



## Observatoire des Enjeux Politiques et Sécuritaires dans la Corne de l'Afrique

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### Note 7 Briefing Note – The War in South Sudan

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## ABSTRACT

This briefing note is an attempt to update readers on the current situation in South Sudan. The country, plagued by a political crisis that had been broiling for years<sup>1</sup>, quickly descended into its third civil war on December 16, 2013. This note is based on the author's field research, mostly carried out in 2009, 2010 and 2014.<sup>2</sup> Its aim is to provide perspectives on the current violence and political dynamics in South Sudan, and to explore potential scenarios pertaining to the evolution of the war. Given the format of the note, every problem the country is currently facing could not possibly be covered, and some aspects had to be prioritized. Nevertheless the purpose of this note is to give an overview of the situation and to pose long-term questions.

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1 For a detailed account see Douglas H. Johnson, "Briefing: The Crisis In South Sudan", *African Affairs* 113, no. 451, April 2014; Douglas H. Johnson, "The Political Crisis in South Sudan", *African Studies Review* 57, no. 3, December 2014, p. 167–174; Øystein H. Rolandsen, "Another Civil War in South Sudan: The Failure of Guerrilla Government?", *Journal of Eastern African Studies* 9, no. 1, January 2015, p. 163–174.

2 This report is based on field interviews carried continuously from January 2009 to December 2010 and then in the summer of 2014 in South Sudan's Central and Eastern Equatoria states (Juba, Yei, Lanya, Morobo, and Nimule, and Torit), in Bor (Jonglei state), Malakal (Upper Nile state), Rumbek (Lakes state), Wau (Bahr El Ghazal state), Aweil, Awada and Aroyo (Northern Bahr El Ghazal). Only a few are cited here.



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Map of South Sudan– United Nations October 2011



Map No. 4450 Rev.1 UNITED NATIONS  
October 2011

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## INTRODUCTION: NEW WAR, NEW VIOLENCE?

The current civil war that has now lasted for nearly a year and a half is the third to plague South Sudan. The previous conflict was often dubbed “Africa’s longest civil war”, and lasted for 22 years. Compared to South Sudan’s past conflicts, this current war is ‘young’, and to some extent difficult to analyze. It is even harder to predict its evolution in a careful and meaningful way. Yet the country’s history and the fact that key players largely remain the same, make the evolution of this war sadly more foreseeable. Despite these difficulties, so far the intensity of violence in this war has been perceived by some long-time observers to be worse than the previous war.

How can we reach any meaningful conclusion regarding the intensity of violence – how can we measure it, over which time period, and where? A few parameters are at stake: this war is relatively new, it has not (yet) engulfed the entire South (the former Upper Nile region remains the main theater of operation), and the Sudanese army has not (yet) officially gotten involved on the ground, although there have been some air strikes.<sup>3</sup>

The massacre of Nuer civilians in Juba on 16-18 December 2013 may have been the largest and most sophisticated single targeted ethnic massacre in South Sudan’s history. Human Rights Watch reports on the massacre have been alarming: government soldiers questioned civilians on their ethnicity and “deliberately shot ethnic Nuer”.<sup>4</sup> A recent African Union report, leaked within and out of South Sudan, asserted that Juba had been “ethnically cleansed” of its Nuer population.<sup>5</sup> Eight months after the massacre, during the author’s last visit, stories of bodies left to rot in the open, of neighbors shot in the head by government soldiers searching for Nuer citizens (or “sympathizers”) door to door, still abounded in Juba.<sup>6</sup> No one knows how many people died, but they most probably number thousands. The general atmosphere in Juba and in other state capitals is extremely tense, as an all-powerful National Security organ that supersedes the army<sup>7</sup>, continues to terrorize civilians, and threaten civil organizations and their activists. When asked, most Juba inhabitants highlighted that even during the long and bloody civil war between 1983-2005, they had felt safer in the garrison town, because the Sudanese Armed Forces (SAF) had appeared better organized than the loose and corrupt SPLA.<sup>8</sup>

3 Air strikes have targeted South Sudan since its independence in 2011, and increasingly since 2012 and South Sudan’s decision to shut down oil production, and in Unity and Western Bahr El Ghazal states, known to harbour both the SPLM-North and Justice and Equality Movement’s rebels. See Waakhe Simon Wudu, “South Sudanese Accuse Khartoum After Village Bombed,” *Voice of America*, November 3, 2014, <http://www.voanews.com/content/south-sudan-bombing-raid/2506137.html>; “Sudan ‘Bombs Refugees’ in South Sudan’s Unity State,” *BBC*, November 11, 2011, <http://www.bbc.co.uk/news/world-africa-15678261>.

4 *South Sudan: Soldiers Target Ethnic Group in Juba Fighting* (Nairobi), Human Rights Watch, December 19, 2013, <http://www.hrw.org/news/2013/12/19/south-sudan-soldiers-target-ethnic-group-juba-fighting>.

5 Michelle Nichols and Aaron Maasho, “Exclusive: Bar South Sudan Leaders from Transition - Inquiry Draft,” *Reuters*, March 5, 2015, <http://www.reuters.com/article/2015/03/05/us-southsudan-unrest-inquiry-idUSKBN0M129M20150305>.

6 Government official, Juba August 1, 2014

7 Kiir, considering that the SPLA was traversed by tensions and presented the risk of factionalization, decided to reinforce instead its National Security Service, with support from the U.S., the UK and Israel. *South Sudan: Jonglei – “We Have Always Been at War,”* Crisis Group Africa Report, International Crisis Group, December 22, 2014, 10; Lutz Oette, “In Bad Company: South Sudan’s Proposed New Security Law,” *Sudan Tribune*, October 6, 2014, <http://www.sudantribune.com/spip.php?article52644>.

8 Members of a civil society organization in Juba, July 21, 2014.

One cannot exclude that psychology plays a role in any attempt to assess the intensity of an unquantifiable violence. Indeed long-term observers and international “friends” of South Sudan, many of whom developed strong ties with the former “liberators”, are extremely shocked and disappointed by them. Some, who nurtured the ungrateful “baby nation” and turned a blind eye to the widespread corruption of its leaders, sublimated their disappointment into new books, as did the former head of the UN Mission in South Sudan, Hilde Johnsson. This is one of the many ironies of this large-scale failure to establish the ‘youngest country on the planet’. Undoubtedly, the governance system in South Sudan was and remains, vastly corrupt, however, it would be simplistic to lay the blame exclusively with South Sudan’s rulers, thus depriving the liberation project of any legitimacy. The state of South Sudan, as it was designed under the impetus of the international community, was not viable and in the following paragraphs I attempt to explain why.

### **The failures of the demilitarization and state-building projects**

The current war of South Sudan is symptomatic of the failure of the internationally sponsored state-building *project*. The international community is arguably largely responsible for allowing the elite to plunder the new state to sustain their businesses and their own military bases within and outside of the army. To a certain extent, the liberal peacemaking vision that concentrated on the political realm rather than on the economic empowerment of ‘ordinary’ people during the CPA negotiations facilitated dominant class consolidation. As did “state building” - a crucial component of international peace-making practice incurring massive spending and presence in South Sudan. The new state resources were captured by the elite who used them to irrigate and to broaden its lower strata with post-war benefits, partly financed by the international community.<sup>9</sup> The state being the instrument of social differentiation, its formation and most importantly its very nature, were equally at stake.

The demilitarization and the state-building projects were instrumental in feeding this system of *politique du ventre*<sup>10</sup> that was rooted in the war economy. This system consolidated the position of members of various guerilla groups (not only the SPLA) in the authoritarian-state-in-the-making, accused of enforcing “Dinka domination” by many of its citizens – including the Dinka themselves. Enabled by access to top government positions after the signing of the CPA, the “roving bandits” (or “warlords”)<sup>11</sup> of the SPLA and other armed groups transformed into “stationary bandits”.<sup>12</sup> After 2005, corruption became the cement of the entire system of political and class domination in South Sudan<sup>13</sup>, to the extent that the acronym GOSS (Government of South Sudan) took on a new meaning in social media: the “Government of Self-Service”. As explained below, problems arose as early as 2010 when

9 For an analysis of liberal peacemaking in Sudan, see Young, *The Fate of Sudan*, 4-16.

10 The *politique du ventre* is, as demonstrated by Jean-François Bayart, a form of governmentality. Jean-François Bayart, “Preface to the Second English Edition. Africa In The World: A History of Extraversion”, in *The State in Africa: The Politics of the Belly*, 2nd ed., Malden, MA, USA: Polity, 2009, xlvii.

11 John Young remembers the expression of one of his interviewees, who called the interests of SPLA officers in business during the war a “wealth-generating project”, Young, *The Fate of Sudan*, p. 72.

12 The expression was forged by Mancur Olson in his analysis of the transition from anarchy to dictatorship. Embezzled oil revenues here replace the taxes leveled by the stationary bandits in Olson’s analysis. See Mancur Olson, “Dictatorship, Democracy, and Development,” *The American Political Science Review* 87, no. 3, September 1993, p. 567.

