

Voices on the Conflict in Malakal



Colophon

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Contents

Executive Summary	5
Acronyms	7
1. Problem Statement	8
2. Methodology	10
3. Context and Conflict Description	12
3.1 Geography and Demography	12
3.2 Conflict Description	12
4. Conflict Drivers	14
4.1 Land	
4.2 Tribalism	16
4.3 Political Manipulation	18
5. What would it take to normalize Malakal & reverse polarization?	20
5.1 On the Land Issue	20
5.2 On Tribalism	22
5.3 On Political Manipulation	23
5.4 On Human Security	24
5.5 On the Political Structure	26
5.6 Other Recommendations	27
6. Peacebuilding Initiatives	28
6.1 Lessons Learnt and Gaps	28
6.2 On Dialogue	29
6.3 On Advocacy	31
6.4 On Youth	31
References	33

“The problem of Malakal
is very simple and yet
very complicated.”

Executive Summary

This study was undertaken by IridaCon in August-October 2021 on behalf of PAX. It was conceived in the context of human security considerations in the anticipated reclassification of the Protection of Civilians (PoC) site in Malakal. The aim was to understand the perspectives of the various communities of Malakal as well as other key stakeholders on how peace and normalization can be restored so that displaced persons can return home. The study was based on a significant number of interviews, ranging from grassroots level to national level and covering the contending ethnicities.

The research revealed that the causes and drivers of the conflict in Malakal center around land contestation, tribalism and political manipulation. Each of these was examined further as a way to extract viable recommendations both from the people interviewed as well as from the researcher's own analysis. The related issues of human security and the political structure of South Sudan were analyzed in the same manner. The study went on to consider the many peacebuilding activities in Malakal and what lessons might be drawn from them, with a particular emphasis on dialogue, advocacy and youth. A summary of the resulting recommendations can be found below:

PAX

- ◆ Continue to work through and support the South Sudan Council of Churches and the Catholic Diocese of Malakal.
- ◆ Advocate for the implementation of the Revitalized Agreement for Resolution of Conflict in South Sudan (R-ARCSS) in heart and spirit.
- ◆ Empower civil society, youth, women and girls to advance nonviolence and just peace¹.
- ◆ Support an appropriate conflict resolution dialogue/conference model for Greater Malakal.

SOUTH SUDAN COUNCIL OF CHURCHES/CATHOLIC DIOCESE OF MALAKAL

- ◆ Promote integral human development inspired by the values of the Gospel and social teaching of the Church.
- ◆ Design an appropriate conflict resolution dialogue/conference model for Greater Malakal.
- ◆ Strengthen church leaders to resist division and politicization.

1 See Pax Christi International (2016), p.32: "Just peace is a Christian school of thought and set of practices for building sustainable peace..." It is maintained through the key approaches of principles, norms and ethics and is characterized by the presence of social, economic and political conditions that prevent a return to violence.

UNITED NATIONS MISSION IN SOUTH SUDAN

- ◆ Do not withdraw from the PoC site until security arrangements that are acceptable to all communities have been completed.

INTERNATIONAL COMMUNITY

- ◆ Be more vocal and take a stronger stand for the resolution of conflicts in South Sudan.
- ◆ Hold the signatories and mediators of the R-ARCSS accountable to ensure implementation.

GOVERNMENT

- ◆ Implement the R-ARCSS without delay, in particular the security arrangements.
- ◆ Ensure that organized forces behave in such a way as to earn the confidence of civilians.
- ◆ Boost the Malakal land occupation complaints committee by including PoC representatives and consider appropriate national land reform options.
- ◆ Evict occupiers and allocate alternative land with basic services for Internally Displaced Persons (IDPs) in Malakal town.

Acronyms

APP	Action Plan for Peace
CPA	Comprehensive Peace Agreement
HLP	Housing, Land and Property
ICC	Inter-Church Committee
IDP	Internally Displaced Person(s)
IG	In Government
IGAD	Intergovernmental Authority on Development
IO	In Opposition
NDM	National Democratic Movement
NAS	National Salvation Front
NGO	Non-Governmental Organization
NSS	National Security Service
PoC	Protection of Civilians (denoting the UNMISS protected IDP site rather than the mission mandate)
R-ARCSS	Revitalised Agreement for Resolution of Conflict in South Sudan
R-TGoNU	Revitalised Transitional Government of National Unity
SPLM/A	Sudan People's Liberation Movement/Army
SPLM/A-IG	Sudan People's Liberation Movement/Army – In Government
SPLM/A-IO	Sudan People's Liberation Movement/Army – In Opposition
SSCC	South Sudan Council of Churches
SSPDF	South Sudan People's Defence Forces
UNMISS	United Nations Mission in South Sudan

1. Problem Statement

The conflicts of 2013 and 2016 in Upper Nile resulted in the displacement of most of the citizens of Malakal town and nearby villages. Some fled to neighboring countries and some were displaced within the territory of the state, in particular the Protection of Civilians (PoC) site located approximately 6 kilometers north-east of Malakal town. Serious rifts were created between ethnic communities that had lived together and inter-married for centuries, in particular the Shilluk², Dinka and Nuer. The main contention stands between the Shilluk and the Padang³ Dinka who both claim ownership of a strip of land located on the right-hand side of the Nile River going downstream, as well as a stretch found on both sides of the Sobat River. This contested area includes Malakal town.

On 4th September 2020, the United Nations Mission in South Sudan (UNMISS) declared its intention to withdraw from PoCs in South Sudan in a phased approach and to instead revert to mobile patrolling of hotspots. The civilians currently sheltering in the PoCs expressed concerns for their security in connection with this change of strategy. UNMISS agreed to maintain Malakal PoC until it is safe to hand over management to local authorities. Nevertheless, it was only a question of time before the issue would come up again.

Since 2018, PAX implements the South Sudan Council of Churches (SSCC) Action Plan for Peace (APP)⁴ accompaniment program. The program aims to improve community security and social cohesion by supporting the Church in its work towards a sustainable national reconciliation and an enduring national political settlement in South Sudan. The program is implemented both at national level through SSCC and locally in Upper Nile, Eastern Equatoria, Unity and Lakes States through Inter-Church Committees (ICCs) and partners Catholic Diocese of Malakal (CDoM), Catholic Diocese of Torit & Holy Trinity Peace Village Kuron and Assistance Mission for Africa. In Malakal, the program is implemented by the ICC and Justice and Peace Commission (JPC) of the CDoM. This program ended in January 2022 with an aim for a follow-up phase. Since 2021, PAX also implements a 5-year project funded by the Ministry of Foreign Affairs Netherlands, called *The Power of Voices*. This project aims to facilitate advocacy of groups whose rights are being violated.

² Or Chollo, as in the local language.

³ Or Apadang.

⁴ The Action Plan for Peace was developed from June 2015 when the SSCC heads of churches met in Kigali, Rwanda, and committed to an Action Plan for Peace. It is implemented by the Church and its council (SSCC and ICCs) along four strategic pillars that directly complement the formal implementation of the peace agreement: Advocacy, Reconciliation, Neutral Forums and Capacity Strengthening.

The present research was commissioned with the view to gain a baseline for future activities along the lines of dialogue and advocacy in Malakal/Upper Nile within the framework of these two programs. The specific aim was to understand the perception of people at the grassroots- and political levels on the conflict of Malakal and what could break the current polarization between communities and ensure human security. The eventual handover of the PoC by UNMISS to the State Government added urgency to the quest for a peaceful solution to the conflict. In fact, during the time of the researcher's stay in Malakal (Aug 2021), the reclassification and handover modalities of the PoC were under discussion.

2. Methodology

The research methodology included in-depth interviews, informal meetings, cross-referencing between interviewees and reading of background material. Qualitative, in-depth interviews were conducted in Malakal town, PoC, Baliet, Kodok and Juba in August-September 2021.

