involving Yau Yau’s SSDA-CF in 2013, where the state was believed to have relied on the revived White Army to assist in the SPLA’s campaign against Yau Yau’s forces. The Lou Nuer engaged in combat with both Murle raiders and the SSDA-CF, with the SPLA being reported to have both refrained from intervening, and indeed actively supplying these Lou Nuer forces with arms and ammunition, including through several airdrops by SPLA helicopters (interview, senior ACORD employee, Juba, August 2013; SAS/HSBA, 2013: 9-10; see also Kulish, 2013; Johnson, 2016: 136-38). The White Army would then go on to attack loyalist SPLA forces during the early stages of rebellion in December, 2013, before entering a tense alliance with the SPLM/A-IO as war progressed, illustrating how auxiliaries have been utilised by politico-military elites who defected *en masse* from the SPLM-led state, and are seeking to use this pool of armed labour to either capture or re-enter the state.

The creation of such paramilitary forces by official power runs up to the highest levels, exemplified in President Kiir’s formation of a sizeable private militia from Greater Bahr el Ghazal, which was implicated in the atrocities in Juba in December 2013 (see Pendle, 2015; Radio Tamazuj, 2015b, 2015c). The paramilitary forces in question – the *Dut ku Beny* (‘Protect the President’, a force directly implicated in the escalation of violence and atrocities in Juba) and the *Mathiang Anyoor* (‘Brown Caterpillar’, involved more generally in the current civil war, but also active during the conflict with Sudan around Heglig in 2012) – on the one hand parallels the relationship between the state and the White Army outlined above, and on the other hand inverts it somewhat.

These two forces have their origins in the *titweng* (‘protectors of the cattle’): irregular, Dinka forces of armed cattle keepers hailing from Greater Bahr el Ghazal (Pendle, 2015: 416-17). During the late 1980s, and in response to violent raiding from northern pastoralist proxies, as well as hostile Anya-Nya II forces, the SPLA – in conjunction with some local support – established these groups, which were more under the influence of the SPLA than local chiefs. The SPLA under John Garang had been unable and/or unwilling to send troops to protect these groups, but Salva Kiir “complied with [local] demand and provided them with the weapons and some SPLA officers from the area to command, lead and train this force” (Malwal, 2015: 178). Ostensibly, these were

to protect local communities from violent raids, but these forces would also fight alongside the SPLA, with one account claiming they participated in 197 military operations (see Pendle, 2015: 420). Further, John Garang was suspicious of the *titweng*, both because they existed outside of SPLA structures (and by extension, outside of his direct control and oversight), and also due to fears on his part that this amounted to a move by Salva Kiir to cultivate a rival armed base of support in Greater Bahr el Ghazal.

At the end of the Second Civil War, and following the earlier 1999 Wunlit peace agreement between Dinka and Nuer militias, the need for the *titweng* dissipated. Violence had largely abated in the area (at least compared to its previous levels during the war), whilst the area as a whole was part of the SPLA heartland, and there was little need for a paramilitary force outside of the SPLA in the region. As a result, the *titweng* were to be disarmed, as noted above. Notably, this occurred with considerably less violence than in later disarmament campaigns Jonglei, partly because of a greater sense of ethnic and political solidarity between the *titweng* and the government, and partly because the *titweng* recognised the SPLM/A as the legitimate government of the south, and – building on precedents associating the control of firearms with the government – were therefore permitted to retain exclusive control over firearms. Although there was some discontent among former members of the militia that their weapons were taken away, and that they were bypassed for inclusion in the SPLA (along with the opportunities that accompanied this inclusion, see chapters 4 and 5), certain members of the SPLM/A politico-military elite began acquiring increasingly large herds of cattle in the region, and turned to some of these former *titweng* to guard these cattle, who were incidentally spared disarmament (*ibid.*).

After South Sudanese independence, former *titweng* were again recruited into either quasi-formal positions in the government, or as paramilitary forces, in both cases being re-armed. Ex-*titweng* in Warrap state were recruited as ‘community police’ in 2012, which as Pendle notes, gave “a semblance of international legitimacy to this new iteration of the *titweng*. While ‘community policing’ had become a popular state building policy in fragile states, it remained a vague and ambiguous term. Locally, ‘community police’ was described as an English translation of *titweng*” (*ibid.*: 427). Although the circumstances surrounding the formation of the *Mathiang Anyoor* and *Dut ku Beny* are less clear, it is generally believed that Paul Malong Awan - the former governor of Northern Bahr el Ghazal, and current SPLA Chief of Staff (from 2014 onwards) – and potentially other high-ranking Dinka elites were active in pushing the president to establish these forces. Following the violence of December 2014, the *Mathiang Anyoor* were described by Salva Kiir as being not a ‘private army’ (as had been reported in the media), but instead a ‘reserve force’ (*ibid.*: 432). However, the SPLA had blocked the formal inclusion of the *Mathiang Anyoor* as well as the *Dut ky Beny* force, keeping them off the payroll. For the latter, this was due to “concerns over its ethnic homogeneity and its principle loyalty to President Kiir as opposed to the wider state security hierarchy”, but as the war progressed in 2014, the *Dut ku Beny* force was increasingly being described as part of the government and SPLA (*ibid.*: 432-33).

Unlike the strategic use of the White Army by the government, which indicates the White Army is understood by the government as being both a dangerous ally and a threat in the wrong hands, and therefore to be armed or disarmed as required, the Dinka paramilitaries are best conceptualised as an armed insurance policy for the core of the government in the event of the crisis. Crucially, both White Army and former *titweng* forces are excluded youth labour to be held in reserve, whenever elites require their use to influence or safeguard their preferred statebuilding trajectory.

Panning back, and linking this to the framework of militarised statebuilding, several points can be surmised. Armed groups targeted for disarmament are relegated to the peripheries of political and economic life in South Sudan, and may be called upon as affiliates of state power through re-armament, but this may be only on a temporary basis, or else reserved for times of crisis. Viewed from this angle, arms control – including disarmament and re-armament – is a relatively effective tool or instrument for regulating armed youth in accordance with the statebuilding interests and agendas of elite factions. It may be a violent and sometimes unpredictable tool, but it is structured and deliberate one too. This violence, however, may rest on the militarised politics of the post-CPA era, and indicate elite competition, and is associated with pre-emptive moves by the core of the SPLM-government to safeguard the progress of militarised statebuilding in South Sudan, and secure their continued direction of this statebuilding process against threats from rival factions. This militarised politics is pursued through harnessing youth labour which has been largely excluded from this statebuilding process.

### *UNMISS in Jonglei*

Before concluding, it is worth noting the role and response of the United Nations Mission in South Sudan (UNMISS) to violence in Jonglei state, which strongly indicates the deference of UNMISS *vis-à-vis* the South Sudanese authorities, and by extension, their tacit complicity in producing this state of affairs. Although UNMISS was involved in peacekeeping activities in Jonglei state during the violence of late 2011 and early 2012, it had little effect beyond deterring Lou Nuer forces from attacking the Murle town of Pibor during the violence of late 2011 (who in any case went around the town, and continued to attack the Murle via a different route) (see Johnson, 2016: Ch. 4).

However, it is in the logistics and transportation activities of UNMISS where crucial insights can be gleaned. According to Hilde Johnson, UNMISS had been hampered by, among other things, a lack of transport capacity to circumvent the challenging geography and lack of road infrastructure of South Sudan. In the absence of river transport and all-terrain vehicles, this led to a reliance on helicopters to meet transportation needs, as well as reconnaissance and surveillance activities during times of crisis and conflict in rural areas of South Sudan (*ibid*).

However, Johnson recalls how there had been numerous “safety and security incidents against our helicopters [which] had been traced to the government’s security

forces” (*ibid.*: 124-25). Up until December 2011, “[o]n several occasions our helicopters were held by security forces or even shot at with small arms. Suddenly we got word that the military aviation unit from Russia was withdrawing from the Mission” (*ibid.*: 109). It would be fourteen months until UNMISS received new military helicopters, and in the meantime it would be reliant on civilian-contracted helicopters, piloted by Russians. In December 2012, the SPLA shot down one such helicopter in Jonglei. The circumstances are unclear, but most journalists and commentators converged on the explanation that the SPLA had mistaken the UN-marked helicopter for a Sudanese helicopter delivering weapons to David Yau Yau’s rebel militia. Whatever the reason for the downing of the helicopter, Johnson notes how the event

had an enormous impact on the Mission and its operations. A number of security incidents had occurred earlier, including helicopters shot at by small arms, and these had led to additional safety measures. But now procedures were taken to a whole new level. As an immediate reaction, we put all reconnaissance flights on hold. Pilots would not fly unless there were new procedures in place to strengthen aviation safety and security. They included written safety guarantees from three levels of the SPLA, the local commander, the sector command and the general headquarters, prior to departure to high-risk areas. This could take days, of course, and paperwork was often stuck somewhere, stalling the whole operation. (*ibid.*: 123)

This change to procedures would dovetail with already stringent UN aviation safety procedures (*ibid.*: 124).

There are two things to draw out from this. First, this suggests that UNMISS had an issue with its own staff and contractors not wishing to put themselves in danger, even though they were part of a peacekeeping mission operating in a violent country. Indeed, Johnson recalls the ‘cautious’ behaviour of peacekeeping infantry in Jonglei following an ambush by an unidentified armed group in April 2013, which “had a major impact on the Indian contingent and necessarily affected the way the Mission conducted its operations” (*ibid.*: 139, 133), a point which could reasonably be extended to numerous examples of either futile engagement or outright non-engagement with perpetrators of violence during UNMISS’ short history (*ibid.*: Ch. 4; Clingendael Institute, 2014; see also *Radio Tamazuj*, 2016). Further, Johnson notes how it “was a paradox for me that flying in to save one or two UN staff could be done without further ado, while lifesaving missions to protect civilians at risk of being killed were subject to the same aviation rules as those transporting water and fuel to our bases” (*ibid.*: 127). This was in the context of a Mission which had (much like its predecessor, UNMIS) swiftly acquired a reputation for segregating itself socially and economically from the population at large through its strict staff security and procurement procedures, and was largely confined to cities and towns instead of rural areas (Rolandsen, 2015b, see also Duffield 2010). Arguably, this was a Mission concerned with limiting its own exposure to violence, and was prioritising force protection over its civilian protection duties.

Second, the fact that the Mission would now go through not just one, but *three* levels of the SPLA in order to obtain safety guarantees suggests a deliberate acquiescence to the government as well as to the SPLA's power and authority on the part of UNMISS. Such a move would clearly impede the ability of UNMISS to gather intelligence and information on violence in South Sudan, including violence committed by the SPLA, which had already obstructed the Missions mobility through firing at UNMISS helicopters and imposing bureaucratic obstacles on the Missions ability to function.<sup>30</sup>

Both of these dynamics – an institutional aversion to danger, and acquiescence to the South Sudanese military – were also on display when the SPLA instituted a 'no-fly zone' over Jonglei whilst conducting military operations against George Athor's rebellion of 2010-11 (ICG, 2014c: 3). On March 3<sup>rd</sup> 2011, SPLA Lieutenant General Wilson Deng "warned that the operations will likely result in "large displacements and collateral damages" and requested U.N. support to evacuate casualties in the wake of the operations" (Fick, 2011). According to the Associated Press:

The southern army official then "demanded" - according to the U.N. report - that the U.N. temporarily suspend all its operations in the areas. Based largely on this information, the U.N. document noted, the U.N. declared the areas specified by the army commander as "no-go zones" for the U.N. In practice, that means independent aid groups will likely make the areas no-go zones as well. (*ibid.*)

This was denied by the then Head of UNMIS, David Gressly, who acknowledged that whilst UNMIS had been instructed to avoid the area by the SPLA, they refused to do so. However, a leaked March 4<sup>th</sup> Security notice instructed that "No U.N. Operations (Land, Air, and Boat) will be carried out in the No Go Areas," and "detailed areas in three counties in Jonglei where the southern army instructed the U.N. to cease operation" (*ibid.*). In late December 2015, the SPLA again imposed a 'no-fly zone', and threatened to shoot down unidentified aircraft (which it claimed were delivering arms), which resulted in the grounding of humanitarian flights (Hearth, 2015).

To be clear, UNMISS were not deliberately attempting to endanger civilian lives. They were, however, indirectly involved in producing a situation in which government forces would ultimately have greater autonomy to engage in violence, with UNMISS having

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<sup>30</sup> Johnson attempts to defend UNMISS' compliance with government restrictions on flights during her tenure (July 2011- July 14), stating that "[w]e were fully aware that government delays in flight assurances could be used to keep the UN out of areas where counter-insurgency operations were taking place. The SPLA often claimed that locations were insecure and that our safety could not be assured. In some cases it was likely true, but the risk we said was ours to take, no responsibility of the government. Outright denial of access seldom happened" (*ibid.*: 133). Yet in a telling endnote, she also acknowledges that "The Mission had legal freedom of movement anywhere in South Sudan according to the Status of Forces Agreement (SOFA). Flight assurances were not requests for approval but giving notice of movement. *Some of our military still sought approval, despite clear instruction not to do so. Asking for permission undermined the SOFA*" (*ibid.*: 328, fn 96. Emphasis added). This is a weak defence. Elements of the UNMISS military were *voluntarily* complying with the government's requests, effectively subordinating the Mission to government dictates, whilst Johnson acknowledges that delays and restrictions took place, and doesn't rule out instances where UNMISS access was denied by the government.



a diminished ability to fulfil its requirements. This was due to a combination of factors, but an unwillingness to challenge the South Sudanese authorities, and a willingness to prioritise the security of its own staff, fed into this process. So too, one suspects, was the insistence that violence in Jonglei was ‘inter-communal’ in nature, as Hilde Johnson claims, thus masking the role of the government, and the purpose of arms control in the emergent statebuilding project underway in South Sudan.

## Conclusions

The size, dynamics and functions of this arms system strongly indicate that South Sudan is becoming increasingly militarised in several respects. The sizeable and increasingly centralised procurement of arms from 2005 onwards, distributed to an ever-increasing number of soldiers and armed civilians, amount to an acceleration of trends already underway in the Second Civil War. This has been led by the new government in Juba, with the assistance of certain regional and international partners, with Khartoum funnelling arms to complicate or undermine the statebuilding process. Meanwhile, whilst the CPA was supposed to curtail armament activities and compel its signatories to disarm and downsize their armed forces, it has served to push the arms system in Southern Sudan further under the radar, whilst shutting out meaningful input by external actors for disarmament activities. In line with previous experiences of peace agreements, the CPA may also have redistributed violence and state power, establishing a new boundary between those groups which can be safely (or unavoidably) incorporated into the state, and those that cannot, including the White Army. Politico-military elites of varying loyalty to the SPLM/A statebuilding project have accordingly engaged in the violent management of groups unable to make claims on this emerging system, through the instruments of disarmament and re-armament, often with an eye to securing their own privileged status within the government of South Sudan.

Relating this back to the question posed at the beginning of the chapter, through exploring the arms systems it becomes apparent that this has facilitated the significant amplification of the coercive potential and size of the South Sudanese state, and the establishment of a new dynamic whereby violence clusters at the boundaries or margins of state power within the South. Those groups outside of the formal boundaries of the state are being regulated through a mixture of violent *disarmament* (which itself has strong echoes of counter-insurgency) as well as the sub-contracting of counter-insurgency to some of these groups by the state, partly through *rearmament*, with certain excluded groups being played off against one another in a context of rivalry between the different factions of the SPLM/A statebuilding project, and others becoming an insurance policy for elements of the government. Whilst this does not explain all of the post-CPA violence in South Sudan, it offers an explanation of some of the more regularised expressions of state organised violence, namely ‘civilian disarmament’, and speaks to ways in which the preparation of

violence is being ingrained into the post-conflict statebuilding process through the consolidation and enlargement of the military and arms system.

The account provided suggests that the not have political, military, and international relations become increasingly militarised, but that politico-military relations have themselves become increasingly enmeshed, and with the army both fighting and harnessing excluded pools of youth labour to regulate competition within the incipient state. The next chapter will delve further into this dynamic, through concentrating on the SPLA itself, and international efforts to 'transform' it.

## Chapter 4: A Hall of Mirrors: The Sudan People's Liberation Army

The Sudan People's Liberation Army (SPLA) is in many ways at the core of the militarised post-conflict statebuilding project in South Sudan, and has come to form a nervous system which extends throughout the new nation. The focus of this chapter will be on its staggered accession from guerrilla army into the national army of the Republic of South Sudan. The primary ways in which international donors have engaged with the SPLA is through concepts such as the 'security sector', 'transformation', 'professionalization' and 'transitions', and the practices of 'Security Sector Reform' (SSR) and 'Disarmament, Demobilisation and Reintegration' (DDR). This chapter explores the SPLA, including efforts at reforming it through the internationally-endorsed practices of DDR and SSR, and relates these efforts at building and reforming South Sudan's coercive institutions to patterns of violence in the country. This is achieved through marshalling interview material, first-hand accounts of the SPLA, as well as existing literature on SSR and DDR in South Sudan, guided by three research questions:

- 1) What is the SPLA?
- 2) What was the nature of the 'transition' which the SPLA was expected to undergo, and what kind of transition, if any, did the SPLA pursue?
- 3) In what ways does the process of building institutions – and in particular the institutions comprising the 'security sector' – explain the conduct and likelihood of violence in South Sudan?

To answer these questions, this chapter surveys the unexpected outcomes of the donor-backed DDR and SSR processes, and seeks to explain their counter-productive results through engaging with the history of the SPLM/A, and the ways in which this deeply militarised rebellion would, from 2005 onwards, quickly assume a set of responsibilities in the social relations of South Sudan which would not ordinarily (at least by modern Western standards) be associated with militaries, and the reasons why this happened.

First, orthodox accounts of SSR and the 'security sector' are summarised. It is argued that efforts to identify a coherent 'security sector' in South Sudan are misguided, given the complex and overlapping nature of South Sudan's coercive institutions, which do not – in the main – adhere to the contours of idealised Western accounts of a security sector comprising discrete providers of specific types of security (e.g. external security, policing), which is separated from civilian politics.

Second, we will focus upon one of the more concerted, internationally-backed efforts at reforming this supposed 'security sector' in South Sudan, through a case study on DDR. SSR and DDR have been to a certain extent merged in the case of South Sudan, and

together they were intended to be tools which could help to downsize and professionalise the South Sudanese military, at least from the vantage point of international donors. The analysis suggests that DDR was an utter failure with regards to meeting its own goals, but its failings may help to reveal something about the nature of the SPLA as well as its relationship to society, the state, and organised violence in South Sudan. As with civilian disarmament, what at first sight appears to be a case of 'failure' can also be understood to have performed certain functions. In this instance, the functions were both political and socio-economic, and served to entrench the SPLA into South Sudanese politics and society, further militarising both in the process.

Finally, we locate this DDR and SSR process within the history of the SPLA, and how this has shaped the political and security terrain of Southern Sudan following the signing of the Comprehensive Peace Agreement (CPA). In doing so, this draws attention to the enduring militarism of the rebellion (which permeated its conduct, organisational structures, and objectives) and the role of peace agreements in both spurring the growth of the SPLA, as well as compelling armed groups to join the military by artificially establishing the SPLM/A as the *de facto* hegemon in what would become the Republic of South Sudan. Khartoum's efforts at deinstitutionalising the coercive power of the Sudanese state to preserve and extend its rule have accelerated Juba's efforts at institutionalising its own state's coercive power, by bringing more armed groups into the SPLA, as well as establishing paramilitaries outside of the formal boundaries of the SPLA, but still within the influence of Juba. However, this process has been uneven and generated new conflicts of its own, both within and outside the boundaries of the SPLA. The South Sudanese government has sought to manage insecurity and safeguard their hegemony through using the SPLA to simultaneously absorb and fight militias that have sought to enter or re-enter the state, therefore reinforcing a distinction between those groups included in the state and those who are either excluded or consigned to partial inclusion at the margins of the state. South Sudanese society has become increasingly dependent on the military, largely through the benefits membership brings, and much of the rebel and militia violence from 2005 to 2013 has centred upon this dynamic between access and exclusion.

In a sense, this amounts to a form of capture by the state which is neither voluntary nor compulsory. Through using the framework of militarised statebuilding, it is possible to work towards an understanding of the confusing and contradictory processes which have driven the expansion of the SPLA as well as efforts at reforming it, through charting the rise of the SPLM/A in the Second Civil War; the amplification of its militarised structures and practices thanks to the CPA and Juba Declaration; and the subsequent expansion of not only the size of the SPLA, but of the number of functions it performs, and the concomitant capture of labour and resources. In the face of a post-conflict statebuilding process which was militarising society in multiple ways, with the SPLA at its centre, DDR and SSR were almost destined to be, at best, inconsequential, and at worst, contributing factors to this volatile dynamic.

## Identifying or inventing a Security Sector?

### *The Security Sector, and Security Sector Reform*

Orthodox conceptions of the ‘security sector’ typically describe a set of actors and institutions which, when taken together, comprise the coercive expressions and coercive potential of state power. Typically, these include the military; the police; intelligence services; border guards, and, in certain cases, paramilitary groups and presidential guards. Whilst these institutions form the ‘core’ of the state security sector, the security sector also involves the ministries responsible for oversight and control of these entities (chiefly Ministries of Defence and the Interior); the justice sector; and monitoring groups found in civil society (OECD DAC, 2007: 22). Broader conceptualisations of the security sector may also recognise certain armed non-state actors - such as private security companies, guerrilla movements, and militias – as representing an alternative source of security, detaching the concept from an exclusive focus on official or formal state security.

SSR, meanwhile, is an umbrella term for bringing the security forces and oversight agencies of a given state in line with democratic norms and principles of ‘good governance’, with the intention of transforming seemingly unaccountable, corrupt, or unprofessional security institutions into capable and impartial providers of security for the population at large (Wulf, 2004: 3, 5). SSR has, since the late 1990s, become an increasingly important component of international engagement with post-conflict societies (Ottaway, 2002), whilst the provision of ‘security’ is often taken to be among the core functions of the state in the early ‘failed states’ literature (e.g. Rotberg, 2003), with the corollary being that augmenting and reforming this dimension of state power was in some way crucial to restoring order in war-torn societies. More nuanced accounts of the security sector and SSR have emerged since the early 2000’s, and SSR continues to find prominence in contemporary discussions of statebuilding (Chappuis and Hanggi, 2013), as well as in specialist research institutes producing technical literature on the intricacies of reforming security institutions or ‘systems’. Generally speaking, academic and (especially) practical literature on SSR has become increasingly technical and specialised in character - with research often being presented in case-study formats which can serve to isolate dynamics of violence and security from external inputs - although some important exceptions have emerged which endeavour to develop more sophisticated arguments about the complexities of ‘security’ provision in the global South, and problematise the ways in which SSR programmes alter dynamics of political power and security in recipient societies (e.g. on policing: Baker, 2009; Hills, 2009).

### *The security sector in South Sudan*

In order to trace the contours of a potential ‘security sector’ in South Sudan, the term would need to be understood in its broader sense for the South Sudanese context, comprising as it does a range of actors - at times occupying multiple roles - and

characterised by a significant degree of fluidity in the relations between these actors, as well as their formal relationship to the state. Beyond the (sizeable) conventional armed forces - the Sudan People's Liberation Army (SPLA) - the 'core' of the formal security sector is filled out by the South Sudan National Police Service (SSNPS), the Wildlife and Prison Services, the Fire Brigade, and the National Intelligence Services and Criminal Investigation Department. However, it is not uncommon for senior politicians to cultivate and maintain relatively large units of armed bodyguards or militias drawn from the formal security sector or local militia groups, the latter of which may be formalised into conventional structures, or remain in the nebulous 'informal' realm (see LeRiche, 2014; Pinnaud, 2014; Young, 2012: 149). Beyond these formal or quasi-formal organised armed groups, a plethora of militia and minor rebel movements are present across the country (with most concentrated in the states of Jonglei, Upper Nile and Unity), and perform a number of functions, including local self-defence, as well as enacting violence on behalf of either the government or its opponents (including Khartoum), or in the pursuit of goals which may be unique to these armed groups (Scheye, 2009; SAS-HSBA, 2014).

More recently, the outbreak of large-scale violence from December 2013 onwards has fractured the formal security sector, as mass defections to the major rebel movement - the Sudan People's Liberation Movement/Army - In Opposition (SPLM/A-IO) - have occurred. This current conflict has seen new relationships emerge between the major belligerents - the government, and the SPLM/A-IO - and militias and minor rebellions of various stripes. Government forces have drawn on smaller rebel movements who had signed amnesty or peace agreements with the government prior to or at the start of the current hostilities to either assist with or refrain from fighting (see ICG, 2014a and 2014b), whilst the SPLM/A-IO has periodically claimed to be fighting alongside certain militias in Greater Upper Nile (including the infamous White Army), though has distanced itself from such groups when these militias are deemed to have engaged in seemingly unacceptable forms of violence (see ICG, 2014a; Copnall, 2014b). The ICG (2014c) estimated that as of October, 2014, there may be as many as two dozen armed actors operating in South Sudan, which notably includes the Ugandan military (a stalwart ally of Salva Kiir's government), in addition to the groups outlined above.