13 This is inspired from the reflections of Ernest Harsch on the role of corruption, when he argues that while in some countries, the extent and nature of the role of corruption in private accumulation may be a secondary attribute from the perspective of the governing elites, “in others it is the cement that holds together the entire system of political and class domination”, Ernest Harsch, “Accumulators and Democrats: Challenging State Corruption in Africa,” *The Journal of Modern African Studies*, 31, no. 1, March 1, 1993, p. 37.

some of the “stationary bandits” decided to rove again, driving up the price of allegiance in the political market place.<sup>14</sup> The “stationary bandits” quickly turned into autocrats (well before the start of this new war). With the elite’s sense of “ownership” of the state – a common feature of post-insurgent states in Africa<sup>15</sup> - it used the state to crush increasingly violently popular demonstrations after its independence.<sup>16</sup> It expelled two UN officials in the span of 6 months<sup>17</sup>, regularly intimidated, imprisoned and tortured journalists<sup>18</sup> and independent political figures<sup>19</sup>, threatened foreign correspondents<sup>20</sup>, and was suspected of carrying out assassinations of political activists.<sup>21</sup> Such coercion was also consistent with intra-elite struggles between different local factions within the SPLA, present before the CPA negotiations, but masked by Garang’s hegemony and his popularity with the international community.<sup>22</sup>

In the meantime, the Sudan People’s Liberation Army was radically transformed after the 2006 Juba Declaration. It was no longer the guerilla army who was in minority against all other aggregated armed groups (outnumbering twenty-two) and was certainly not about to win the war in 2002, when it was defeated in Torit by the Sudanese army. Indeed, some long-time fighters who had survived the 22

14 Regarding Sudan, De Waal writes: “Across the remainder of this huge territory, political life can be described as an auction of loyalties in which provincial elites seek to extract from one or other metropolitan centre the best price for their allegiance”, Alex De Waal, “Mission without End? Peacekeeping in the African Political Marketplace”, *International Affairs* 85, no. 1, 2009, p. 103.

15 Christopher Clapham, *Africa and the International System: The Politics of State Survival*, Cambridge University Press, 1996, p. 242.

16 Civil society organizations demonstrated in the wake of corruption scandals, and anti-corruption activists like Deng Athuai, were allegedly kidnapped and tortured by government security forces. The police also replied violently to other demonstrations, for example – but not only - in Wau in December 2012. See Waakhe Simon Wudu, “Civil Society Wants Corrupt Officials Prosecuted. The Civil Society Has Called for Investigations into the Embezzlement of Public Funds in South Sudan”, *Gurtong*, June 13, 2012, <http://www.gurtong.net/ECM/Editorial/tabid/124/ctl/ArticleView/mid/519/articleId/7144/Civil-Society-Wants-Corrupt-Officials-Prosecuted.aspx>; “South Sudan Deny Kidnap and Torture of Anti-corruption Activist”, *Sudan Tribune*, Juba, June 12, 2012, <http://www.sudantribune.com/spip.php?article43254>; “South Sudan Police Fire on Student Protest: Witnesses”, *Reuters*, October 31, 2012, <http://www.reuters.com/article/2012/10/31/us-sudan-south-protest-idUSBRE89U1CS20121031>; “In South Sudan, a Town Simmers amid Unrest”, *CNN*, December 20, 2012, <http://www.cnn.com/2012/12/20/world/africa/south-sudan-instability/index.html>.

17 First Ted Dagne, appointed by the United Nations to serve as presidential special adviser to Salva Kiir, and given the task of helping to curb corruption in the new country, and then a UN official for reporting on human rights issues. Alan Boswell, “American Expelled from South Sudan for Anti-Corruption Work”, *McClatchy Newspapers*, August 20, 2012, <http://www.mcclatchydc.com/2012/08/20/162893/american-expelled-from-south-sudan.html#storylink=cpy>; “South Sudan Expels UN Human Rights Official”, *Aljazeera*, November 5, 2012, <http://www.aljazeera.com/news/africa/2012/11/201211416420561324.html>.

18 Examples of journalists being jailed abound. For examples, see “S. Sudan Reporters and MPs Arrested in Wau”, *Radio Tamazuj*, January 3, 2013, <http://radiotamazuj.org/en/article/s-sudan-reporters-and-mps-arrested-wau>; Ngor Arol Garang, “South Sudan Denies Arrest of Newspaper Editor”, *Sudan Tribune*, October 11, 2011, <http://www.sudantribune.com/spip.php?article40293>.

19 “Warrap Assembly Summons Governor over MP’s ‘arrest and Torture’”, *Sudan Tribune*, August 24, 2011, <http://www.sudantribune.com/Warrap-Assembly-summons-governor,39937>.

20 Adam Boswell, correspondent of the US newspaper McClatchy has been labeled an “enemy of peace” by top government officials for his critical columns. (Mahir Abu Goukh, “Kiir and Obama: Apologies and Denials”, *The Niles*, August 29, 2012, <http://www.theniles.org/articles/?id=1393>.)

21 The most recent being South Sudanese journalist Ding Chan Awuol (alias Isaiah Abraham), shot in early December 2012 in Juba. (“South Sudan Govt Critic Shot Dead: Friends”, *The Australian*, December 6, 2012, <http://www.theaustralian.com.au/news/breaking-news/south-sudan-govt-critic-shot-dead-friends/story-fn3dxix6-1226531622354>.)

22 Intra-elite struggles within the SPLA concern primarily the group of the Bor Dinka, John Garang’s kinsmen, and the Dinka from Warrap area (Dinka Rek, Salva Kiir’s kinsmen). Garang built the core of the SPLM/A around the Bor Dinka community. The loyalists to Garang, nicknamed ‘Garang boys’, have been suspected of fomenting (three) coup attempts to host Kiir’s regime. (For historical perspectives on this topic, see Young, *The Fate of Sudan*, 63, 76.

year-long war, decided to leave the SPLA once Garang died in 2005 and once Salva Kiir, unpopular amongst Garang followers especially after the 2004 Rumbek conference, took over the semi-autonomous country's army. More soldiers left when they anticipated that the Juba Declaration would flock the SPLA with former foes from Khartoum-aligned militias. Many of those who left were the few older, more experienced, literate and educated, and who no longer needed the patronage of commanders. These members might have stayed in the SPLA had they not been threatened with marginalization following Garang's death and the Juba Declaration. They left the SPLA with mainly younger, less experienced, less educated, less loyal, and less disciplined recruits.<sup>23</sup>

The new SPLA then underwent a Disarmament, Demobilization and Reintegration (DDR) process. This process was rigged with corruption and was exploited by the leadership as an opportunity to rid the army of its elderly, disabled and women. Furthermore, it was viewed as a great chance to irrigate their extended kinship networks thanks to one of the most expensive DDR packages in the world along Afghanistan's<sup>24</sup> – a cautionary tale – and with the help of “reintegration” into government jobs. The DDR program targeted and rewarded the wrong people<sup>25</sup>, and the international community abandoned it quietly once the country became independent. Its deluded enthusiasm for the “baby nation” in 2011 conveniently avoided mention of this failure. By 2014, long-timer NGO and UN workers who had been in South Sudan throughout these years felt uneasy about this attempt at demilitarization and openly admitted this process had been a disgraceful joke.

This disgraceful joke bore heavy consequences: it oiled the wheels of the corruption system while turning a blind eye to the fact that key members of the government still maintained their own militias upstate. These existed within as well as outside the SPLA since the army was not “integrated” and resembled a collection of ethnic militias. High-ranking members in the government also used cattle-raids to disguise their operations and their trade, and reinvested gains from these raids into sustaining their militias – much as they had done during the previous war. Therefore, though the SPLA certainly grew in size thus protecting the future independent country from its northern foe, this growth also served the Southern elite's strategy of self-consolidation in preparation for the likely event that internal conflicts would be solved militarily rather than politically.

Local rebellions started as early as 2010 following the April elections, which were endorsed by the international community but marked by extreme violence.<sup>26</sup> People in Pibor county, in the state of Jonglei, were thrown in holes with burning rubbish at their feet, while women were threatened to be “raped with guns”. Exploiting the widespread violence, some disgruntled political candidates began their

23 Former SPLA commander, Rumbek, August 6, 2014.

24 UNMIS DDR Officer, Rumbek, January 27, 2010.

25 Ian Rowe and Laurent Banal, *Sudan: Assessment of the Disarmament and Demobilisation Process*, November 28, 2009, 19; Clémence Pinaud, “Are ‘Griefs of More Value Than Triumphs’? Power Relations, Nation-Building and the Different Histories of Women's Wartime Contributions in Post-War South Sudan,” *Journal of Northeast African Studies* 13, no. 2, 2013, p. 161–162.

26 Human Rights Watch already found the atmosphere of political repression « persistent » in its report back then. See *Sudan: Government Repression Threatens Fair Elections National and Southern Officials Should End Abusive Practices*, (Johannesburg), Human Rights Watch, March 21, 2010, <http://www.hrw.org/news/2010/03/21/sudan-government-repression-threatens-fair-elections>.

own rebellion, termed “rent-seeking rebellions” by Alex De Waal.<sup>27</sup> “Buying peace” with rebels, through elections and peace deals, is customary, as so is the international community’s endorsement of the practice in neighboring countries such as the Democratic Republic of the Congo.<sup>28</sup> The rebels of South Sudan used this strategy to feed off the neo-patrimonial state and the cycle of rebellions. This system is largely unsustainable since often the commanders sidelined by the peace deals continue to fight the central power and continue to drive the price of allegiance.<sup>29</sup>

One can easily understand the appeal of the South Sudanese political market place. Before the conflict erupted, the SPLA was rumored to have up to 700 Generals with their own escorts (about 35 people) – their clique of immediate followers -, who were paid up to 10,000 USD a month (without a payroll system and a fixed structure). In contrast, neighboring Ethiopia had about 50 Generals with each an escort of about three and a gross annual salary for a four-star General of about 6,000 USD.<sup>30</sup> Salva Kiir argued that the history of the SPLM was “full of defections like a dog lives with you at home and when you beat him he will run away but still will come back and lay down near you because he has nowhere to go and live”.<sup>31</sup> This tendency was also symptomatic of the fact that, despite the leadership’s attempts to cloth the SPLM in the attire of democracy<sup>32</sup>, there was no real difference between the army (SPLA) and the political party (SPLM).

