



Season 2 Episode 5
Police Performance in South Sudan: The Law Enforcement Gap
Episode Transcript

Disclaimer: This podcast contains content that may be alarming to some listeners, including mentions of sexual assault. Listener discretion is advised.

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Teaser Clip: Every day 100 civilians are killed in conflict and countless more are harmed, yet their perspectives are often missing from the stories we tell about war. This is the Civilian Protection Podcast. A monthly podcast produced by CIVIC and PAX.

Marc: Hey everyone, this is Marc Garlasco, Military Advisor from PAX.

Annie: ... and I am Annie Shiel, US Advocacy Director at Center for Civilians in Conflict, or CIVIC. Our organizations work in conflicts around the world to protect civilians caught in war.

Marc: Today's episode takes us to South Sudan, which for years was the site of a brutal war for independence from Sudan. After gaining independence in 2011, two main political competitors soon got into a conflict over power. This led to a full-blown civil war in 2013 as the different factions came head to head and soldiers of the two largest ethnic groups in South Sudan - the Dinka and the Nuer - aligned themselves with the different competitors, putting these groups largely on opposing sides of the conflict. Violence soon spread throughout the country, and civilians came to bear the brunt of it as all parties to the conflict targeted civilians, often doing so along ethnic lines. There was widespread sexual violence, forced recruitment of children, and destruction of personal property and even entire villages.

Since then, multiple peace agreements and power-sharing agreements have brought the civil war to an official end. However, violence has continued at lower levels while political and inter-communal tensions have persisted. And this low-level violence sometimes flares up, resulting in hundreds or even thousands of civilian deaths.

Annie: In our past episodes, we have focused on the roles and responsibilities of *military* actors to prevent and respond to civilian harm. But in many parts of South Sudan, people's trust in an ethnically divided military that has committed serious violations against civilians, and that has yet to be significantly reformed, is still very low. And so, many people's hope is that the police will protect them as they try to rebuild their lives amidst ongoing insecurity.

Marc: Exactly. You know, protection of civilians is not merely a military affair; it is a state's responsibility overall to protect the rights of its people. And war versus peace is not always clear cut.

At some point, states get to a situation where protection of civilians becomes a question of implementing and upholding the law, so that people are able to continue or start living their lives in relative peace and security. Law enforcement can contribute to that – or they can contribute to continued *insecurity*.

To explore this issue in more detail, my PAX colleague and fellow producer of this podcast, Erin Bijl, spoke to people in South Sudan about general police performance, community perceptions on security and law enforcement, and what may happen when people do not feel that they can rely on the police for protection.

John: My name is John Malith Mabor. I work for PAX as a Senior Project Officer under the PoC, the Protection of Civilians department, under a project called Human Security Survey. So I am based in Juba.

Erin: John, you mentioned the Human Security Survey. Could you explain a little bit what that survey is, what it intends to achieve, and why you think it is important work for PAX?

John: The Human Security Survey is a project in which the views, the information is collected from the civilians about their personal security in terms of what happened to them and what do they perceive in the environment that they live in? So every time we go down to collect information regarding such kinds of things, and then we bring it for analysis, and then try to bring the authorities, the stakeholders, to discuss the findings. That this: “Look, your civilians or your people have been mentioning this. They say they have a problem with A, B, C, D, and they have been happening in your presence as the government or the local government. What can we do about them?” Or: “What can you do about them?” Because the government is considered the primary actor in terms of providing security and protection of civilians.

In the way we do it, we train enumerators, and then we send them to the field, and then they collect information from the civilians. That information is brought back for analysis and we call a big meeting where authorities are present to see the views of the community and then try to discuss. In that process, they will agree or disagree with some of the findings, but at the end, it engages some kind of discussion: “How come that this thing happened this way? And what have you been doing? And now that they have happened: what is the way forward?”

Annie: So if I am understanding correctly, PAX sends people into communities in South Sudan to hear directly from civilians themselves about what security threats they are facing and what their everyday concerns are.

Marc: Exactly. PAX conducts the Human Security Survey in five states in South Sudan. And it not only gives us valuable information about what is going on, it also enables us to then call these big meetings that John mentions in which community representatives are then brought together in the same room with relevant stakeholders to discuss what issues came up during the survey and how they can be solved. These stakeholders can include local chiefs, United Nations officials, and also the local police.