A few additional interviews were made remotely in October 2021. The number of interviews conducted totaled 74, both individual interviews (52) and group interviews (22). Together with a number of informal chats, over 200 individuals were included in the research. The following categories were represented:

1. Shilluk, Padang Dinka, Nuer community members: women/men, youth/adults, mothers, youth-/community leaders
2. Church leaders and SSCC
3. Politicians: Sudan People's Liberation Movement (SPLM), Sudan People's Liberation Movement-In Opposition (SPLM-IO), National Democratic Movement (NDM), National Salvation Front (NAS), independent
4. Armed forces: South Sudan People's Defence Forces (SSPDF), National Security Service (NSS), SPLA-IO, Kit-Gwang Declaration including Agwelek militia leaders
5. Non-Governmental Organizations (NGOs)
6. UNMISS

A significant number of the interviewees were drawn from active church members. While it would have been preferable to balance this with more non-church sources, it should also be recognized that many members are only nominal and can, therefore, be said to represent views similar to non-church sources. Most of the time, the researcher was dependent on intermediaries to organize meetings. This brings a caveat, as they may not always have been neutral in their selections of interviewees.

The interviews focused on the question: *What would it take to normalize Malakal in view of the current polarization as evidenced by the PoC-town rift?* Connected to this were some key guiding questions related to the reason for the conflict: how people were affected by the conflict; what they would need to feel safe in their homes; what has been the impact of peacebuilding activities so far. Discussions centered around both facts and perceptions, with an emphasis on the latter. Sometimes, interviews took on the form of a brainstorming session where ideas were tested through debate.

Particular attention has been paid to opinions voiced in favor of the opposing group where there was nothing to be gained. It is equally recognized that people may have many reasons for voicing a particular thought at a particular point in time. No attempt has been made to analyze the motivations behind what was individually said, rather it has simply been reported at face value.

Do No Harm has been a guiding principle in this research of a somewhat contentious issue. For this reason, sources will not be named in this report. Moreover, care has been taken to faithfully distinguish between the perspectives of the interviewees and the analysis and perspectives of the researcher.

Finally, this research focused more on the human security aspect in relation to a resolution of the conflict in Malakal, rather than simply the PoC transition.

3. Context and Conflict Description

This chapter is intended as a very brief summary of the context relevant to the present study of the conflict of Malakal. In keeping with the (self-)perception of the people interviewed, this paper will apply the term tribe in the popular sense for the large groupings of Shilluk, Dinka/Padang Dinka and Nuer respectively, as the protagonists of the conflict under study, in the context of subjective considerations and maintain the term ethnicity for objective descriptions.

3.1 Geography and Demography

For the purpose of this report, *Greater Malakal* refers to Malakal town, PoC and the villages along the northern part of the Nile River up to Kodok, the western part of the Nile to Tonga and along the Sobat River to Baliet as well as Canal/Pigi, though it technically belongs to Jonglei State⁵. While the rural areas of Greater Malakal have traditionally been inhabited by the Shilluk and Padang Dinka, Malakal town was until 2013 a cosmopolitan town hosting all South Sudanese ethnicities as well as foreign traders. The Shilluk is often claimed to be the third largest ethnicity in South Sudan, following the Dinka and the Nuer. Inter-marriage has historically been extensively practiced. The Shilluk are organized as a kingdom while the Dinka and Nuer are largely acephalous societies. The Padang Dinka are mostly pastoralists and agriculturalists while the Shilluk rely on agriculture, pastoralism and fisheries. The Nuer are also pastoralists.

3.2 Conflict Description

Although controversy about land claims existed between the Shilluk and Padang Dinka since 1982-83⁶, it was the struggle over administrative institutional control in South Sudan during the Comprehensive Peace Agreement (CPA) period (2005-2011) that saw the emergence of the Padang Dinka as a player⁷.

⁵ For a map of the contested areas, see p.25 of Human Security Baseline Assessment (HSBA), 2019.

⁶ Interview with a Shilluk source in August 2021.

⁷ HSBA, 2019, p.22.

When the conflict broke out in Juba in December 2013, it quickly transferred to Malakal. Both the SPLA and the SPLA-IO destroyed civilian property and engaged in Dinka, Nuer and Shilluk ethnic targeting. Citizens of all ethnicities sought refuge at the PoC site. Ethnic militias such as the Shilluk Agwelek, led by Johnson Olony, and various Padang Dinka militias became engaged in the conflict⁸.

President Kiir's 28-state decree of October 2015 signifies for many the actual start of the present conflict in Malakal. Upper Nile was split into three states. Clashes between various Shilluk militias and the Government ensued. SPLA attacked civilian settlements on the west bank of the Nile both on its northern and western parts. At this time, Dinka IDPs were re-settled in Malakal town from Juba⁹ or arrived from Baliet, Atar and Khor Fulus.

In August 2015, the ARCSS was signed. A further division of Upper Nile with the January 2017 32-state decree led to continued clashes and population movements¹⁰. In September 2018, the R-ARCSS was signed. The dissolution of the Transitional Government of National Unity (TGoNU) in February 2020 ushered in a period of vacuum that increased lawlessness during which four prominent Shilluk were murdered in Malakal town. The appointment of a governor for Upper Nile State took nine months as the President refused to agree to Johnson Olony as put forward by the SPLM-IO. In August 2021, Olony and SPLA-IO Chief of General Staff Simon Gatwech denounced Riek Machar as Commander-in-Chief and declared their Kit-Gwang faction to be the real SPLM/A-IO.

⁸ *Ibid*, pp.36-42.

⁹ *Ibid*, pp.62-64.

¹⁰ *Ibid*, pp.72-82.

4. Conflict Drivers

The drivers of the unresolved conflict of Malakal as deduced from the research include land contestation, tribal distrust, and political manipulation. All three are interlinked and drive each other, to some extent. Additionally, several interviewees noted that the main issue was quite simply one of the heart: hatred had replaced love¹¹.

4.1 Land

“The land belongs to the community’ – but who is the community?”

On the level of deepest consciousness in the minds of people, land equals identity¹². A person is not a human without land¹³. Virtually all interviewees affirmed as a natural fact that land must be attributed to a particular community. Going further, land denotes way of life in accordance with one’s own cultural customs and these may be in jeopardy if a different culture (tribe) enters the area. More pragmatically still, recognized tribal ownership of a particular area implies that governance belongs to that tribe. Most interviewees took it for a natural fact that a “son of the area” must govern. In the fragmented politics of South Sudan, this automatically translates into tribal hegemony in local government administrative institutions and the hoarding of government employment opportunities, revenue and national resources. A case in point: most Shilluk and Nuer interviewees stated that oil does not feature in the battle waged for Malakal, the reason given being that Paloich, where large oil fields are located, is recognized Padang Dinka territory, the idea being that the oil naturally belongs to them (if not to the Government)¹⁴.

Nevertheless, attributing land ownership to a particular community does not necessarily imply exclusive use of the land. Though almost all Shilluk (and Nuer) interviewees were adamant that Malakal town should be recognized to be Shilluk, in the next breath they would state that, as capital of Upper Nile, Malakal town is for everybody. Similarly, one source remarked that when land use was still handled in an amicable manner and not subject to a language of claims, land could be bought by or given to someone from another tribe.

This prompted the researcher to dig deeper as to why, then, land recognition was held to be so

¹¹ This also featured strongly in the stakeholders’ consultative meetings during the SSCC solidarity visit to Malakal on 1-4 June 2021 (SSCCa, 2021).

¹² “The land is my identity”, one interviewee affirmed.

¹³ Church leader, interviewed on 30th August 2021.