If we could call this a 'security sector', what would its principal characteristics be? First, when broadly defined, the sector spans a range of armed groups possessing differing degrees of 'formality', sometimes with opaque relations to state power, and sometimes openly hostile to official state power. Second, the relationship between the various elements of the security sector to the state can wax and wane, but can also be subject to abrupt shifts, demonstrated in the mass defections to the SPLM/A-IO. Third, personal connections between senior officials and their private forces (including bodyguards and private militias) further trouble the binary of formal and informal security, and suggest that political, economic, inter-personal, and communal relationships may be as important as institutional ones in tracing authority and chains of command. Fourth, the separation of this security sector into discrete institutions with attendant roles (e.g. the military, the police) could not be taken too literally, since groups associated with one institution may

end up fulfilling security roles designated for another, as seen when SPLA soldiers are tasked with policing work, and the SSNPS are used as an auxiliary force for the SPLA (interview, international SSR practitioner, Juba, August, 2013). Finally, many of these characteristics have precedents in the conflicts which culminated in the creation of South Sudan, but have been amplified or exaggerated since the signing of the CPA.

The ‘security sector’, if it exists at all, is therefore an extremely complex one, involving a plurality of actors performing a variety of roles. Any attempt at outlining the relationship between the different branches of the security sector to each other, as well as to the state, is greatly complicated by the mixture of factionalism within these branches (especially within the SPLA); the ability of certain political or politico-military elites to create or cultivate autonomous relationships with armed groups, relationships which do not necessarily respect or adhere to intuitive boundaries between the ‘formal’ and ‘informal’ spheres; and regular fluctuations in the relationships between state security forces, state-aligned forces, and armed militias or rebellions either existing outside of the state or actively opposed to it. Rather than attempting to understand this state of affairs as adhering to the organograms nearly delineating the different branches of the security sector from one another, as well from civilian politics or society, it can be more accurately visualised in similar ways to the networks of ‘parcelized’ sovereignties orbiting Principalities that Anderson (1974) identified in feudal European political and social relationships, where proliferating and overlapping forms of sovereignty emerged at the margins of state power. This is neatly captured in Astill-Brown’s summary:

To think of the various security institutions as subordinate appendages to the state is fundamentally to misunderstand South Sudan and South Sudanese society. Instead, they represent the structure of the body politic, and many citizens recognize the security institutions as distinct fiefdoms with influential leaders perched – sometimes precariously – on top. (2014: 9)

How did internationally-backed efforts at reforming this highly complex set of actors and institutions fare? And how did this arrangement come into being? We will answer these in turn, firstly through focusing on efforts at professionalising and downsizing the ‘security sector’, before contextualising this process in the broader security and political terrain which it was subject to.

## DDR and SSR in South Sudan

The main tools through which international donors have sought to engage with the SPLA, and transform it - in that clichéd phrase - from a guerrilla army to national army, have been through SSR and DDR. DDR has become, in the words of LeRiche and Arnold, a “quasi-religious” focus of the UN’s post-conflict programming, alongside small arms control and ‘community policing’ (2012: 159), and has consistently struggled to live up to its potential

to sequence an orderly transition from disarmament to gradual reintegration into society in a variety of contexts (see Muggah, 2009).

Before we explore this issue in more depth, it is necessary to explain why DDR is being considered alongside SSR, despite these being technically separate programmes. Given that both programmes seek to engage with and reform armed groups, there has been a recognition that DDR and SSR are often intimately connected and overlapping processes, and sometimes antagonistic ones (see Bryden, 2010). In the case of South Sudan, there was more of a convergence than an antagonism between the DDR and SSR processes supported by international partners, but this is because they were largely ignored or co-opted by the SPLM government to serve different quite goals. It is important to recognise from the outset that the ways in which DDR and SSR were implemented in South Sudan did not necessarily adhere to international definitions and thinking of what these processes should look like. As noted in the previous chapter, the DDR programme in Southern Sudan was unusual in that very few of the armed groups being integrated into the SPLA from 2005 onwards were actually being disarmed, whilst the SPLA was simultaneously increasing its stockpile of armaments, in violation of the spirit and letter of the CPA. When disarmament *did* happen, this took place outside of the parameters of the official DDR process, and was largely under the guise of ‘civilian disarmament’, which served specific functions that often had little to do with disarming civilians. Similarly, as will be contended below, the demobilisation and reintegration components of DDR did not stick to the conventional DDR blueprints, and often overlapped with the SSR process. International donors enthusiasm for implementing DDR and SSR was not always matched by their South Sudanese recipients, and may have been stoked by the tendency of South Sudanese elites to placate and misdirect these same international actors through rhetorical and political gestures (including the establishment of DDR committees) which indicated that the South Sudanese subscribed to the broader SSR agenda (interview, international DDR expert, Juba, July 2013), coupled with more concrete legislative efforts at outlining the constitutional contours and internal structure of the military, which had the appearance of dovetailing with international SSR goals (LeRiche and Arnold, 2012: 163).

The initial DDR programme for Southern Sudan was jointly run by the UN Mission in Sudan (UNMIS) and the UN Development Programme (with support from the United Nations Children's Emergency Fund and the World Food Programme) and the South Sudan DDR Commission (SSDDRC). Although required by the CPA to begin within the first six months of the signing of the agreement, and then continue throughout the interim period (CPA, 2005: 97), DDR activities did not get seriously underway until November 2007 with the approval of the National DDR Strategic Plan, and were later reaffirmed with the signing of the Multi-Year DDR Programme in June, 2008 (Nichols, 2011: 11). The actual DDR process proper did not begin in Southern Sudan until the following year, and would last until 2011. This 2009-2011 phase of DDR was to be the first of two phases, which together were expected to return 90,000 members of the SPLA into civilian life, with the first phase demobilising 36,000 ex-combatants (*ibid.*: 28), and the second 53,400 (Munive, 2013b: 592).



The first caseload was designed to return “disabled and elderly combatants, child combatants and children associated with the armed forces and groups, and women associated with armed forces and groups” to civilian life, presumably informed by a desire to both save costs and reward “wounded heroes” for their services, with the second, larger phase targeting active personnel in the SPLA (*ibid.*). This latter phase, which was never implemented, appears to more closely relate to the traditional goals of DDR, namely downsizing an expensive and potentially dangerous security sector, and providing opportunities and incentives for ex-combatants to adopt a ‘civilian’ role. Of the initial caseload of 36,000 ex-combatants, only 12,500 entered the programme, and of these, only 11,000 completed it, with serious questions surrounding over the eligibility of many participants, some of whom had left the SPLA prior to the signing of the CPA in 2005 (with some having left as early as the 1990s, and would not be receiving salaries) and some having joined the SPLA after 2005, which should technically have rendered many participants ineligible for the programme (interview, international DDR expert, Juba, July, 2013). This first DDR phase took place at a number of sites throughout Southern Sudan, namely the towns and cities of Juba, Rumbek, Aweil, Torit and Wau (Nichols, 2011: 28). At present, the envisaged second phase has morphed into a new proposal under the auspices of the World Bank (alongside various implementing partners) to demobilise and reintegrate an astonishing 150,000 ex-combatants, with more tempered revisions to that estimate reducing the anticipated caseload to 60-80,000 (TDRP/World Bank, 2014: 9).<sup>31</sup>

### *Counting combatants*

Whilst these figures suggest the DDR process in Southern Sudan has, at best, fallen far short of the mark, this needs to be contextualised within the wider numbers game which has governed international perceptions of the SPLA, and influenced the process of DDR. The initial number of ex-combatants targeted for DDR – 90,000 – was the product of negotiation between the SPLM/A and the UN agencies tasked with overseeing the DDR process. However, this was not simply about determining how many people were eligible for DDR, but it was also a crude method of determining the overall size of the SPLA. As recounted by one informant, the SPLA initially claimed to have 300,000 members in combat or non-combat roles, which was disputed by international staff involved in DDR, who asserted that the SPLA had closer to 50,000 members (interview, international DDR expert, Juba, July 2013). This is broadly corroborated by a 2011 Small Arms Survey report on DDR in both the north and south of Sudan, which notes that during this negotiation process on the number of soldiers to be demobilised, the “[Sudan Armed Forces] eventually provided a figure of 225,000, which was slowly negotiated down to 90,000. The GoSS came down as far as 60,000, but then demanded parity with SAF, so its final figure was raised to 90,000” (Nichols, 2011: 15). If this is the case, then the size of the SPLA – at least during the early years of the CPA – was entirely negotiable, and cannot be said to accurately reflect its actual parade strength.

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<sup>31</sup> This last figure of 60-80,000 was determined prior to the outbreak of conflict in December, 2013. Note that many of the figures in the above two paragraphs vary slightly between sources, and should not be treated as definitive. Indeed, all figures involving the SPLA should be treated with caution, as noted below.

Indeed, determining the actual size of the SPLA to any degree of accuracy may be a chimerical pursuit, for several reasons. First, the SPLA has grown and shrunk in size on numerous occasions since its inception in 1983, as factions have broken away, with some factions later re-joining (and potentially splitting once again), and new actors merging with the institution through the absorption of militias (including militias cultivated by the government), as well as through recruitment drives. The SPLA is not a static organisation, and its total size will fluctuate, sometimes significantly so.

Second, membership of the SPLA is greatly complicated by the meaning of the terms ‘membership’ and ‘combatant’. This is because the SPLA recruited both forcibly and voluntarily, and many of its members will have been associated with the SPLA only temporarily (either as a result of members leaving the SPLA as a refugee or for other pursuits during the course of the Second Civil War, and/or leaving for a different armed group, or joining or re-joining the SPLA from one such group). Moreover, many of the special needs group of ‘ex-combatants’ targeted in the initial DDR phase, and especially female ex-combatants or affiliates, were in logistical support or intelligence gathering roles, which is not necessarily reconcilable with the orthodox meaning of ‘soldier’ or ‘ex-combatant’ (see Munive, 2013b: 588, 596). This uncertain status does not mean that such groups will refrain from making claims on the SPLA for economic support (which the SPLA may sympathise with), and as Munive notes, it has been possible for dependents of ex-combatants to register for DDR under a Proxy Contract drawn up by the SSDDRC and their implementing partner, the International Organisation for Migration:

It was generally accepted that in cases where the beneficiary ex-combatant was suffering from disability, old age, and ill health or was dead, a proxy could attend the reintegration support in their place. The ex-combatant (or his/ her relatives in case the person had passed away) simply had to sign an agreement declaring: ‘I am willing to nominate the person below as my proxy on the understanding that she will receive the reintegration package on my behalf . . . and undertake the below responsibilities in relation to me’. (*ibid.* 596)

Finally, the pattern of reassigning soldiers to other security institutions, notably the SSNPS, Wildlife and Prison Services distorts the roles of these institutions. Whilst transferring soldiers to other security organs does reduce the immediate size of the SPLA, this obscures the fact, as noted above, that these non-military security institutions double as reserve or auxiliary forces for the SPLA. As a result of these three factors, efforts to capture the size of the SPLA, including through introducing a computerised payroll system, may approximate the size of its current parade strength, but will encounter difficulties with regards to members with tangential or prior associations with the SPLA – an association which can form the basis for claims on resources and belonging to the institution and liberation struggle more broadly.

Attempts at quantifying the SPLA during the DDR process, whilst probably futile, do nonetheless help uncover an alternative role the SPLA may play in the political economy of statebuilding in South Sudan. As one international DDR expert explains:

[T]he SPLA, and this is very important, the SPLA is not just an army, it's like a welfare system as well, and there are plenty of people on the SPLA payroll who are being supported, perhaps because in the past their dead husband was in the SPLA, or perhaps because *they* were in the SPLA but they're not wounded, you know but there's lots of grey areas, lots of kind of useless – in military terms – useless people who are receiving a salary... so it's about developing a welfare system, and a welfare system does not exist in South Sudan to look after these people, so the SPLA is one of in fact the primary ways of paying for people. (Interview, Juba, July 2013)

This is broadly corroborated in Hilde Johnson's account, who notes that:

in 2006-7 the SPLA was estimated to employ 140,000 people, but the 'core' – soldiers – numbered only about 68,000... Credible sources have indicated that in December 2013 the SPLA's payroll comprised approximately 230,000 soldiers. However, experts who did audits could identify no more than 170,000... I discussed this in January 2012 with late Prime Minister Meles Zenawi of Ethiopia... [who] cautioned against going too far too fast: 'The SPLA is not an army', he said. 'It has been there to keep people "salaried".' He worried that the major clean-up efforts would backfire. (2016: 230)

Further, Johnson notes how the division of resources within the SPLA was heavily weighted towards paying salaries, even if the pay (particularly in the lower ranks) was not necessarily consistently delivered: "[c]apital projects, including major procurements, were a major expense too, while relatively little went to operations and training. By April 2011, when privates' pay had risen to about \$220 a month, over 80 per cent of the defence budget was allocated to salaries. Ironically, soldier's pay was often in arrears, which contributed to instability in the ranks" (*ibid.*: 226). Interestingly, Johnson suggest that the SPLA stood above the other security forces in not only status, but also in pay: "[b]y 2012, the disparity in salaries at all levels was significant, with SPLA colonels paid three or four times more than the National Police of comparable rank" (*ibid.*: 235).

Whether this is understood as amounting to a proto-welfare system, or taken as evidence of an institution tasked with the dispensing of patronage benefits, the idea that the SPLA is purely a military or security provider is unsettled when viewed from this perspective, and indicates that the institutional structure of the South Sudanese state – far from being neatly delineated as per international statebuilding expectations – is in fact knotted, with the military assuming *de facto* responsibility for allocating welfare, even if this process is selective and seemingly directed towards those groups and individuals who can make a plausible claim of association with the SPLA. Indeed, the extent to which the SPLA is involved in meeting the livelihood needs may be considerable, as noted by Astill-Brown: "Figures are difficult to verify, but some estimates suggest that as many as one in seven of South Sudan's population access basic services such as health and education through SPLA institutions or as a result of access to SPLA salaries" (2014: 10).

The example of DDR and concomitant efforts to negotiate the size of the SPLA is instructive in at least three senses. First, it suggests that the SPLA is increasingly akin to a welfare service provider, with DDR used by the SPLA to offload some of its dependents to internationally-sponsored DDR programmes. Second, exercises in scoping the size of the SPLA may be fundamentally misguided, since the institution is, in certain senses, resistant to quantification. In the words of one international SSR expert engaged in military training, the SPLA may be more accurately understood as a “state of mind” than an institution (interview, Juba, August 2013). Those who were once associated with the SPLA, but may now occupy a different security (on non-security) role - such as policing, or providing protection for a notable official as a bodyguard or militia member – may nonetheless understand themselves as retaining membership in the SPLA, and articulate claims on this basis. Taken together, these insights once again trouble the idea of a ‘security sector’ in South Sudan, and suggest it may be more a product of reification on the part of international actors espousing an SSR-agenda, leading to a flawed understanding of both the meaning of institutional membership in South Sudan, and a distorted account of the relationship and roles of political and military institutions in relation to one another. And the example is instructive in a third, and more mundane sense, in that it highlights how the cost of the internationally-sponsored DDR process for 11,000 ‘ex-combatants’ – at \$126 million dollars as of 2011<sup>32</sup> is far in excess of the cost of paying for salaries of those same ex-combatants (a considerable proportion of whom were probably not receiving a salary in the first place). This suggests that engaging with a society such as South Sudan through concepts and practices such as the ‘security sector’, ‘transformation’ and ‘demobilisation’ was wholly inappropriate, and may have prevented international donors from understanding how the military (both broadly and narrowly understood) was interacting with society through supporting ever increasing numbers of dependents, creating new bonds and reinforcing existing ones in the process. In order to understand how and why it went about doing so, it is necessary to first explore the history of the SPLM/A in greater depth.

### The SPLM/A: A Force of Militarism

The SPLM/A has been the dominant force in southern Sudanese politics since its inception in 1983. In order to understand the SPLA of today, and its centrality in the militarised post-conflict statebuilding project underway since 2005, it is essential to provide

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<sup>32</sup> See Nichols, 2011: 11. This was the money actually received for DDR in *both* North and South Sudan by the UNDP during the CPA-era, but did not cover the anticipated costs for the entire (unimplemented) programme: “The costs of processing 180,000 ex-combatants are significant. Demobilization process and reinsertion benefits alone are estimated at USD 135 million, with USD 99 million coming from the UNMIS-assessed budget and the remaining USD 36 million from World Food Programme (WFP) (MYDDRP, 2008, p. 15). The budget for the reintegration component, as outlined in the MYDDRP, is a further USD 430 million. The GNU has agreed to contribute USD 45 million, leaving donors to provide USD 385 million (MYDDRP, 2008, p.4).” (*ibid.*)

an account of the origins and functioning of the rebellion. The account below draws both from secondary literature on the SPLA, as well as insider accounts of the rebellion, from Dr Lam Akol, Dr Majak D'Agoot, Bona Malwal, and Dr Peter Nyaba. It should be noted that with the partial exception of Majak D'Agoot, these writers have a complex and sometimes acrimonious relationships to the SPLA (and especially its leader, Dr John Garang), with Lam Akol and Peter Nyaba defecting during the split in 1991, and Bona Malwal later denying participation in the activities or politics of the SPLM/A. As such, the information from all of the accounts should be understood as partial and political, but also sources of fascinating insights into the inner workings and internal politics of the rebellion.

Although it is common to distinguish between the SPLM as the political wing of the movement, and the SPLA as the armed wing, in truth the rebellion is best understood as being a primarily military movement, with a vague and notoriously flexible set of ideological commitments, with power being almost exclusively concentrated in the SPLA as well as its external backers, until the SPLM emerged as a political force following the implementation of the CPA in 2005 (and even then, was heavily composed of former SPLA commanders). Indeed, the original initials of the rebellion actually read SPLA/M, which were later reversed (de Waal, 2015b; see also Akol, 2009).

From the very beginning, the SPLA was riven by violent divisions. After the Bor Mutiny by battalion 105 of the Southern Command in January 1983, Dr John Garang – then a Colonel with the Sudan Armed Forces and head of the Staff College in Omdurman – was dispatched by his superiors to persuade Major Kerubino Kuanyin Bol to lay down arms. However, Garang and already been conspiring with Kerubino Kuanyin and the other former Anya-Nya officers and soldiers of battalion 105 to rebel later in the year, although Kerubino had unilaterally accelerated the timetable after coming under suspicion for poaching and misallocating funds (Johnson, 2003: 61-2). By May, 1983, the Sudanese military (with Egyptian assistance) moved into Bor to quash the mutiny, and the mutineers fled to Ethiopia, with Garang leaving by an alternate route.

Although this resulted in the creation of the SPLM/A, it also established a precedent of violent factionalism, based in part over disputes regarding the leadership and hierarchy of the rebellion. As D'Agoot notes:

Unfortunately, soon after the formation of the SPLM, the Southern leaders demonstrated a failure in streamlining unified leadership. Subsequently, two power centres emerged. The first centre was comprised of the absorbed Anyanya I officers who were members of the underground military syndicate. Prominent in this group were Colonel John Garang, Major Kerubino Kuanyin, Major William Nyuon, and Captain Salva Kiir. The second centre comprised veteran Anyanya commanders, turned politicians after the Addis Ababa Agreement, such as Akuot Atem de Mayen, Samuel Gai Tut, and William Abdalla Chuol. The determining factor that catalysed the decision of the SPLM leadership in Itang in favour of Garang's group was the support lent to it by the Ethiopian Derg regime. (2013: 69)

The casting vote over the question of who should be in charge of the rebellion was made by the Derg, and was followed with violence against Garang's political rivals, who would go on to form Anya-Nya II, with the two rebellions locked in war with one another from the outset. Internal power struggles over who should lead the movement therefore spurred the initial intra-southern violence, which would recur throughout the rebellion, and the existence of multiple, competing power centres continues to affect the SPLM and SPLA to this day. Prior to Garang's seizure of power, nascent SPLA internal structures initially consisted of a Provisional Executive Committee, headed by a chairman (who would also be the commander-in-chief of the SPLA), and then five specialised committees headed by an elected chairman. Initially, the early mutineers and former Anya-Nya veterans had agreed to vote on the matter of the leadership of the movement, and to determine the heads of the different branches of the rebellion. Garang rejected the outcome of these elections (he was elected Chief of Staff of the SPLA), and, according to Akol, turned on a number of his perceived rivals, notably Any-Nya veterans Akwot Atem and Samuel Gai Tut, inciting officers to support Garang on the grounds of his military seniority, and that the rebellion should be led not by a politician, but by an active military officer (Akol, 2009: 202-4; see also Hutchinson, 2001). Once his initial rivals had been dealt with, Garang instituted himself as Chairman:

[t]hereafter, the military committee dominated the scene. The politicians were being condemned openly in official meetings and public rallies. It was being propagated that the political work was quite unnecessary and that it was only the military might that was needed to bring about victory. The movement took a sharp turn to militarism (Akol, 2009: 204).

According to Akol, it is commonly said that the first bullets fired were directed towards separatists, but in reality, this was towards political rivals of John Garang (*ibid.*: 203). The events which determined the leadership of the SPLM/A would also mark the increasingly close relationship between Garang and his external patrons, which would come to shape the ideological content (or lack thereof) of the rebellion. Malwal observes that "Garang's real reasons for fighting the long civil war with the North were never clear because he never spelt them out. He was a complex individual, with very complex motivations." (2015: 157). Although leftist in political orientation, he appeared to drift from some of his earlier pan-Africanist socialist beliefs, and it was only *after* obtaining control of the nascent SPLM/A - and receiving the political and military support of the Ethiopian Derg - that Garang began articulating a somewhat clearer ideological vision, in the form of the 'New Sudan' (*ibid.*: 158; Johnson, 2003: 63-5).

The founding documents of the SPLM/A from July 1983 were the 'Manifesto of the Sudan People's Liberation Movement', and the 'Punitive Provisions for the Conduct of the People's Revolution No. 1', which strongly hinted at the primacy of the military. Curiously, it was the penal code rather than the manifesto which structured the rebellion by establishing the division between the SPLM as a "political organization" and the SPLA as an "armed component" of the SPLM, and granted the SPLA power to exercise "executive

and judicial authority with assistance from the SPLM Provisional Executive Committee”, with this latter body being swiftly dissolved to be replaced by the military High Command (Akol, 2009: 211-12; see also Young, 2012: 48-9). These documents contained a number of politically inflammatory expressions, which were seized upon by Nimeiri to portray to the SPLM/A as a communist and racist organisation to domestic and international audiences. The SPLM/A’s response was to “disown the documents and accused Nimeiri of having invented them”, and then revise the documents, backdating them to imply they were the original ones published on 31<sup>st</sup> July 1983 (Akol, 2009: 210). The subsequent, watered-down documents would combine a crude form of Marxist-Leninism with a relatively astute analysis of the grossly lopsided political economy of Sudan, whilst lashing out at the ‘politicians’ of the north as well as the south, who were held to have both produced and benefited from this state of affairs following the Addis Ababa Agreement of 1972, keeping the south under-developed and politically divided, whilst ensuring that former Anya-Nya combatants were marginalised and that oil in the Southern Region would be captured by Khartoum through dividing the political boundaries of the south. At the same time, the ‘New Sudan’ sought to retain the unity of Sudan whilst initiating a structural transformation of the state – to be led by the SPLM/A – for the betterment of all marginalised peoples of Sudan, and not just the south.

This ambitious program of state capture, underpinned by a vague form of Marxist-Leninism, and to be undertaken by a “militarised ‘peasantry’” (Thomas, 2015: 111), was in many respects alien to those southerners who were expected to fight on behalf of the New Sudan, and whose primary concerns were with securing the outright independence of the south, and not with a militarised agenda for structural change (Nyaba, 1997; see also Johnson, 2003). As Young observes, “[i]n retrospect it is clear that the Marxism-Leninism of Garang and the SPLM/A was very shallow, no serious attempt was made to adapt it to the realities of southern Sudan, and it was largely an opportunistic means to gain the military support of the Derg and the Eastern Bloc” (Young, 2012: 62). This resulted in a movement which prioritised loyalty to its external benefactors ahead of its domestic constituents (Young, 2005: 539). D’Agoot goes further, noting that “[i]n most cases, the over-dominance of foreign agendas in these conflicts has diverted enormous energy and attention from domestic priorities of the conflict itself” (2013: 72).

Garang, and by extension the SPLM/A more broadly, had a mercenary approach to political ideology. As Young argues, “[t]he SPLM/A has never developed an ideology that was coherent and acceptable to its followers because it always had to be subject to the dictates and needs of Garang. By calling for a united Sudan and at the same time giving support to southern self-determination, Garang has been able to be all things to all people” (2005: 539). This ideological flexibility – often incongruous with social realities and conservative political sentiments of southerners, and calibrated to secure external support – would continue with the SPLM/A’s abandonment of Marxist-Leninism following the collapse of its Derg patrons, and its subsequent pivot to a more Western-friendly narrative of the SPLM/A’s struggle to save the ‘Christian South’, emphasising religious and racial subjugation by an extremist Islamist government (*ibid.*, see also Huliaris, 2006). The result

was a rebellion which was deeply militarised from the outset, whilst being highly centralised under the command of John Garang, with weak institutional structures largely under his control. It was, from its inception, heavily reliant on the Ethiopian government to assist in developing its political and military doctrines, and for suppressing its rivals, and would become of vehicle for militarisation. As Young summarises, “[t]he army, not the people, were at the centre of Garang’s project” (2012: 67). Whilst the SPLM/A no doubt represented some southern voices and opinion, and also became an effective fighting force against a ruthless and conniving government in Khartoum which had (deliberately) failed to improve living standards in the south, the circumstances of its origins would greatly facilitate the spread of militarism in the south. This would come to generate profound political, economic and social changes in the process, setting up the conditions for militarised statebuilding to take root once the Second Civil War came to its eventual conclusion.