Therefore, widespread corruption in the state-building scheme, in DDR programs and in the army, combined with constant attempts at accommodating rebel leaders all contributed to the domination of the “military aristocracy”.<sup>33</sup> Chronic instability caused the state to lose what little legitimacy it had while crystallizing resentment among the populace. The “courtization” by the ruler of the warlords<sup>34</sup> could never fully take hold, due to a corrupt system that allowed them to retain their own military and financial bases upstate. Powerful military players on the ground at the time, such as the current SPLA Chief of Staff Paul Malong, and the SPLA-In-Opposition General, Peter Gadet, were deeply involved in the war’s economy, reinvesting

27 Alex De Waal, “When Kleptocracy Becomes Insolvent: Brute Causes Of The Civilwar In South Sudan,” *African Affairs*, no. 113/452, 2014, p. 350.

28 Jason Stearns writes that “... the story of the Congo wars is one of state weakness and failure, which has made possible the ceaseless proliferation of insurgent groups, still numbering twenty-nine in late 2010. (...) This state of affairs should force foreign donors to think more carefully about contributing billions of dollars to development in the Congo without pondering the long-term repercussions”, Jason Stearns, *Dancing in the Glory of Monsters: The Collapse of the Congo and the Great War of Africa* (New York), Public Affairs, 2012, p. 328–329, and p. 332.

29 This has been the case for example with the Nuer commanders from the South Sudan Liberation Movement/Army, supported by Khartoum, and left behind by Peter Gadet in 2011 when he was absorbed into the SPLA. *Sudan and South Sudan’s Merging Conflicts*, Crisis Group Africa Report (International Crisis Group, January 29, 2015), p. 9.

30 High-ranking Ethiopian military officer, Addis Ababa, July 10, 2014.

31 “Salva Kiir Furious at Call to Step down,” *Radio Tamazuj*, January 27, 2015, <https://radiotamazuj.org/en/article/salva-kiir-furious-call-step-down>.

32 Øystein H. Rolandsen, *Guerrilla Government: Political Changes in the Southern Sudan during the 1990s*, Nordic Africa Institute, 2005.

33 To the extent that Slava Kiir could be perceived as an accommodating figure before the country’s independence. As Douglas Johnson points out, Kiir was along Garang the last surviving founding member of the SPLA/M, in part because he did not participate in the internal politics of the movement, which led to purges and fratricidal warfare. Johnson, “The Political Crisis in South Sudan,” p. 168.

34 According to Norbert Elias, the slow transition of warriors to courtiers in Europe from the eleventh to the eighteenth centuries eventually pacified society. Norbert Elias, “The Courtization of the Warriors,” in *Early Modern Europe: Issues and Interpretations*, ed. James B. Collins and Karen L. Taylor (Wiley-Blackwell Publishing Ltd, 2008, p. 386, <http://onlinelibrary.wiley.com/doi/10.1002/9780470774212.ch25/summary>.

their wealth into the expansion of kinship networks. Such men understood that “real” military power on the ground in South Sudan meant much more than merely investing money abroad. They strategically cultivated their local bases through patronage networks, while they continued to invest in multiple shady companies and deals after the war.<sup>35</sup> Men like Malong and Gadet retained their fiefdoms and subsequently, may consider themselves more powerful than the President and his former Vice-President turned rebel-leader.

The failure of the “courtization” was to a certain degree also a result of the elite’s own miscalculations. One of the most notable strategic mistakes it made was to shut down oil production in August 2012 following a row with Khartoum over oil transport fees. Ultimately, this bold move only led to a less favorable price-per-barrel.<sup>36</sup> Arguably, another financially and politically costly mistake was the very conception of this third civil war in the first place. If being a “stationary bandit” offers more long-term benefits than “roving” - which is implied the design of the peace deals – then surely the strategic prospects of this war for the elite were slim to none. Indeed, a new generation of rebels might easily arise before the ageing Salva Kiir and Riak Machar saw any of the promised post-war benefits, unless a peace deal is negotiated while they are still supported the international community (an idea contested by the human rights experts from the African Union support.<sup>37</sup> However, another option would be if the new rebel leaders that are to emerge were part of the same dynasty – which is likely due to kinship alliances. In such a case the old rebels will potentially see some of the benefits. In the following paragraphs I explain why this war may last longer than expected, and as a result, why it may prove to be the most costly miscalculation by this elite so far.

### **The parties on the ground**

From its onset, the new war was never a purely South Sudanese matter. Initially Khartoum had officially supported Juba against Machar’s rebellion, but this was never really credible, partly because of Riak Machar’s personal history with the regime, and partly due to Khartoum’s growing influence on Salva Kiir’s inner circle.<sup>38</sup> Khartoum’s support was in fact conditional to control of the oil fields: it could play both sides, and could come out of this South-South war victorious, at a low cost.

In December 2014 Khartoum declared that it had written proof that Juba was supporting rebel groups (Justice and Equality Movement and the SPLM-North).<sup>39</sup> What mattered was not so much that Khartoum had such evidence, since certainly it had hold of it for a while much as the SPLA knew of Khartoum’s support for Ismail Konyi - but rather it was the timing of this announcement, the escalation that it represented, and the threat to Juba and its control over the oil fields.

35 Former SPLA commander, Rumbek, August 6, 2014; Clémence Pinaud, “South Sudan: Civil War, Predation And The Making Of A Military Aristocracy,” *African Affairs* 113, no. 451, April 2014, p. 192–211; National staff of an international organization, Aweil, August 8, 2014.

36 De Waal, “When Kleptocracy Becomes Insolvent: Brute Causes Of The Civilwar In South Sudan,” p. 364–365.

37 Nichols and Maasho, “Exclusive: Bar South Sudan Leaders from Transition - Inquiry Draft”.

38 Johnson, “Briefing: The Crisis In South Sudan,” p. 303.

39 “Khartoum Again Warns Juba against Supporting Sudan’s JEM Rebels”, *Sudan Tribune*, December 17, 2014, <http://www.sudantribune.com/spip.php?article53377>.

Reports since that time have pointed to the likelihood that the Sudanese government is providing Riek Machar's faction with weapons as well as hosting training camps across the border.<sup>40</sup> At the same time the Darfuri Justice and Equality Movement (JEM) has bases in the South and carries out operations for the SPLA in the region. Khartoum has long criticized Juba's support to its former Nuba and Blue Nile brother in arms from the SPLM-North, who had allied with Darfuri armed groups, including JEM, in 2011 to form the Sudan Revolutionary Front (SRF). Although Juba had decided to officially remove its support from the SPLM-North in August 2013 - a decision that generated resentment amongst some SPLM/A members<sup>41</sup> - it has reneged on its decision by using both JEM and SPLM-North in its fight against Machar's troops.<sup>42</sup> The JEM, in particular, has played a crucial role in Juba's military strategy against the SPLA-I-O from the beginning. JEM fighters have a reputation for efficiency and reliability above that of the SPLA troops who regularly experience desertions. They are also reputed to have committed acts of extreme violence, most notably in Bentiu.<sup>43</sup>

Proxy wars between Sudan and South Sudan since 2010<sup>44</sup> and 2011<sup>45</sup>, maintained a very volatile military environment in South Sudan and between both countries. This environment was extremely "conducive" for the internationalization of the war, with nations such as Uganda taking sides and offering military support to Juba. There has been some suggestion that Khartoum remains undecided as to whom to support, Kiir or Machar, and that Uganda's involvement on the ground has made it lean towards supporting the SPLA-I-O. This could eventually trigger a Sudan-Uganda proxy war in South Sudan.<sup>46</sup> Nonetheless, the chronology of events so far, as well as Khartoum's relationship with Machar (and with other long-time defecting officers such as Gadet), would make such a rationale behind Khartoum's decision seem unlikely. At any rate, national politics also needs to be factored in: Uganda may stop supporting Salva Kiir's regime and pull out of South Sudan in the wake of its 2016 presidential elections. Yoweri Museveni has experienced a lot of 'heat' back home for an unconstitutional decision to send troops to South Sudan.<sup>47</sup> The uncertainty regarding the possibility of continued on-the-ground support from Uganda beyond 2016 might well spur Juba to crush the rebels. Museveni will also need to bargain between protecting his privileged friendship and business ties with South Sudan, and protecting his Presidential seat.

The involvement of Sudanese rebel groups and Khartoum logistical support for Machar's rebellion, may mean that this war could slide back into a North-South war with direct confrontation, especially if the Southern elite considers (and miscalculates) that it will gain substantial political and economical capital through it. The question arises as to what Juba

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40 *Small Arms Ammunition Documented at Bentiu Mosque, May 2014*, Arms and Ammunition Tracing Desk Report, Human Security Baseline Assessment, Small Arms Survey, July 24, 2014, 2, <http://www.smallarmssurveysudan.org/fileadmin/docs/facts-figures/arms-ammunition-tracing-desk/HSBA-Tracing-Desk-Bentiu-July-2014.pdf>; International staff of an aid organization, Aweil, August 9, 2014.

41 Johnson, "Briefing: The Crisis In South Sudan", p. 304.

42 *Sudan and South Sudan's Merging Conflicts*, ii.

43 *Ibid.*, p. 11.

44 With Khartoum's support to rebellions in the South after the April elections.

45 With the renewal of the war in South Kordofan in the summer 2011.

46 *Sudan and South Sudan's Merging Conflicts*, p. 21.

47 Peter Clottey, "Uganda Lawmakers Demand Answers about Troops in South Sudan," *Voice of America*, January 1, 2014, <http://www.voanews.com/content/article/1821664.html>.

can promise the JEM in exchange for fighting the SPLA-I-O.<sup>48</sup> If the risk of sliding back into a North/South war is real, it still remains uncertain whether or not this war could be militarily won by anyone of the parties involved.