¹⁴ Some more discerningly noted that whoever controls the state apparatus, controls the oil in that state.

important that lives could be sacrificed for it. The answer lies in the fear of land grabbing. Padang Dinka felt that Shilluk are grabbing their land and vice versa. Additionally, there is a widespread sense amongst non-Dinka in general, that the largest ethnicity of the country is attempting to take over both geographically and administratively with the backing of the government apparatus¹⁵. As long as Padang Dinka living on Shilluk land recognized themselves to be guests, there was no controversy. But as soon as the threat of taking over emerged, such as with the creation of 28 states in 2015, non-Dinka ethnicities went into a defensive reaction, manifested as land claims.

The historical perceptions of various communities vary. Some Shilluk interviewees claimed that the Shilluk Kingdom extended 30 km on the east bank of the Sobat River and 100-150 km on the west bank of the same river before reaching the Padang Dinka border. Padang Dinka were accused of having expanded to Baliet, Doleib Hill and Nagdiar in a false claim that Shilluk had previously taken those areas from them. On the northern part of the Nile, Akoka was said to be Shilluk land with Padang Dinka holding only Melut and Renk on the eastern bank. At the most, the inland part of Akoka might be attributed to the Padang Dinka but the riverside settlement was claimed to be Shilluk. In fact, the Dinka were said to have never settled near the river at all since their principal livelihood is pastoralist, whilst that of the Shilluk is mixed with fisheries. Still, Baliet town, which is located on the riverside, was recognized to be Padang Dinka. The version posited by Padang Dinka was that Shilluk, fleeing the wrath of their king, ended up on the east bank and proceeded to claim it as part of the Shilluk Kingdom. Nuer civilians interviewed tended to agree with Shilluk claims. A few minority voices from both camps stated that land belongs to God and that the Government should say that the land is for Upper Nilers. Much reference was made by Shilluk and Nuer to a map from 1st January 1956 which has also been recognized in the R-ARCSS as the basis upon which boundaries are to be drawn¹⁶.

The concept of land belonging to the community was coined by SPLM Chairman John Garang and was later enshrined in South Sudan's Transitional Constitution of 2011 as one of three types of land: public land, community land and private land¹⁷. Researcher Peter Justin argues that the shift from the wartime SPLA slogan "land belongs to the community" to the concept of land belonging to the people of South Sudan and regulated by the Government, as found in the Transitional Constitution¹⁸, has, together with the Land Act, given the Government the legal basis to interfere with community land¹⁹. The legal grey zone created by the incompatible Local Government Act and an emphasis on land ownership by autochthony has permitted predatory tendencies of elites²⁰. The net result is accentuated competition over authority in rural areas, expressed through conflict²¹.

15 Some analysts and researchers, for instance Clémence Pinaud in her *War and Genocide in South Sudan* (2021), have traced evidence that Dinka domination is a full-scale program. Additionally, "From Renk to Nimule", "From East to West", "Dinka is the Government" are sometimes quoted as alleged Dinka slogans.

16 See instructions for the Technical Boundary Committee in R-ARCSS, Art.1.15.18.1.

17 Transitional Constitution of the Republic of South Sudan, Art.171.

18 *Ibid*, Art 169 (1).

19 Justin and van Dijk, 2017, p.21. This article, together with another three by Justin *et al.* as attributed in References, provide an excellent insight into the ambiguities related to land and local governance which have resulted from two pieces of irreconcilable legislation, the Land Act and the Local Government Act.

20 Justin and De Vries, 2019, p.41.

21 Justin and van Dijk, 2017, pp.4-5.

As the researcher asked whether the system of rotational civil servants²² could not be a better model than the self-limiting notion that a person can only serve in their home area, the response was almost unequivocally that only a “son of the area” could govern. Nevertheless, some political thinkers conceded that this does not necessarily denote someone of the tribe of the land-owning community but that it must be a long-time resident, someone who enjoys the support of a local constituency. The election of a Padang Dinka to represent majority-Nuer Fangak in old Sudan was provided as one example.²³ Furthermore, the distinction between political positions and technocratic civil administrators was emphasized. The latter may serve anywhere in the country but the former must enjoy local support.

4.2 Tribalism

“We know our neighbors’ behavior well, but they don’t know ours.”

The term *tribalism* is commonly thrown around quite generously, usually in an accusatory manner. However, tribalistic thinking is a fundamental and universal human characteristic drawing on identity, self-preservation and fear of the unknown. It is not an inherently negative trait but simply a matter of natural allegiance to those closest and similar to us and a caution we employ when faced with “outsiders”. It becomes negative when “the other” is perceived a threat or is assumed to have lesser values than us²⁴.

It became clear in interviewing people that all share the characteristic of valuing their own culture above that of others. We usually have greater sympathy for our own behavior and less patience with that of others. One example was the interviewee who seemed to miss the incongruity of first lamenting the fact that neither side would give in on land claims, only to state that the other side must be the one to give in and admit wrong. More pointed perhaps, considering the prevalent perception of Dinka as arrogant aggressors, was the self-perception expressed by Padang Dinka interviewees in Baliet that they are a peaceful, forgiving people, content with what they have²⁵. They stated that Dinka are trustworthy because they are able to control one another, being good listeners and standing ready to be convinced if they have done something wrong, whereas their perception was that Shilluk and Nuer do not correct one another and, therefore, present a liability.

Conversely, we tend to project our own fears onto others, assuming they are like us. One Padang Dinka youth remarked that whilst the Dinka culture does not permit killing anyone close to you, his understanding was that Shilluk culture does allow for it and that the Shilluk, therefore, project that fear on the Dinka, ending up with the assumption that they cannot be safe even from their neighbors.

22 In the time of old Sudan, e.g. during the Southern Region administration (1972 – 1983), and re-instituted by Garang in the SPLM administrative system for New Sudan in the 1990s, civil and political administrators, as well as military commanders, were deployed all over the country, away from their home areas. One interviewee pointed out that this system discourages nepotism and corruption as the civil servant would be cut off from the natural ties of their own community and, therefore, unprotected.

23 Interviews with members of the SPLM (24th September 2021) and NAS (8th October 2021).

24 For a similar analysis, see also Hannah Arendt on the concept of “tribal nationalism” in *Origins of Totalitarianism* (1951).

25 Reference was made to the destruction of Baliet in 1992 and 2013 and cattle raiding by neighbouring Nuer.

Very few interviewees were critical of their own culture, and those that were recoiled at the thought of expressing such criticism to their own community, thus revealing to which level peer pressure dominates.

Tribalism becomes a problem when people automatically profile others according to their tribal affiliation and not according to their individual opinions or characteristics. Because of the breakdown of relationships following so much ethnic violence in South Sudan, there is very little room to consider that someone might genuinely hold a certain opinion because they have become personally convinced, rather than what they are expected to believe by their tribe. This is one obstacle to civil society efforts: any group will immediately come under the suspicion of acting in a partisan manner on behalf of their tribe and not for the greater good.

One Dinka politician bemoaned weak politicians who do not accept defeat but instead construe it as an attack on their tribe: “I was defeated” turns into “we were defeated”. By the same token, people celebrate the appointments of “their son” as if a certain political position had been given to their tribe²⁶. One youth noted that politicians are viewed as “community leaders, not country leaders” and another stated that “a [real] leader says everyone is their family”.

The tribalistic mindset is also why division, once unleashed, is so relentless: once politics have been based on demarcating our group from another on the basis of our differences, the logical progression will bring us from national ethnic division to tribal to clan to sub-clan division and so on, all the way down to the family unit. One case in point lamented by a Padang Dinka interviewee is that Dinka from Khor Fulus are not accepted to work in Melut.