#### *Militarised at birth*

In part, this deeply militarised character can be explained by the fact that the SPLM/A was born out of a military cadre, and did not have its origins in a political party or recognisable political movement (Akol, 2009: 200-201; see also Nyaba, 1997). Young notes how unlike most African liberation movements, “from its inception the SPLM/A was dominated by soldiers” (2012: 61), and focused solely on war to achieve its objectives, which appeared to largely consist of capturing state power (*ibid.*: 66). This pursuit of state power was to be conducted not through popular political mobilisation, however, since in “the absence of an ideology meaningful for the southern Sudanese the party/army relied extensively on violence against civilians... [a]nother reason for disunity and the dependence on violence is that factionalism is a major characteristic of the political culture of the SPLM/A” (*ibid.*: 63).

These tendencies were stoked and shaped by the nature of the Ethiopian Derg engagement with the SPLM/A, who supported “the military officers, as opposed to the politicians, and the subsequent emergence of a political-military High Command, the highest organ of the SPLM/A, comprising solely former military officers of the Sudanese army was evident enough of the militarist trend Mengistu had wanted of the infant Movement to follow” (Nyaba, 1997: 36). This helped to enable military officers to dominate the movement, which

from the very beginning injured and distorted its growth and development. It prevented the emergence of an internal political and democratic culture...What unfortunately emerged was a militarist, putschist instrument intolerant, and averse to democratic principles and methods... Differing political views were completely suppressed and a campaign of vilification, marginalisation and alienation began in earnest against the politicians and the intellectuals. (*ibid.*: 37)

The rebellion was subject to ruthless internal policing, involving imprisonment, assassinations and executions of those suspected (but not proved) to be disloyal to Garang (*ibid.*: 50-52, see also Akol, 2009, Young, 2005, 2012). Interestingly, as Nyaba recalls, the



SPLA's early (and dramatic) successes actually *increased* internal suspicion and terror: "[h]aving succeeded in establishing itself as the dominant political and military power in the South, and instead of consolidating the desired internal unity, the SPLM/A became obsessed with real or imaginary enemies of the revolution among its membership, especially the politicians and the intellectuals." (1997: 51) This, one suspects, may go some way to explaining the paranoia which surrounds politics in South Sudan today, and perhaps also the strikingly high number of former SPLA commanders in civilian political roles from 2005 onwards, given the limited opportunities to participate in high-level politics in such a context.

These tendencies towards internal violence were not just confined to the elite level, but bled down to the mass level of SPLA recruits and infantry, albeit in different forms. Nyaba describes how SPLA training camps "resembled prison concentration camps in which the recruits and prospective SPLA soldiers are brutalised, de-humanised and de-revolutionised." (*ibid.*: 52) This, he suggests, might offer an explanation for some of the SPLA's subsequent violent behaviour towards civilians, as SPLA troops were attempting to reclaim their 'manhood', 'dignity', 'self-respect' and 'confidence' in themselves (*ibid.*: 52), although just as plausibly this behaviour was directed from the top, notably from the SPLM/A's strategy of reward/punish, which rewarded groups and constituencies perceived to be in line with the SPLM/A whilst collectively punishing those groups who either refrained from supporting the rebellion, or actively resisted it (Schomerus, 2014). This tendency to reward/punish civilians may also have overlapped with the fragmentation and factionalism which characterised the SPLA, as Malwal recalls: "[t]hroughout the entire period of its existence under Garang's leadership, the SPLA was rife with anti-Garang rebellions and failed rebellions" (2015: 179). Malwal attributes this to the excessive control of the movement by Garang, as well as the lengthy duration of the Second Civil War, with the fallout from the internal turbulence of the SPLA largely displaced onto civilians: "[a]reas from which the leaders of these attempted coups or rebellions hailed were not only targeted by the SPLA, but were also consciously and deliberately marginalised politically" (*ibid.*: 179). Arguably, it was these characteristics of the SPLM/A which enabled Khartoum's divide and rule strategies to be so successful, and helped ensure that splits within the SPLM/A would reverberate with high levels of violence, which would be disproportionately directed towards civilians.

#### *A centralised yet chaotic structure*

Underpinning this militarism was an organisational structure which was centralised yet chaotic, and devoted little energy or interest to the task of developing administrative structures, nor to civilianising those structures which did exist (but were run according to essentially military principles of organisation and hierarchy).

The SPLA's early military structure produced very large battalions, capable of projecting considerable firepower. In effect, it resembled a conventional army more than a guerrilla movement, and its early operations reflected this (D'Agoot, 2013; Thomas, 2015). By 1991, Nyaba claims that the SPLA may have been somewhere in the region of 100,000-

120,000 in size, and this enabled the SPLA to capture significant territory, as the SPLA encroached on government forces from the frontiers and peripheries, reducing meaningful government presence to a few garrison towns (Nyaba, 1997, see also Schomerus *et al.*, 2013).

Whilst it is difficult if not impossible to accurately determine the size of the SPLA, as noted above, it can be safely inferred that, prior to the split in 1991, the SPLA was a large military force, which approximated a conventional army. Yet, despite the size of this force, decision making was concentrated in the person of John Garang. As Malwal recalls, “Garang used to joke that ‘the SPLA headquarters was wherever he personally was’. That would also have been the case with [Salva] Kiir, Garang’s number two. But in the SPLA world, there was no system. Whatever Colonel John Garang de Mabior decreed was the system” (2015: 161).

The SPLA was structured around a contradiction: it was a tightly centralised rebel army, yet also vast in size and poorly institutionalised. This low degree of institutionalisation extended beyond the military sphere, and extended to the realms of civil administration, as well as political and economic structures. This may be more the consequence of Garang’s approach to consolidating his personal authority than the preferences of his external patrons in Ethiopia. It is worth quoting Young at length on this matter:

More damaging to the SPLM/A has been the failure to develop viable civil, political and military institutions. If, as some students of insurrections have argued, revolutionary groups must build institutions in opposition to the established ones (see Migdal, 1974), they would have to think again when looking at the SPLM/A because Garang *has consistently fought to minimise institutionalisation in the movement*. A major problem Garang faced was bringing independent minded commanders under control, but instead of constraining them through strong institutions he made them personally beholden to him. Thus he maintained complete control over weapons and supplies, divided military and political control at the local level, placed his supporters in key positions, and went over the top of his army high command to deal directly with selected commanders, all of which had the effect of seriously weakening the military capacity of the organisation. Senior security officials in both Ethiopia and Eritrea have told the author in almost identical terms how their efforts to train and create a professional fighting force of SPLA units that could operate independently were repeatedly undermined by Garang. The result is an army dependent upon personal control” (2005: 540, emphasis added)

Such an organisational structure, as Young argues, often worked against military success and coherency, with Garang’s manipulation of military resources, the allocation of political and military positions, and a tendency to bypass army high command and instruct commanders directly, cumulatively resulting in an often ineffectual and divided military force (2012: 67). Indeed, Akol (2009: 214-223) recounts various examples of ad hoc

military strategy, in the form of vague, contradictory or unrealistic commands issued by Garang, or through bypassing chains of command (with Akol speculating that Garang was knowingly or sub-consciously trying to prolong the war), whilst Malwal recalls Garang making a decision that amounted to a “squandered opportunity” (2015: 172), with Garang allegedly declining an offer by the US Deputy Secretary of Defense, Frank Wisner, during President Clinton’s first term in office, of a copious quantity of used arms from the departing American force in Somalia (*ibid.*: 172).

This notion that the SPLA had a highly centralised but weakly institutionalised structure is corroborated in the account of Lam Akol. After Akol’s surprise appointment to the SPLA High Command in July 1986, Akol broached the matter of the structure and decision making procedures with Garang: “I had time to discuss seriously with the Chairman the question of organization within the SPLA and the necessity of it at an early stage. There, I came to know definitely that there was not any structure to the SPLA other than the high command, that the command itself had no rules or regulations, that no code of conduct for the leadership, etc.” 2009: 65).

The sense that the SPLA was a deinstitutionalised military movement first, and a political movement second (and a distant second at that), was reinforced by Garang’s restructuring of the senior levels of the SPLM/A in the aftermath of its formation. The military committee of the movement took command, becoming the High Command of the SPLM/A, on the grounds that the Provisional Executive Committee was “too political” (*ibid.*: 205). The first decision of the High Command, as Akol notes, “was that every person joining the movement, regardless of his age, must undergo military training and be commissioned. This was to ensure absolute submission to the orders of the military institution” (*ibid.*).

There were few limits to the High Commands’ authority, and clear rules and regulations governing its conduct were absent, whilst internal structures were effectively ignored, revised or bypassed by Garang. According to Akol (*ibid.*: 205-6, 214), the High Command never formally met. Decisions were largely taken by Garang, sometimes in consultation with other members of the High Command, but this was largely informal. Members of the High Command were not consulted on major administrative, political, and strategic matters, nor were they aware of when Garang’s visits abroad, or who was in charge in his absence (*ibid.*: 336-38). By the late 1980’s, members of the High Command who expressed dissent or opposition to Garang would be jailed.

The lack of organisational structures, and their fundamentally military character, extended to the broader governance of areas captured by the SPLA. As well as creating a secretive and personalised command structure, this would greatly complicate the smooth operation of the rebellion. “In the absence of organisational structures,” Nyaba notes, “it also meant that those officers who were lucky enough to be assigned to specific administrative, political... or economic tasks treated the assignment as a personal challenge to be tackled by themselves alone. In the course of time, many outrageous mistakes were committed” (1997: 57). As Young argues, “[c]ivil administration under the SPLM is

notoriously weak, the more so when it is appreciated that the movement has been in the field for twenty-two years and some areas have been under continuous SPLM/A control for more than a decade.” (2005: 540). Attempts at establishing more elaborate and concrete forms of civilian structures were made during the 1990s, but these tended to be ephemeral, and dominated by military or former military officers (Young, 2012: 69-70, 73), whilst ambitious proposals for local governance drawn up prior to the signing of the CPA never materialised (interview, senior SPLM politician, Brighton, July 2015). As Nyaba recalls, “[a]lthough there were efforts from the very beginning to establish institutions and structures of the Movement, and actually various committees... no great importance was attached to their work and much of their recommendations were ignored by the military leadership. These structures eventually died a natural death” (Nyaba, 1997: 45).

Further complicating the operation of the SPLM/A, as well as its general acceptance in the exceptionally diverse ethnic terrain of the south and the borderlands above it, was the ethnic base of the rebellion. In contrast to the largely Equatorian-led rebellions of the First Civil War, the SPLM/A acquired a reputation for being a ‘Dinka dominated’ movement. This is not just a result of the largely Dinka membership at the mass and elite levels, but also due to its recruitment procedures. As Kalpakian notes:

The SPLA/M’s foundation in the Dinka tribal confederation is underscored by its recruitment system. Like its erstwhile ally the SSDF, the SPLA/M used the local tribal chiefs to recruit its soldiers, wherever the tribal and sub-tribal identity of its local commanders matched the local population. This gave the movement its primarily Dinka character. Its main challenge since its establishment has been to include other Southern communities in its structures, without compromising Dinka interests. (2008: 172)

In conjunction with a mercenary attitude to political ideology designed to capture external resources, a fusion of authoritarian leadership concentrated in Garang himself, and his primarily Dinka (and especially Bor Dinka) cabal, and a handful of elites outside of this ethnic sub-group (Young, 2012: 66), militarism, and deliberately weakened, transient or even absent institutions was to provide the organisational framework for the SPLM/A during the Second Civil War, sitting atop a vast network of soldiers and commanders. Accordingly, the SPLM/A inability to meaningfully engage with much of the civilian population of the south without recourse to violence, and its hostility to civil society more broadly, was baked into the design of the rebellion (*ibid.*).

Behind the ideological façade, it is challenging to pin down precisely what the SPLM/A wanted. Kalpakian states that the “SPLA/M’s goals are not limited to those openly declared by the organisation. It has several layers of goals and aims, some of which are basic and existential, while others are negotiable” (2008: 162). Part of the difficulty of deciphering goals concerns the ways in which the ends and means of armed rebellion were largely reversed from the outset. Instead of being the means to an end, it is arguably best to understand the SPLM/A’s end goals as being, first, the capture of state power; second, the continual primacy of the military, and militarism more broadly, over more civilian forms of

governance and authority; and third, military dominance over rival aspirants to state power, both within the SPLM/A, and outside of it. The ideological elements of the SPLM/A – including the ‘New Sudan’ and the Marxist-Leninism inspiring it, as well as the latter emphasis on protecting the cultural diversity of marginalised (and particularly Christian) peoples of Sudan from a Khartoum government which was framed as ‘genocidal’ by Garang (see Huliaris, 2006; Al Jazeera, 2015) - are better understood as being a means to those ends, as they allowed the rebellion to harness external resources and support to meet these goals. The combination of a high degree of centralisation, a low degree of institutionalisation, and enduring militarism, would encourage cycles of factionalism and reconciliation, prolonging and intensifying war.

### Making Sense of the SPLA

Many of these goals and characteristics of the SPLM/A would endure and even amplify after the signing of the CPA in 2005 and the ensuing international legitimacy it bestowed upon the SPLM/A. Under the terms of the CPA, the SPLA would formally separate from the SPLM. However, and as outlined above, the notion that there was a ‘political’ and ‘armed’ wing of the SPLM/A that could be neatly separated is misleading: the SPLM/A was a military (and not an ideological) force, and this was to be confirmed by the events that followed.

#### *The two peace agreements*

In 2005, and after almost three years of negotiation, the National Congress Party (NCP) and the SPLM/A signed the CPA, intended to bring an end to the lengthy north-south war. This followed from earlier, stalled efforts at peace mediation under the auspices of the Intergovernmental Authority on Development (IGAD) beginning in September 1993, which were revived in 2002, most likely due to Khartoum’s fears that the US would seek to oust the NCP as part of its ‘War on Terror’, potentially through increasing material support to the SPLA (Young, 2012: 88-90). The CPA – guided by regional and international powers (notably the ‘troika’ of the UK, US and Norway, who would come to be lead partners on statebuilding and development activities in the south) - allowed for two options, assuming the ceasefire between the signatories was upheld. These were secession or unity, which, following the death of Dr. John Garang (and with him, the ‘New Sudan’ vision) as well the strained relationship between the SPLM and Khartoum during the interim years (see LeRiche and Arnold, 2012: 116-17), was all but guaranteed to result in secession. However, both during the CPA period, as well as in the (unlikely) event of the south voting to remain in the Republic of Sudan, the Government of Southern Sudan (GoSS) which had been established during the CPA would have a considerable degree of power and autonomy vis-à-vis Khartoum: “The CPA stipulated that the South would spend the six-year interim period, between 9 July 2005 and 9 July 2011, functioning almost as an independent state

from the North in order to prepare itself for statehood in case the referendum on self-determination, enshrined in the CPA, resulted in a vote for an independent South” (Malwal, 2015: 163).

This arrangement appears puzzling. Why would the SPLM/A negotiate for and agree to sign a peace agreement, when it (or rather, John Garang) had advocated for a unitary ‘New Sudan’? There are three explanations for this. First, it was Salva Kiir, and not John Garang, who had taken the lead in early negotiations on the Machakos Protocol, which laid the basis for the CPA, including the legal and practical establishment of two separate political systems in the north and south, and the option for the secession of the south. Garang was reported to be furious at Salva Kiir for signing an agreement which risked undoing the ‘New Sudan’ framework, and replaced Salva Kiir with Nhial Deng Nhial, a Garang loyalist (Young, 2012: 93-4). Second, it was an open secret that outside of Garang and his loyalists (the ‘Garang Boys’), few in the SPLM/A actually supported the vision of a ‘New Sudan’, and were instead fighting for an independent South Sudan (*ibid.*). Therefore, the bulk of the rebellion would have favoured the terms set out in the Machakos Protocol, meaning Garang would encounter resistance among the SPLM/A if he decided to ignore the Protocol. Finally, and in light of the previous discussion on the history of the SPLM/A, the decision by Garang and the SPLM/A more broadly to nonetheless continue with the IGAD negotiations despite the body blow that had been dealt to the ‘New Sudan’, makes sense when we understand the ideological goals of the rebellion as being means and not ends, with the actual ends being the capture of state power, the continued primacy of military principles of social and political organisation, and the military hegemony of the SPLM/A over internal and external enemies.

Once the CPA was signed, many of the SPLM/A’s external (and sometimes former internal) enemies would enter the SPLM and (especially) SPLA structures, with the bulk of these forces integrating following the Juba Declaration. The CPA was supplemented on the 8<sup>th</sup> January, 2006, with the signing of the Juba Declaration between the SPLM/A and the South Sudan Defence Forces (SSDF), an umbrella group of militias and rebel movements who comprised the majority of the ‘Other Armed Groups’ (OAGs) referred to and outlawed in the CPA, and under the terms of the Juba Declaration were to absorb their forces into existing SPLA and GoSS structures with the intention of creating a unified Southern political front (Juba Declaration, 2006; see also Arnold, 2007). This agreement was made possible by the death of Garang, and the swearing in of Salva Kiir as President of the Government of Southern Sudan. Garang, as one senior SPLM figure recounts, “was very clear: consolidate the fighting forces that participated in the liberation, don’t dilute it with the militias... and Dr John was absolutely very clear, there’s *no way* you can come, because he was aware, [that] these militias would dilute... his forces, that at least to a certain degree commanded a certain level of discipline and instruction” (interview, Brighton, July 2015).<sup>33</sup> We will return to this point shortly.

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<sup>33</sup> This quote has been slightly edited for readability, but the substance is unchanged.

Following the framework offered by Hartzell and Hoddie (2003) - who unpack power-sharing agreements across multiple dimensions of power (political, economic, military, and territorial) - it is helpful to disaggregate the CPA into its various power-sharing and power-division components. Rather than *sharing* power across multiple domains, the SPLM/A and the NCP actually agreed to *divide* power across large areas of political, military and territorial domains. There are exceptions to this pattern, notably the Joint Integrated Units, as well as representation of senior SPLM figures in the Government of National Unity in Khartoum, but the overall thrust of the CPA was to divide rather than share power. The most notable exception here, however, concerns the economic sphere, where the two parties to the CPA agreed to revenue sharing, largely on the basis of oil wealth (three-quarters of which was firmly located in the south). Serious tensions surrounded all of these domains during the CPA interim years (as recounted in chapter 2), and cut across the distinction between power-sharing and power-division. Viewed thus, it becomes clearer that the CPA was not simply a power-sharing agreement, but also an agreement to divide and apportion power between the NCP and the SPLM/A.

However, this needs to be conjoined with an understanding of how the subsequent Juba Declaration shared and divided power. The Juba Declaration was comparatively slender, not just in length, but in specificity and scope. At essence, it was concerned with military issues first, and political issues second, with military and political power to be shared by the SPLM/A and the SSDF, the latter of which was to be disbanded and its soldiers merged into SPLA and GoSS structures. In essence, there were two peace agreements stacked on top of one another, with the CPA being largely concerned with power-division between the NCP and SPLM/A, and the Juba Declaration being situated within this framework, but constituted a power-sharing pact between the SPLM/A and the SSDF.

Accordingly, the structure of the CPA granted the SPLM/A (as well as the NCP) a considerable degree of autonomy in the new political system, and whilst the economic power-sharing provisions could act as a constraint, it also served the purpose of dramatically amplifying the economic power of the SPLM/A, who had previously been unable to capitalise on oil revenues in the south. This new found - and internationally sanctioned - power afforded to the SPLM/A, together with the death of John Garang, permitted them to enter into an arrangement with the SSDF, who were left with little choice but to attach themselves to the SPLM-led statebuilding project. This allowed the SPLM/A to increase its power relative to Khartoum, who would now have to contend with a much larger army in the south, but also against rival armed groups in the south (de Waal, 2014b).

Between them, the CPA and Juba Declaration would have a significant bearing on the relationship between armed actors and statebuilding in the south. However, the structure of the agreement, and the necessity to maintain the charade that unity was a viable option, affected the future organisation of the armed forces in the south, and the ability of the military to plan for either eventuality. In contrast to other DDR and SSR planning in

post-conflict societies, the possibility of secession for one party of the peace agreement was unusual, and, placed numerous imperatives onto the SPLA, which – in addition to separating from the SPLM – was expected to simultaneously professionalise and downsize its forces, whilst absorbing rival armed groups (see below). Beyond this, and against the spirit of the language of co-operation and unity, the SPLM/A was (understandably) wary of the sincerity of Khartoum's commitment to the CPA given previous experiences of Northern governments dishonouring agreements, as well its strategic interests in fermenting instability in the Southern region through connections with the SSDF and other militias, and in particular those armed groups clustered the oil-producing areas of the country (Munive, 2013b: 590, 592). As a result, the security imperatives for the SPLM/A were to maintain (and if necessary, expand) an army capable of deterring Khartoum, as well as one which could deal with internal dissent, potentially emanating from the SSDF forces being absorbed into SPLA structures, as well as a number of SSDF holdouts refusing to unite with the SPLA (interview, senior SPLM politician, Brighton, July 2015).

Regardless of which of the two scenarios endorsed by the CPA would come to pass, the SPLA was going to be transformed (politically, if not operationally) into a national army, either as part of the SAF, or as a national army for an independent South Sudan. This was going to require a change in the relationship between soldier and state, two already problematic concepts in the South Sudanese context, as noted above. One of the more concrete ways this changing relationship would manifest itself was in the introduction of a salary system for the SPLA. This, however, further undermined the DDR programme which had been stipulated under the CPA. According to one international DDR expert,

Throughout the whole process in South Sudan there's been a slavish adherence to the integrated DDR standards which are the internationally recognised best practice standards, and quite simply those standards are not relevant to the South Sudanese context. And South Sudan has suffered from DDR 'experts' being brought in to design a program on the basis of best practice experiences in other countries because the crucial difference between DDR here and *anywhere* else in the world is that you're trying to downsize an army where people are receiving salaries. (Interview, Juba, July 2013)

In a context such as South Sudan, characterised by poverty and a largely informal economy, the desire to remain part of an institution which is now able to provide a relatively stable source of income is clear, as will be discussed further in the following chapter. In addition, the amount paid to individual privates within the newly enlarged SPLA was doubled to \$150 per month following the signing of the Juba Declaration in 2006, and then increased again to \$220 per month prior to the referendum, presumably in a bid to ensure continued loyalty to the SPLA, and prevent defections to Khartoum (de Waal, 2014b: 355). What explains the decision by the SPLM/A to expand the military in this way and increase and extend the provision of salaries, and how might this relate to violence in South Sudan from 2005 onwards?



*OAGs and militarised statebuilding*

A principle axis which the peace agreements and the post-conflict statebuilding process it authorised rested upon was the issue of so-called ‘Other Armed Groups’ (OAGs). The CPA effectively outlawed the presence of any OAGs which were not formally integrated with either the SAF or SPLA at the time of the signing of the agreement, and effectively relegated the political and military status of such groups.<sup>34</sup> The CPA’s narrative that the civil war was more or less exclusively conflict between Khartoum and the SPLM/A, with a few outlying militias loosely involved in this larger war, was a misleading and reductive account of the political and military context in the south, that exaggerated the size of the SPLA relative to other rebel groups and militias, and served to benefit the signatories of the CPA – the NCP and the SPLM/A. This narrative, endorsed by international actors involved in the CPA, artificially reallocated political power in both Khartoum and Juba, elevating the NCP and SPLM to the status of *de facto* hegemonies of their respective political systems; a status which they would enforce through a mixture of patronage, repression and organised violence since the signing of the CPA (Young, 2012: 115, Ch. 6).

In the south, these OAGs were generally armed groups unaffiliated with the SPLM/A in 2005, in particular the SSDF, alongside a plethora of smaller or more nebulous militias discussed in the previous chapter. As with the SPLA, the total size of these OAGs is difficult – if not impossible – to accurately determine, but the SSDF has been estimated to approximate the SPLA in size (*ibid.*; de Waal, 2014b), whilst retaining the relatively fluid membership characteristic of the SPLA. In many respects, OAGs were the by-product of Khartoum’s ‘militia strategy’, which sought to preserve and enhance the power and endurance of the politico-military elites (and their commercial partners) in Khartoum through raising militias or exploiting divisions in the SPLM/A, turning southern armed groups against one another and further militarising southern society in the process (de Waal, 1993, 2004a, 2005). As suggested at the end of Chapter 1, this strategy was part of an already existing militarised statebuilding project orchestrated by Khartoum. However, this was militarised statebuilding conducted, in part, through deinstitutionalisation, where the state was outsourcing or sub-contracting its functions (especially those relating to organised violence) to allies or proxies outside of the formal institutions of the state.

This process bequeathed a set of serious challenges to the SPLM/A, both during the Second Civil War, and in post-conflict statebuilding after the CPA. In order to manage these groups – which still posed a considerable threat to the SPLA, given their size and links to Khartoum – the new SPLM government in Juba had been left with little option but to integrate these forces into the new state, with the Juba Declaration vastly expanding the size of its armed forces as well as the potential for tension within the lower and higher strata of the military. This effectively amounts to the opposite of Khartoum’s militarised statebuilding through deinstitutionalisation strategy, and can be better understood as

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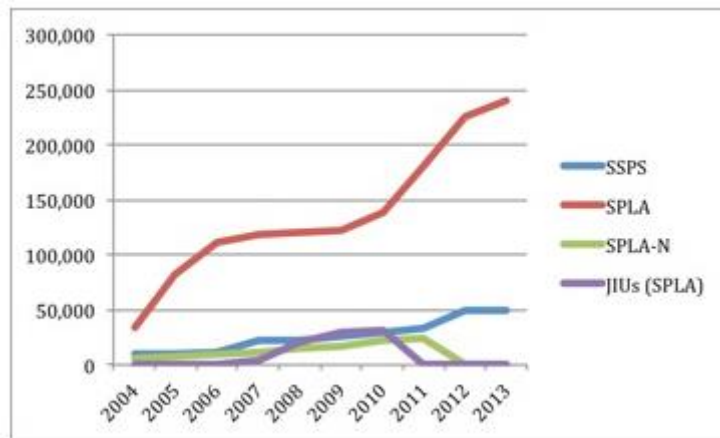
<sup>34</sup> The CPA states that “No armed group allied to either party shall be allowed to operate outside the two forces” (2005, Chapter VI “Security Arrangements”, section 7.a, p.89), with DDR to be the instrument through which the OAG’s were to be integrated within either the SPLA, Joint Integrated Units, or other security services.

militarised statebuilding through institutionalisation, extending the reach and commitments of the South Sudanese state to various armed groups.