### **Will anyone win the war?**

Examining the military situation on the ground, one is struck by the opacity of the *rapport de force* – it is very difficult to assess the strength of the SPLA and of the SPLA-I-O. Riak Machar was never really known for holding ground and this does not seem to be his goal – rather to secure the oil fields. The SPLA-I-O claims control over its troops only when expedient, i.e. when the human rights violations are not too great. There appears to be no real political and ideological consensus among the top members of the SPLA-I-O. Moreover there is competition and ambivalence, as for example between Gadet and Machar, and generally between educated elements and those who hold greater military legitimacy on the ground.<sup>49</sup> The SPLA-I-O also experiences defections when its members wish to leverage for power on the central political market place. The White Army, associated with the SPLA-I-O, is not a single cohesive army<sup>50</sup> – and while some are said to be “defecting”, one must question whether such an act of defection is theoretically even possible.

On the other hand, the former SPLA of the last liberation struggle is long gone. As mentioned above, after the 2006 Juba Declaration, experienced soldiers were replaced by members from other armed groups<sup>51</sup>, and by young inexperienced recruits mobilized after 2005. Consequently, the SPLA has few decent commanders, and its soldiers are scared, unpaid, and prone to defecting.<sup>52</sup> There is no semblance of a shared ideology, in contrast to the early days of the previous civil war, and local communities are tired of watching their men fight and die. In other words, there is much less popular support for this internal war than was the case at the start of the early days of the previous civil war, at which time there was felt to be a common enemy in Khartoum and during which time the SPLA appeared (at first at least) to recruit across different ethnic groups.

Because of all these various factors as well as the vastness of the territory in question, there seems little chance of any party being victorious unless any one of the parties were to increase their armament, thus making weaponry the decisive factor. There are some suggestions on the ground that this might be the case. South Sudan has been acquiring new military equipment.<sup>53</sup> So did the SPLA-I-O, in addition to those it regularly steals from the

48 *Sudan and South Sudan's Merging Conflicts*, p. 5.

49 Member of the SPLA-In-Opposition (SPLA-I-O), Addis Ababa, July 11, 2014.

50 It is a collection of Nuer community defense groups that operate at various levels in the Greater Upper Nile region since the 1930s. Even if they do not form a cohesive army, they do answer to a rather democratic organization based on clan and section, but they do not have a single structure and Nuer youth from Upper Nile, Unity and Jonglei have different leaders, who cooperate with the SPLA-I-O but retain the allegiance of their fighters despite the SPLA-I-O's attempts at integrating them through training. See Ingrid Marie Breidlid and Michael J. Arensen, “*Anyone Who Can Carry a Gun Can Go*”, *The Role of the White Army in the Current Conflict in South Sudan*, PRIO Paper (Oslo), Peace Research Institute Oslo (PRIO), 2014.

51 After the death of John Garang in on 31 July 2005, Salva Kiir organised a reconciliation with the SSDF through the signing of the Juba Declaration on 9 January 2006, which was not supported by the international community. Its lack of implementation and support would be, as Young argues, the principal cause of subsequent insecurity. Young, *The Fate of Sudan*, p. 14.

52 Former SPLA commander, Rumbek, August 6, 2014.

53 Most notably from China. See *Small Arms Ammunition Documented at Bentiu Mosque, May 2014*, p. 2.

SPLA.<sup>54</sup> Sudan's support remains crucial in determining whether the SPLA-I-O will, or will not, have a chance to gain the advantage in this war. Yet, to a certain extent, Sudan is still gauging the situation. It has already supported soldiers who defected from the SPLA, showing some inclination; however, the most important parameter in Khartoum's ultimate decision to increase its support to the SPLA-I-O, will be control of the oil fields. Both North and South Sudan are in a dire financial situation, but South Sudan much more so.<sup>55</sup> Khartoum has gained considerable experience since the 1970s in managing chronic inflation, debts, and insurgencies.<sup>56</sup> Thus it should come as no surprise that the SPLA has reinforced its presence around the only functioning oil field of the country in Paloich.

In light of the above it appears that weaponry may be the decisive factor in winning, and therefore ending, the current war. If not weaponry, and not negotiations, then there seems little chance that this war can be won by any of the parties. Events during the previous civil war may be of value when trying to predict the outcome of the current one. The South Sudanese have themselves pointed out in interviews, that the 22-year war was not ultimately won by anyone, regardless of the multiples militias involved.<sup>57</sup> Following the tradition of the "slave armies"<sup>58</sup>, Khartoum's strategy as letting "the Blacks fight the Blacks" meant that the Sudanese Armed Forces stationed in the South's garrison towns were overwhelmingly from Darfur and South Kordofan.<sup>59</sup>

Since "it paid to rebel"<sup>60</sup> for the SPLA<sup>61</sup> and various militias, no single party felt the need to win a military advantage. The current salaries from IGAD received by the South Sudanese elite negotiating in Addis Ababa on the account of both the government of South Sudan, the SPLA-I-O and the political opponents, in addition to their per diems (over USD250<sup>62</sup>) are not deterrents to the continuation of the war. Combined with the current financial situation in South Sudan and the general collapse of the state, factors may ultimately converge to create a situation reminiscent of the previous war, in which it paid more to rebel than not to.

A compounding factor in this impasse is that the military leaders on the ground remain the same as before. These men were involved in the previous civil war's economy, benefited

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54 Ibid.

55 Katrina Manson, "War in South Sudan Threatens Economic Devastation," *Financial Times*, January 14, 2015, <http://blogs.ft.com/beyond-brics/2015/01/14/war-in-south-sudan>.

56 Millard Burr and Robert O. Collins, *Requiem for the Sudan: War, Drought, and Disaster Relief on the Nile* (Boulder), Colorado: Westview Press, 1995, p. 219.

57 A map by UNICEF in 2002 showed more than 20 different armed groups, loosely controlled under the umbrella of SSDF.

58 Jok Madut Jok, *War and Slavery in Sudan* (University of Pennsylvania Press), 2001, p. 95.

59 Members of a civil society organization in Juba, July 21, 2014; Members of a civil society organization in Juba, October 21, 2010.

60 John Garang himself admitted the economic appeal of the rebellion: "... the marginal cost of rebellion in the South became very small, zero to negative; that is, in the South it pays to rebel", Atta El-Batahani, Ibrahim A. Elbadawi, and Ali Abdel Gadir Ali, "Sudan's Civil War. Why Has It Prevailed for So Long?", in *Understanding Civil War: Evidence and Analysis, Vol. 1 – Africa*, ed. Nicholas Sambanis and Paul Collier (Washington, D.C.), The World Bank, 2005, p. 193.

61 Young points out that the CPA negotiations denied participation to the South Sudan Defense Force (SSDF, pro-government militia), whose size was comparable to the SPLA's. Young, *The Fate of Sudan*, p. 14.

62 According to AFP's diplomatic sources, the South Sudanese negotiations held in luxury hotels in Ethiopia have already cost at least USD22 million. Delegates claim a USD250 per diem in addition to staying in luxury rooms (USD300 a night). The satirical South Sudanese website Saakam! recently published a humorous article warning that the Ethiopian government might tax these South Sudanese politicians, who could always raise their daily allowance by 30% to compensate for this tax deduction. "All Talk but No Peace: South Sudan's Stumbling Talks," *AFP*, February 1, 2015, <http://www.dailymail.co.uk/wires/afp/article-2935081/All-talk-no-peace-South-Sudans-stumbling-talks.html>.

financially from it, and maintained and expanded their control after the CPA over the same networks.<sup>63</sup> Fortunately, this generation of leaders is aging. Riek Machar is over 60, as are Peter Gadet and Gabriel Tanginyi; Paul Malong recently had a stroke, and Salva Kiir “collapsed” during his most recent visit to Sudan.<sup>64</sup> Yet, due to South Sudan’s social structure of extended kinship networks, their legacy will be inherited by their kin and followers. Most concerning is that the next generation of leaders will not have endured the previous civil war nor acquired the experiences of the previous generation, be it as soldiers or negotiators for peace and (hard-fought) support.

### **Politics and the radicalization of the regime**

In Juba, chronic insecurity has continued to affect civilians since the massacre in December 2013. Ugandan army soldiers are rumored to be under cover in Konyo Konyo market, monitoring the situation, while more and more Darfuri (reportedly from JEM) can be found in various towns across the country (especially in the Bahr El Ghazal, and in the Upper Nile regions). SPLA soldiers rent out their uniforms to civilians at night, who then go on to loot stores and houses.<sup>65</sup> The ambiance in Juba is tense, and militarized, with SPLA soldiers stationed every 200 meters or so on the main roads. At night, the city succumbs to general lawlessness and most civilians stay at home for fear of being harassed, beaten, or worse.

The regime, essentially a police state, relies ever increasingly on instigating fear in the populace, and has been increasing its security apparatus, to the extent that it is now more powerful than the SPLA. The state has been particularly wary of dissidence in Central Equatoria and Juba. The National Security bill, signed in October 2014 has reinforced the powers of the state and the National Security Service (NSS)<sup>66</sup>, an institution which has reportedly issued blacklists targeting Equatorian politicians. Rumors are circulating that national security officers are being trained to follow Equatorian politicians and, if needs be, assassinate them. This is reminiscent of the mistrust that prevailed in the garrison towns throughout the South during the last war. With everyone suspecting everyone else, the feeling of paranoia in Juba can be overwhelming, especially amongst Nuer and Equatorians. This is not to say that their paranoia is unjustified, especially in light of the government’s existing human rights track record.