As violence occurs, positions become entrenched and identity takes pre-eminence, for now it becomes a matter of defending one’s own group for survival. The physical damage caused by violence morphs into a psychological obstacle to trust. It is in this atmosphere that violent incidents are reinforced by rumor, which tend to multiply single incidents until they take on a standardized form which, in the mind of the victim, explains why “the other” cannot be trusted. In interviews with Shilluk, the examples of the four murders that occurred in Malakal town in 2020 were consistently leaned upon to illustrate Padang Dinka aggression. In interviews with Padang Dinka, one single incident of a Dinka man who was killed by Shilluk in the PoC and put in a pit latrine in 2016, was mentioned as a way to demonstrate the viciousness of the Shilluk. Nuer interviewees mentioned an incident of a grenade having been thrown into a Nuer compound in Malakal town in July 2021 to demonstrate the risk for Nuer living there; all the while Nuer IDPs – mostly female and children, as observed – from Fangak were living exposed in a local school in Malakal town with no insecurity ever reported. Far from minimizing the seriousness of these incidents, this accentuates the importance of such events in that they resonate way beyond the physical damage. Distrust, having been firmly planted in the minds of people, along with the trauma and pain experienced, now becomes a driver for a cycle of continued revenge and deepening distrust²⁷.

26 Former Upper Nile State SPLM official, interviewed on 20th September 2021.

27 One female interviewee whose uncle had been killed admitted to feeling such pain in her heart that she had contemplated whether killing in revenge might assuage it.

The researcher also tried to grasp what meaning monoethnic communitarian claims practically have in a society with such high inter-marriage rates. This question was repeatedly answered with the South Sudanese axiom “women have no tribe”. A married woman belongs to her husband’s family and bears offspring for his tribe because ethnicity is attributed through the father. In the author’s opinion, this may be formally true but does not satisfactorily consider the practical reality of the transfer of biological characteristics from the mother or her precedence in the child’s upbringing which surely must imply a certain influence in terms of habit, language and culture. Some interviewees agreed with this analysis, one noting that children of mixed marriages were shunned and mistrusted in ethnically entrenched societies and found more freedom in the anonymity of large cities like Juba. Others noted that Nilotic marriages traditionally implied political alignments that resulted in a safeguard against inter-tribal conflict and a sharing of wealth through dowries. Clearly, such mechanisms far from negate the cultural background of the mother.

This section cannot conclude without one important remark made by an anthropologist: the Malakal issue is also a minority-majority story, not simply a tribal struggle. The Padang Dinka may be a minority in terms of numbers but it is only the backing of strong partners in events since 2013 that have brought them to their current sense of power. In this context, it is relevant to note that several sources alluded to a regional inter-Dinka struggle between Upper Nile and Bahr el Ghazal/Jonglei, one of the grievances being that the oil in Upper Nile is not benefitting that state.

4.3 Political Manipulation

“Politicians design something, then give it to youth to implement”.

One view that was consistently put forward was that the communities themselves have no issue with one another but that politicians have manipulated them into antagonism. This view was shared by all three ethnicities and at all levels of society – including by politicians themselves! No politician would obviously admit to their own actions being driven by selfish motives, so any admission to this sentiment is clearly directed at rival politicians. Similarly, civilians would never view themselves as having fallen prey to the manipulation of politicians, hence it is directed to the communities of other tribes. That being said, there was ready admission from some quarters that the politicians of their own tribe were unhelpful to peace in Malakal.

Neither were any local politicians mentioned as beacons of hope for resolving the conflict. Although Johnson Olony is generally viewed by the Shilluk as a man fighting for their land (though other Shilluk politicians attribute his actions rather to personal motives), there was no marked excitement in PoC when the Kit-Gwang faction declared itself. Similarly, though most Nuer in PoC originate from Upper Nile, there was no celebration over Upper Nile (Akobo) son Simon Gatwech having split from Unity son Riek Machar through the Kit-Gwang Declaration. On the contrary, it is telling that the PoC (Shilluk and Nuer) leadership immediately instructed the communities to leave politics to the politicians and not allow it to create tension in the PoC²⁸. Interestingly, the cantoned personnel and the forces on the western part of the Nile reportedly arrived at a similar conclusion.

28 This instruction admittedly also came from the SPLM/A-IO leadership as related by one SPLM-IO official. One interviewee noted that civilians will not follow a new war movement unless there is good reason.

The Padang Dinka community, on the other hand, may currently be in support of leaders who are ensuring their dominance (none were expressly mentioned) but some non-Padang Dinka interviewees felt that they were playing a dangerous game: “what will happen when their champions are out of the picture?” Or, as a Dinka (not from Upper Nile) SSPDF officer stated: “If you put your neighbor in trouble, it will also put you in problem.” The meaning of both these statements being that it is in the interest also of the one who holds the upper hand to cultivate good relations with their neighbor and to resolve conflict fairly to stay safe themselves in the future.

And yet, despite the above seemingly mature considerations, these communities now find themselves in a state of war precisely because they followed the political leaders of their own communities. Many movements have sprung from an admirable ideological base but most efforts ended in divisions caused by tribalism, corruption and the selfish pride of its leaders. It is telling that already the Anya-Nya movement of 60 years ago was plagued with the exact same divisions and power-games that have dogged the SPLM and all the opposition movements since the CPA²⁹. And yet communities continue to pin their hopes on political leaders. Why?

There are various reasons for this. The first lies in the primordial human mechanisms described in the previous section. Nothing stirs patriotic passion as much as an external threat to the own group. After so many years of local conflict, politicians find no shortage of events that can be made to constitute an existential threat to their community and hence drive its members to action.

The second reason is also found in the previous section: tribal peer pressure. Opposing the community program is considered tantamount to betrayal. In one interviewee’s assessment, the Malakal community knows the truth but fears to stand up for it because whoever does so will be targeted as a traitor.

Thirdly, male youth are particularly vulnerable to politicians’ instrumentalization, especially those growing up in rural areas, without education and without any significant future prospects. One example given was that of influential people arming youth in rural areas, telling them that they must defend their tribe against those who want to destroy them. Politicians make themselves out to be protectors and simple people trust the “big man”³⁰.

29 For an overview of the Anya-Nya, see McCall and Akol (2020). For an in-depth analysis into how the history of Southern/South Sudan and the wartime legacy of the SPLM/A have hampered national consciousness and shaped the current socio-political conditions, see Nyaba (2019).

30 “Zol kebir” in Arabic is a common expression.

5. What would it take to normalize Malakal & reverse polarization?

We will now hear from the people themselves what actions they recommend to address the issues described in the preceding chapter and to ensure that peace can prevail in Malakal so that IDPs can return home. This chapter incorporates the advice provided by all the different categories interviewed. As this report should not provide a platform for the opinions of politicians, whenever such are expressed, the party affiliation will be explicitly named to distinguish their thinking from that of ordinary civilians.

5.1 On the Land Issue

"Call the land whatever you want, so long as we live together peacefully."

The main impetus for resolving the land issue so far has been to apply selected segments of history and colonial maps to achieve recognition that the own tribe is the rightful owner of Malakal. To close Pandora's box that had opened up with the community land concept and the 28/32-state systems, one high-level Shilluk Upper Nile State official proposed that academicians be called upon to correct the general population on their erroneous application of Garang's concept of "community land"³¹. Whilst affirming that Garang indeed had North-South relations in mind, one NAS representative felt that the concept had found renewed applicability in the current context where certain communities were striving for dominance by extending borders in order to maximize demographics and land areal size in the run-up to elections. Communities must be protected against land dispossession³². One prominent academic and political analyst held that the issue of land had already been resolved by the R-ARCSS and the return to ten states in February 2020 and that what remains is for people to be able to return home. Hence, the question was not one of framework but lack of political will to implement the R-ARCSS³³.

³¹ Upper Nile State SPLM-IO official, interviewed on 25th September 2021.

³² NAS representative, interviewed on 8th October 2021.

³³ Academic and political analyst, interviewed on 4th August 2021.

A popular opinion was that the city of Malakal should return to its former diversity by respect for private demarcated land and on the basis of citizenship. One thinker emphasized that a strong international partner would be required to accomplish this. Exasperated, one Shilluk interviewee suggested that another city on Padang Dinka community land be made state capital of Upper Nile, making evident whether Padang Dinka claims to Malakal were genuine or about controlling government institutions.