Recalling the earlier discussion on the foundation and structures of the SPLM/A, such a strategy of militarised statebuilding through institutionalisation may not have been possible under the command structures of John Garang, who had preferred to retain central control over all aspects of decision making, whilst ensuring the institutions remained weak and subservient to his personal authority. With the ascendancy of Salva Kiir, however, an alternative ‘big tent’ strategy of accommodating rivals was on the cards (de Waal, 2015b). This involved subsuming military rivals into the ranks of the SPLA and nascent governmental structures, considerably expanding the size of the state in the process, and partially decentralising and thickening institutional structures as a result, through a proliferation in the number of bureaucratic positions and structures.

A number of accounts have understood this process of expansion as being a key instrument through which the SPLM/A’s is building a ‘kleptocracy’, based around the distribution of patronage, and generating opportunities to engage in corruption, as well as ensuring that South Sudan is trapped in a cycle of ‘rent-seeking rebellions’ (de Waal, 2014b; see also Pinauld, 2014). In this argument, the consequence of sustaining such a kleptocracy has been the sacrificing of resources which could otherwise have been used to pursue development projects of wider benefit to the population; the creation of a ‘time bomb’ in the event that the military patronage system becomes unaffordable; and persistent localised conflicts across South Sudan, as military elites defect from the SPLA in order to return to the institution and achieve a higher military rank and salary. If correct, this would account for much of the rebel and militia violence described in chapter 2.

Indeed, there is some evidence to support this thesis. Prior to the outbreak of conflict in late December, 2013, there were an astonishing 745 Generals in the SPLA, “41 more than in the four U.S. services combined, and second only to Russia’s 887 generals and admirals in the world” (de Waal, 2014a). Meanwhile, and bearing in mind the issues with determining the size of the SPLA, the parade strength of the SPLA was estimated to have increased from around 30,000 in 2005 to 248,000 in 2013, whilst the SSNPS were believed to number around 50,000 (prior to a UN-supported auditing of the police which revealed as many as half may not exist, Sudan Tribune, 2013). Further, it is an open secret that a number of senior SPLM and SPLA figures have amassed vast fortunes and business links following the signing of the CPA, with some of these figures having begun the process of self-enrichment during the middle or latter stages of the Second Civil War (de Waal, 2014b; Johnson, 2016).

**Graph 1:**

(Source: de Waal, 2014a. Note that prison and wildlife services – not shown in the chart - are estimated to number in the region of 40,000 personnel between them)

However, there are a number of important details and caveats, which suggest that this process of expansion has not been undertaken solely to enrich politico-military elites, and a more nuanced explanation of the SPLA and its role in violence is required. Firstly, the issue of salaries and force size need to be located within the SPLA's logistics and operations practices, and broader social functions as a proto-welfare provider. In addition to the complicated notion of 'membership' in the SPLA, and the institutions' aforementioned function as a social security network for members and their dependents, determining the total size of the SPLA is affected by two additional consideration, which both revolve around the issue of commanders creating 'ghost soldiers'. The first aspect of this is the widely-known practice of more senior military officials inventing soldiers for the mundane purpose of acquiring salaries, which is by no means unique to South Sudan. The second aspect of 'ghost soldiers', perhaps unique to South Sudan, is the way commanders invent them in lieu of an operational budget:

[T]he SPLA doesn't budget for operational costs, so there is no operational budget for troops out in the field, so there's no budget for food, for fuel, for anything; anything, anything... So the commanders out in the field deliberately, and they have been candid about this in the past, deliberately are obliged to inflate their parade strength to have enough money for day-to-day operational costs. (Interview, international DDR expert, Juba, July 2013)

Second, this process of expansion, as well as the militarised character that de Waal notes, is partly due to primacy attached to military membership of the SPLM/A during the Second Civil War, and the domination of the military over the civilian and the political, which has continued into 'peacetime' and ensured that political power rests with military and ex-military figures. There are a number of ways in which a senior position within the post-CPA SPLA grants generals wider political power, indicating a continuity of the primacy of military politics (and militarism more broadly) dating back to the founding of the SPLM/A, and illustrating how the formal boundary between the SPLM and SPLA erected in 2005 has

been bypassed. First, generals have an ability to restrict or block proposed policies which they are opposed to, and advance a limited and conservative – as opposed to a revolutionary – political agenda (Young, 2015). As Young notes, “[to] the extent that they want change it is largely restricted to changing personnel in government, giving more political weight to their tribe, and improving performance” (*ibid.*: 26). Second, generals have been able to make significant claims on the federal budget, even during the austerity period induced by the oil shutdown of 2012 (where military spending, as opposed to civilian spending, was relatively unaffected), and to resist investigations or accusations of corruption (de Waal, 2014b). Third, senior figures in the security services can safeguard parochial or ethnic interests, including through the distribution of arms or support to militia groups (see, e.g. ICG, 2009; Lewis, 2009). Fourth, a background in the SPLA serves as a platform which has allowed a number of military elites to transition into civilian politics, as evidenced by a number of rebellions in 2010 and 2011 (and discussed in chapter 2), and noted by the African Union Commission of Inquiry on South Sudan, who found “that the influence of the military appears to pervade nearly all spheres of life in South Sudan, including politics, governance and public life. A significant percentage of elected leaders at the top level are former military. For instance, it was established that 8 out of 10 elected governors are ex-military” (AU, 2014: 281). Reversals of this direction are also possible, as demonstrated by Paul Malong’s transition from war-time military commander to governor of Northern Bahr el Ghazal in 2008 (where he would later be instrumental in the founding and training of the *Mathiang Anyoor* paramilitary force in 2012 (see Pendle 2015)), and then to SPLA Chief of Staff in 2014. The case of Paul Malong is suggestive of a potential fifth, and final, method through which senior SPLA figures may exert an influence on wider South Sudanese politics, through impeding or jeopardising the negotiation and implementation of peace agreements.<sup>35</sup> This has echoes of the opportunities afforded by membership of the SPLM/A, as noted by Nyaba: “membership of the movement was perceived not as a position of sacrifice, but a political space for social and economic advancement” (1997: 43).

Third, the process of expanding the SPLA is not necessarily directed or approved by the SPLA leadership itself, and has consequences for its institutional coherence and stability. Instead, this appears to be driven more by the Government of South Sudan, in particular from the Office of the President and the Ministry for National Security, through their policies of granting amnesties to violent groups. As Warner (2013: 44) notes, this has generated “resistance on the part of the [Ministry of Defence] and the SPLA in the military sphere. In addition to often being unable to fulfil the promises made through amnesties,

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<sup>35</sup> This has recently been raised by Pinauld (2016), who argues that Paul Malong has become the *éminence grise* of South Sudanese politics. According to her argument, Malong has increasingly overruled President Kiir in matters of security and peace agreements, and sought to scupper the implementation of the peace agreement of 2015, notably in the violence between SPLA and SPLM/A-IO forces which rocked Juba in July 2016. However, there is no direct, concrete evidence to support this claim, and it should be treated as speculative. It would not be surprising if members of the military – both at the mass and elite levels – were able to exercise a degree of blocking power when it comes to peace agreements, but further research is required to determine whether and how different tiers or elements of the military would go about doing this.

the military resents the fact that former adversaries are ‘rewarded’ for their rebellions with integration into the SPLA”. This is echoed by a senior figure in the SPLA:

But for the sake of professionalising the army, modernising it in a quicker period of time, it’s not good, because it will prolong the transformation and every year you will be one step forward, one step backwards. And it creates also a silent conflict within the army because you get people coming with rank that they acquire within a short period of time, when there are people that have been in the SPLA for a long time – for over twenty years – for them to acquire the rank they are, you see, while that rank which was acquired during twenty years can be acquired by somebody within one year, so that is another silent conflict. (Interview, Juba, July 2013).

This notion of there being at least one “silent conflict” within the SPLA suggests that the SPLA’s expansion is generating conflict both within and at the margins of the SPLA. One consequence is a military which hosts highly uneven and inconsistent levels and qualities of training across its ranks. The same senior SPLA figure notes, “[y]ou get somebody being called a General but has never been to a training”, and the relentless integration of militia forces means that “[e]very year we have new coming. Before you even train the one you integrate last year, this year we have new coming” (*ibid.*). At the same time, the SPLA is left in a predicament with regards to downsizing its forces:

Improving the living condition of the soldier is not happening, because the budget is consumed by salary. Now, we were supposed to downsize the army, take others for DDR, and now when you take them for DDR what do you do to then, you cannot throw them onto the street, that would be the creation of another problem. So there are a lot of challenges that we are facing in the transformation that are connected with the background, that are connected to the economic situation, and that are connected to the financial situation of the country. (*ibid.*)

Moreover, the process of absorbing (or re-absorbing) militias and militia commanders has impacted on the organisational structure of the military. The vertical organisational structures that exist on paper belie the reality that actual chains of command do not correspond with formal assigned roles (interview, international SSR practitioner, Juba, August 2013), in the context of a ‘security sector’ which, as noted above, is better understood as being a collection of overlapping, armed fiefdoms. Whilst the SPLA is less centralised than during Garang’s rule, as Kalpakian argues it “remains dominated by its Chief Executive, Salva Kiir Miyardit, who has the power to appoint and remove members from positions of responsibility. *Yet the record of splinter movements suggests that this is a limited power that is not deeply institutionalised*” (2008: 169, emphasis added). Although this is a form of statebuilding through institutionalisation, this institutionalisation is more visible in terms of breadth than depth.

Finally, whilst the South Sudanese government appears to be extending the reach of the state through expanding its coercive institutions, it is – to a somewhat lesser degree – now replicating the ‘militia strategy’ of Khartoum, and outsourcing violence and security provision to groups loyal to elements of the Juba government, but not formally attached to the SPLA. This, it should be noted, has accompanied a gradual *slowing* in the rate of expansion of the SPLA from independence onwards. The expansion of paramilitary forces is exemplified in two private militias loyal to President Kiir – the *Mathiang Anyoor* and *Dut ku Beny* – which have been established since independence at the behest of Paul Malong (*Sudan Tribune*, 2014a; Radio Tamazuj, 2015b, 2015c; Pendle, 2015), and implicated in the initial outbreak of fighting in Juba in mid-December, 2013. These militias are drawn largely from Dinka *ex-titweng* militias from the President’s home region, and serves as parallel security force for the President. Similarly, the government has made use of militias prior to the current civil war (see Chapter 3), and has used militias as well as Sudan Revolutionary Front rebels during the current war to assist in fighting as well to protect oil fields (ICG, 2014c, 2015; Radio Tamazuj, 2015a), suggesting that key politico-military elites at the highest levels do not view the SPLA as being sufficient for their – or perhaps the states’ – political or security needs. And whilst information on the institutions and structure of the SPLM/A-IO is fragmentary, it too has cultivated relationships with militias to counter-act government forces (ICG 2014c), suggesting that this is an enduring characteristic of institution-building and war preparation in South Sudan.

*What is the SPLA, and how does its expansion relate to patterns of violence from 2005 onwards?*

The SPLA is clearly a large and complex institution, which is implicated in war, politics, economy and social welfare provision, and increasingly so. How should the SPLA be understood, and how should we understand the ways in which the process of building and reforming the SPLA explains violence in post-CPA South Sudan?

As outlined above, the SPLA has been understood as, variously, a provider of internal and external security to the government; a collective mentality rather than a concrete institution; a vast patronage system and tinderbox for conflict; a platform for building a political career, or influencing local or national politics; and a proto-welfare system. It might seem obvious that having multiple explanations about the same institution is inevitable when a given number of experts are marshalled to explain a particular institution and its functions. However, the various explanations of the SPLA summarised above appear to be at once at odds with each other, yet also somewhat complementary. It is entirely possible that the SPLA is in fact *all* of these things. Arguably, the SPLA is best conceptualised as a hall of mirrors; its inner workings invite interest, but penetrating one entry point gives but one lens or vantage point to the inside of the institution, with the consequence that what is seen from that initial vantage point is reflected around the chamber, and with every angle observed you risk projecting that which you first saw. The

nebulous and fluid nature of the institution becomes clearer when approached in this way; there are potentially multiple understandings and interpretations of the SPLA which can be simultaneously valid, and the political agendas and accompanying tensions present within the SPLA become more explicable when this insight is taken on board, given that prominent actors in the SPLA (or aspiring to belong to it) may ascribe their own meanings and expectations to the institution. Those with intimate experience of the institution – both insiders and outsiders – can plausibly claim that the SPLA is a security provider, a collective mentality, an arena for political bargaining and career building, and so on. All of these accounts have an element of truth to them, but it would be a mistake to project one of explanations alone onto every edifice of the institution. The institution serves multiple functions, with varying degrees and levels of competence.

Crucially, *each* of these functions are serving to militarise South Sudanese society through extending the reach of the military into the political and economic relations of the country, whilst augmenting the size and scope of the military itself. It is not simply the case that each of these functions is related to the post-conflict statebuilding process. Instead, the SPLA is at the very core of the statebuilding process, and international engagement efforts at ‘transforming’ the SPLA – through practices of SSR and DDR – have failed to understand this. This state of affairs has itself been structured by the CPA and Juba Declaration, which greatly amplified the power of the sole organisational infrastructure of the SPLM/A – the military – whilst ensuring that Khartoum’s efforts at deinstitutionalised statebuilding via its militia strategy have been addressed through incorporating these militias into the institutions of the incipient South Sudanese state. Of these functions, two above all explain the SPLA’s connection with the patterns of violence outlined in chapter 2: first, its complex and extensive patronage relations, and second, its status as the *de facto* welfare provider in South Sudan. The first of these functions generates conflicts *within* the SPLA itself, mainly relating to the benefits awarded by rank and status, with a number of militia groups using the SPLA as a “military arena for politics” and economic enrichment,<sup>36</sup> generating tensions with politico-military elites who have remained loyal to the SPLA during the Second Civil War and those opting to defect.

The second has served to make membership of the SPLA one of the few avenues for obtaining welfare from the new state, in the form of salaried employment. Those excluded from this welfare system but wishing to make claims on it must do so through negotiating with the state, often through organising violence, whilst the government is compelled to manage its commitments and financial outlays. The SPLA, in turn, must absorb militias making claims on this system when ordered to by the government (which amplifies the SPLA’s own internal conflicts), or employ violence to quell attempts by militias to join the SPLA if the government cannot or will not meet the demands of such groups, through counter-insurgency or ‘civilian disarmament’. The government’s efforts at expanding the state via expanding the institution of the SPLA (as well as through creating informal and private militias) thus ensures the successive penetration of the military into

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<sup>36</sup> I am indebted to Matt LeRiche for this phrase (personnel communication, Juba, August, 2013).

social relations as the military takes on new members and beneficiaries, whilst also generating violent conflict both within the system being created, and at its margins. This process can be traced to the ways in which the CPA authorised and amplified the militarism of the SPLM/A during the war, by establishing the SPLM/A as the *de facto* hegemon in the south, greatly enhancing its political status, and particularly the size of the military and the territorial reach of the new SPLM-led government. This represents a continuity as well as change from the SPLM/A's approach to governing its rapidly increasing territory during the early years of its rebellion, where, as Nyaba notes:

Apart from the problems of arising from managing such a large army like the SPLA without the necessary political instruments of control in addition to the military routine and discipline, the premature conventionalisation of the war added another dimension. It accelerated the pace of armed struggle, and the SPLA fought and won many battles over a short period bringing large territory under its control, without having developed its political and administrative capacity. (1997: 59)

From 2005 onwards, however, the SPLM-led government developed its political and military infrastructure through the extension of membership in the SPLA. As will be discussed in the following chapter, as well as providing new benefits alongside this expansion, it also served to generate violent tensions in the process, and store up problems within the greatly enlarged military. Indeed, given the overwhelming dominance of the military in the SPLM/A during the Second Civil War, there were few other structures or pathways available for expansion to take place. This militarised post-conflict statebuilding process is the dynamo for much of the violence in South Sudan from 2005 to 2013, and in the process has established a vast, fractious and well-armed military network, which was to turn its guns upon itself when the political crisis in the SPLM leadership spiralled out of control in December 2013.

## Conclusions

Through a review of efforts at reforming and building South Sudan's primary institution for organised violence – the SPLA – it has become clear that the SPLA is not only implicated in the increasing militarisation of South Sudanese society from 2005 onwards, but is in fact at the very core of the militarised post-conflict statebuilding process in South Sudan, and is the dynamo for much of the violence surrounding it. Let us return to the questions set out at the start of the chapter. In response to the first question – *'what is the SPLA?'*, the SPLA is best understood as being a social, military and political infrastructure which has become increasingly embedded in South Sudanese society as it swells in numbers and functions. The multiple functions of the SPLA, and the extent to which it has penetrated many aspects of social, economic and political life in South Sudan, have been



concealed via an institutional arrangement which not only discourages - but arguably prevents – a comprehensive understanding of its nature. Second, with regards to the question *‘what kind of transition has this institution undertaken, if any?’*, we can see that the SPLA has indeed undertaken a transformation of sorts, albeit one which is both ongoing, and conforming to a fundamentally different set of logics and priorities to those expected by the SPLA’s external partners and backers, who are not equipped with the necessary analytical or conceptual tools to make sense of it. Finally, and most importantly, *in what ways does this institution-building process explain violence in South Sudan?* Violence is wrapped around the institution of the SPLA, and spurs its growth in size and importance, as well as its volatility, regardless of whether all of its members wish it to be so, and has – alongside the arms system discussed in chapter 3 -provided South Sudan with an infrastructure for mass violence.

The SPLM/A, being a largely military movement from its inception, and with opportunities for career advancement and wealth-creation being disproportionately concentrated within the military sphere instead of the largely ephemeral civilian institutions periodically whisked into existence (and even then, which had been mostly staffed by former SPLA soldiers, in the case of the Civil Administration of the New Sudan, CANS) (Young, 2012), has all but ensured that the post-CPA SPLA has been the crucible of political, economic and social power in South Sudan, and has taken a leading role in organising relations within and between these domains. What differentiates the post-CPA SPLA from its pre-CPA incarnation is a rapid increase in the SPLA’s functions, size, and cost, and the inscriptions of statehood written upon it. In our final empirical chapter, we now take a deeper look at the origins of this militarised post-conflict statebuilding process, through exploring historical and contemporary patterns of violence, development and state power in the two Sudans.

## Chapter 5: A Perfect Storm: Development, Violence and the State in South Sudan

In our final empirical chapter, we will work towards an explanation of why South Sudan is becoming more militarised in an era of peace and post-conflict statebuilding, and why this militarism is taking the particular forms outlined in chapters 3 and 4. This chapter is animated by the overarching question: *in what ways does the pattern and form development has taken in South Sudan explain the preparation, conduct and likelihood of violence?* In order to provide a more comprehensive account and narrative, we shall be contextualising and relating the current political economy of development to historical processes which have altered meanings and expectations of development, and prefigured the current relationship between post-conflict statebuilding, development and violence. This chapter will primarily draw upon secondary analyses and sources, as well as findings from previous empirical chapters.

A chronological structure is deployed to organise material and advance the argument, which identifies the key processes underpinning the relationship between development, the state and violence, and the mechanisms which are responsible for driving changes and continuities in the relationship between these forces. The narrative emphasises how key elements of the militarised and violent political economy established during the Second Civil War have been entrenched, expanded and legitimated through the CPA, and the ways in which this conferred the power to control this militarised political economy to one of the forces which was enmeshed in the militarisation: the SPLM/A. The outcome of overlaying a newly empowered SPLM/A over this militarised political economy has been the emergence of a ‘peace trap’ within which militarised statebuilding takes place.

In the first section, we look to the historical relationship between development, violence and the state, up until the end of the Second Civil War. Three ideas are advanced which set the stage for the rest of the chapter. First, rather than understanding the Second Civil War in terms of a ‘war economy’, we can instead understand its political economy as resting upon a militarisation of existing social and economic relations. Second, the meaning of ‘development’ has been implicitly recast to denote attachment to a wage or welfare-providing institution, away from more conventional understandings of social development. And third, armed groups have occupied a special place in crafting these economic relations in the course of war through attempting to control violence and the displacement it generates, and through exploiting conditions of conflict to pursue internally and externally-oriented economic agendas; an influence which they have continued to exert – with some alterations – in the creation of the post-CPA order in South Sudan.

In the second section – addressing the political economy of ‘peace’ – we outline the character of post-conflict statebuilding and development authorised by both the CPA and Juba Declaration, and the means through which it was financed. It will be argued that the militarised political economy of the Second Civil War has been consolidated and

augmented during the post-CPA order, in large measure due to design of and restrictive participation in the CPA and Juba Declaration, which emboldened the SPLM/A – itself a principle driver of militarism in the south – awarding it a power to entrench militarism in the incipient state. Next, it will be argued that oil revenues have been central to the amplification of this system in post-CPA South Sudan, but they have not fundamentally transformed the relationship between development, violence and the state. Instead, the role of oil has broadly conformed to the existing logic governing the relationship between these forces, which had been gradually established in the Second Civil War, and has been instrumentalised to fit the needs of this relationship. This is consistent with the role of oil in during the Second Civil War, which can similarly be understood as an expression of the existing relationship between these forces at the outset of conflict, and as an attempt to consolidate the exclusive pre-war social order. In this sense, oil wealth has consistently been calibrated to finance and support yesterday's political economy instead of initiating a transformation in its underlying workings and structures, and helps explain some of the continuities in the relationship between the forces of state power, development and violence.

In the final section, it will be argued that South Sudan has entered into a 'peace trap', in which the consolidation of a militarised political economy via the CPA and Juba Declaration has created ever-increasing demands on the new system, which were to be realised and managed through the post-conflict statebuilding process, which entrenched the privileged role of militarised actors to govern this system. This has necessitated that virtually all available economic resources are marshalled into meeting or regulating these demands in order to maintain the peace, a peace which borders on the illusionary, and explains why very little effort is (or can be) directed towards realising a more conventional development agenda. Up until independence, expansion or exclusion from the state became the central mechanisms of ensuring the existing order is upheld, with limited violence being exercised to ensure the stability of this system remains intact. Following independence, the system was no longer capable of reproducing itself nor managing the tensions it had deferred. At this point, control of the institution of the military became increasingly important to resolving political schisms within the system, and the government began reactivating paramilitary structures to check the power of its rivals.

## Extraction, displacement and dependency in the Second Civil War

### *The state and development in Sudan: Setting the scene*

The post-colonial state of Sudan emerged from several waves of conquest, initiated – in the main – by external actors, and culminating in the formation of the Anglo-Egyptian Condominium. During successive waves of conquest, the previously inaccessible south was gradually penetrated, and became a site in which both labour (in the form of slaves and slave armies) and ivory were violently extracted by a range of largely external actors – sometimes operating in conjunction with local partners – resulting in devastating socio-

economic upheaval and dislocation for the decentralised political communities inhabiting the region (see Keen, 1994: Ch.1). Three points are especially salient here. First, that the acquisition of human labour as a commodity was quite obviously a central motivation of the slave system, and one which was grounded in multiple forms of violence (see Jok, 2001). Second, the military and logistical infrastructure developed for this system to operate helped to lay the foundations for future iterations of state power, notably in crafting the enduring distinction and economic disparity between urban and rural areas, as well between the north and south, and for setting a precedent in which a predatory urban centre preyed upon its immediate peripheries (see Leonardi, 2013). In the 1840's, this infrastructure took the form of the *zariba*, a fortified compound of thorns, which accompanied the initial penetration of the south by Ottoman merchants and soldiers. When a *zariba* appeared, it would begin raiding for slaves and ivory, simultaneously capturing labour in the form of slave soldiers, as well as satellite populations which were based around these fortified posts, whilst also emptying the remaining population in the vicinity. This combination of capture, enticement and displacement would be a continual feature of government, with the British replicating these characteristics with the establishment of the *merkez* (district headquarters) and *malakiya* (native lodging areas in towns) in the first decades of the 1900's (*ibid.*: Ch, 2; see also Keen, 1994). Forcible recruitment, together with elements of the local population flocking to urban centres to seek protection or patronage (and therefore make claims on state power), helped forge the first nodes of the state, and subsequently initiate the rise of a system of native administration in the form of chiefs, which had similarly been attracted to certain advantages of attaching oneself or community to the government. These complex and contradictory processes could quite plausibly be described as an early form of militarised statebuilding, where the state first established and then extended its power through projecting violence and authority, and investing groups living around these nodal points into military forms of employment (and dependency on the military), with the dynamics of state capture into the SPLA described in the previous chapter having striking echoes of this process, albeit on a considerably grander scale. And third, the region of southern Sudan – far from being distant and remote from the global economy – has been at the forefront of efforts by global political and economic power to extract resources from the African interior via the use of a range of intermediaries with agendas of their own (Thomas, 2015).