The controlling nature of the state has grown hand in hand with its radicalization, a process in which Paul Malong has been instrumental. Considered a Dinka “hardliner”, Malong has leveraged a series of events (the SAF bombing of Kirkadem and Warguit in December 2010 and in 2012; the fighting around Heglig in April 2012; the SAF/SPLA clashes in Aweil East in September 2012) to convince Kiir of the need for an army loyal to them both, instigating the recruitment and training of SPLA troops. Malong also took advantage of the economic disarray in his home area (of which, as its Governor, he was undoubtedly partly responsible for) to recruit men into “Mathian Anyor”.<sup>67</sup> He was trying to position himself as the first leader from Northern Bahr El Ghazal with national stature. These troops went on to commit the ethnic massacres in Juba in December 2013.<sup>68</sup>

63 Paul Malong in Northern Bahr El Ghazal is a striking example.

64 “S. Sudan’s Kiir Collapses on Visit to Sudan,” *Radio Tamazuj*, November 4, 2014, <https://radiotamazuj.org/en/article/s-sudan%E2%80%99s-kiir-collapses-visit-sudan>.

65 Government official, Juba August 1, 2014; Members of a civil society organization in Juba, July 21, 2014.

66 Oette, “In Bad Company: South Sudan’s Proposed New Security Law”.

67 Therefore more recruits in « Mathian Anyor » are from Northern Bahr El Ghazal than from Warrap.

68 Member of a political party, Aweil, August 9, 2014; National staff of an international organization, Aweil, August

Despite his political standing Malong is largely feared and hated by the public, including many from the myriad of tribes that compose the Dinka. Nor is he respected by other politicians who regard him as uneducated, power-hungry, opportunistic, and greedy, and consider he only became powerful through his control of the war economy in Northern Bahr El Ghazal and his friendship with Kiir. Malong's strategy has been to sideline anyone who opposes his rule in Northern Bahr El Ghazal or threatens his position, for example accusing Parliament members of treason when they raised concerns about the large-scale embezzlement of state funds. He has also used state funds<sup>69</sup> to finance his time in Juba, particularly since 2012. At the time (concomitantly with the creation of "Mathian Anyor") he began to position himself as a successor, and to prepare for his arrival in power. Receptive to the rumor that the U.S. was starting to be displeased with Kiir's leadership, he leaked the names of potential threats to the President in an attempt to have them removed. Malong commanded an uneasy admiration amongst the top U.S. officials who had been working with him in the past few years. While they were reportedly on very good terms with him, and considered him to be a savvy politician and strategist, he was still treated with suspicion by some of his peers as a thief and a serial polygamist.<sup>70</sup>

Perversely, although the number of Malong's wives oscillate between 45 and 87 wives, he owes much of his power in his home state to them. Malong perfectly illustrates the military strategy so often followed by high-ranking officers in the SPLA during the last war.<sup>71</sup> He was heavily involved in the war and post-war economy of his home state and reinvested his financial gains from the war into the expansion of his extended kinship networks, his business interests and eventually into the establishment of a militia. The Kiir-Malong union can be traced back to the past civil war years. Kiir was promoted by Garang to second in command to represent the greater Bahr El Ghazal region in the SPLA leadership after Kerubino Kuanyin Bol tried to organize a coup in 1987-1988.<sup>72</sup> As the relationship between Kiir and Garang deteriorated, Malong saw the opportunity to step in and offer Kiir military and financial backing following his rift with John Garang as he mobilized his troops in Yei in November 2004.<sup>73</sup> This long-term partnership does not by any means exclude the possibility, as many anticipate, that Malong may be prepared to topple Kiir; however one should also keep in mind the health problems both these men suffer from.

### Violence and ethnicity

The radicalization and the increasingly violent atmosphere in the state have served to reinforce negative ethnic stereotypes: the Nuer are "disorderly" and "thieves", and the Dinka

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8, 2014; International staff of an aid organization, Aweil, August 9, 2014; Government official, Juba, July 25, 2014.  
69 He used to travel on UNMISS flights to Juba. The fact he no longer did meant the UN had even less insight into the evolution of the political situation both in Northern Bahr El Ghazal and in Juba. International staff of an aid organization, Aweil, August 9, 2014.

70 Asking for help to one of his well-respected and connected colleagues in the government, he was rebuffed in a way that summarizes the way he is perceived by many: "You looted the people and you married 60 wives!" Former high-ranking government official, Addis Ababa, August 18, 2014.

71 I described these processes in Pinaud, "South Sudan: Civil War, Predation And The Making Of A Military Aristocracy."

72 Douglas H. Johnson, *The Root Causes of Sudan's Civil Wars*, 2nd ed. (Bloomington IN: Indiana University Press), 2007, p. 90–91.

73 The rift between Garang and Kiir followed rumors that Garang intended to replace Kiir with Nhial Deng Nhial. The SPLM Rumbek conference became a forum to voice many grievances, namely regarding the corruption of the movement leaders, but much of the same autocratic structure remained. *The Khartoum-SPLM Agreement: Sudan's Uncertain Peace*, Africa Report, International Crisis Group, July 25, 2005, p. 15. Member of a political party, Aweil, August 9, 2014; National staff of an international organization, Aweil, August 9, 2014.

are “brutes” who want to dominate everything and everyone, and so on. These notions are reminiscent of those rife in the post-1991 environment, as described by Sharon Hutchinson and Jok Madut Jok.<sup>74</sup> In the wake of widespread nepotism, clientelism and corruption, the accusation of “Dinka domination”, which has been a running theme throughout South Sudanese history<sup>75</sup>, has gained more momentum. While the Equatorians are seen as the “cowards” who “stand by” allowing this to happen - all except the Mundari in Juba, who, if pushed, may rise again against the Dinka and “save” Equatoria.

As with any stereotypes, there are some slithers of truth to these ideas. Riek’s troops do steal – but, then, so do the SPLA and its defectors. As for the accusation of being “disorderly”, one could argue that since the White Army is not a real army, it is not supposed to be “ordered”. The SPLA-I-O leadership’s constant oscillation between claiming control and refusing any responsibility for the atrocities committed by its troops does little to negate these stereotypes. While it is true to say that the circles around Kiir and Malong, Dinka Rek and Malual, have dominated the state since it is also true that Riek Machar, a Nuer, who was the Vice-President for nearly the entire last decade and to a certain extent, allowed this to happen until he was sacked from the government and could no longer profit from his position.

Until May 2012 the Southern Sudan Anti-Corruption Commission (SSACC) created in 2005<sup>76</sup> had failed to submit any names of officials to be prosecuted by the Ministry of Justice.<sup>77</sup> Subsequently, President Kiir effectively granted the 75 officials suspected of corruption an amnesty (through anonymity).<sup>78</sup> Vice-President, Machar further argued that the suspects should remain in office, since he thought a few of them were innocent, until the “real” culprits for corruption were found.<sup>79</sup> Machar’s strategy has always been to de-personalize corruption in order to prevent debate. For example, in June 2012, he blamed the new nation’s weak institutions for corruption, and attributed the “Dura saga”<sup>80</sup> to the “combination of weak

74 Hutchinson and Jok highlighted that ethnic identities were in flux. The Dinka considered that the Nuer, although brave, were inherently bad rulers because they were « too » democratic and « too » impulsive. In contrast, the Dinka considered themselves as more « discriminating » and « reflective » and thus considered themselves as better suited for leadership, while the Nuer thought they were « arrogant » and « deceitful ». Sharon Hutchinson and Jok Madut Jok, “Gendered Violence and the Militarization of Ethnicity”, in *Postcolonial Subjectivities in Africa*, ed. Richard Werbner (London: Zed Books), 2002, p. 93–94.

75 In the late 1970s especially, a new form of ‘anti-Nilotic’ racism (with the rhetoric of a ‘Dinka domination’) emerged in the region. Johnson, *The Root Causes of Sudan’s Civil Wars*, p. 52–53.

76 Namely the Southern Sudan Anti-Corruption Commission (SSACC), the SSACC Act, the Auditor General’s Chamber and the National Commission for Redress of Public Sector Grievances (NCR) the Southern Sudan Anti-Corruption Act, and the Anti-Corruption Strategy and Action Plan for 2010-2014. South Sudan also joined the Extractive Industries Transparency Initiative (EITI).

77 It did submit the names of five officials in May 2012. “Warrap Parliament Backs South Sudan’s Fight Against Corruption”, *Sudan Tribune*, June 8, 2012, <http://www.sudantribune.com/spip.php?article42864>.

78 Since 2005, only one top official, SPLM Secretary General Pagan Amum (detained in December 2013), was tried (in March 2012), in a court in Juba – and not through the SSACC - following the accusation of receiving a USD30 million corrupt payment in 2006. He was acquitted in a trial whose purpose was to some degree to demonstrate the ‘professionalism and commitment’ of the South Sudanese justice system. Ngor Arol Garang, “South Sudan: SPLM’s Amum Acquitted of \$30 Million Scam”, *Sudan Tribune*, March 21, 2012, <http://www.sudantribune.com/South-Sudan-SPLM-s-Amum-acquitted,41992>.

79 Other Ministers, like the Minister of Information Barnaba Marial Benjamin, also opposed the suspension of these officials. Akim Mugisa, “South Sudan’s President Criticised for Protecting Corrupt Officials,” *The Niles*, June 14, 2012, <http://www.theniles.org/articles/?id=1230>.