Many civilians called for the Technical Boundary Committee to finalize its work. Another suggestion was to form a committee comprising the elders of all communities, as they are familiar with the local history. Several party representatives stated that communities would be able to resolve the land issue by themselves if only (national) politicians could leave them to it³⁴. Suggestions from international interviewees included using young paralegals, versed in both customary and statutory/common law, to handle land issues in their own communities. The researcher often raised the question how practical definite tribal boundaries would be in view of inter-marriages and seasonal migrations. One prominent politician contested the notion that seasonal migrations impact on tribal boundaries, noting that tribal territories (in the past) remained stable and that any necessary crossing into the territories of other tribes was agreed upon beforehand³⁵.

In any case, even if South Sudan should someday opt for a contemporary system with acquired land ownership also in rural areas, the idea that all land belongs to a tribe/community cannot be ignored, as it is deeply ingrained in the psyche – the process of going from one worldview to another must be worked through without doing harm to another³⁶. It is this author's view that, as a minimum, communities living on land exploited for the extraction of natural resources receive their due benefit and that the Housing, Land and Property (HLP) injustices of the recent conflicts are redressed.

Actions taken by the State Government of Upper Nile on the issue of HLP in Malakal town include the setting up of a land complaints committee³⁷ to handle cases where an owner is unable to reach an agreement with the occupier. The procedure involves reporting to the police who, in turn, activate the committee to talk to the occupant; any potential eviction is enforced by the organized forces. The liability of biasness of a committee with no PoC representative on it and the risk connected with forcibly evicting someone with potential ties to the town militia have discouraged many PoC IDPs from using the procedure. The land committee, reportedly set up in 2021, was suspended during the ongoing rainy season with the reasoning that people cannot be evicted during the rains. At the same time, several interviewees, including Shilluk, reported that a number of Shilluk have, in fact, agreements with occupiers to guard their property and pay rent. However, others reported that occupiers have rented and even sold houses and shops not their own. Someone cynically commented that nobody needs their house anyway because it is not safe to sleep in town. Certain humanitarian organizations also support individual cases by providing a lawyer; however, their assessment is that a specific HLP body or an arbitration court is necessary to ensure fairness.

Another idea of the State Government is to allocate and provide services on land free of claim at the edge of town for occupiers who are unwilling or unable to return to their rural area of origin. As

34 Interviews with members of SPLM (24th September 2021), SPLM/A-IO (5th October 2021) and Kit-Gwang Declaration/Agwelek (19th October 2021).

35 NDM official, online exchanges on 20th October 2021.

36 Church representative, interviewed on 2nd and 3rd September 2021.

37 Set under the Ministry of Housing, Physical Planning and Environment and comprising a legal adviser, security organs, the City Council and relevant ministries.

one Shilluk interviewee somewhat graciously noted, few of the IDPs came to town with the idea to occupy, rather they came by reason of insecurity, destroyed homes or lack of services and transport.

The research also showed that it is possible to tackle land contestation from a different angle. On the one hand, what people are essentially looking for is the fulfilment of their basic needs, hence land contestation springs from an inequitable use of resources. On the other hand, it is distrust in the intentions of other communities that cause people to negotiate for land on an ethnic basis. Therefore, a government system that ensures equitable services for all, coupled with a land policy that guarantees the protection of community interests and the establishment of the rule of law, would virtually eliminate the land issue.

5.2 On Tribalism

"Jesus Christ has no tribe or colour."

For most interviewees, tribalism could be resolved both from the top down, through the introduction of a fair and equitable political system, and from the bottom up, through inter-communal dialogue. One academic pointed out that reconciliation and healing at community level were part of both the CPA and the Transitional Constitution³⁸. In fact, many at grassroots level wondered why the Government was not taking the lead in community reconciliation. Some read in this evidence that the Government itself had a stake in such conflicts: "Government cannot preach peace because it is part of the crisis." To be sure, the Ministry of Peace Building does have the mandate to design and implement policies for dialogue to achieve conflict resolution and social cohesion³⁹ and some initial steps have been taken to that end but plans are hampered by a lack of resources.

The fact that dialogue was consistently put forward as the remedy to conflict and distrust between the communities is a remarkable expression of persistent hope for common ground and respect as well as grace extended towards "the other". It reveals the desire of virtually all of the interviewees for peaceful co-existence in Malakal. Indeed, Padang Dinka female returnees to Baliet were not pleased that the other communities had not also returned; they seemed to feel ostracized by Shilluk and Nuer alike. There was peace, "but little, not maximum peace". The result was that they could not settle properly as they knew they may have to flee again at any time, should the conflict flare up again.

One high-level Padang Dinka Upper Nile State official noted that "Malakal will never be run by one particular community". As such, he recommended organizations to support the creation of an environment that promotes togetherness based on citizenship. People should be sensitized to request services on the basis of need, not tribe. Industrial development would attract all ethnicities⁴⁰. Echoing this, it may be noted that trust building is often designed in the form of leisure activities. Nevertheless, one philanthropist in Western Equatoria achieved solid results by bringing former soldiers from different factions together to work on a farm. This empowered them to think about future development, leaving former animosities behind. Similarly, one female youth in PoC suggested that the Government bring together people from PoC and Malakal town to clean the town together.

³⁸ Academic and political analyst, interviewed on 4th August 2021. See also for instance Art.36.2(b) in the Transitional Constitution of South Sudan.

³⁹ Interview at the National Ministry of Peace Building on 9th September 2021.

⁴⁰ Upper Nile State SPLM official, interviewed on 24th September 2021.

Within the Church, there was recognition that tribalism is a matter of the heart. As such, the approach to tackle it was to remedy people's hearts by praying for them and sharing with them the Word of God, i.e. the Bible. Pastors suggested preaching Christ as well as the consequences of war to their own tribe. Youth noted that "preaching God's Word will change the community more than anything".

5.3 On Political Manipulation

"If you have position but no community, what do you do?"

Several suggestions were put forward to address the issue of political manipulation. Dialogue was again a popular choice to be discussed in more detail in Chapter 6.2. Two entities were consistently pointed out as those who should take the lead in peacebuilding and dialogue: the Government (R-TGoNU) and the Church. There were frequent references to the need to see healthy collaboration between President Kiir and First Vice President Machar, as well as between the Governor of Upper Nile and his deputy. It was pointed out that the Upper Nile R-TGoNU had never visited PoC. Whilst civilians tended to put the expectation more on the Government, civil and military authorities placed the expectation on the Church to lead in peacebuilding. The Church has a large following and can influence politicians, including at high level. Indeed, Church leaders acknowledged their ability to hold politicians accountable.

Empowerment and capacity-building of civilians came up repeatedly as a first step to neutralizing political influence of the detrimental sort. It was widely recognized that people do not know their constitutional rights⁴¹, making them vulnerable prey to political manipulation. This was attributed to a lack of education and a failure to disseminate key political documents, such as the constitution and peace agreements.

The potential of civil society to effectuate change in favor of the populace featured in many conversations, as the researcher's visit coincided with the much-announced country-wide demonstration of the People's Coalition for Civil Action. There was general agreement that civil action was too risky and, indeed, the demonstration of 30th August was quashed through arrests and threats of violence before it ever saw the light. Several interviewees also cautioned that organized civil society is often instrumentalized by the Government and even infiltrated by agents with tribal or political agendas.

In this regard, conversations with youth revealed little appetite to sacrifice themselves for peace the way their armed counterparts sacrifice themselves for war. Challenging negative trends within their own culture was considered too costly an option. And yet, there is need for communities to "fight their own evil side". Examples of peaceful resistance from Liberia could help overcome the fear created by the experience of political conversations as something that can only be carried out with the gun. The Catholic Nonviolence Initiative, a project of Pax Christi International, seeks to engage violence and injustice by the power of love in action, overcoming obstacles such as fear⁴². Male youth of all ethnicities recognized that they were being victimized as they were either lured

41 A sincere attempt to praise the SSPDF in Kodok by stating that "they are good, they just keep people in prison, they don't kill them" is telling of citizens' understanding of their human rights. Also, how will politically illiterate citizens be able to vote in elections?