These three features of colonial conquest provide co-ordinates for making sense of what was to follow in Sudan. From the end of the 19<sup>th</sup> century, British colonial authorities, seeking to suppress Sufi Islam to prevent a resurgence of Mahdism, sponsored and privileged rival Islamist sects – namely the Khatmiyya – and began reinstating traditional leaders who had been removed by the Mahdi (Ayers, 2010: 158, Johnson, 2003: 9). This led to an enduring division between the Khatmiyya and the Ansar (followers of the Mahdi) sects, who would in turn form the National Union Party and Umma party, and come to monopolise northern Sudanese politics and catalyse Khartoum's 'turbulent' character (see de Waal, 2007c). Furthermore, the British privileged a northern merchant class who had – alongside foreign merchants – benefited from the export trade in gum, livestock, oilseeds

and cotton in the north. The British would then move to close off the south via the Closed District Ordinances of the 1920's and the 'Southern Policy' of 1930, to selectively manage access to the largely underdeveloped region whilst preserving supposedly 'traditional' social systems of the south, whilst simultaneously engaging in social engineering projects of villagisation and road building projects, binging greater numbers of southerners to the skeletal colonial administration (Leonardi, 2013: Ch. 3; de Waal, 2015b). The Southern Policy also served to entrench starkly distinct political and economic systems into the design of the Sudanese state. Disparities in the north were themselves widened further, and pastoralist livelihoods disrupted, when "Britain determined that centralised, large-scale, irrigated cotton production concentrated in the large-scale Gezira scheme, would ensure a reliable source of high quality cotton to its industrial mills", whilst relatively limited state-led development schemes were initiated in the south, with poor results (Ayers, 2010: 159). Cumulatively, these moves helped to lay the foundations for the political economy of post-independence Sudan, exacerbating disparities in socio-economic development between the riverain core and its vast peripheries, whilst sharpening notions of ethnic and religious identity (*ibid.*: 158).

Thanks in large part to colonial rule, Sudan has been dependent upon foreign capital for revenue since then (*ibid.*: 163). This historically "extraverted" character of the Sudanese state's economy structured its relationship to society and politics more broadly (El-Bhattahani and Woodward, 2013: 278), with administrations in peripheral regions of the country, and especially the south, being dependent upon stipends from Khartoum (Thomas, 2015). However, the nature of this external dependency was altered in the late 1970s and 1980s, when President Nimeiri sought to initiate a shift from subsistence agriculture towards export-oriented mechanised agriculture around the 'transition zone' along and above the border between the north and south, with the assistance of the IMF. This strategy failed on its own terms, and in the context of a global economic crisis, pushed Sudan into ever-increasing levels of debt and initiating dramatic capital flight. The US took a lead role in renegotiating Sudan's debt to the IMF during the first half of the 1980s, whilst Khartoum partially implemented a structural adjustment programme which envisaged reductions in state spending, the privatisation of state-owned businesses, a devaluation of the Sudanese pound and the promotion of export cropping, an economic agenda which was to accelerate in the early 1990s following the coup which brought the National Islamic Front to power (Ayers, 2010: 164; see also de Waal, 1997; Young, 2012). The process of reorienting Sudan's agricultural sector, and the intended and unintended consequences of this strategy would reverberate throughout Sudan, disrupting pastoralist livelihoods and exacerbating tensions between pastoralists and Dinka groups along the border, entrenching wage labour in and around the 'transition zone', setting up conditions for famine in the 1980s. This was ultimately to create new benefits for some members of the Northern elite, whilst further impoverishing marginalised groups.

Meanwhile, within the south, the 'development' promised in the Addis Ababa Agreement did not materialise, with the major infrastructure project in the region – the Jonglei Canal – confirming southern perceptions that the North was more interested in

extracting from the south than improving living standards and realising political and economic parity between the different parts of the country (Johnson, 2003). The discovery of oil by Chevron in the late 1970s – concentrated in and above the south – was to reinforce this impression. Khartoum began to manipulate the flow of information towards the Southern administration, whilst seeking to direct the flow of potential revenues to the North (Patey, 2014: Ch. 2 and 3). Concurrently, as Thomas (2015) argues, development was subtly being recast in the form of salaried employment in the new Southern administration established in the peace agreement, which remained dependent upon Khartoum for finances. It was in this context that the Second Civil War was to be played out in.

### *The political economy of war*

A key driver of the Second Civil War can be found the ways in which the financing of war, state-authorised economic development, and the strategic use of violence to control and channel the movement of civilians, were becoming increasingly knotted. This political economy was regulated, in large part, by an assemblage of Khartoum-based politico-military elites (or ‘security cabal’, see de Waal, 2005) who had built up a sophisticated repertoire of strategies to instrumentalise violence to realise existing political and economic agendas of benefit to northern elites, and to exploit conditions of insecurity and hunger to feed back into this political economy. Meanwhile, southern armed groups – including the SPLM/A and a variety of splinter groups and militias – became increasingly autonomous within this political economy, crafting new economic and social relationships in the course of war, which sometimes bore tell-tale signs of mimicking each other as well as strategies of the security cabal in Khartoum. International actors including NGOs, IGOs, oil firms, and regional powers, were roped into the agendas of different factions, sometimes knowingly, sometimes unwittingly.

Under the cover of war, existing economic agendas were extended, and through using military practices from the First Civil War, as well as innovative techniques deployed in the Second, violence became an important tool for advancing these agendas and creating new beneficiaries. There were four key elements which comprised Khartoum’s economic agenda during the Second Civil War: oil, labour for agriculture, manipulating development and relief assistance, and permitting government-aligned militias spoils in exchange for service, either through looting and/or establishing extractive economic systems in the regions they operated in. Securing access to oil located predominantly in the south was a key objective of the Khartoum government both before the Second Civil War and in the course of war itself, as was denying the benefits of oil revenues to southerners.<sup>37</sup> It was not until the late 1990s when Khartoum was able to realise this, and the government was reliant upon both commercial and military allies to do so. This included financial and technical

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<sup>37</sup> A detailed account of the history of oil and oil politics in Sudan can be found in Patey (2014), whilst the dynamics of conflict and displacement around oil-producing areas are covered in comprehensive detail in Human Rights Watch (2003).

assistance from small and mid-size Western oil companies - alongside an increasingly active role from Asian parastatal oil firms – and also through using ‘scorched earth’ tactics to depopulate the oil producing areas in the north-east of southern Sudan, generating further death and displacement.

As noted above, an important dimension to Sudan’s political economy from the 1970s onwards was the attempt to turn the country into Africa’s ‘breadbasket’, marked by a state-led shift away from subsistence agriculture to commercial, mechanised farming, primarily in the ‘transition zone’. As well as largely failing to meet its stated economic objectives, the agricultural schemes were implicated in the abrogation of customary land rights, the displacement of Northern pastoralist groups, and the entrenchment of exploitative labour relations even before the Second Civil War. As the war progressed, displaced southern Sudanese escaping fighting and famine (the result of – in large part - government-supported militia raids, often enacted by pastoralist groups, many of whom had been negatively affected by these same agricultural schemes) were funnelled towards government-run refugee camps around these farms. With the unwitting assistance of poorly informed and politically manipulated international relief NGOs and IGOs, many male southerners were compelled to labour on these farms on highly unfavourable terms, benefiting Northern politico-military elites, as well as businessmen who were rewarded by Khartoum with titles to farms and land (Keen, 1994; Johnson, 2003: Ch. 9 & 10; Duffield, 2001: Ch. 9).

With regards to the economic activity of southern Sudanese armed groups, the evidence is more impressionistic. What emerges from a review of the available data is that relatively sophisticated, and increasingly centralized, economic activity took place over the course of the war, some of which appears to be aimed at capturing displaced labour or creating new relationships of dependency between armed groups and the wider population. Much of the product of this emergent system was destined for external, regional markets, while resources – including arms and aid – flowed in from outside of the south. Military actors were often instigators of these trends, and in certain cases, the leadership of different factions were the primary beneficiaries of the systems they helped bring into being. This comes with the important caveat - overlooked in earlier literature on war economies, and downplayed in some recent accounts of war-time accumulation in southern Sudan (e.g. de Waal, 2014b; Pinaud, 2014) – that resources were often reinvested back into the war effort, and not simply diverted for private elite gain.

Southern Sudan’s prized resource – oil – was not accessible to the SPLM/A until after the war. Instead, their strategy towards oil was to deny it to Khartoum, through military operations led either by the SPLA directly, or from defecting commanders once loyal to Khartoum, notably Peter Gadet (Patey, 2007, 2014). In the absence of oil revenues a variety of material resources were implicated in the political economy of rebellion in the south. Johnson (2003: 165) notes that gold as well as cattle were leaving the south under SPLA-protected or controlled trade (with cattle destined for Uganda), whilst Pinaud (2014: 200) states that the SPLM/A elites “traded coffee, tobacco, and timber with neighbouring

informal economies, in exchange for commodities of various sorts”, in addition to ‘asset stripping’ activities involving the plundering of cattle and food. It is likely that the SPLA themselves did not operate informal artisanal gold mines in areas under its control, but did tax this cross-border gold trade (Deng *et al*, 2013: 5). Meanwhile, certain Khartoum-aligned militia groups were involved in looting and re-selling cattle, as well as some agricultural products (including sorghum), in systems which resembled the political economy of slave raiding discussed earlier (see Johnson, 2009).

As certain resources were leaving the south, others were coming in. In addition to guns and war material mainly sourced from regional state allies, this largely took the form of humanitarian assistance, namely food aid, which would be distributed to different parts of the south at the discretion of John Garang (LeRiche and Arnold, 2012: 42). It is likely that some of this food aid was diverted to the SPLA, either to feed its soldiers, or to be re-sold for profit (Pinauld, 2014: 199), but the extent to which this occurred, or whether it occurred continuously or only occasionally, is unclear. Nyaba explains the overall structure of the political economy in the south as resulting from the militarised foundations, structure and characteristics of the SPLM/A: “[t]he complete neglect of social and economic functions of the liberation movement meant that the SPLA did not have to depend on the people. Resources had to be imported” (1997: 54).

Even if the sources of finance were relatively diverse, this does not mean that the total size of revenues generated by them was large, or free from transaction or logistical costs. Rolandsen (2005: 136) argues that the SPLM/A probably did not have a large source of income, and given the overall lack of material resources at the SPLM/A’s reach and disposal, it is more likely that those resources accumulated in the course of the civil war were probably being directed primarily to sustain the war effort, with the vast majority of these revenues were for military spending rather for the development of civil or political institutions.. Johnson (2003: 166) suggests that profits from exports were divided between the SPLM/A, its leaders, and the population under its control (with the implication that profits were disproportionately going to the leadership), although the size as well as the division of revenues is left to the imagination. Taking into account the types of resources said to be of benefit to the SPLM/A, as well as splinter groups and militias, these armed groups would be reliant on there being dependable and potentially complex chains from the point of origin to the point of sale, in a region with virtually no modern transport infrastructure which would be impassable to vehicles during the long rainy season. The logistics of moving goods in large quantity over land would be challenging as well as expensive, prone to disruption, and may well have required the complicity of government or military officials and/or border officials in neighbouring countries, resulting in further transaction costs (e.g. bribes). In other words, in the absence of much strong evidence we would do well to moderate – and not exaggerate – claims about the amounts of money being made in this context.

The total size of this rebel-controlled war economy is unknown (and probably unquantifiable, given both the lack of reliable information as well as the social value of



certain commodities – especially cattle – which goes beyond its mere economic value), but the SPLM/A as an organisation had, in all likelihood, a relatively small financial budget to operate with (although controlling the supply of food aid could go some way to meeting these costs, and potentially would be a source of additional income). There are more precise accounts that certain militia leaders – notably Paulino Matiep – were running relatively complex and sustained business enterprises (e.g. Johnson, 2009; Alden, *et al.*, 2011: Ch. 3), although detailed information regarding the kinds of business ventures run by SPLM/A elites, and the times these have been in operation since is lacking. The fact that armed groups appeared to take a leading role in the management of the southern economy, however, is still significant.

These kinds of challenges would have been easier for Khartoum and its affiliates to manage, since the majority of their military and economic activity was concentrated closer to the border with the north, with state and state-aligned forces operating in areas roughly geographically contiguous to one another, and physical infrastructure – including the sole train line in the south –reaching down from the north, postured in such a way as to enable extraction from the borderlands back to the north (interview, senior AECOM employee, Juba, June 2013). As a general rule, contiguity of control gave way to fragmentation and contested areas of control the further away from borders one went (both the north-south border, as well as international boundaries containing the south), with SPLM/A-governed areas along international borders giving way to SAF garrison towns and their hinterlands, alongside swathes of territory disrupted by Khartoum-aligned – as well as independent – militias, and anti-SPLA rebels. War was probably more profitable for Khartoum and its military and commercial partners than the SPLM/A.

In addition to controlling and mobilising *material* resources, belligerents sought to do so the same for *human* resources. Methods of controlling the population were key vectors through which new relations of dependency were established and maintained in the course of war, and the post-war political economy of South Sudan. For all major belligerents to the conflict, the civilian population became a useful lure for attracting humanitarian aid (Duffield, 2001: 230-31). But beyond this, war, and the displacement it generated, had the twin effects of contracting the size of the agricultural sector in the south, and pushing displaced persons into a closer relation with either government or rebel interests (Johnson, 2003: 149). Government strategies of ‘relief’ amounted to a continuity of the exploitative ‘peace village’ programme established during the First Civil War, whilst war has enabled northern political and military elites to compel civilians towards commercial farms, enriching a range of northern beneficiaries in the process (see Duffield, 2001: Ch. 8 & 9; Keen, 1994). Meanwhile, the SPLM/A has had somewhat less control over displaced labour. Refugees were a magnet for attracting relief assistance whilst the SPLA was based in Ethiopia prior to 1991, but they have a lesser degree of administrative and political control over refugees in Kenya or Uganda. Additionally, displaced southern Sudanese within SPLA zones of control have demonstrated a willingness to leave these areas, and, perhaps as a result, the SPLA had since 1991 “increasingly favoured the

rehabilitation of the rural subsistence economy in areas under its control, rather than creation of more displaced settlements and relief camps” (Johnson, 2003: 146).

Displacement served important functions, including pushing people away from agro-pastoralist or subsistence livelihoods (which, to be clear, would have had dependency relations of their own) towards a greater reliance upon institutions which could provide a livelihood for groups and individuals, be they armed groups, humanitarian agencies, as well as salaried employment. The cumulative result of these processes has been enormous socio-economic upheaval and dislocation, which has been harnessed to create new bonds to the aforementioned institutions. Although estimates for the number of displaced south Sudanese vary considerably (and should be treated with caution), the highest estimates suggest that by the end of the Second Civil War around 80 per cent of south Sudanese had been displaced at least once in the course of war, with many still residing outside of their original areas by the end of formal hostilities (Elnur, 2009: 94-95, 157). This had significant ramifications for the political economy of the CPA and its aftermath.

*Assessing the linkages between development, the state, and war*

The liberal notion that war is somehow a singly destructive or entropic force, instead of a productive one, has been questioned earlier in the thesis, where it was suggested that understanding war as being in some senses a productive force might be more fruitful. However, this leaves us with the thorny question of what is exactly has been produced in the course of war in Sudan. The answer to this is slightly ambiguous, in part because the processes set in motion had not been resolved or consolidated at this point, and were in any case related to political and economic changes from before the war. For now, though, it seems the main ‘product’ of war has been the rise of increasingly centralised systems of control and dependency, established directly or indirectly through armed force. This has been achieved, in large part, through the displacement of subsistence labour and creating dependent relationships which take the form of either wage labour (often on highly unfavourable terms); attachment to armed groups; and humanitarian relief, as well as some employment within NGOs and IGOs.

War has watered the ground which had been seeded prior the war. A number of trends which seemingly emerged during the Second Civil War were themselves already present to a lesser degree prior to this conflict. These include the lowly status and exploitation of southerners in the wage economy of Sudan, practices of cattle raiding as well as human abductions, and a political economy which was geared more towards external markets than to meeting the demands of the majority of its citizens. The liberal notion that these characteristics of the political economy of Sudan – ones which had been accelerated through the use of violence – would somehow evaporate with the advent of ‘peace’ was farfetched, given their prominence in previous interludes of ‘peace’ (Duffield, 2001: 228, 255). War has been, to a certain extent, an instrument of consolidating and reinforcing a pre-existing political economy on the part of Khartoum, and an opportunity

for challengers to the order to carve out their own place in the political economy which was to follow the signing of the CPA. This was both through the capture of material as well as human resources, accelerating and intensifying the establishment of relationships of dependency. As Johnson summarises: “[t]he war economy of both the government and the guerrillas involves, in different degrees, the capture of labour, as much as the capture of territory... In a reinforcing cycle, the economic strategy for the development of the country has produced the war as much as it has been a product of war” (2003: 143-44).

This pours cold water upon liberal conceptions of the post-conflict space as being either a blank slate, or a site from which a pre-war political economy can be “retrieved” (Elnur, 2009: 135-36). The political economy produced in the course of war was both transformational and irreversible, in at least three senses. First, violence and forced displacement has accelerated the already discernible erosion of subsistence agriculture and local governance structures from before the war, in the process creating new modes of livelihood converging around urban and rural sites for displaced persons. Prolonged residency in these areas led to the creation of new dependent relationship for displaced persons increasingly engaged in wage-labour, the development of local-level intermediary institutions, and required different social and economic skills sets on the part of those enmeshed in it. The notion that vast numbers of war-displaced who have adapted in the face these adversarial conditions were in a ready position to return to their ‘home’ areas following the signing of a peace agreement was unrealistic (*ibid.*: Ch.5). Second, war has provided a helpful cover for extraction to occur, whether in the form of asset stripping, and the encroachment of the state into oil producing areas. As well leaving many destitute, this process has created new directions for resource flows which have proved difficult to reverse despite the advent of ‘peace’ from 2005 onwards (*ibid.*: 137; see also Keen, 2008). Oil has contributed to these processes through the intense violence and displacement which accompanied the government’s efforts to secure oil-producing access, but the revenues from oil were not intended to transform this political economy, and instead to merely support and extend it. Finally, in the course of fighting, a new constellation of armed groups emerged in the south, who demonstrated a capacity to construct relatively sophisticated economic networks which reorganised social relations that had been upended in the course of fighting. This emboldened a new set of actors, with the SPLM/A first among these, and created new expectations that these actors would maintain or extend opportunities in the systems they created once peace emerged.

Writing with regards to innovation in 19<sup>th</sup> century warfare, and with an eye to developing a theory of the productive aspects of war in Africa stretching to the present day, Reid notes that “[p]articularly problematic was the failure to nurture a large internal population which might ‘consume’ the product of violence itself. Too much war, in simple terms, was aimed at export, and too large a proportion of the profits were retained by a small and politically unstable elite” (Reid, 2012: 9). The political economy of conflict in Sudan strikingly exemplifies these trends, albeit in the modern era. War, and the actors perpetuating it, has been productive of a political and economic system, albeit one which is primarily geared towards supplying external markets and benefiting an existing (and

fractious) domestic elite. This externally-oriented economy is not new in Sudan, but has been reinforced in the course of war, and orthodox ‘development’ projects have been subsumed to this logic.

Given the longevity of war, as well as the parallels between the political economy of the war and the pre-war political economy, we may wish to rethink whether or not the term ‘war economy’ is appropriate in such a context. It may make more sense to understand this as a process in which economic relations have become militarised in the course of war, and the repercussions this has had for reorganising social relations. Armed groups have been the primary instigators of this change, and the result has been a militarised political economy, especially in the south. The meaning of ‘development’ must be rethought in this context, and explicitly connected to the dependency relations generated during the course of war. The fact that the SPLM/A was involved in creating some of the conditions for - and then capitalising upon - these relations of dependency is firmly in line with its militarised, domineering nature, as discussed in chapter 4. As will be argued below, the structures established through war and dependent relations within these structures have endured beyond the end of formal hostilities, and that the practice of development has taken the form of satisfying and sustaining these new relationships of dependency.

## The Political Economy of ‘Peace’

### *Consolidating a militarised political economy*

In the previous chapter, we have seen how the CPA and Juba Declarations together prompted an array of ‘Other Armed Groups’ (OAGs) to seek attachment to the SPLM/A hegemony established by the CPA in the south, expanding the size of the state (and especially the SPLA) by several orders of magnitude, in spite of commitments by the signatories of the CPA to downsize their armed forces. We begin by highlighting four points, which – when taken together – outline the character of the political economy of the CPA, and indicate that the political economy established and authorised by the CPA amounted to an effort at consolidating and formalising the existing militarised political economy of the Second Civil War - and the social relations it rested upon - by the principal signatories to the agreement. In effect, the militarised political economy of the Second Civil War was to come under the control of the militarised politics and structures of the SPLM/A, which had itself helped to militarise the economic relations of the south.

First, the process by which the CPA was negotiated demonstrates the continual power of militarised armed groups to determine the agenda. Although pressure was exerted through the ‘Troika’ of the US, UK and Norwegian governments, as well as the Kenyan mediators, nonetheless the NCP and the SPLM/A had both sought to exclude not just rival armed groups, but *any* participation from non-militarised actors throughout Sudan, including civil society groups (Young, 2012; de Waal, 2014b). The exclusive settlement which was reached had far reaching implications for the political economy of post-CPA

order, which was largely shaped to suit the needs of the NCP and SPLM/A. This state of affairs was, in effect, authorised by the international powers who shepherded the CPA to its conclusion.

Second, this political economy endorsed was disproportionately skewed towards buttressing and extending the size and scope of military infrastructure, personnel and material, instead of extending the benefits of ‘development’ (conventionally understood) to wider segments of the population, so long as this was on the terms of the two respective signatories. As discussed in chapter 3, both the NCP and SPLM/A embarked on extensive efforts to expand the quantity of arms and war material in their possession, supported in by certain regional and global powers. As El-Bhattahani and Woodward contend, “the CPA could be seen as an ‘extended ceasefire’, with both parties intent on using oil revenues to arm themselves” (2013: 283). Complementing this was a parallel expansion of the number of men in arms, particularly in the south, spurred on by recruitment drives and the absorption of large numbers of OAGs. This can be summarised as follows:

For years, wars in the south and later in Darfur had driven up spending on the military; creating one of the largest military-industrial complexes in Africa that was of great benefit to the ruling elite in Khartoum. The signing of the CPA did not lead to a reduction in [Northern] government expenditure on armaments” whilst “the largest item in the GoSS budget was security expenditure... All the expenditure on the militaries meant that little was available for social development and indeed the budget for defence overall was six times the allocations for health and education combined. (*ibid.*: 287).

This brings us to the third point, which is that development *can* be understood to have occurred within this militarised political economy, especially through the distribution of resources in the form of employment. Two important qualifications need to be made. First, that social development has never been a significant priority in the south, regardless of who has been administering the region. As such, this should not be understood as a failure of the peace agreement (except in the strict sense, since the CPA did contain a number of vague development provisions), but rather as representing a continuity. Second, a ‘peace dividend’ in the south arguably did take place, but was manifested in the rapid (and selective) expansion of personnel on government and SPLA payrolls, instead of conventional social development projects, which partially satisfies the needs of those who entered dependency relations during the Second Civil War. Whilst this alone is by no means a substitute for the absence of infrastructure (physical or social) and a lack of capacity and resources within, say, the education and health sectors, it has nonetheless amounted to an expansion of a salaried class beyond the southern elite – and therefore the beneficiaries of a political dispensation - building on previous recastings of development (see Thomas, 2015).

Finally, the pattern of OAGs attaching themselves *en masse* to the SPLM/A government should not simply be read as an effort on the part of these groups to retain political relevance in a system they had no meaningful input in shaping. Any analysis of the

CPA must take into account that it was supplemented by the Juba Declaration the following year. Although the CPA can be seen as the ‘official’, authorised peace document in South Sudan, the Juba Declaration, though coming in at a mere three pages in length and without the international sponsorship of the CPA, was perhaps of equal importance to shaping ‘peace’ in the south from 2006, albeit in the shadow of the privileging of the SPLM/A by the CPA.

Taken together, the two peace agreements represent the continuation and entrenchment of the militarised political economy of the Second Civil War. As noted in the previous chapter, one important function of the SPLA as an institution was to provide a *de facto* welfare net in the country, suggesting that such dependent relationships were crystallising in the formal institution-building process in the country. Attachment to the new Southern government and military entrenched this trend. This greatly extended the number of salaried personnel in the south, whilst generating a new impetus for groups to obtain a means of livelihood from the state, as well as efforts from the state to exclude demands from certain groups to access to formal employment in the state, sometimes enforced violently through ‘civilian disarmament’ and counter-insurgency (see chapter 3).

It was all but inevitable that the SPLA would become the primary infrastructure for this expansion to take place in, given the militarism of the SPLM/A, and the deliberate neglect of civilian structures and administration in areas under the SPLM/A’s control during the Second Civil War. How, then, was this system to be paid for?

#### *Oil and rents*

Understanding war and peace in South Sudan can be bewilderingly complex, with findings often being counter-intuitive or patternless. However, with regards to the ways in which the new Government of Southern Sudan (GoSS) was to finance its statebuilding and development project, the answer is a lot more straightforward. In addition to outsourcing conventional development projects to international donors, the GoSS administration was utterly dependent upon oil to meet the costs of its statebuilding and development programme from 2005 onwards, with the SPLM leadership drawing up development plans to use these finite revenues to transform and expand South Sudan’s agricultural sector. By independence in 2011, the new country notoriously received 98% of its government revenues from the black gold (with oil accounting for 80% of GDP), whilst ‘development’ seemed to progressing at a curiously slow pace (Copnall, 2014a).