80 The “Dura saga” refers to a large corruption scandal that surfaced in 2008 and involved the creation of hundreds of ghost companies and the embezzlement of money destined to buy grain to relieve hunger-affected populations. For details, see “Warrap Parliament Backs South Sudan’s Fight against Corruption”, *Sudan Tribune*, June 8, 2012,

institutions coupled with incompetent accounting system”.<sup>81</sup> In other words, the blame was laid at the feet of state institutions rather than attributed to real people involved in the embezzlement. Furthermore, the “baby-nation” was in desperate need of assistance from the international community, whom Machar called upon for help developing the nation’s institutions. The international community met this call by limply increasing pressure on Juba to address corruption and by threatening to cut some of its assistance.<sup>82</sup> Essentially, since 2005, the judicial anti-corruption institutions resembled a “d cor of *trompe-l’oeil*”<sup>83</sup> and have mostly been mobilized for political gains. Therefore, ethnic affiliations and discursive approaches might have been different between Kiir and Machar, but the spoils stayed the same.

Thus far, the Equatorians have largely remained outside of the conflict, although some have joined the SPLA-I-O.<sup>84</sup> Clement Wani Konga, Governor of Central Equatoria, reportedly stormed in Kiir’s office after hearing rumors of a hit list against the greater Equatoria Governors. He would have threatened Kiir to unleash his Mundari militia over him should he cross the line and target Equatorian politicians.<sup>85</sup> One suspects that should Equatorian political figures continue to be threatened and even targeted, they will undoubtedly be forced to join the conflict. This new front would undoubtedly originate from fertile terrain; dissatisfaction and resentment amongst Equatorians towards Nilotic elite members (especially towards the Dinka) has been mounting for decades. In many pockets of Equatoria, especially in Central and Eastern Equatoria, the predominantly Dinka SPLA managed to alienate the population by profiteering from the war, often through forced marriages and land-grabs.<sup>86</sup> Moreover, former SPLA soldiers continue to occupy positions in law enforcement and display their post-war acquired wealth, triggering resentment among the local population. Nevertheless, it should be noted that Equatorian politicians, such as the new Vice-President Wani Igga, have been heavily criticized by the population for allowing such practices to continue. History would suggest that their silence has been bought, implying that even when “tribalism” is used as a mask for class privilege<sup>87</sup>, the spoils to be gained by the governing elite remain the same.

Tribes cannot be automatically associated with political factions in South Sudan; members of the same tribe are known to change allies or pledge allegiance to different factions<sup>88</sup> for political and economic gains. However, within the context of widespread economic and political grievances, the various political parties have been able to use the history of South Sudan to legitimize their causes, thus contributing to inter-ethnic animosity. In interviews, members of the SPLA-I-O have argued that the Nuer were the true founders of the liberation struggle in the 1970s and were eradicated by Garang. They have used the killing of the

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<http://www.sudantribune.com/spip.php?article42864>; “South Sudan’s Minister of Justice Instructed to Prosecute Corrupt Officials,” July 8, 2012, <http://www.sudantribune.com/spip.php?article43193>.

81 “Weak Institutions a Cause of Corruption in South Sudan – Machar”, *Sudan Tribune*, June 10, 2012, <http://www.sudantribune.com/spip.php?article42875>.

82 Ibid.; “Joint Donors Warn S. Sudan Government over Corruption”, *Sudan Tribune*, April 12, 2011, <http://www.sudantribune.com/spip.php?article38552>.

83 Bayart was referring to the case of Senegal. Bayart, “Preface to the Second English Edition. Africa In The World: A History of Extraversion”, xxviii.

84 Such as Richard K. Mulla (Moro), Martin Kenyi (Madi), Alfred Lado Gore (Bari).

85 Government official, Juba August 1, 2014

86 Former SPLA soldier, Juba, November 11, 2010; Women’s Group (13 women), Nimule, April 23, 2009.

87 “Tribalism then becomes a mask for class privilege.” Richard L. Sklar, “Political Science and National Integration – A Radical Approach”, *The Journal of Modern African Studies* 5, no. 1, May 1, 1967, p. 6.

88 Such as Lam Akol (from the Shilluk) and Riek Machar (from the Nuer) during the war in their Nasir faction in 1991. Lam Akol alienated himself the Shilluk when he was in command of SPLA forces in their area in 1987-8. Johnson, *The Root Causes of Sudan’s Civil Wars*, p. 94.

Gajaak Nuer in the late 1980s to justify the 1991 Bor massacre of Dinka civilians, while SPLA members argue that the Gajaak Nuer massacres were retaliation for the killing of new SPLA recruits on their way to Ethiopian refugee camps by Nuer Anya Nya II soldiers.<sup>89</sup> The death of John Garang in 2005 is also a recurrent topic in the conversation, even more so than on the eve of independence, and especially with the growing foreign presence in South Sudan.<sup>90</sup> All of this testifies to the intra-Dinka tensions as well as the general atmosphere of distrust and animosity that has been tearing the SPLA/M apart since the 2004 Yei events and the Rumbek conference - a situation that was further enhanced when Garang demoted Salva Kiir from the SPLA to become Vice-President - without anticipating that his death would effectively promote Kiir back to position of Chief of the SPLA and President.<sup>91</sup>

The debate over federalism has also gained momentum, despite the state's violent attempts to suppress it, and the very tense political atmosphere. The current war is, for many Equatorians, an admission that something deeply wrong with the state structure can no longer be denied. The debate also offers a channel for voicing resentment of the Dinka and Nuer elite. Some (including some members of Parliament) argue for a revival of the notion of "re-division" of the South, or "Kokora" (in Bari, "division").<sup>92</sup> This would effectively push the Dinka out of Juba and Equatoria and back into their own states. The hope is that such an act would force the Dinka to develop their home region rather than "colonize" others'. Equatorian civilians overwhelmingly said they are ready to give up on the oil, and rightfully argue that their region has sufficient agricultural potential, and precious metals to sustain an economy. Equatorian government officials are adamant that the Dinka, who largely settled in the region through inter-marriages in the 1970s and after the 1991 SPLA split that dislodged them from Ethiopia, will be the biggest losers in the event that South Sudan becomes a federal state.<sup>93</sup>

The "Kokora" is ethnically connoted as being anti-Nilotic, moreover for many in the SPLA/M it is associated with the second civil war, as former Sudan's President Nimeiri took advantage of the political divisions amongst the Southern elite to re-divide the South and strip the Southern Regional Government of its powers.<sup>94</sup> Yet as Douglas H. Johnson argues, notwithstanding the historical roots of a consolidated concept of federalism - which emerged during the pan-Sudan Juba conference of 1954<sup>95</sup> - it has meant and continues to mean, very different things to different players in the conflict. Nowadays, many Equatorians regard Riek Machar as opportunistic and insincere with regards to his advocacy for federalism, nor would this be the first time that Machar was viewed as such.<sup>96</sup> These past inconsistencies have led, the majority of Equatorians to regard federalism as a strategy for Machar and his supporters to tighten their control over resources and increase their gains. International government officials have also shared their reticence about federalism. Former

89 Member of the SPLA-I-O, Addis Ababa, July 13, 2014; Former SPLA commander, Rumbek, August 6, 2014.

90 The helicopter that carried Garang and crashed in 2005 was provided by Uganda.

91 Young, *The Fate of Sudan*, p. 77.

92 The "Kokora" was initially advocated for by Joseph Lagu in 1980 to counter what he and his Equatorian supporters perceived as "Dinka domination" - which extended to Nuer members of the Southern Regional Government. Douglas H. Johnson, *Federalism in the History of South Sudan Political Thought*, Rift Valley Institute Research Paper (London), Rift Valley Institute, 2014, p. 19.

93 Member of Parliament, Juba, August 1, 2014; Staff in a Ministry, Juba, July 31, 2014.

94 Johnson, *Federalism in the History of South Sudan Political Thought*, p. 19.

95 *Ibid.*, p. 10.

96 Considering the fact that he broke away from the SPLA in 1991 to protest against the lack of democratic institutions, human rights violations, and the nationalist (versus separatist) agenda of the SPLA/M - to later commit gross human rights violations and accept military support by Khartoum. See Johnson, "The Political Crisis in South Sudan," p. 172.

rebels-turned-government-officials in South Sudan have demonstrated their tendency to appropriate the country's resources as their own. Nonetheless, the fact remains that there is little consensus within the rebel movement or other parties as to the shape federalism should take.<sup>97</sup>

### **Further splintering and the risk of balkanization**

The relative stability in Central Equatoria and, to some extent, throughout the country, appears to rely on maintaining a fragile equilibrium of power between former foes.<sup>98</sup> Aware of the risk of further fragmentation<sup>99</sup>, the SPLA leadership continues to recruit and train Dinka elements from Bahr El Ghazal in a bid to retain its control over troops. This delicate equilibrium has been damaged by the alliance between Martin Kenyi, former South Sudan Defense Forces commander<sup>100</sup>, with the SPLA-I-O. This further begs the question of the possibility of links existing between Khartoum and the SPLA-I-O. In January of this year, another armed group emerged in Western Equatoria - the new Revolutionary Movement for National Salvation (REMNASAS) under the leadership of Major Lasuba Lodoru Wongo who defected from the SPLA.<sup>101</sup>

The Dinka are far from being a homogeneous entity themselves nor are they all loyal to the regime. On the other hand, the relationship between the Bor Dinka and the Nuer elements of the SPLA has gradually improved since 2008, especially after the suspected government assassination of Bor Dinka political commentator Diing Chan Awuol (alias Isaiah Abraham) in 2012.<sup>102</sup> Various coup attempts (one of which, in 2012, some Lou Nuer took the fault for) also complicate matters.<sup>103</sup> At any rate, by retaining Kuol Manyang as the current Minister of Defense and Veterans Affairs, there has been an attempt to prevent an intra-Dinka war. Much as was the case when James Hoth Mai was Chief of Staff in the SPLA yet was unaware of Kiir and Malong's plans to develop the "Mathian Anyor" who committed ethnic massacres in Juba in December 2013, Kuol Manyang's position is merely decorative. He represents only a fraction of the greater Bor Dinka – specifically those from Bor South who were promoted in 2013 in a bid by Kiir to retain their allegiance. In contrast, Dinka from Twic East, the home of Garang's widow Rebecca Nyandeng Garang and former Defence Deputy Minister turned former political detainee Majak d'Agoot are less supportive.<sup>104</sup> Very few Bor Dinka believe that Kuol Manyang remains a part of the regime willingly.<sup>105</sup> Regardless of whether this opinion is grounded in fact, many Bor Dinka show increasing frustration with a regime they identify with Dinka groups from Bahr-El Ghazal who sidelined them from positions in the government and in the SPLA, have embezzled state resources, and continuously disregard human rights – by massacring civilians, including Nuer groups.