42 Pax Christi International, 2020, p.9.

to fight parochial political battles or saw their best years after graduation slipping away due to the lack of opportunity for advancement. Youth empowerment, development, employment and financial independence (from the “uncles”) were enthusiastically voiced. Uniting the fragmented Upper Nile Youth Union and creating independent youth centers were some of the suggestions. As one interviewee, advocating for the mobilization of youth in the cause of peace, put it: “Politicians cannot go to the bush alone”.

One interviewee pragmatically remarked that politicians may have to be bought into peace, i.e. to be kept satisfied in order to allow the popular desire for peace to prevail. One youth wisely advised would-be leaders to develop themselves and build their own wealth first so that once they become a leader, they will not focus on making money but on serving. One comment that captures the popular sentiment of the different communities of Malakal in raw form was: “Tell politicians to leave people to live by themselves.”

5.4 On Human Security

“Let the Government convince me that I can go back to Malakal and walk around without insecurity.”

The expressed fear of insecurity by PoC inhabitants concerning living in Malakal town bears some scrutiny. No insecurity had been reported by the Nuer IDPs staying in Malakal town. One Padang Dinka politician wondered how Shilluk are able to supply the town with fish and venture deep into the bush for agriculture if the risk is so high. Without minimizing the infinite value of each single human life, one might also argue that four people killed in almost two years is statistically insignificant in the violent environment of South Sudan. In response, it was pointed out that it is the very infrequency and unexpectedness of the incidents that is creating the climate of insecurity. There is the perception of an occupation of Malakal town that is organized and sustained through terrorization. Furthermore, in the absence of tangible signs of lasting peace, there is the residual threat of renewed fighting and ethnic targeting. People may venture to Malakal town or into the bush but there is always doubt whether they will return safely.

On the question to PoC inhabitants of what would be needed in order for them to move back to their homes, they overwhelmingly advocated for the unified forces to be graduated and deployed. The logic was that trust would spring from each ethnicity being able to see themselves represented in the forces in charge of their security. Moreover, such a force would be loyal to the nation and people of South Sudan, rather than to individual political leaders. Importantly, an inclusive force would demonstrate that the Government is indeed united and working for peace. Conversely, some teenagers expressed the fear that unless Kiir and Machar agree that the war is over, the forces would remain liable to splits along tribal lines. For this reason, trust first had to be built internally. It should be underlined that not only Shilluk and Nuer PoC IDPs and SPLM/A-IO advocated for the graduation of the unified forces but also individuals amongst the SSPDF as well as some Dinka civilians.

One thinker pointed out that what is needed is not basic military training but training in nationalism. One female interviewee’s criteria was that forces should first prove trustworthy before being armed. One Padang Dinka politician would scrap the project of unifying the forces altogether in favor of building a salaried, professional army with fresh recruitment on an individual, voluntary basis, rather than through area representation which feeds a tribalistic mentality. Some Shilluk youth

echoed this idea by suggesting that the parties to the agreement should train educated youth for military service. Forces should be centralized and trained on a common ground before being deployed all over the country. However, one formerly cantoned interviewee pointed out that if the forces that have been sitting in cantonment for the past few years are not graduated, it may cause problems. Consequently, it is better to first graduate them and add others later. At any rate, whatever the solution, it was generally agreed that organized forces must be paid salaries to avoid predatory behavior and to be serious about enforcing the law also on their own tribe.

Meanwhile, it seems that the police in Malakal has undergone a reform by boosting the numbers of non-Padang Dinka members⁴³. In fact, the proposed solution of one high-level Padang Dinka Upper Nile State official for giving people the confidence to return home was to establish security by operationalizing government security institutions, in particular, increasing the number of police stations and personnel. To this end, it was considered preferable to re-instate Upper Nile police officers who had been in Malakal before the conflict⁴⁴. Here Kodok appears as a positive example where the ethnically mixed SSPDF and National Security Service (NSS) personnel have pursued good relations with civilians. A prominent Agwelek commander of the Kit-Gwang Declaration was also of the view that among the security arrangements, a mixed police force is key to peace and confidence for PoC IDPs to move back home⁴⁵.

Combatting hatred was another important strategy proposed. Civilians noted that nobody feels secure because everyone fought with everyone and the past has not been forgiven. Friendships between PoC and Malakal town youth do exist but conversations are mostly limited to non-contentious topics because of the trust deficit.

PoC interviewees requested that UNMISS be told to delay the handover of the PoC to the Government as invisible things under the surface indicate that a small spark can launch a new war. People take their indicators from how their leaders are treated. An example was given of a Shilluk State Government Minister whose vaccination card was torn because the person had indicated “Makal County” as opposed to “Malakal County”⁴⁶. Indeed, handing over the management of the PoC to the Government with the current set-up of organized forces, would trap its residents in a precarious situation⁴⁷.

The disarmament of militias/youth was discussed. One observation was that youth have begun to copy the “warlordism” of the *zol kebir*, each looking to build his own private army. Nevertheless, disarmament would have to be fairly executed, with guns taken from all sides so that no one could exploit the vulnerability of the other. One security source viewed disarmament in Malakal as something practical to demonstrate the existence of goodwill to pursue reconciliation, justice and accountability.

43 This information was provided by a Padang Dinka Upper Nile State official in an interview on 24th August 2021 and confirmed by a Shilluk source in leadership. However, some interviewees negated the information, saying that an illusion of Shilluk inclusion had been created by the fact of Shilluk wives of Padang Dinka police bringing their families to live in town.

44 Upper Nile State SPLM official, interviewed on 24th August 2021.

45 Agwelek commander, interviewed on 19th October 2021.

46 The name Malakal is a corruption of the word Makal in Shilluk.

47 An in-depth study and recommendations specific to the topic of the PoC transition in the CSRF report *Conflict Sensitivity Analysis: United Nations Mission in South Sudan (UNMISS) Protection of Civilian (PoC) Sites Transition: Bentiu, Unity State, and Malakal, Upper Nile State*, Conflict Sensitivity Resource Facility (2021).

Another mechanism that could enhance, in particular, the Shilluk sense of protection and encourage them to settle back in their villages is for their chiefs to first return, following the return of the Reth (king of the Shilluk). However, the Reth did return but the process was stumped when the chief of Nagdiar was prevented from returning, the chief of Doleib Hill was attacked and the Shilluk Paramount Chief was attacked in Malakal town as recently as 2021.

The above-mentioned recommendations are clearly mechanisms to show goodwill and enhance confidence in the short-term. In the long run, however, as pointed out by a NAS representative, people should be able to live in an environment where their security and survival does not exclusively depend on their own tribe. For this to occur, they must see signs that also others are concerned for their survival. This would cement trust⁴⁸.

5.5 On the Political Structure

"There are no democrats in South Sudan so it cannot be democratic."

In light of the fact that international conflict analysts tend to view the R-ARCSS as more or less dead, it was remarkable how wide a range of people advocated for the implementation of the R-ARCSS as a way to achieve security and rule of law. Government institutions need to become functional by, among other things, reinstating the civil servants who left due to insecurity and removing those who replaced them irregularly in their absence. Nationally, the Ministry of Peace Building struggles to infuse unity within the coalition government, recalling that South Sudan (since its independence) has never been multi-party before⁴⁹.

Many were in favor of an administrative system that would not be on ethnic basis like the 28/32 states systems. One interviewee advised that hard work, service delivery and residency, rather than party and tribe, should be the basis upon which people should assess their support to political leaders and civil administrators. Additionally, the war-time legacy of militarized administrations should give way to a system of civil servants. One interviewee suggested the empowerment of technocrats, such as executive directors, as these have been trained in running government. Enhancing the judicial role of traditional leaders was also recommended, given that people tend to trust chiefs' courts more than statutory courts.