Under the terms of the CPA, oil revenues would be equally divided between the governments in the north and the south, with 2% of revenues going directly to oil-producing states prior to this division. The interim period would often result in tensions between Juba and Khartoum, with accusations by the SPLM that Khartoum was manipulating production records in order to retain a greater share of the revenue for itself. Concurrently, accusations were being levelled by both northern and southern officials that Sudanese oil fields were being exploited by Chinese-led consortiums using recovery techniques which could significantly shorten the life span of the fields. This was amidst a

backdrop of declining foreign investment in oil infrastructure, and industry fears that major oil fields had already ‘peaked’ prior to the independence of the South. Without any new significant discoveries to offset this decline, this cast serious doubts over the sustainability of oil revenues in the South (Patey, 2014: 210-14).

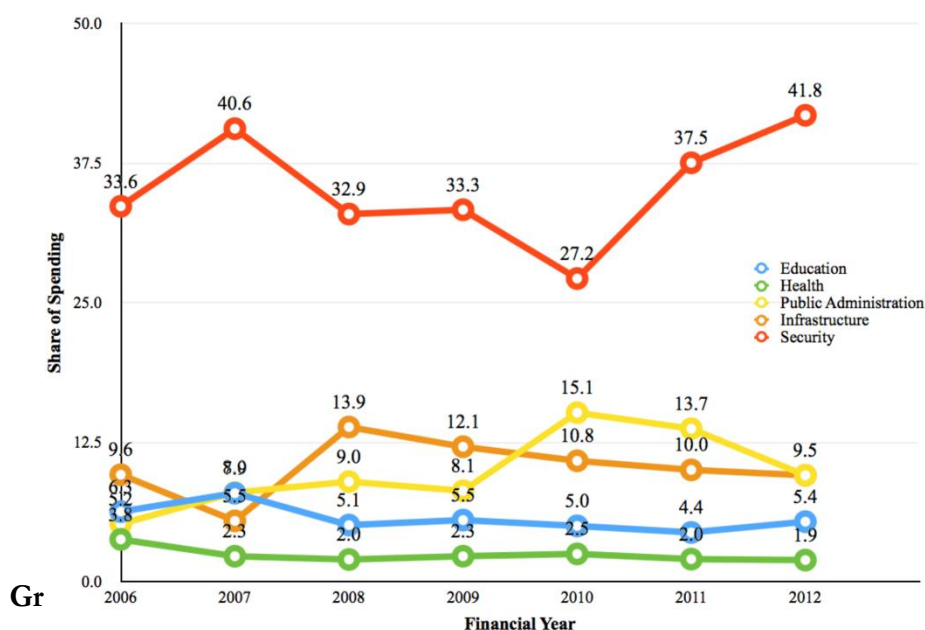
Despite these challenges, the SPLM/A’s operating budget was to expand dramatically thanks to oil revenues, and they would have a relatively high degree of autonomy with regards to the allocation of these funds. By the World Bank’s estimates, “[t]he former SPLM Secretariat of Finance, which managed resources of around \$100,000, transformed itself into a Ministry responsible for managing over one and a half billion dollars annually” (in de Waal, 2014b: 348) The majority of this money was to go on salaries, with spending at the mercy of fluctuating oil revenues rather than sound, planned budgeting (*ibid.*: 359). As Copnall describes:

A report for the World Bank established that 80 per cent of those with a paid job in South Sudan are employed by the state, although not all of them are in the armed forces. With so few other opportunities to find work, and as South Sudan is already a militarised society, the government is unwilling to cut people loose. As a result, the majority of the government’s spending goes to salaries, and especially to the bloated military (2014a: 138)

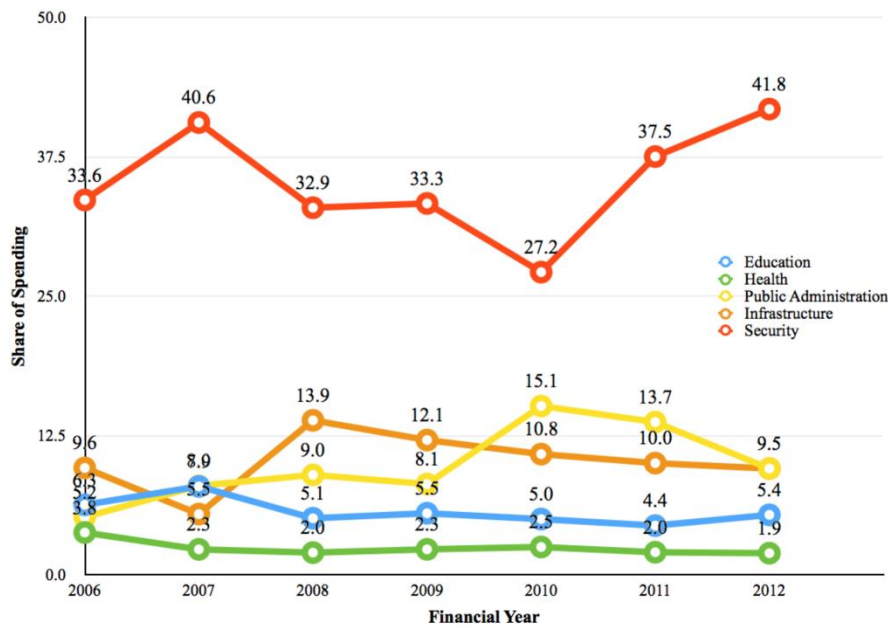
Indeed, by 2012 South Sudan’s military expenditures as a share of its GDP was the highest in the world at 10.32% (CIA World Factbook, 2015), and as graphs 2 and 3 show, dominated overall government spending:

## Graph 2:

### (i) Share of approved budget



## (ii) Share of Actual Spending



(Source: UNSC, 2015: 45)

Oil was the lifeblood of the post-CPA political economy, and it is unclear how (or indeed whether) the state could have been financed without it. But oil was not the sole source of finance. De Waal notes how “South Sudan’s public spending was \$350 per capita, three times that of Kenya and seven times Ethiopia’s, in addition to aid receipts of over \$100 per capita, more than any of its neighbours. By far the biggest source of rent was oil revenue, but aid and investment were important secondary sources” (2014: 359). In the main, regional investment has been concentrated in the banking, hospitality, and telecom sectors, as well as commercial importing of goods originating from outside the country, with over 90% of these goods crossing the border from Uganda at Nimule. Importantly, few of these sectors generated much in the way of employment opportunities for South Sudanese, and tensions resulted from perceptions that non-South Sudanese, as well South Sudanese returning to the country following the CPA, were disproportionately benefiting from employment in the private sector, with targeted attacks against foreign workers becoming pronounced around the time of independence (Copnall, 2014a: 106). This has prompted the South Sudanese authorities to expel some foreign workers, whilst implementing new legislation mandating that all new recruitment for non-senior positions within businesses and NGOs be reserved for South Sudanese nationals (see Radio Tamazuj, 2014a). Beyond this, the state has belatedly begun to formalise South Sudan’s mining sector, which currently consists of various small and informally-operated artisanal gold mines, concentrated in the southern parts of the country, although any large-scale exploitation of non-oil mineral resources is inconceivable in the short-term, due to limited knowledge



about deposits and the absence of infrastructure essential for such operations to begin (Deng *et al.*, 2013: 4).

The notion that post-CPA Sudan, and especially South Sudan, were fast becoming ‘rentier states’ – with the state becoming reliant on unearned profits from its assets rather than taxing production, and in turn distributing the largess to a generally unproductive society – was already being raised shortly after the signing of the CPA (e.g. Keen and Lee, 2007: 11-12). The consequences of this could include a prioritisation of oil sector development over agriculture, as well reducing the competitiveness of the agriculture sector, which was intended to be the bedrock of the southern economy. This was expressed in stronger and more succinct terms by Elnur: “the CPA’s emphasis was on wealth sharing and not on wealth making” (2009: 140). This was financed almost entirely through oil, which was expected to meet the vast costs of expanding the newly salaried military – including through the absorption of SSDF and militia members – and extending the total number of personnel attached to the state (*ibid.*: 156).

Several points are salient here, and relate to the ways in which violence, development and the statebuilding process were interacting. First, the South’s economy was once again heavily external in orientation, with revenues accruing not from taxation of productive enterprise, but almost entirely from oil rents. This diminished the accountability of the new state to its subjects (Thomas, 2015), whilst providing a degree of leverage for the new government against pressure from international donors. The South Sudanese state has been able to leveraged their new found sovereignty – as well as their oil wealth – against international actors to control the types of development projects undertaken in the country (interview, GIZ employee, Morobo County, South Sudan, August 2013)

Second, whilst South Sudan may indeed have become a ‘rentier state’, it was presiding over something which could only partially be described as a ‘rentier society’. Subsistence agriculture, semi-nomadic pastoralism and petty trade continued to be major modes of livelihood for South Sudanese, although the new dependency relations generated through war and war or famine--induced displacement were taking hold, and entrenching the ‘rentier’ character of the state as it sought to provide for elements of society via salaried employment. Rather than militarised groups simply extracting resources or directing them to the war effort, these groups were now involved in redistributing them, chiefly through expanding salaried employment. Third, security dimensions are important to understanding the workings of this political economy, with the Juba Declaration being signed by the SPLM/A in large part to manage insecurity, but with this mutual security pact being reliant on steadily declining oil revenues, and contingent upon the ability to continually access these revenues via the pipeline running through the North.

## The Aftermath of the CPA: South Sudan's Peace Trap

### *Assessing post-conflict statebuilding*

In the final section, we will be assessing the aftermath of the political economy whose contours were established by the CPA, the Juba Declaration, and the militarised relations of the Second Civil War. There is a near unanimous consensus across a range of observers that from the latter years of the interim period until the end of 2013, development gains have been fleeting or non-existent, whilst the new state has become both significantly larger and more willing to exercise its coercive capabilities, either through repression or regularised counter-insurgency and disarmament campaigns, but there is less consensus with regards to why this has happened.

Whilst the difficulties of gathering reliable information of any sort – statistical or otherwise – from a country as remote as South Sudan are formidable, those that exist speak to harsh realities of poverty, violence, and the absence of basic health and education services for most of the population, especially in rural areas.<sup>38</sup> GDP and inflation are both distorted by and are at the mercy of global oil prices and disputes between Khartoum and Juba over oil transit fees, with the economy contracting by an astonishing -46.8% following the 2012 oil shutdown, before accelerating to 24.2% in 2013 alongside the resumption of oil production, and then growing at a rate of 5.5% in 2014 after civil war returned and fighting reduced oil output (CIA World Factbook, 2015), with the serious decline in global oil prices and fixed transit fees for use of Sudan's pipelines serving to dramatically reduce the government's income, which has struggled to finance the war and resorted to borrowing from oil companies on unfavourable terms. Inflation is subject to similar dramatic swings, whilst government budgeting tends to follow available cash rather than any clear planning strategy, and off-budget military spending together with extensive corruption further erode budgetary stability and planning, and divert funds away from conventional social and infrastructure development (de Waal, 2014b). Such development programming has been largely outsourced by the South Sudanese authorities to an assortment of international benefactors and NGOs, in part so the government can meet its huge payroll commitments. Podder (2014: 232) notes that by the latter years of the interim period, "[t]he UN and other NGO's provide 80 per cent of South Sudan's basic services such as water, healthcare, sanitation and education, subsidising the government's budget and capacity in these sectors. According to the South Sudan NGO forum, the number of international NGOs has increased from 47 in 2005 to 155 in 2010 with as many registered national NGOs". The results of these international efforts have been disappointing, and have not significantly improved the livelihoods of the intended beneficiaries (El-Bhattahani and Woodward, 2013: 287-89).

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<sup>38</sup> The *South Sudan Millennium Development Goals report 2012* (GRSS, 2012, a joint effort of the South Sudan National Bureau of Statistics and the UNDP) is one of the more comprehensive efforts at gathering a variety of development indicators, though the information included is frequently qualified with disclaimers about the scope, generalizability, and reliability of the information. It nevertheless indicates an alarming lack of basic services for most of the population, whilst highlighting some incremental progress across a number of indicators since the signing of the CPA, albeit unevenly distributed throughout the country.

The creeping awareness from outside observers that the South Sudanese statebuilding experience has not proceeded as hoped for has led to admonishment and recrimination, but rarely, it seems, to an analysis of what has actually happened in the course of statebuilding, rather than what has not. A 2011 ICG report captures the mixed results of almost six years of statebuilding, whilst illustrating the tendency to understand South Sudan through the prism of absences and gaps:

The GoSS made advances in establishing governing structures, adopting foundational legislation and initiating key reforms such as standardising a primary school curriculum and rationalising a bloated public sector payroll. But faced with innumerable demands, the fledgling regional government struggled. Tangible peace dividends were few, state presence was often imperceptible, and the gap between “established” and “functioning” institutions was unmistakable. Government revenue did not trickle down to state or county level in a sustained, effective manner. Security was often weak and concrete gains on the gaping development agenda minimal. (ICG, 2011: 1)

The explanation for why this has happened favoured by many external observers directs attention to what was missing in the first place, and the failure to build upon it. Such analyses tend to be descriptive accounts documenting the chronic insecurity and the various crises that South Sudan has lurched between since independence, and the fleeting and minimal gains made in the areas of security, development or regional relations (*ibid.*; Wolff, 2012). Many of these statebuilding assessments are light on detail when it comes to outlining the benchmarks of statebuilding, and tend to centre upon five key areas where statebuilding is perceived to have stalled, failed, or exhibiting signs of impending failure:

- 1) Internal security concerns, as demonstrated by intra-communal violence (chiefly surrounding cattle theft, and in some cases abductions of women and children); weak government control of its territory outside of state capitals; and the presence of several insurgencies and militia groups already operating prior to the outbreak of large-scale violence and rebellion in December, 2013;
- 2) The absence of constructive regional relations, especially with the Republic of Sudan, and in particular the issues of Abyei, oil revenue sharing, cross-border trade and migration, and the arming of proxies;
- 3) Tensions within the SPLM, and political bargaining with non- or former-SPLM/A actors which appears to be regulated through the use of violence and monetary pay-offs;
- 4) The establishment of a top-heavy and increasingly authoritarian government, in place of the decentralised political structures advocated by some donors, and a related closure of political space for opposition parties and civil society;
- 5) Minimal concrete ‘development’ gains in the areas of education, health, social services and infrastructure; and

6) Unstable economic foundations (including unsustainable state expenditure on salaries), in addition to fiscal and economic policy which does not conform to international norms, and facilitates extensive corruption (see, e.g., DFID, 2012; ICG, 2011; Lacher, 2012; LeRiche and Arnold, 2012: Ch. 5; Podder, 2014; Wolff, 2012).

Typically, most attention is paid to internal security, intra-SPLM dynamics, and economic stability, whilst relations with Khartoum are understood as exerting a strong influence on South Sudan's security and economic situation. The lower degree of attention afforded to explaining the underwhelming 'development' progress may be indicative of a lack of information which could be used to make detailed claims about the social and development projects which have been subsumed within the international statebuilding vision (specifically health, education and social service spending, which are often covered in a vague or cursory manner), but is also suggestive that many analysts regard the security and economic dimensions of statebuilding as being at the 'core' of the statebuilding project in South Sudan.

This form of analysis is not especially instructive. Despite attempting to build a specific and detailed account of South Sudan's statebuilding trajectory, the kind of information being provided – as well as the emphasis on failure, shortcomings and absences – indicates that external observers are concentrating on what is absent or has failed in the course of statebuilding, rather than what is present and has been achieved. This arguably helps to set up South Sudan for forms of international intervention, through representing the country using techniques of 'negative space', in which detail is being filled in around the object of enquiry – in this case, the emergent state in South Sudan. As well as providing a misleading impression of what is actually underway in the country, this may have worked to the advantage of the SPLM-led government, serving as it does to mask some of the contentious aspects of the statebuilding programme they have been pursuing. The emerging state in South Sudan, and the statebuilding process underpinning it, have effectively been lost in transmission.

### *Filling in the blanks*

A more convincing explanation would address the practice and consequences of statebuilding in South Sudan, and draw attention to continuities from the pre-CPA political economy to the present day. Some accounts elevate the analysis beyond description in an effort to develop a framework which can make sense of the underwhelming results, and why post-conflict statebuilding in South Sudan has failed to live up to expectations. Arguably, these accounts are becoming the default frameworks for analysis of South Sudan, but unlike media explanations fumbling to find evidence of 'ethnic' conflict, however, these frameworks utilise neo-patrimonialism to produce arguments which bear a disconcerting similarity to 'greed'-based arguments.

In general these arguments are explicit that a form of statebuilding *has* occurred in the new country, but this is the *wrong kind* of statebuilding, and the product could barely be described as a state. What has emerged has the external appearance of the state, but the inner workings of an organised crime syndicate. The most emphatic version of this argument comes from de Waal (2014b), who contends that a vast and complex patronage network which has spread across a volatile political terrain in the course of statebuilding; a network which was intended to suppress violence, whilst offering opportunities for political and economic self-enrichment. This is echoed in Salmon and Anderson's account of elite-dynamics in contemporary statebuilding in South Sudan and Timor-Leste: "[i]n an unconscious reversal of Tilly's logic... elite bargains have not resulted in the state centralizing resources, but in state elites agreeing to extract vast resources from state institutions and distribute these into private hands" (2013: 48).

For de Waal, this is an extreme version of a 'political marketplace'. However, this 'political marketplace' has become militarised through decades of conflict, and in which entrance to and status within the political marketplace is negotiated through violence between the establishment and would-be entrants. In part, such a system was necessary to shore up the chances of an SPLM-led secession of the south, in order to 'buy-out' a range of armed groups and militias that Khartoum would otherwise use to prevent Southern independence, but has been incompetently managed by President Kiir. The influx of oil revenues into the country allowed for a dramatic amplification of the violent, autocratic and avaricious characteristics of the pre-CPA SPLM/A leadership, whilst creating ever-increasing demands on the system by militarised groups. The consequence has been recurrent 'rent-seeking' rebellions, woeful development gains, and a return to all-out conflict when the abrupt halting of oil revenues in 2012 bankrupted the 'kleptocracy'. However, the meteoric rise and subsequent implosion of this system of governance has been facilitated by external engagement, especially from US administrations since the late 1990's, alongside activist networks with a close relationship to both the US government and to the SPLM/A. Their support and toleration for the SPLM/A's violent rule before and after the CPA, and a tendency to look the other way whenever corruption and violence surfaced, emboldened the South Sudanese authorities in their decision to maintain their ruinous statebuilding strategy: "American advocates inside and outside the administration did not create the SPLM/A, nor did they turn its leadership into an abusive, militarized, anti-democratic, corrupt and feckless elite. However, for fifteen years they held the SPLM/A and its leaders in high regard but to low standards" (de Waal, 2015a: 167).

A broadly similar set of arguments can be found in the work of Schomerus (2014) and Pinaud (2014). For Schomerus, there has been a bureaucratisation of war as the SPLM/A made their transition to government from 2005 onwards. The SPLM/A statebuilding project was one which conformed to several characteristics of their war-time methods of governance, including a maintenance of the reward/punish approach to managing civilians; a highly centralised form of decision-making leaving little opportunity for democratic participation; and a failure to create inclusive structures, leaving violent contestation of the new system the only potential avenue through which politics to occur.

For Pinaud, a military class and military aristocracy have emerged in the South Sudan, and set the tempo for political and social relations in the nascent state. Like de Waal, Pinaud claims the SPLM/A were little more than an organisation that legitimated predation and self-enrichment for its commanders. These commanders cultivated loyalty through ‘gift-giving’ to a lower stratum of the military class, chiefly in the form of distributing their cattle and sometimes their wives. After the CPA was signed, this military aristocracy continued to flaunt its ill-gotten wealth and engage in further plundering, and a hierarchical relation between the military aristocracy, its intermediaries, lower-stratum, and the civilian population at large emerged, with the stark inequalities generated under such a system sowing the seeds for conflict.

There is merit to each of these arguments; however, there are also problems which need to be addressed, and through doing so, a potentially stronger and more nuanced account of the political economy of the post-CPA era can be reached. Both de Waal and Pinaud may actually be relying on a misleading exaggeration of the nature and scale of the war economy of southern Sudan during the Second Civil War in order to set up their account of what has followed. Despite this, Pinaud introduces some welcome ideas concerning the relationship between power (rather than production) and class, and the concept of a military class - and a military aristocracy at the apex of the class - has great potential. Unfortunately, the meat of the argument rests upon some questionable assertions and evidence, and portrays South Sudan as an exotic, ‘neo-medieval’ society, populated mostly by cows and caricature warlords. Schomerus has a more plausible story to tell, but is better at describing what has happened, than explaining why it has happened.<sup>39</sup>

Although de Waal makes a forceful argument, one which captures a number of important elements of the political economy of statebuilding in South Sudan, it falls short on several areas. First, we have seen in chapter 2 that not all armed groups fit the ‘rent-seeking profile’ invoked in this argument. Second, the South Sudanese state has demonstrated a more sophisticated stance on excluding and regulating armed groups from the state, through their approach to arms control and disarmament (see chapter 3). Third, there have been tensions both within and between the SPLA and the government over the issue of militia inclusion into the military, suggesting that a more complex relationship between different interests and institutions exists in the new state (see chapter 4). Fourth, if it is indeed the case that the system in South Sudan not only permitted - but functioned - through corruption, then it is reasonable to believe that elites had already amassed considerable fortunes prior to the oil shutdown. Indeed, it is an open secret that a number of senior SPLM figures have embezzled staggering quantities of money in the run-up to the signing of the CPA onwards (in some cases amounting to tens of millions of dollars), whilst many SPLM elites as well as SPLA generals are widely known to have established commercial enterprises in various sectors, as well as operating a highly profitable system of kickbacks in exchange for procurement contracts and land deals (see, e.g., Johnson, 2016: Ch. 2). Even if the oil shutdown significantly reduced opportunities for enrichment, if the

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<sup>39</sup> However, this is a working draft of the paper, and should not be taken as final.

politico-military elites had *already* amassed considerable fortunes by the time of the shutdown, then it is unclear why this would lead to an immediate crisis, since presumably these elites would be able to withstand the sudden depletion of opportunities until oil revenues resumed. Further, a drop in revenue would have been partially offset by the loans agreed with oil companies by the SPLM government during this period, whilst the SPLA continued to spend lavishly during this period, and was unaffected by the austerity budget which slashed government (rather than military) spending. Moreover, the financial crisis opened up new opportunities for elite self-enrichment, particularly through practices of arbitrage, whereby those with access to the central bank were able to exploit differences in the widening gap between the official and unofficial value of the South Sudanese pound (*ibid.*). Fifth, the time delay between the halting of oil revenues due to the shutdown and the outbreak of civil war is puzzling. There is no clear correlation between the level of oil revenues at the governments disposal and levels of violence during the post-CPA era, and renewed civil war occurred in December 2013, *after* oil production had resumed in April. Importantly, violence actually declined following the oil shutdown, a point which we shall return to shortly. And finally, de Waal's model unwittingly replicates narrow, liberal conceptions of both militarism and development, which are presented as being straightforwardly antithetical to one another, rather than co-determinate.

These criticisms get to heart of the problem with de Waal's model – it is arguably a modified resurrection of the 'greed not grievance' argument adjusted towards explaining state behaviour and violence instead of rebellion alone.<sup>40</sup> The shared problem with these arguments is that they are more concerned with attempting to explain and describe what has been built in South Sudan, with a lesser degree of attention being paid to the reasons *why* it was being built. The answer to this latter question is simply assumed: that both the CPA and the statebuilding process it unleashed were, in effect, a method to continue and extend the opportunities of the violent political economy of the Second Civil War to an existing elite, which necessitated a selective enlargement of the pool of beneficiaries to certain OAGs in order to ensure insecurity did not threaten the profits accompanying peace. This answer is reliant upon a somewhat exaggerated and misleading account of the violent political economy of the Second Civil War, and as a consequence of this, a distorted view of the post-CPA political economy and statebuilding trajectory is attained, which in the process reduces the motivations behind the signing of the CPA to mere economic greed on the part of its signatories, occluding important political, development and military dimensions.

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<sup>40</sup> This amounts to a pivoting of Collier's earlier incarnations of the 'Greed and Grievance' framework (e.g. Collier, 2000), which can plausibly be interpreted as being tuned to explain rebel violence in isolation from physical and structural violence emanating from the state, which serves to delegitimize rebellion (Keen, 2012). In de Waal's model, both the state as well as armed rebellion are being delegitimized.

*South Sudan's 'peace trap'*

In order to work towards a clearer understanding of what has been produced in South Sudan, it is necessary to entertain the option that a system has indeed been built via statebuilding, but that it is not working as intended. Instead of addressing challenges through revising or reorganising the system, by way of an unfortunate consequence of its very design and the militarised political economy it was built upon, the system is structured to accumulate problems whilst simultaneously being compelled to defer addressing these challenges. The principle (armed) actors involved in it are forced to rely upon a limited range of actions when difficulties arise, or else find a route of subverting the emerging institutional order. This is very much a state negotiating with itself as much as it is with donors, neighbouring countries, and rival armed groups operating in South Sudan, and not always with overt violence.

Viewed this way, it is instructive to understand South Sudan as being caught in a kind of 'peace trap', in several respects. First, the illusion of peace has been maintained for most of the post-CPA years – especially by international supporters of South Sudan's independence – in the face of recurrent violence, preventing serious reflection on whether the terms of South Sudan's peace agreements required revision to keep pace with events, or may in fact be driving them. Until the events of late 2013, it was common for violence to be downplayed as 'insecurity', typically explained as resulting from criminal activity, communal violence, as well as stemming from seemingly botched disarmament efforts to address or contain this 'insecurity'. More serious instances of large-scale rebel violence has increasingly been explained as 'rent-seeking' in nature, but few have asked why this might be the case, or sought to connect this violence to the peace agreements which provided the contours for statebuilding, with an important exception being Young (2012).