97 Member of the SPLA-In-Opposition (SPLA-I-O), Addis Ababa, July 11, 2014.

98 As was demonstrated in the case mentioned above, when Clement Wani Konga threatened revenge should Salva Kiir harm any of the Equatorian politicians on his rumored list.

99 Equatorian troops in the SPLA are also resentful of being deployed to fight the SPLA-I-O, to protect a regime that has not benefited them.

100 Steve Paterno, "The Case of Equatorian Rebellion in South Sudan Conflict," *Sudan Tribune*, December 10, 2014, <http://www.sudantribune.com/spip.php?article53282>.

101 John Tanza, "Claims of New Rebel Group in South Sudan," *Voice of America*, January 28, 2015, <http://www.voanews.com/content/south-sudan-rebel-group-new-unrest/2617157.html>.

102 *South Sudan: Jonglei – "We Have Always Been at War"*, p. 10.

103 Garang loyalists, nicknamed the "Garang boys", have been suspected of fomenting (three) coup attempts to host Kiir's regime. For historical perspectives on this topic, see Young, *The Fate of Sudan*, p. 63 and p. 76.

104 *South Sudan: Jonglei – "We Have Always Been at War"*, p. 13.

105 National staff of an international organization, Aweil, August 8, 2014.

This animosity would imply that government rhetoric surrounding the 1991 Bor massacre<sup>106</sup> fooled few among the Bor Dinka. The massacre of Dinka civilians in Bor in January 2014 by the SPLA-I-O and White Army antagonized many Bor Dinka. Consequently, they tend to side with former political detainees, but their grievances remain extremely similar. Even if these wounds have not yet healed, both sides led by Paramount Chiefs, Head Chiefs and Executive Chiefs of Greater Bor, are invested in reconciliation efforts and openly voice their disappointment with the country's leadership (much like during the second civil war in the People-to-People Process).<sup>107</sup>

Other groups of Dinka, especially in Upper Nile, have proved to be easier to mobilize against the SPLA-I-O (such as the Oil Protection Force, the Mabaan Defence Force, and so forth).<sup>108</sup> But the case of General Dau Aturjong, a long-time opponent to Paul Malong in Northern Bahr El Ghazal, indicates that even in the SPLA Chief of Staff's stronghold, some prominent Dinka figures opposed him, joined the SPLA-I-O, and are planning to boost the movement's recruitment.<sup>109</sup> Further splintering is likely to occur, and more Equatorians and Dinka military leaders may join the opposition. Therefore, while intra-ethnic conflicts plagued the Nuer during the last civil war<sup>110</sup> and appear to have resurfaced in Unity state<sup>111</sup>, an intra-Dinka civil war could erupt and make this war altogether more violent than the last.

Ultimately, inter-ethnic and intra-ethnic tensions, the growing factionalization of the SPLA and its tensions with the National Security Services, combined with the fact that fear and corruption are now the only foundation of the state, all beg the question of the future of South Sudan. The fragmentation of South Sudan – a 'Balkanization' or a 'Somalization' of the state – is now a regular topic of conversation among South Sudanese. This perceived risk has even played in some political strategies. For example, some Equatorians do not want to join the conflict because they are resentful of the SPLA's wartime "occupation" of their territory and of its post-war "domination" of the state. These people admit that they would rather see the two opposing factions tear each other apart than unite, in the hopes that they might ultimately gain "independence" from Nilotic groups. The very fact that people feel free to openly fantasize about the potential fragmentation of the country – at the end of which Equatoria would probably unite with Uganda is concerning, in particular with regards to the prospect of South Sudan's territorial integrity and independence.<sup>112</sup> If the current situation persists, these issues will inevitably find themselves back on the table, which would arguably be the most consequential of "miscalculations" made by the governing elite.

106 In a speech on 16 December 2014 explaining his own version of the previous night's fighting in Juba, Kiir blamed Machar for the unrest, dubbing him a "prophet of doom" who "continues to persistently pursue his actions of the past". He warned that his "government will not allow the incidents of 1991 to repeat themselves again", alluding to the 1991 Bor massacre, in an attempt to galvanize Dinka groups (not a homogeneous single 'tribe') he had actually been at odds with for the past ten years. "Salva Kiir Calls Former VP 'prophet of Doom,'" *Radio Tamazuj*, December 16, 2013, <https://radiotamazuj.org/en/article/salva-kiir-calls-former-vp-%E2%80%98prophet-of-doom%E2%80%99>.

107 "Jonglei's Dinka and Nuer Communities Agree to Reconcile," *Gurtong*, August 12, 2014, <http://www.gurtong.net/ECM/Editorial/tabid/124/ctl/ArticleView/mid/519/articleId/15529/Jongleis-Dinka-and-Nuer-communities-agree-to-reconcile.aspx>.

108 *South Sudan: Jonglei – "We Have Always Been at War"*, p. 11.

109 "South Sudan's Rebel Leadership Unveil Plan to Enlist More Fighters," *Sudan Tribune*, February 2, 2015, <http://www.sudantribune.com/spip.php?article53864>.

110 Douglas H. Johnson, "The Nuer Civil War," in *Sudanese Society in the Context of Civil War. Papers from a Seminar at the University of Copenhagen, 9-10 February 2001*, ed. Maj-Britt Johannsen and Niels Kastfelt (Copenhagen), University of Copenhagen North/South Priority Research Area, 2001, p. 1–27.

111 *Sudan and South Sudan's Merging Conflicts*, p. 9.

112 Member of Parliament, Juba, August 1, 2014; Government official, Juba August 1, 2014.

South Sudan has always been ripe for exploitation, be it for slaves, ivory, gold, land, oil, and/or political gains. Consequently, wars in South Sudan have been exceedingly internationalized. The most recent conflict, for example, involved all Sudan's immediate neighbors, as well as players from outside the region such as Saudi Arabia, Lebanon, and Iraq. Khartoum benefited from Saudi Arabia's support until early 1991 when it sided with Iraq in the Gulf war. Iraqi soldiers freely walked the streets of Juba on their way to fight the SPLA, Usama Bin Ladin was involved in agricultural schemes along the Blue Nile, and even kept a house in Juba, and the Taleban regularly used Juba University as a place to preach and to pray. Bin Ladin also held land in the Port Sudan area, where he ran training camps that welcomed soldiers from the Hamas and the Hezbollah. Other land he owned in the Red Sea region and along the Ethiopian border was used for both farming and as a training ground for the Eritrean and the Oromo Islamic Jihads. Such activity convinced the US to label Sudan as a "terrorist state", and to support regional defense schemes in threatened neighboring nations.<sup>113</sup>

In the aftermath of the CPA, South Sudan not only became an Eldorado for countries who wished to exert influence in the region (most notably China and America), but also a profitable haven for a myriad of businessmen from a variety of countries. Most interesting is the presence of American military contractors who made their name in Afghanistan fighting the war on terror, such as Erik Prince, the founder of Blackwater.<sup>114</sup> The current unrest may signal the beginning of (or rather a "renewed") era of resurgence for South Sudan. With the growing terrorist threat in northern and Sub-Saharan Africa, the U.S. and other Western powers such as France, need a strong ally in the region more than ever. They are very well aware of, and worried about, the various cross-border incursions<sup>115</sup>, and of Khartoum's pivotal role in the region as a haven for, and as a sponsor of, terrorist groups in countries such as Libya. There, fighters from Darfur were spotted by the Libyan armed forces and groups sponsored by Khartoum allegedly joined the Islamic State of Iraq and al-Sham group, ISIS.<sup>116</sup> Given Khartoum's alleged support to the SPLA-I-O<sup>117</sup>, Salva Kiir's regime might benefit from the international terrorist threat in the long run.

## TWO POTENTIAL SCENARIOS

Under these circumstances, two possible resulting scenarios exist, neither of which are particularly hopeful. Given the multiple stakes of the different regional and global actors involved in this war, there is little chance that this war will be settled through negotiations, but in the following paragraphs I explore the potential repercussion that may follow such an unlikely event.

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113 Johnson, *The Root Causes of Sudan's Civil Wars*, 85, 102, 135; Members of a civil society organization in Juba, July 21, 2014.

114 Ilya Gridneff, "South Sudan Hires Ex-Blackwater Chief to Restore War-Hit Oil," *Bloomberg*, December 18, 2014, <http://www.bloomberg.com/news/articles/2014-12-18/south-sudan-hires-ex-blackwater-chief-to-restore-war-hit-oil>.

115 Including along the axis Sudan-South Sudan-Central African Republic, but also from Mali to Darfur. "JEM Rebels 'Sight' Malian Rebels in North Darfur," *Sudan Tribune*, February 18, 2013, <http://www.sudantribune.com/spip.php?article45564>.

116 "Sudan Denies Arms Being Shifted between Darfur and Libya," March 7, 2015, [http://www.sudantribune.com/spip.php?iframe&page=imprimable&id\\_article=54215](http://www.sudantribune.com/spip.php?iframe&page=imprimable&id_article=54215).