Politicians had varying views with regards to the most appropriate system for South Sudan. Representatives of both NDM and NAS advocated for federalism and genuine decentralization. The center should be reduced and tasked to manage issues of common interest only⁵⁰. An Upper Nile SPLM politician was of the view that federalism should only be applied once the country is genuinely mixed and educated, otherwise decentralization would lead to tribalism and disintegration. One high-level SPLM/A-IO official pointed out that it is a people-driven constitution, representative of everyone's ideas, that will bind the people together in one national identity⁵¹. The NAS representative agrees, as

48 NAS representative, interviewed on 8th October 2021.

49 Interview at the National Ministry of Peace Building on 9th September 2021.

50 Interviews with representatives of NDM (6th October 2021) and NAS (8th October 2021) respectively.

51 SPLM/A-IO official, interviewed on 5th October 2021.

this is why the South rebelled against Khartoum⁵². The NDM representative made a similar assessment, noting that Sudan had a monolithic, excluding dispensation where not all South Sudanese felt part⁵³. John Garang would have concurred: “We have not wrested power from a hegemonizing national centre to allocate it to another centre that is based on the political elites of the South”⁵⁴.

5.6 Other Recommendations

“The United Nations Security Council and world opinion must do something for the wellbeing of South Sudan.”

Great trust was placed in the ability of the international community⁵⁵ to resolve the issue of South Sudan. Yet, interviewees wondered why it remained toothless instead of interfering with such blatant abuses of power going on. One action suggested was to rein in spoilers and convince neighboring countries to isolate South Sudan to stop the flow of arms that are entering the country despite the embargo. Personnel from the organized forces of the Government expressed a suspicion that the international community is interfering negatively in the politics of South Sudan by supporting defectors with weapons instead of unifying people.

It was generally felt that the Intergovernmental Authority on Development (IGAD) was unable to fulfil its role as an impartial mediator because of the direct interests of its member countries. Someone observed that the international community has lacked a unified position on South Sudan since the 2016 conflict. There was a need for the international community to challenge the R-ARCSS signatories and custodians on the unmet deadlines of the agreement.

Spreading awareness of the R-ARCSS and citizens’ constitutional and civil rights was considered to be equally important at local government level as at the grassroots level and requested by citizens and politicians alike. As such, South Sudan would be established through education, as a democratic system cannot be applied to uneducated people who do not know their rights. The author of *Education for Destiny* stipulates that education should be transformational, releasing each individual to reach their full potential and become “responsible citizens for a better South Sudan”⁵⁶. Some people had the foresight to note the need to pay due attention to the trauma of today’s children in order to avoid radicalization leading to even worse conflicts in the future.

Listening to the voices of church-based mothers, their remedy against killings was to educate mothers and children in the Word of God as the only thing that can change people’s hearts. They requested logistics and Bibles in all the different local languages so that they could move as a joint group from house to house in all the different communities and teach people the Bible.

52 NAS representative, interviewed on 8th October 2021.

53 NDM official, interviewed on 6th October 2021.

54 See <https://paanluelwel.com/2014/06/06/dr-john-garang-and-the-debate-on-federalism-in-south-sudan/>

55 However, as was pointed out by one international diplomat, there is no unified entity called the “international community” as it consists of a plethora of different countries, each with their own interest. A case in point is the continuation of the arms embargo on South Sudan which barely passed by one vote only.

56 Ohide, 2020, pp.184-185. The author is the principal of Emmanuel Christian College in Yei, a multi-ethnic institution striving for excellence which provides teacher training among its programs.

6. Peacebuilding Initiatives

Over the years, an abundance of peacebuilding activities have been conducted by humanitarian and development organizations, civil society, churches, authorities, UNMISS etc.

6.1 Lessons Learnt and Gaps

"Peace activities are like Panadol that relieves the pain momentarily, but the headache returns."

The positive effect of the peacebuilding efforts of UNMISS Civil Affairs and the SSCC on the freedom of movement and rapprochement between the communities in the PoC and Malakal town was widely recognized and appreciated. Nevertheless, many warned of the limited impact of peace-building activities in the absence of an acceptable political solution.

Many peacebuilding activities are similar and have a certain overlap. This researcher notes that strong coordination could benefit peacebuilding efforts in Malakal. NGO competition has been known to erode good initiatives in the past. A more serious accusation levelled at NGOs – usually by Padang Dinka leaders but also from within the humanitarian community – was that some organizations allegedly give a false negative report of the situation on the ground in a quest to ensure continued funding and job security. The self-survival instinct of NGO staff was also blamed for half-hearted superficial reconciliation efforts that fail to resolve any issues of justice.

The approach of most organizations to create mirroring peacebuilding structures in PoC and Malakal respectively appears to be a necessary first step but people generally demanded joint efforts and dialogue. Youth and women outside of the PoC tended to express the sense that PoC counterparts did not wish to associate with them. One peace committee member remarked that the fact that their peace committees were not seen moving together was a weakness.

During the June 2021 solidarity visit of SSCC bishops to Malakal, there was repeated acknowledgement of the need to turn back to God in order for peace to prevail. Church-based youth concluded that the problem of South Sudan cannot be resolved by human effort but requires God in the lead so that root causes can be dealt with and forgiven. The Church should set the example: "Equality starts in the church". A powerful positive testimony was that of the Dinka pastor from Melut whose two brothers had been killed by Shilluk but who came to meet the Kodok pastors as an act of reconciliation. Religious leaders undergo a similar pressure as politicians: the tension between the expectations to work for their own community as opposed to doing God's work. By preaching

denomination, tribe and politics instead of Christ, some church leaders have divided denominations along community lines.

The importance of the role of women in peacebuilding was widely recognized. Women were described as able to directly articulate issues and solutions without politicization. They are easy to bring together across cultural divides and hold converging views. They also present a non-threatening stance vis-à-vis men. There is a fundamental respect for mothers even though, as one female interviewee assessed, it has partly been lost through trauma. There was, nonetheless, a notable difference between the perceptions of different ethnicities on the issue of women's role in peacebuilding: Dinka women claimed to be able to hold men accountable, Shilluk women said men would be likely to listen to them but may not always practice it, while Nuer women and men were both adamant that a woman does not have authority to prevent conflict.

When asked whether peacebuilding could be considered risky, one answer was: "It is ok to talk peace but not to put it into practice."

6.2 On Dialogue

"How do we see the future?"

Despite the plethora of dialogues already implemented in Malakal, the demand for more dialogue was unrelenting. Perhaps the observation of one interviewee that "there is actually no will for peace, neither in the community nor among politicians" is what has added to the urgency to "talk at length with influential leaders, youth, elders".

Many different models were presented, ranging from more narrow consultations between specific groups to a large-scale and broad-based Wunlit-style conference. Civilians, including church leaders, tended to favor a top to bottom approach, first engaging the instigators of conflict. Once they had resolved their differences, they would direct the youth who would respect the decision. Another model proposed was to conduct dialogue for high-level politicians and the grassroots level separately. On the other hand, one mediator veteran cautioned that it would be pertinent to build confidence at the grassroots level first and then gradually move to higher political levels, to avoid interference of spoilers⁵⁷. A third possibility, proposed by church leaders, was to begin at the top state level with R-TGoNU officials, community leaders, elders and youth and to involve the national level at the next stage, followed by all of Upper Nile. Others questioned the appropriateness of a Wunlit-style conference in the case of Malakal because, whereas Wunlit had a narrow scope and an internal issue to resolve, Malakal concerns a split that transcends frontlines⁵⁸. A prominent SSCC leader felt that a large-scale inter-tribal conference in Upper Nile would not touch the heart of the issue. A different concept was needed, for instance, the collection of individual video testimonies and the creation of free, neutral spaces where people can speak from the heart and point finger at perpetrators in small, direct dialogues with specific groups⁵⁹.