Second, the nature and content of the peace agreements which provided the foundations for South Sudan's post-CPA political economy amount to a continuation and expansion of the militarised economic relations of the Second Civil War, as well as the deeply militarised political force of the SPLM/A, with no serious thought (at least publicly) given to the question of how to demilitarise these relations by its signatories, but instead only on how to further centralise them via the statebuilding process. Speaking in very general terms, the development and statebuilding assistance offered by international donors has arguably worked to sustain this militarised political economy, in that the South Sudanese state did not need to provide much in the way of basic services or orthodox 'social development' to its citizens. Instead, development took a redistributive form, and was delivered through extending salaries to segments of the population, which was in large part a consequence of war-time dependency relations which had been formalised into the political dispensation of the CPA. The claims being made on this system were huge, and exclusion often a cause for violence, either through rebellion, counter-insurgency or 'civilian disarmament', as well as taking the form of non-violent contestation within and between the institutions of the new state.



Third, almost all available resources have been marshalled to realise and uphold the terms of 'peace' authorised in the peace agreements, through a dramatic expansion of the state's reach and personnel to realise internal stability, and the procurement of arms to uphold this order against internal opponents and external agitators, notably Khartoum. Oil revenues have been instrumentalised to meet the demands of the CPA and the Juba Declaration, and the competing claims on the system that followed in their wake. This has, to a certain extent, precluded and perhaps even forfeited altogether the possibility that South Sudan's resources could ever be harnessed to pursue a more conventional and recognisable 'development' agenda.

Finally, the form that this 'peace' has taken has severely limited the possibility that an alternative order may arise, with the relations of dependency likely to endure, and for future peace agreements likely to recreate these conditions. This is at the core of the trap which has been created in South Sudan: it is a system which accumulates problems both at its margins of the state as well as within the state, but offers few mechanisms for resolving them. Armed factions and elites can contest their position within the system, but any attempt (or threat) to reform or redefine its contours risks destabilising it altogether. This is in line with Lacher's (2012) argument that South Sudanese elites have had little option but to continue deferring conventional development activities and avoid resolving outstanding political contradictions, and instead scramble to hold together the state through incorporating rivals. The state is effectively forced to rely upon a limited repertoire of actions to enforce this peace – either incorporating or violently excluding militarised groups from the core of the state – to address challenges to the system. Some groups are ignored or punished in this militarised statebuilding process, generating future grievances ripe for exploitation.

Accordingly, it is best to explain South Sudan's current civil war at the systemic level, and the ways in which the system established in the course of statebuilding has gradually altered, to the point where it is no longer a stable system which binds different groups together, but instead produces instability and greater violence. The mass violence beginning at the end of 2013 signified the collapse of the relatively stable but violent system built in the course of post-conflict statebuilding, as the system could no longer continue to defer the political challenges and contradictions it had been built upon. Stepping back, it is possible to see violence from 2005 onwards as being generally *limited* and reasonably predictable in nature – and aimed at upholding a system as it expanded, and largely adhering to a dynamic of inclusion and exclusion – whereas war from the end of 2013 onwards became generally *total* and increasingly unpredictable.

Why, then, did this happen? Why was war becoming more total in its scale and degree? The short answer is as follows: the militarised statebuilding project experienced a crisis after the independence of South Sudan in 2011, in which the state largely stopped expanding, and the rival forces captured by it became a danger and a liability to the core of the SPLM at the centre of the project, as rival power centres with their own links to increasingly fractious military contested their place in the system. Up until the

independence of South Sudan in mid-2011, statebuilding was driving militarism in South Sudan, which enabled the system to continue reproducing itself, and at a rapid pace. By the end of 2013, the opposite was true: the system had stalled and could no longer reproduce itself. By this point, militarism was driving changes within the state apparatus it had helped set up. Control of the institution of the military became increasingly important to resolving political schisms within the system, and the government began reactivating paramilitary structures to check the power of its rivals. Instead of continually expanding, the logics and forces that had propelled the expansion of the state from the core outwards now turned inwards, as multiple points of tension began intensifying within the vast militarised infrastructure that had been constructed after 2005.

In between these points – mid-2011, and late 2013 – something had changed to enable this to happen. The assumption made by de Waal (2014b) is that from 2012 onwards, the system could no longer meet its own patronage commitments as a result of the oil shutdown. Whilst the oil shutdown had significant ramifications for the political economy of South Sudan, it also needs to be considered alongside other processes occurring during this time, which ensured that rival elements within the SPLM and SPLA – at both the elite and mass levels - were no longer prepared to meet their own commitments to hold the system together either, nor to continue limiting their use of violence to do so. As mentioned earlier, armed violence was actually decreasing by the time of the oil shutdown, as was the rate of expansion of the SPLA, although the government was increasing its use of excluded pools of armed youth labour (notably the White Army and former *titweng*) during this time. These processes – the declining rate of violence and the slowing rate of expansion in the key site of statebuilding (the SPLA), alongside the expansion of paramilitary forces, amidst mounting tensions throughout the system - have been somewhat masked by the oil shutdown.

As noted above, South Sudan's peace trap helped produce a system which worked through simultaneously incorporating rivals whilst deferring problems, with the wheels being greased not only by oil money, but also through the application of limited violence. Arguably, this was a system which was predicated upon expansion as the regular application of limited violence, in line with the SPLM/A's principle objectives of state capture, militarism, and dominance over rivals, discussed in the previous chapter. In order to expand, however, the system required enemies outside of the system to capture and absorb, and forces within the military willing to engage in these violent tasks. Part of the reason for the slowing expansion of the system was not only that the government was on the verge of becoming unable to pay for its existing commitments, let alone pay to increase these, but also because the SPLA was running out of external enemies to fight and co-opt, which would enable the continued reproduction of the system. But at the same time, it had acquired a large number of former enemies within its structures. These two developments were warnings that the system required revising, which, thanks to South Sudan's 'peace trap', could not happen. Now, certain accounts – and especially de Waal's account (2014b, 2015b) – hold that cycles of rent-seeking rebellion were taking place in South Sudan after the CPA was signed, with the implication being they would have continued more-or-less

indefinitely had the civil war not broken out. But it is more instructive to work from the understanding that the bulk of rival forces to the SPLM/A had already been captured by the state, and most intended to remain there. Indeed, the waves of rebel and militia violence in 2010 and prior to independence in the first half of 2011 had ensured that many of these forces had been effectively co-opted into the structures of the new state (and in particular the SPLA), with rebel and militia violence decreasing after this point. This happened because the SPLM-led government now responds to rivals through a strategy of limited violence and co-option, and no longer relies solely upon large-scale violence to manage defection and armed challengers as it generally did during the Second Civil War. This strategy, which limited, contained and managed violence in a bid to avoid large-scale conflict, whilst consolidating the hegemony of the SPLM/A through expanding the SPLA, mostly worked to the advantage of the core of the SPLM, concentrated around the Presidency and loyal politico-military elites. This has enabled the government to not only expand and consolidate its rule, but also harness the opportunities presented by recurrent, low-level war to shape the contours and boundaries of the system being created, and to justify the existence of a vast military infrastructure, whilst also meeting some of the dependency needs of the population.

However, once there, the former enemies would begin to contest their place within the system, but this was a system which had no mechanisms through which to renegotiate its internal composition and tensions without recourse to violence. The long list of former adversaries co-opted into the militarised statebuilding project includes various SPLA splinter factions (with reconciliation being reached in the latter stages of the Second Civil War, including with Riek Machar); SSDF aligned to Khartoum (brought in through the Juba Declaration); and a plethora of militias and insurgencies emerging in the run-up to independence, which were co-opted through a mixture of counter-insurgency and absorption. But all of these forces were stored up in a structure which could crack with devastating effect in the event of a dispute amongst its rival constituent parts. And these disputes permeated the system. Grievances and grudges had accumulated at the mass and elite levels. This was particularly acute among former SSDF soldiers and commanders, who comprised the vast majority of the defecting forces during the events of December 2013 (Young, 2015), with mounting frustration among military elites at being bypassed for promotion, whilst frustration at the non-payment or irregular payment of salary cannot be discounted across much of the SPLA, ex-SSDF or otherwise. Meanwhile, suspicion and paranoia – the residue of the intense militarism present within the SPLM/A from the outset of its formation, and of the bitter feuds that repeatedly fractured the movement during the 1990s – became increasingly prominent among the various factions and personalities comprising SPLM leadership once independence was secured. Rumours of coup attempts and preparations for rebellions escalated, whilst the carousel of elite ministerial appointments and advisors continued to turn, as it had since the negotiations for the CPA and the interim period, governing access to the status, spoils and privileges of political office (see Johnson, 2016: Ch. 5, 246-50).

This method of expansion required not only significant financial resources (which were dwindling), but also the presence of external enemies to justify the predominance of the military, and also to deflect from internal challenges and defer internal reforms. The system could not expand any further, and was now forced to manage its mounting internal problems. One of the ways it sought to do this was through establishing or re-establishing links with paramilitary forces, such as the White Army, and especially the *Mathiang Anyoor* and *Dut ku Beny*. The central government turned to forces which had been excluded from the 'official' statebuilding process to manage the large and fragmented forces it had been accumulating, with the *Mathiang Anyoor* and *Dut ku Beny* assuming the role of an insurance policy in the event that the system cracked. As the militarised statebuilding process had stalled, parallel forces— under tighter central control of the President, but outside of the control of the official military apparatus (which had resisted this move) — were assembled to manage internal political problems. This amounted to a shift in militarism: the military was being reorganised and repurposed in order to control and check the power of political rivals, and safeguard the President Kiir and his loyalists. When the system did crack, following the violent backfiring of the President's move to disarm Nuer soldiers of the Presidential Guard (who he suspected of being a Trojan horse for senior Nuer politicians dismissed earlier in 2013, including Riek Machar and Taban Deng, see Johnson, 2016), these paramilitary forces helped to ensure that violence escalated beyond its previous limits, and targeted both Nuer politicians and the wider Nuer community. The chain reaction which ripped through the SPLA and other organised forces represented the collapse of the system, and with it the preference for limiting violence.

## Conclusions

Panning back, it is now possible to historicise South Sudan's current turmoil and post-conflict statebuilding trajectory. It is in large part the consequence of a particular relationship between violence, the state and development brewing since at least the Second Civil War and likely before then, in which militarised actors have obtained a special capacity to shape the relationship between these forces, militarising the social, political and economic relationships in the country. The post-CPA political economy formalised and amplified these militarised relationships through the structures authorised in the CPA and Juba Declaration, whilst oil revenues which could be marshalled to pay for the statebuilding project which was necessary to uphold 'peace', whilst limiting the scope for reform of this system and structuring the violence which was to follow. Much of the violence from 2005 onwards has occurred at the margins of the state, with excluded groups attempting to gain entry, and has been stoked by elements within the SPLM-led government as well as by regional powers, particularly Sudan. International donors facilitated this through backing the CPA, picking up much of the costs for more conventional forms of development, whilst downplaying or ignoring the violence that surrounded this militarised statebuilding process, and the arms system this militarised statebuilding process required was aided by

the SPLM/As regional partners, and more recently China and Israel. The implosion within the SPLM and SPLA beginning December 2013, meanwhile, indicates how a system predicated on extending the military (both broadly and narrowly understood) in the pursuit of post-conflict statebuilding without offering opportunities for political disputes to be resolved or meaningful discussion on altering the relationship between state and society to be had, will simply accumulate problems, and the vastly expanded and armed military the state has come to rest upon can become a liability when these tensions can no longer be managed.

A perfect storm has taken hold in South Sudan, whisked into existence by the intended agendas and unintended consequences of various Sudanese and South Sudanese armed groups, alongside regional and international powers who are drawn into this maelstrom. At the eye of the storm are supposed instruments of peace - the CPA and the Juba Declaration – whilst the maelstrom around it is energised by oil rents, violent contestations for access to the state, and ever-increasing fluctuations of state power. In sum, post-conflict statebuilding has been a project to realise the political order envisaged in the CPA, which in turn derived from the militarisation of the political economy of the Second Civil War, and further militarised these relations. ‘Development’ has once more been a servant of this order, in the form of catering for the dependents generated by war, and financed by large but dwindling resources. South Sudan has walked into a peace trap, which no obvious escape route. Peace without end, in this case, could be very dangerous.

## Conclusion

At the start of the thesis, two research questions were outlined, which would animate the thesis and structure the inquiry:

- 1) *How should the relationship between post-conflict statebuilding and violence be understood?*
- 2) *What explains recurrent violence in South Sudan?*

In this conclusion, we will summarise the answers to these questions, starting with an explanation for violence in South Sudan following the signing of the Comprehensive Peace Agreement (CPA), before discussing how the relationship between post-conflict statebuilding and violence can be understood through the framework of militarised post-conflict statebuilding, with particular attention to what has actually been built as a result of militarised statebuilding, and whether or not this is a state in the conventional, Weberian sense. Next, we will briefly summarise some of the recent developments in South Sudan, before finally moving on to discuss some of the limitations and possibilities of this framework.

## Summary of Argument

After surveying and critically assessing different answers to the question of the relationship between statebuilding and violence in chapter 1, it was decided that existing liberal, realist and critical approaches had, in the main, offered either problematic understandings of this relationship, or else had produced unwieldy frameworks. Accordingly, a framework of ‘militarised post-conflict statebuilding’ was developed, and a review of the different traditions and expression of militarism in post-colonial Sudan was provided, concentrating on the effects of war and war preparation for political, economic, military and international relations. Militarism in Sudan was often intimately related to the extension and maintenance of state power, even if this was pursued using counter-intuitive and violent methods. It was contended that through looking for similar indicators of militarism in post-CPA South Sudan, we would be able to establish whether social relations were becoming more or less militarised, and whether this would also be driven through a particular statebuilding process, as it had been in Sudan prior to 2005.

In chapter 2, we surveyed and explored the violence in South Sudan from 2005 to present, noting how violence was remaining at relatively stable (and high) levels since the arrival of ‘peace’, and that this violence was often emanating from the emergent political and military centres of the new state, and often conformed to a dynamic whereby excluded actors – or those who perceived themselves to be disadvantaged in the emerging political order – have directed violence towards such locations, with the state often employing heavy-handed techniques to resist this violence, primarily through using the Sudan People’s Liberation Army (SPLA) to engage in counter-insurgency and ‘civilian disarmament’ to quell or regulate conflict at the margins of the new state.

The empirical chapters of this thesis have each endeavoured to determine the ways in which the arms system, the building and reforming of coercive institutions, and patterns of development and their relationship to state power, may help explain this violence, guided by the framework of militarised statebuilding. In chapter 3, we explored the means through which South Sudan has been obtaining and regulating arms, and the implications of this arms system. Government attempts at regulating arms through ‘civilian disarmament’ have driven some of the violence in the country, especially in Jonglei state, but also indicate that violence has been clustering among groups excluded from the state, with the government and SPLA subverting conventional notions of civilian disarmament to manage these excluded groups, and play them off against one another. In the process of arming itself, the government has marshalled regional and international assistance to enable it to acquire a far greater capacity to engage in violence, which it has used to govern excluded or dangerous groups on the margins of state power. This militarism is not just confined to international relations and expansion of military (and paramilitary) power, but appears to be in service of the political rivalries and elite machinations concerning the overall control and direction of the statebuilding process. The analysis provided suggests that this militarism is bound up with the post-conflict statebuilding process, as well as to external forces, including those who have supported the South Sudanese authorities in its attempts to procure arms, as well as other international actors and organisations who have been largely shut out of the system of controlling arms (notably UNMISS), and may have unwittingly entrenched the system further through a combination of deferring to the SPLA’s authority.

In chapter 4, we saw how the SPLA itself has been expanding at a rapid rate, accruing new functions in the process, and embedding itself in South Sudanese society. It is at the core of the militarised post-conflict statebuilding process, and the violence emanating from it. The SPLA attracts violence, as well as perpetuating it, but this violence may be more the result of government rather than military policies. The expansion of the SPLA is indicative of three types of militarism –including the expansion in the size and administrative functions of the military, the entrenchment of the militarised politics of the SPLM/A, and the increasing tendency for greater portions of society – armed or otherwise – to be captured by the state during times of violence, indicating a militarisation of economic relations. The internationally-brokered CPA all but ensured that the SPLA would become the crucible for statebuilding, given the militarised politics and organisational structures of the rebellion had diminished the possibilities for a more civilianised administration and political culture, whilst Khartoum’s militia strategy has been countered through absorbing large numbers of former enemies into its structure, broadening the SPLA’s institutional breadth and reach, and partially decentralising it.

Finally, in chapter 5, we sought to explain the origins and endurance of militarism, through an account of the relationship between development, violence and state power. It was argued that the political economy of Sudan – in particular the south – had become militarised in the course of the Second Civil War, and that this was often driven by armed actors and elites. Consequently, war and displacement had pushed large segments of the southern Sudanese population into new relations of dependency with institutions, which

had been consolidated by the CPA and Juba Declaration, with the post-conflict statebuilding process authorised and structured by these agreements being financed by oil rents. In effect, the militarised political and economic relations of the Second Civil War have been fused since 2005, with resources being directed by the SPLM-led government towards upholding the political economy of the Second Civil War. The SPLA is best placed to provide for these new dependency relations engendered by the Second Civil War, and has rocketed in size. Concurrently, the peace agreements that reinforced these relations simultaneously constrained the ability of the emergent state to manage dissent, as well as its mounting obligations to the key constituencies which had been invested in the military. In effect, South Sudan has walked into a 'peace trap' that prevents any meaningful revision of the system that has been created, with international donors seemingly oblivious to these processes. The system, predicated on regularised albeit limited violence to encourage and manage the expansion of the SPLA, has entered a state of crisis since independence, however. Until then, the SPLM-led statebuilding process was being driven by investing an ever-larger proportion of the population into the social relations of war and war preparation. This relationship between statebuilding and militarism reversed after this point, as militarism took the lead over the direction of statebuilding. This manifested itself in the moves by the core of the government around the Office of the President to begin cultivating new military strategies and revive old forms of paramilitary organisation to regulate the political tensions which had been accrued within the system. This not only raised the stakes of politics, but ensured that when the system cracked, it went into a violent freefall, fracturing the system which had been built.

### Wider Implications for Understanding Contemporary Statebuilding

What, then, has been built during this militarised statebuilding process? In order to identify the contributions of this thesis to the broader study of state formation and statebuilding, it is necessary to clarify exactly what has been built in the course of militarised statebuilding, and whether it can plausibly be regarded as being a state, and to specify the role of international and external forces in creating this entity. A contention of this thesis is that war can be productive force, and that militarism is an autonomous force which not only enables war, but shapes its outcomes. In the case of South Sudan, this has produced the machinery of a state, but it is a machinery which does not possess (and may not seek to possess) an absolute monopoly on coercive force within the territory it claims, despite this machinery being largely militarised in character and organisation. This has resulted in a dissonant configuration of power, in which the state has accrued a sizeable coercive capacity and potential, yet this has not resulted in an even of coherent monopolisation of coercive control within and across its territory. It is most unlikely that international donors and backers of South Sudanese statebuilding desired or expected such an outcome, but this was unintentionally facilitated the SPLM/A's international benefactors.



However, this does not mean that South Sudan is a case of ‘state failure’, nor is it a case of ‘exported state failure’ (see Bickerton, 2007). For one thing, South Sudan does not correspond with most understandings of a failed state, outlined in the early literature on state failure (see Rotberg, 2004; Zartmann, 1995). If anything, rather than demonstrating a lack of power (implicit in early conceptions of state failure), the South Sudanese state has power in abundance, at least relative to many of its competitors, and certainly its predecessors who violently ruled the south in the colonial and post-colonial eras. However, it lacks the ability to regulate its own power – or rather its multiple power centres - through engaging with reforms and renegotiations amongst the rival political and military components which have been brought together in the course of post-conflict statebuilding. This is in the context of a society riven by divisions of various kinds, but without an adequate set of mechanisms for addressing these divisions, beyond the continued expansion of the state to capture armed rivals. Once that process of expansion and capture was largely completed, the government would then turn to paramilitary forces in a bid to resolve intra-elite competition. This amounts to a rapid, if somewhat shallow, process of institutionalisation, which required a degree of deinstitutionalisation to manage. The early state failure literature acknowledged, however, that there was a possibility of a specific type of entity, one which has the outward trappings of strength, but masks the internal fragility or serious tension behind this façade of strength (*ibid.*), and further back still Jackson and Rosberg (1982) noted the possibility that a state could exist in the international system (a ‘juridical’ state), whilst lacking the properties associated with ‘empirical’ statehood within its delineated territory.

This is perhaps getting closer to the essence of the nature of political authority and institutionalisation in South Sudan, but requires some modification. It is more the case that South Sudan has the outward trappings of Weberian statehood, which are recognised externally, but internal dynamics which suggest that something other than a Weberian state has been built.

The machinery and iconography of the Weberian state is largely present in South Sudan, but it functions according to a different set of logics to reproduce itself than would be ordinarily be associated with an idealised modern rational state. This is in large part the result of the transposition of the deeply militarised structures of the SPLM/A onto the militarised political economy of the south (with the SPLM/A itself having played an important role in the militarisation of economic relations during the long Second Civil War) via the CPA, and the amplification of a number of characteristics of the SPLM/A (as recounted in chapter 4) over a much larger territory than it was realistically capable of occupying, in a process accelerated by the Juba Declaration.

The South Sudanese state clearly does not have a monopoly on violence; it has, however, capitalised upon this, and used the presence of enemies to justify its continued expansion and penetration into society, through the extension of a vast military. Such an entity would not be unprecedented: various governments (especially in contemporary

Africa) are accustomed to or even reliant upon the presence of armed enemies in their territory in order to partially legitimise their rule, and/or to prolong emergency security measures (see Keen, 2008). Further still, and as Herbst (2000) emphasises, the establishment of a monopoly on violence and control of territory has rarely been feasible in much of sub-Saharan Africa, given the vast and often challenging terrain, and low population densities. Seen this way, and alongside other cases of conflict-affected or besieged states capitalising on the presence of threats to their rule, South Sudan is not an exception to the rule, but an extreme example of the rule being applied.

Accordingly, the concern about the South Sudanese state's lack of a monopoly of violence and territorial control may be greater among international powers than for the South Sudanese government. This has often worked to the advantage of Juba, which has been able to leverage the apparent 'weakness' of the state to obtain resources for statebuilding operations, which have reinforced into the militarised statebuilding project, or else done nothing to meaningfully reform or demilitarise it. To be clear, up until the current civil war the government of South Sudan has been rather successful at *performing* its statehood. As Larson *et al.* argue, the SPLM has been successful at projecting its statehood to an external audience through adopting techniques of 'isomorphic mimicry', ensuring that

Capacity-building efforts often produce changes in form but not in function; countries end up "looking like a state" without actually performing like one. Again, this could be an apt description of the past eight years of state building efforts in South Sudan. Aid recipient countries and the aid agencies supplying aid—both practicing isomorphic mimicry—allow the countries to "buy time," gaining legitimacy and sustaining the flow of aid by adopting international best practices, without actually absorbing capacities or improving state capability. These "notional policies" allow donor countries to claim success without actually having achieved any. (2013: 13)

The illusion of statehood - as well as the promise that the state is sufficiently strong for its sovereignty to be respected, yet weak enough to require assistance - has allowed the SPLM-led government to co-opt international power to assist in the militarised statebuilding project, and to deploy the rhetoric of post-conflict statebuilding as a lure to attract hapless donors. International actors have in turn conferred legitimacy and power upon the SPLM and SPLA, starkly exemplified with the case of UNMISS, as discussed in chapters 2 and 3. International donors, meanwhile, have stepped up to meet most of the costs for social development, freeing up resources for military spending, whilst material or political support for Security Sector Reform and Disarmament, Demobilisation and Reintegration provided by international actor have inadvertently fed back in to the militarised statebuilding process, or else had no discernible effect. Finally, and as Young (2012) has argued, international powers bear considerable responsibility for authorising this state of affairs in the first place, given that the revived IGAD peace which culminated in the CPA effectively installed two military regimes - the NCP and the SPLM/A - into

power in the north and south. It is highly unlikely that these international powers would have been pleased with the outcome, but nevertheless they have unleashed forces which they did not fully understand, and which they have therefore been unable to control in the ways they might have hoped.

Finally, it is worth reflecting on what the militarised statebuilding experience of South Sudan may have for the study of state formation more broadly, through connecting this experience to two notable examples of historical sociology scholarship. Tilly's landmark *Coercion, Capital and European States* (1992) is in line with certain precepts of this study (notably with his emphasis on war and war preparation), but despite a primary referent point for literature on post-conflict statebuilding, is primarily addressing experiences of state formation in Europe over the past millennia. Although Tilly's thesis is more complex and nuanced than much of the post-conflict statebuilding literature portrays it (emphasising different potential routes to and forms of political order), the essential points of his argument concern the productivity and autonomy of war and war preparation, and how both can feed into the production of state structures and power, provided that processes of capital accumulation and concentration occur and are harnessed in order to do so, and that the incipient state is able to survive encroachment from the evolving international system. If such conditions are met, advancements in administrative development and the gradual provision of public services mean that a dialectic between war and statehood is reproduced, culminating, at least in most European examples, in a civilianization of militarised state structures.