117 The allegations of Eritrea's support of the SPLA-I-O are also worrying. Eritrea's welcoming of members of the Somali al-Shabaab in Asmara was crucial to the group's survival after Ethiopian troops forced the Islamic Courts Union (ICU) to flee in 2007 and has regularly provided weapons and other assistance to the terrorist group. For perspectives on the Eritrea/Ethiopia and regional dynamics, see Berouk Mesfin, *The Crisis in South Sudan: A Game of Regional Chess*, (Addis Ababa), Institute for Security Studies, May 26, 2014, <http://www.issafrica.org/iss-today/the-crisis-in-south-sudan-a-game-of-regional-chess>; Martin Plaut, "South Sudan: New Battleground for Ethiopia and Eritrea?," March 8, 2014, <https://martinplaut.wordpress.com/2014/03/08/south-sudan-new-battleground-for-ethiopia-and-eritrea/>.

### The first scenario: peace negotiations

In the first scenario, successful peace negotiations are brokered, but things turn sour, most likely within two to five years. The incentive for the elite to *negotiate* peace are great: with the IGAD salaries and per diems it not only “pays to rebel”<sup>118</sup>, it now also pays to talk peace. The international community will need to develop a strategy for peacemaking, which it does not yet seem to have. This might be related to the fact that regional neighbors are still gauging their potential gains. So far, this war has proved that the 2002-2005 CPA negotiations, concluded under the pressure of the international community<sup>119</sup>, resulted into a ten-year “pause” rather than into a lasting peace. Thus it appears that ultimately, being seen to be making peace is far more important than the peace itself.

One can conceive an agreement being brokered that accommodates the elite; however, the problem would then be, which elite, and to what extent can everyone be accommodated? Barring an unforeseen assassination attempt (like UNITA’s leader Savimbi), any future government of South Sudan will have to include Riek Machar<sup>120</sup>, since there is little chance that he will allow a peace agreement to proceed otherwise. Other players like Peter Gadet are equally uncompromising, and liable to establish militias that will have to be included at the negotiation table. It is unlikely that a coalition government between Kiir, Machar, and different factions would work<sup>121</sup>, therefore any government established by peace negotiations would have to be transitional in its nature.

In the best-case scenario (and the most unlikely), an accommodated elite could work together towards unity and towards rebuilding South Sudan until the next elections provide for a fair and peaceful election (as was intended to occur during the 2005-2011 interim period). Yet, even in this case, the elite might return to its embezzling ways before elections can even happen. In light of the unfavorable oil deal signed in September 2012 following a grave “miscalculation” by the elite<sup>122</sup> - the reflections of Morris Szeftel on state corruption in Africa sound particularly prophetic: “As the state’s resources shrink in circumstances of crisis and austerity, those shrinking resources may become all the more important for those dependent on them”.<sup>123</sup> Olson emphasizes that whenever a dictator feels he will soon lose power, it is generally in his interest to confiscate resources and ignore the long-term economic consequences of his actions.<sup>124</sup> This might be the final opportunity for the *existing* South Sudanese elite to seize resources. The “stationary bandits” may have already drained the state’s resources to such an extent that the elite will be forced to re-invest embezzled money offshore and into onsite networks of supporters to wage war to defend their interests. The political and social costs of such a strategy were discussed above.

Ultimately, a transitional government may postpone an inevitable war until elections,

118 El-Batahani, Elbadawi, and Gadir Ali, “Sudan’s Civil War. Why Has It Prevailed for So Long?”, p. 193.

119 According to Gérard Prunier, the step-by-step nature of the CPA agreement (made of different agreements) was in itself an indication of the reluctance of the parties to settle. Prunier cited Garang admitting that the agreements were only reached because of external pressures, Gerard Prunier, *Darfur: The Ambiguous Genocide* (Cornell University Press, 2005, p. 155.

120 “In the buy-in scenario, the most powerful purchaser of loyalty (typically the national government) puts sufficient resources on the table to enable all elites to take a share”. De Waal, “Mission without End?”, p. 106–107.

121 In this regard, Rolandsen points out that the ethnicization of the war may also be a factor in hardening the political positions of the parties. Rolandsen, “Another Civil War in South Sudan: The Failure of Guerrilla Government?”, p. 164.

122 De Waal, “When Kleptocracy Becomes Insolvent: Brute Causes Of The Civilwar In South Sudan,” p. 364.

123 Morris Szeftel, “Between Governance & Underdevelopment: Accumulation & Africa’s ‘Catastrophic Corruption’”, *Review of African Political Economy* 27, no. 84, June 1, 2000, p. 295.

124 Olson, “Dictatorship, Democracy, and Development,” p. 572.

or conversely usher in a new war before elections, as contenders evade the risks of fair competition. Any elections held may result in a repeat of past elections; descending into violence, rigging, and rebellions. Consequently, such elections will not result in a sustainable peace, and will more than likely reignite a renewed war in 2 years if peace is not “bought”. Yet this strategy has failed in the past, and would most likely lead to chronic insecurity given that ever increasing value of the “auctions”. In this process, the state of South Sudan, affected by repeated cycles of crisis, would most likely continue to crumble.

If a federalist agenda were passed, the wealth gap between, and within, the various regions would be likely to increase. Equatoria would develop (in comparison with Upper Nile and Bahr El Ghazal), become closer to Uganda and - eventually informally unify with it.<sup>125</sup> Oil-rich Upper Nile would belong to the clique of Machar, Matiep, Gadet, and Garang<sup>126</sup>, who, if unable to successfully ration the spoils of the war amongst themselves, may eventually begin to fight each other. Under the influence of this clique, various parties in the region could develop close ties with Sudan, while still maintaining relationships with Equatoria (through inter-marriage and business interests). The future is less clear for Bahr El Ghazal. Central Equatorians have been known to joke that Bahr El Ghazal could just become its own “South Sudan” if the Dinka communities living there wished it to be so<sup>127</sup>; yet such cynicism should not obscure the reality that Bahr El Ghazal is not a unified pro-government entity. There are many groups and sub-groups of Dinka and non-Dinka in Bahr El Ghazal (such as the Fertit, the Balanda, the Juur, and so on) who are extremely dissatisfied with the current government, and who resent the governing bodies that were imposed to them by Salva Kiir. The governors of Lake State and Western Bahr El Ghazal are both extremely unpopular, and the current caretaker governor of Northern Bahr El Ghazal (not a former SPLA fighter) appears to be no more than a façade for Malong to retain power. Consequently, a federalist agenda might not be able to avert the risk of a fourth civil war and of multiple localized wars.

### **The second scenario: war and the road to disaster**

The second scenario, that peace negotiations occur but are ultimately unsuccessful, is by far the grimmest possibility but it is unfortunately also the most probable. This has a shorter time span since it is far more straightforward, although it involves a similar disintegration of South Sudan’s state and territory as the scenario described above.

If the war is not officially won by any one of the parties involved in one of the ways described above – then there is a very high risk that the current situation will last for years to come. If the regime continues to become more radical, and the Bor Dinka continue to feel marginalized, and threatened, they may become involved in the war, form their own militia and even collaborate with Machar. If the regime continues to threaten prominent Equatorian politicians, they might well follow suit and reactivate their long-standing ties with Khartoum. If this war lasts and spreads - and it could spread quickly - the result will be a war that could engulf all three regions to various degrees.

### **CONCLUSION**

Johnson cites a petition sent in 1954 to the British governor-general by Abdel Rahman Sule, Muslim merchant living in Juba and co-founder of the Liberal Party, that echoes recent calls

125 Government official, Juba August 1, 2014

126 Riak Machar is rumoured to have offered Khartoum a return to the interim period by sharing the oil revenues with Sudan for its military support. *Sudan and South Sudan’s Merging Conflicts*, p. 20.

127 Member of Parliament, Juba, August 1, 2014.

by the African Union experts to place South Sudan under international trusteeship<sup>128</sup>:

We ask your Excellency that there will be no any other way for us except to ask for Federation with the North. Failing to federate, we shall ask as alternative for the appointment of a High Commissioner from the British Foreign Office to administer the South under the Trusteeship of the United Nations till such time as we shall be able to decide our own future.<sup>129</sup>

It seems that no matter how much change South Sudan has undergone over the past six decades, its prospects as an independent country look grim. The CPA that ended the past civil war in South Sudan can now be seen for what it is: the product of tedious international pressure, by reluctant participants in peace.<sup>130</sup> Will the fate of this war be the same? Will the people of South Sudan, as Jok Madut Jok rightfully pointed out in his critique of the African Union's leaked draft report, be asked to apologize for their sovereignty?<sup>131</sup>

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128 Nichols and Maasho, "Exclusive: Bar South Sudan Leaders from Transition - Inquiry Draft." See the Sudd Institute's critique of the African Union leaked draft report: "The result is that the debate is no longer over the atrocities and who committed them, but one of measuring the political cost of this war and who should be excluded from power in the future. This leaves the dead unaccounted for. If anything, they will be sacrificed for political expediency. Above all, the leaked report is grossly unprofessional and outright dangerous", Jok Madut Jok, *The African Union and the Botched Responsibility to Act on Behalf of South Sudan's Victims of Conflict*, Weekly Review, The Sudd Institute, March 17, 2015, p. 4–5.

129 Abdel Rahman Sule, letter to the Governor General, 20 May 1954, NA FO 371/108324, NO.127, quoted in Johnson, *Federalism in the History of South Sudan Political Thought*, p. 9.

130 Prunier, *Darfur*, p. 155.

131 "The tone of the report is almost like asking the people of South Sudan to apologize for their sovereignty". Jok, *The African Union and the Botched Responsibility to Act on Behalf of South Sudan's Victims of Conflict*, p. 4.

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