⁵⁷ Mediator of the Resource Center for Civil Leadership (RECONCILE), discussion on 31st July 2021.

⁵⁸ Member of the Concerned Citizen's Network for Peace, interviewed on 7th September 2021.

⁵⁹ SSCC leader, interview on 7th September 2021.

In any case, the SSCC leader advised on the need to get buy-in by first winning the confidence as a neutral convener and obtaining the mandate from the stakeholders⁶⁰. This could be achieved by neutral consultations: listening first to grievances in order to understand whether it is advocacy or dialogue that is most needed, as was also a key ingredient in the Wunlit process. One high-level Shilluk Upper Nile State official proposed that the Government should organize a “very big conference” to discuss the land issue⁶¹. One prominent Agwelek leader’s remedy to the conflict in Malakal was also a conference, but church driven and without political involvement, leaving Shilluk and Padang Dinka civilians to find a formula for resolving the land issue by themselves, with other Upper Nile tribes as observers.⁶² A high-level official of the SPLA-IO noted that community dialogue has its place only once the R-ARCSS and security measures have been implemented⁶³. SSPDF personnel pointed out that in their civilian capacity, they should be included in dialogues. Youth and women in outlying areas were earnestly requesting facilitated meetings with their counterparts or former neighbors in PoC and Malakal town so that they could hear directly from them.

Telling the truth was considered of paramount importance to a successful dialogue and the reason why so little has changed in Malakal despite numerous workshops. The discrepancy between the expectation of others and self-perception haunts the issue of truth: the other may not agree that what you consider they have done wrong is actually wrong. For this reason, moving the dialogue from a political conversation to one on technical issues⁶⁴ could provide an alternative starting point for discussions. A forum for youth peace committees to hold joint discussions with Government representatives on how PoC IDPs could go home was one suggestion. At the very least, each dialogue participant must individually commit to be open with their own feelings. Several interviewees encouraged both the members of the contending tribe to speak their complaints plainly and their own tribe to listen to the complaints of others with a willingness to accept their own fault: “Speak out directly, the good and the bad, so that people can change”.

The presence of international and neutral arbitrators was assessed to bring mixed results. On the one hand, a neutral observer could act as referee. On the other hand, it was observed that people often failed to speak their heart in the presence of NGOs and the Church, which rendered the dialogue without impact in the end. Stakeholders were therefore best left to dialogue alone, particularly on political issues. One SSCC leader noted that another reason for superficial dialogue could be a lack of mandate on the part of the mediator without which people would be likely to say what they assessed the observer wanted to hear⁶⁵.

To overcome the hatred that has spread as a consequence of killing, trauma healing workshops were considered to be one avenue to achieve peace with the other community and for grievances to be forgotten. To illustrate how deep a rift killing causes, one interviewee reflected that “once a killing has occurred, the killer and the victim cannot live together”. Church leaders also highlighted the need for an internal conference to enhance the spirit of reconciliation amongst themselves.

60 SSCC leader, interview on 7th September 2021.

61 Upper Nile State SPLM-IO official, interviewed on 25th September 2021.

62 Agwelek commander, interviewed on 19th October 2021.

63 SPLA-IO official, interviewed on 5th October 2021.

64 Compare to the technique of depoliticizing humanitarian negotiations by bringing discussions to the technical level (CCHN, 2018, p.82).

65 SSCC leader, interviewed on 7th September.

Finally, one innovative mode of dialogue proposed was inter-generational dialogue, getting people from the older generations that remember co-existence to engage youth.

6.3 On Advocacy

"Even if we say our opinion, nothing will change".

At Malakal level, not much information was available on ongoing advocacy activities, possibly because most organizations on the ground focus on humanitarian or peacebuilding activities. Another reason may be that advocacy mostly takes place at national level. Working behind the scenes with international partners was deemed to be more successful than frontal lobbying, which may be another reason for the thin information on the ground. It was noted that the SSCC should be strengthened for lobbying and advocacy in neighboring countries.

One interviewee that had been exposed to various international peace negotiations featuring South Sudan noted that the voices of international ambassadors in the Troika and the European Union do hold weight and that the international community, therefore, does have the power to speak up for the voiceless. One South African observer noted that South Sudan needed much more international media attention to generate the kind of public opinion that could effectuate positive change, as with apartheid. In this regard, the author must point out that for all the media attention on the equally longstanding and devastating conflicts of Yemen and Syria, they remain unresolved.

Several interviewees cautioned against demonstrations for regime change as they could exacerbate the conflict. One interviewee held that demonstrating to hold the government accountable was a normal thing in old Sudan, "but South Sudan has uneducated leaders who will kill for being asked". The National Ministry of Peace Building recognized that the SPLM culture was to talk *at* people but not *with* people. To that end, the political leadership first needed to dialogue with itself in order to be able to create an environment where people could freely dialogue with their leaders; reference was made to truth and reconciliation provisions in the R-ARCSS⁶⁶.

6.4 On Youth

"Youth are the backbone of the country, they hold politicians accountable."

A repeated word of caution by youth and related to youth engagement concerned the difference between rural (uneducated) and urban (educated) youth, where the former was considered more problematic. In this regard it must be admitted that there was no opportunity to cover uneducated rural youth and so their voice, which is highly important to Malakal conflict dynamics, has not been captured by this research. The fact that urban youth reported a total disconnect from their brethren⁶⁷ in rural areas does not help in understanding their perspective.

⁶⁶ Interview at the National Ministry of Peace Building on 9th September 2021.

⁶⁷ As the main protagonists in fighting, this section mostly concerns male youth.

Even urban youth have trouble making their voice heard. There were complaints that youth under 35 years will not be listened to by elders. In fact, the older generation was accused of fueling inter-clan violence. Much as the waning respect of youth for traditional authority was widely bemoaned by other interviewees, youth affirmed that they, in fact, do listen to the elders – that arm them. Youth complained that they are not represented in various fora as the youth at national level tend to bypass the state level by picking Upper Nile nominees living in Juba. Youth, both in PoC and town, expressed the need for a new, independent youth body, representing all tribes, that could call for human rights. The Upper Nile Youth Union might have been such a body, were it not for its total disintegration. Not only are there currently two parallel youth unions - one in PoC and one in town – but, in addition, Canal/Pigi has been taken to Jongei and Baliet has separated itself because of a disagreement. There was recognition that without unity amongst the youth, they would be instrumentalized by politicians. In that regard, inviting youth separately as representing PoC and Malakal town respectively was considered counterproductive. Through unity and common goals, youth could also leverage each other as assets. For instance, one Padang Dinka youth proposed that youth from his community could assist in resolving HLP issues.

A positive example of youth assertiveness recalled by an elderly interviewee was when a local level dialogue, initiated by the Nuer and Dinka youth in Jonglei, resulted in the opening up of river transport. Political ambitions were effectively undermined by grassroots peace – “the politicians had to follow youth.”

As regards to rural youth, vocational training was proposed as an avenue for uneducated youth to avoid mobilization. In fact, opportunities of employment and advancement were vital for all youth but with the assumption that “an educated person has the patience to wait for work but an uneducated person will steal to satisfy his immediate need”.

Finally, there was a recognized need to raise awareness so that youth will value their own life more than the interests of politicians, hence resist mobilization. The conclusions drawn by the Murle, Nuer and Dinka leaders of the “fighting youth” at the end of the Peace Opportunities Fund organized peace dialogues in Jonglei in 2021 can provide guidance. From having viewed each other with suspicion, “They acknowledge the way they have been instrumentalized. Fundamentally, they are killing themselves in vain.”⁶⁸

68 South Sudan Peacebuilding Opportunities Fund, 2021, pp.6 and 8. This document contains a number of solid lessons learnt that can potentially be applicable to the case of Greater Malakal.

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