South Sudan's militarised statebuilding experience both confirms and subverts this thesis. On the one hand, South Sudan adheres to certain premises of the argument. "Within limits set by the demands and rewards of other states," Tilly observes, "extraction and struggles over the means of war created the central organisational structure of states", which is strikingly identified in the case of South Sudan (*ibid.*: 15). And in other respects, South Sudan confirms Tilly's argument by highlighting what is not likely to produce enduring rule or moves towards civilianization, for instance through short-cutting the need to negotiate with financiers thanks to its acquisition of vast oil revenues, and the risks that accompany an over-extension of a state's power, and the fragmentary forces that are likely to take hold once that happens. On the other hand, and most obviously, South Sudan is anything but civilianised.<sup>41</sup> In part, this is because administration was contained almost exclusively within the SPLM/A (which was, at essence, a military force rather than a political movement) during the Second Civil War, where it not only remained by expanded following 2005. Further, the SPLM/A experienced both internal and external aggression during that war, as well external support, which was also subject to abrupt shifts. This

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<sup>41</sup> Tilly would readily acknowledge this. Indeed, the final substantive chapter of *Coercion, Capital and European States* devotes considerable attention to the increasing spread of militarism in the global South since the end of the Second World War, and decolonisation. In doing so, he notes how non-European processes of statebuilding are not transitioning from militarised to civilianised forms of structure and rule. However, he is only able to speculate on why this might be, in part because he is reliant on narrow and quantitative indicators of militarism.

meant that the process of war was shaped by a number of external inputs, but crucially, it was also ended at the insistence of the sole Great Power in the international system, the USA. Its post-conflict statebuilding process has similarly been shaped by external forces, which have often enabled the SPLM government to amplifying its war preparation activities. Further still, the dynamic whereby the state captures labour, but also the tendency for labour to gravitate towards the state, does not neatly overlay with Tilly's points about capital accumulation and concentration, and suggests a more complex interplay between militarism, statebuilding and dependency.

Similarly, Herbst's (2000) conclusions about the evolution (or lack thereof) of principles of political power and state consolidation in sub-Saharan Africa in the face of challenging geographical and demographic circumstances only partially resonate with the militarised statebuilding of South Sudan, despite the brave and impressive contributions of his study. In particular, South Sudan exemplifies how state power can be extended through investing society in the social relations of war and war-preparation, instead of merely being broadcasted through the establishment of infrastructure, and techniques of boundary maintenance and filtration, governed by the geographical, technological and financial limitations. Militarism can instead be a powerful, if volatile, force for statebuilding, and one which can help compensate for the difficulties African elites have faced when attempting to extend their writ. Moreover, South Sudan does not quite correspond with Herbst's claim that colonialism's effect on the development of state-society relations (as well as the state itself) has been overstated, since rulers in Africa invariably experience similar sets of impediments to broadcasting authority (*ibid.*: Chapters 2 and 3). If anything, the effects of colonial forms of rule and control can help explain the genesis of the militarism in South Sudan, and its intimate linkages to state formation and expansion. The aforementioned *zariiba* system, and the precedent it established for early state authority to violently capture, expel and attract (in that order) the labour of civilians would carve out the channels through which subsequent iterations of state power for gradually fill. South Sudan does, however, confirm Herbst's argument that colonial boundaries have enabled post-colonial rulers to concentrate on safeguarding their core areas ahead of their hinterlands, with the SPLM/A emerging from the hinterlands of Sudan to contest vicious neglect at the hands of Khartoum, only to engage in somewhat similar practices of rule once the CPA had been signed, and independence became the likely outcome of that agreement. However, Sudan's post-colonial experience suggests that paramilitary forces need to be elevated into the discussion, and have become a key instrument for regulating political relations between the core and periphery (especially during the Second Civil War), and more recently an instrument for regulating political tensions within the core (as seen in the events surrounding the violence of December 2013 in South Sudan).

The framework of militarised statebuilding thus offers three contributions to this form of scholarship. First, that intensive militarism can speed up state formation, whilst compensating for the difficulties of projecting power across considerable distance, but also speeds up the decline or fragmentation of the structures which are established. Second, that

peace agreements brokered by external powers can accelerate and enable such processes, and solidify militarism in the administrative structures of the state which emerges from them. Finally, it can help to make sense of how a state can exist without monopolising power and control, and indeed depend, in part, upon this absence of authority to reproduce and legitimise itself, whilst attracting resources from international benefactors.

## Prospects for South Sudan

The reality of what has been happening in South Sudan is being belatedly acknowledged by some external observers. For instance, a recent Chatham House research paper argues that “South Sudan is not a country with a military. Rather, it is a military with a country” (Astill-Brown, 2014: 9). It is through a consideration of deeply embedded structures and forces, and the ways in which the post-conflict statebuilding process was reshaping South Sudanese society along lines established by the Second Civil War and the peace agreements that concluded it, that the reasons for South Sudan’s war-to-war transition become clearer. The specifics of the unfolding crisis within the Sudan People’s Liberation Movement (SPLM) over 2013 - culminating in President Kiir’s order to disarm Nuer soldiers in the Presidential Guard as a long postponed meeting of divided SPLM elites that same weekend was drawing to a close - are less important than the processes which have allowed these political and military tensions to translate into mass violence. Although accounts such as those of Johnson (2014) and Rolandsen (2015a) give useful context to political rivalries implicated in the crisis, we need to ask why these events were not just able to cause renewed civil war, but crucially, why it has been so intense. Whilst intra-SPLM rivalries were the spark that ignited the gasoline, the political crisis could have conceivably taken other forms, and yet still had much the same effect. A vast, well-armed military rife with internal tensions has been the visible result of the militarised post-conflict statebuilding process, and this provided the infrastructure for mass violence to occur. Even prior to the events of December 2013, the SPLA was the site of internal conflicts, and its expansion and solidification as the arena for politics, patronage and welfare ensured it became a magnet at the margins of state power, as excluded groups sought to violently enter the political system being created. Many of these same groups – militias and minor rebellions – would pile in once serious fighting got underway in 2013 (ICG, 2014a, 2014c).

In all likelihood, South Sudan will be locked in this path for some time. Indeed, on the 26<sup>th</sup> August, 2015, President Kiir (reluctantly, and under significant international pressure) signed the Agreement on the Resolution of Conflict in South Sudan (ARCSS, also known as the ‘Compromise Peace Agreement’), the regionally-brokered power sharing agreement between the government and the SPLM/A-IO, which established a Transitional Government of National Unity. This agreement has strong echoes of both the CPA and Juba Declaration - carving up and distributing political and military positions between the rival factions of the SPLM and the principal belligerents to the current conflict, with Riek

Machar once again finding himself in the number two spot, this time in the newly created post of 'First Vice-President'.

Since its signing, the ARCSS has been gradually (and almost without fail, belatedly) implemented, with both the government and SPLM/A-IO inventing various reasons to delay the implementation of key milestones, particularly on security matters. In a move which contravenes both the spirit and letter of the Agreement, President Kiir has instituted a sweeping change in the political organisation of the country, with the ten states of post-CPA South Sudan (alongside the Greater Pibor Administrative Area (GPAA)) to be replaced twenty-eight states, whose borders are yet to be precisely defined. This move has provided an opportunity for the government to centralise power, with a number of loyalists being rewarded with governorships of the new states, and a number of perceived antagonists or opponents being summarily dismissed (with the former governor of Western Equatoria state – Joseph Bangasi Bakosoro – being detained for two periods following his September 2015 dismissal) (ICG, 2016), and David Yau Yau appearing to have been removed from political office along with the GPAA he was awarded control of. Beyond this, an administrative re-organisation of this scale has two possible functions. First, it allows President Kiir to apportion power in these twenty-eight states largely as he pleases, denying most of these governorships to the SPLM/A-IO. Second, and in the long run, it may take some pressure off the central government of South Sudan, who have struggled to manage a number of governors who, in addition to being less supportive of the SPLM-led statebuilding project, have amassed sizeable militias of their own (see Young, 2012). By reducing the size of administrative units, this may serve to curtail the armed power base of future governors, and their ability to increase or decrease violence within their administrative units.

Meanwhile, war has rumbled on, albeit at a less dramatic level compared to the months following initial outbreak of hostilities in December, 2013. New splinter groups have begun to peel away from the SPLM/A-IO – contesting the legitimacy of the agreement and/or of the SPLM/A-IO itself (Young, 2015) – whilst seemingly 'local' violence in parts of Equatoria (and especially Western Equatoria) has intensified in response to political changes at the federal and national levels (see ICG, 2016). In June of 2016, the city of Wau experienced considerable violence and displacement, in circumstances which remain unclear, and in early July intense fighting between the SPLA and SPLA-IO rocked Juba, with serious violence in the supposedly 'demilitarised' city raising fears among international powers that the ARCSS was in tatters, and frustrating a number of IGAD representatives who had been involved in the negotiation of the agreement. Riek Machar would be dismissed as First Vice-President by Salva Kiir at the end of the month, and replaced by the ever unpopular (yet somehow indispensable) former governor of Unity state: Taban Deng Gai. Meanwhile, and save for its counter-LRA force, Uganda has departed from South Sudan, although the effects of the South Sudanese civil war on regional political alignments are too early to tell. In the event that the agreement holds, then the agreement will likely usher in a 'peace' with an uncanny resemblance to the status-quo ante. We can expect militia violence to remain, and for the SPLA to continue its almost exponential expansion if SPLM/A-IO forces are eventually integrated as planned,

further threatening the coherence of the military and sapping all available economic resources in the process. Meanwhile, the hostile regional context, and the arms networks that have helped make this possible, are unlikely to disappear, and may readapt to the new circumstances.

### Limitations and Possibilities

The first limitation of the thesis concerns the scope of social relations looked at in this thesis. In particular, a consideration of the impact of militarism on gender norms and relations would not only offer a more comprehensive account of the dynamics of militarisation, but also help to explain something else which has been hiding in plain sight: why virtually all of the actors implicated in Sudan and South Sudan's crises have been men. Beyond this, a difficult decision was taken midway through the thesis to concentrate on physical violence alone, and to restrict this to lethal, armed and generally reciprocal violence, in order to keep inquiry manageable. As noted in chapter 1, this effectively excludes various forms of sexual as well as structural violence, even if chapter 5 has touched upon certain processes of development, displacement and violence that relate to structural violence. Further study, potentially drawing upon insights within feminist security studies, could enhance our understanding of militarism, and its relationship to statebuilding and violence.

A second limitation relates to certain absences in available information on coercive institutions in South Sudan. The SPLA has been the focus of our 'institutions' chapter, but the police, and in particular the SPLM/A-IO, are important institutions in their own regards. Information on both is cursory and fragmentary – with just one substantive study available (Young, 2015) – and as more information becomes available so do the prospects of a more comprehensive analysis. Conceivably, the SPLM/A-IO will continue exert a strong influence on the social relations of war and war preparation in South Sudan, whether or not the fragile peace agreement of August, 2015, actually holds.

The third limitation is also a possibility for future inquiry and research. In order to develop the framework of militarised post-conflict statebuilding, and with only limited existing literature to draw from, a decision was made to concentrate on the different traditions and precedents of militarism in Sudan in order to determine whether and how the post-conflict statebuilding process in South Sudan was militarising or demilitarising society, or indeed if the source of this militarism emanated from outside of this statebuilding process. This allowed us to speak to the realities and forms militarism takes in war-torn societies in the global South, which have not been the focal point of much of the existing literature on militarism and militarisation. Such a framework is exploratory, and through a wider application to other societies engaged in or emerging from conflict, the possibility for refinement or revision of this approach increases. It is not intended to be an

iron cage, but rather a basis for analysing and understanding important processes and forces that seem to govern the relationship between statebuilding and violence.

Indeed, the potential for a framework of militarised post-conflict statebuilding to speak to cases beyond South Sudan is one of great interest to this author. The examples mentioned in this thesis – Afghanistan, Iraq, the DRC, and so on – intuitively resonate with the framework and the issues it attempts to explain. Post-conflict statebuilding has arguably risen to the top of the academic and policy agenda for war-torn societies, but the absence of any compelling account of its relationship to violence in spite of the apparent inseparability of violent conflict and statebuilding is concerning. Although militarism does not necessarily entail violence, this thesis has argued that – in the case of South Sudan – the ways in which the post-conflict statebuilding process has militarised social, political and economic relations in the country is vital for understanding this violence. Determining whether this is also the case in other societies can help test the strength of this framework, and potentially improve it.

The thesis has sought to foreground that which has been pushed to the background. This includes not only militarism and militarisation, but also the study of civil war and its relationship to statebuilding, in order to address and understand visible trends in contemporary global politics, but which many academics and policy-makers appear to be disengaging from, through authorising, producing and financing research that concentrates on context-specific and often micro-level processes, sometimes divorced analytically from global influences and forces that can give rise to and sustain lethal organised violence. Whilst there is certain merit in some of this work, its ability to speak to, or even recognise, the enduring presence of militarism and states in the production of war and the regional and international networks which make it possible, is questionable.



## Appendix I

### Chronology of significant events since 2005

January 9<sup>th</sup> 2005 – the Comprehensive Peace Agreement (CPA) is signed between the Government of Sudan and the SPLM/A, following revived peace talks beginning in mid-June 2002 in Kenya.

July 9<sup>th</sup> 2005 – SPLM/A leader Dr John Garang is sworn in as First Vice-President of the Republic of Sudan.

July 30<sup>th</sup> 2005 - Dr John Garang is killed in a helicopter crash as he travels from Uganda to Southern Sudan. Riots occur in Khartoum and Juba. Garang is succeeded by Salva Kiir as First-Vice President. A subsequent UN investigation finds no evidence of foul play.

October 9<sup>th</sup> 2005 – Constitution for the Government of Southern Sudan completed, and the Southern autonomous government is formed.

January 8<sup>th</sup> 2006 – Juba Declaration signed between the SPLA and the South Sudan Defence Forces. The SPLA absorbs SSDF forces, significantly increasing the size of the SPLA in the process. As Paulino Matiep's forces enter the South, they are attacked in Abyei, with Khartoum forbidding UNMIS from investigating. The first 'civilian disarmament' exercises since the signing of the CPA are carried out by the SPLA around the time of its signing, resulting in considerable violence in Jonglei state.

July 15<sup>th</sup> 2006 – Juba Peace Talks begin between the government of Uganda and the Lord's Resistance Army, mediated by Vice-President Riek Machar, resulting in a ceasefire by late August.

June 20<sup>th</sup> 2007 – Integration of SSDF into SPLA structures completed.

9<sup>th</sup> July 2007 – The Sudan Armed Forces fail to meet deadline for removing all its forces from the South, with only two-thirds of its soldiers withdrawing, whilst the SPLA similarly misses the deadline for removing its forces from Blue Nile state and the Nuba Mountains.

October – December 2007 – The SPLM temporarily leaves Government of National Unity.

April – May 2008 – Fighting breaks out between the SPLA and Misseriya Arab-identified groups in the disputed region of Abyei. In June, the President of Southern Sudan, Salva Kiir, and the Sudanese President, Omar al-Bashir, agree to refer the case to the Permanent Court of Arbitration in The Hague.

December 2008 – The Ugandan military launches Operation Lighting Thunder against the LRA, bringing the struggling Juba Peace Talks to an end.

July 22<sup>nd</sup> 2009 – The Permanent Court of Arbitration rules largely in favour of the Government of Sudan on the issue of Abyei, shrinking the size of the disputed area, whilst placing the Heglig oil field outside of the area.

April 11<sup>th</sup>-15<sup>th</sup> 2010 – Delayed elections held for the National and Southern Legislative Assembly, and for the Presidencies of Sudan and Southern Sudan, with NCP and SPLM incumbents retaining power. Violence from militias and SPLA defectors increases in the South around the time of the elections, and particularly afterwards, notably with SPLA General George Athor defecting, and David Yau Yau launching a rebellion in south-east Jonglei.

January 9<sup>th</sup> – 15<sup>th</sup> 2011 – Voting for the referendum on South Sudanese independence takes place, with the final results proclaiming that over 98% of Southerners voted in favour of secession. Militia and rebel violence increases following the referendum.

March-April 2011 – General Peter Gadet defects from the SPLA and launches a rebellion in March, and issues the Mayom Declaration in April.

May 2011 – Violence increases in Abyei, and later in Blue Nile and the Nuba Mountains, largely instigated by Khartoum. Fighting in the disputed territories of Blue Nile and Southern Kordofan intensifies over the coming year, and develops into a war in the borderlands above the South, with Khartoum alleging that Juba is supporting rebels fighting Sudan, and Juba claiming that Southern rebels and militias are being supported by Khartoum.

July 9<sup>th</sup> 2011 – The Republic of South Sudan established. The new state is swiftly recognised internationally, including by the Republic of Sudan. UNMISS replaces UNMIS in the new country.

December 2011-January 2012 – Intense violence in Jonglei state prompts the government to declare Jonglei a disaster zone. By this point, Jonglei has already experienced several years of recurrent violence involving rebel groups, various militias, and the SPLA, with the latter engaged in counter-insurgency and ‘civilian disarmament’ activities in the state.

December 2011 – Rebel leader and renegade general George Athor is killed, with his body found in Morobo county, near the border with Uganda.

February 2012 – President Salva Kiir orders oil production to be shut down, following disputes with Khartoum over oil transit fees. Juba loses virtually all of its revenue as a result of the move, inflation begins to soar, and GDP contracts by around 50%. Government pledges to continue paying salaries, and President Kiir increases anti-corruption rhetoric.

April 2012 – The SPLA invades Heglig, presently located in the Republic of Sudan, and abutting the still disputed region of Abyei. International condemnation of Juba’s actions follows, and SPLA soldiers are beaten back across the border by the Sudan Armed Forces.

August 2012 – David Yau Yau rebels again, with south-eastern parts of Jonglei plunged into renewed violence involving Yau Yau’s SSDA-CF, the SPLA, and White Army militias at various points over the next year.

March 2013 - Oil production resumes, following the delayed implementation of post-secession agreements reached between Juba and Khartoum in September 2012, under African Union mediation.

July 23<sup>rd</sup> 2013 – President Salva Kiir fires Vice-President Dr Riek Machar and dismisses entire cabinet, before a new, leaner government is announced a week later, with James Wanni Igga becoming Vice-President. SPLM Secretary General Pagan Amum is placed under investigation. These events follow the dismissal of two ministers and two governors in the preceding months.

December 15<sup>th</sup> 2013 – Violence erupts in Juba between soldiers in the Presidential Guard, and soon spreads throughout South Sudan, particularly in the Greater Upper Nile region. Over the coming days, SPLA and other security forces split, with considerable violence. Massacres occur in Juba, with hundreds of (predominantly) Nuer soldiers and civilians killed, with many fleeing to UN bases in the city. Foreign governments and organisations begin evacuations of their citizens and employees from South Sudan over the coming days.

Late December 2013 – January 2014 – SPLA defectors coalesce into a rebellion, under the leadership of the former Vice-President, Riek Machar, who fled the capital on the first day of fighting. The rebellion is initially named the SPLM/A- In Opposition, and takes over several cities in Greater Upper Nile, before being permanently expelled by government forces as the year

progresses, with fighting leaving the cities in ruin, with more civilians fleeing to UN compounds. Oil production falls considerably as a result of fighting in and around oil fields. The Ugandan military intervenes on the side of the government, as do rebel forces fighting in Sudan.

April 2014 – SPLM/A-IO forces briefly occupy the city of Bentiu, killing hundreds, mainly civilians.

May 2014 - Government finalises peace agreement with David Yau Yau, resulting in the establishment of the Greater Pibor Administrative Area, headed by Yau Yau.

July 2014 – Fears of famine raised by the UN amidst deteriorating humanitarian conditions, whilst an enormous quantity of Chinese-manufactured arms and ammunition arrives in South Sudan, for government forces.

April 21<sup>st</sup> 2015 – Fighting breaks out again in city of Malakal, between the SPLA and forces of General Johnson Olonyi, who breaks away from the government. Olonyi aligns his forces with the SPLM/A-IO, but does not join the rebellion.

August 26<sup>th</sup> 2015 – Under intense international and regional pressure, and with South Sudan facing economic catastrophe, President Kiir signs the Agreement on the Resolution of the Conflict in South Sudan in Juba, over a week after rebel leader Riek Machar signed the agreement in Addis Ababa.

October 2015 – President Kiir unilaterally proposes to replace South Sudan's ten states with 28 states, in a move which violates the recently signed peace agreement. Potential governors are announced over the coming months.

April 26<sup>th</sup> 2016 – Riek Machar returns to Juba as First Vice-President in a Transitional Government of National Unity, in which Juba was supposed to be 'demilitarised'. 1,410 SPLM/A-IO troops are allowed to return to Juba, and are cantoned in the west of the city, whilst the government does not fully withdraw its forces down to 3,420 troops, as required by the terms of the agreement, and plainclothes soldiers are reported to be present in the city. The implementation of the peace agreement is behind schedule, and violence is continuing to escalate in southern and western parts of the country.

July 2016 – Juba is rocked by heavy fighting, which escalated following the deaths of five SPLA soldiers in a dispute with SPLM/A-IO soldiers on July 7<sup>th</sup>. Over the next four days, hundreds are killed, most of whom are soldiers. The UNMISS compound sheltering civilians is shelled by the SPLA, amidst reports of peacekeepers largely failing to protect civilians from the fighting. Riek Machar and remaining SPLM/A-IO forces withdraw from the capital by 13<sup>th</sup> July following a ceasefire, and some foreign governments and organisations begin evacuations of their citizens and employees. Machar flees to the Democratic Republic of Congo, reportedly on foot. Taban Deng Gai is sworn in by the government as First Vice-President on 26<sup>th</sup> July, replacing Riek Machar (and against Machar's wishes), in a move which causes political tensions within the factions of the SPLM/A-IO.

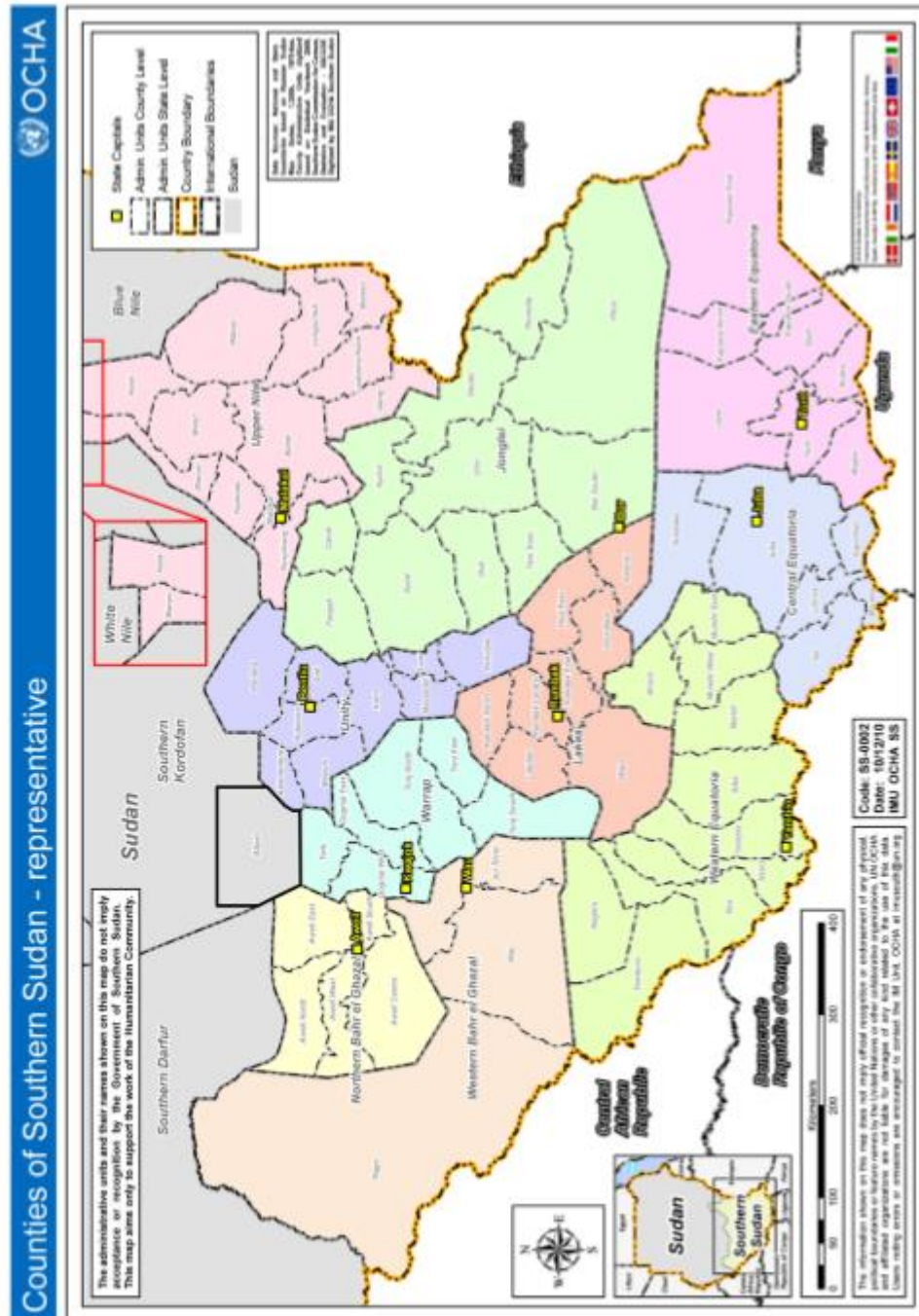
## Appendix II

Map of the Republic of South Sudan, showing the three historic regions of Greater Upper Nile, Great Bahr el Ghazal and Great Equatoria.



(Source: ICG, 2016: 25)

Map of the Republic of South Sudan, showing state and counties names and boundaries.



(Source: UNOCHA, in ICG, 2011: 31. Note that some international borders, particularly with the Republic of Sudan, but also along the southern borders, have not yet been finalised)

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