Annie: And what are those surveys picking up? What are people raising as their biggest safety concerns?

Marc: Well, besides John, Erin also spoke to a former enumerator of the survey. She used to visit communities around Central Equatoria State to ask people about exactly this question. She has asked to remain anonymous for security reasons.

Sarah: Hello, I am an enumerator for the Human Security Survey in the past two years for PAX and a member of the Community Security Committee that normally addresses issues that are identified during the survey in the areas of Mangala and Rajaf payam. I am from Central Equatoria State and besides being an enumerator and a member of the Community Security Committee, I also do personal business.

Some of the issues that were identified during the survey include land grabbing, it includes rape cases, it includes kidnapping, it includes the cattle keepers and the farmers. I will elaborate more about the

cattle keepers and the farmers: the cattle keepers, these are people from the Bor area that come with their cattle and they intend to collide with the farmers. The cattle keepers normally leave their cattle to graze on the farmers' farms, which is not ideal, so when the farmers start to get up and try to talk to them, they get so violent on the farmers and they are also identified to be some of the people who do raping of women in case they go to their farms and also when they go to collect other things like firewood, some of the cattle keepers are identified to be raping the women.

Annie: So, these sound like matters where people might typically seek police assistance: does law enforcement play a role here? Do people actually turn to the police?

Marc: Well, both she and John were quick to point out that many South Sudanese do not regard the police as a very reliable or effective force. And this is not without reason.

Sarah: During a survey alone in Mangala payam along the riverside in Bilinjang, a woman felt they were totally not being protected by the police based on an incident where the Murle happened to attack the area. Murle is a tribe. They were attacked by these Murle and their children were taken. By the time they wanted to make a report to the police, the police did not turn up. First of all, the police were far away from where they were staying and, two, when the police did not turn up, they say the distance is far and they did not have a vehicle and they did not have fuel. So, the case was just left like that, because the Murle had already gone with the children. The children were not gotten back and they feel, as mothers, they were in loss and they do not feel protected at all from the police.

Erin: When in the Human Security Survey, you actually ask people about the police, how do people generally rate the police? Are they considered effective, reliable?

John: The police have been considered effective by some part of the community and others consider it ineffective. According to our data, a big group of people considers the police to be ineffective: in terms of responding to cases, in terms of investigation, in terms of settlement of disputes that have been brought before them. So they say when there is an incident and you report the issue to the police, you expect them to respond immediately. But this is not what is going on. So there have been different views from different communities. Those who are lucky that their issues have been addressed successfully consider the police as effective. But the majority of the civilians, the majority of the communities in our five project locations, consider the police to be ineffective.

Erin: And why do you think that is, John: is the police not able to respond to people? Is it not willing? And what are some of the issues in them providing security?

John: From our validation meetings in which we also invite the authorities, including the police or the law enforcement personnel, we could see the findings of the community speaking this thing that we are speaking now. And when we ask them, "Why is that happening?", some of them honestly agree that, "Indeed we do not respond according to the expectation of the civilian or expectation of the community because we have some challenges that are facing us as an institution. In certain cases, an incident is reported at a far distance, and we may not have a car or fuel. And even if we may have a car or fuel, the road conditions are not so good that we can respond immediately." And then, some members of the police or the personnel, the soldiers, sometimes do not respond simply because they lack salaries. There is no motivation. There are so many things that they could mention that, "Indeed those things happen, but we have our own challenges including infrastructure, logistics and et cetera."

Marc: And we have heard this time and again – that police sometimes simply do not have the capacity to respond to incidents in certain areas in a timely way. Now, at this point, it is important to remind ourselves that South Sudan is a relatively young country. In fact, it is the *youngest* country in the world, having gained independence only as recently as 2011.

[Fragment of a 2011 [Al Jazeera news show](#) starts playing]

Reporter: A nation is born. A symbol of sovereignty and identity flies for the first time. The scene in South Sudan is nothing less than electric. Hundreds of thousands of people converge on Juba, the world's newest capital city. They celebrate their long-awaited independence, marked by two civil wars over five decades, and countless lives lost.

Juba is one big street party but once the celebrations end, the challenging task of nation building begins.

[Fragment ends]

Marc: Now as discussed before, civil war has continued on and off since independence. This also means that in terms of infrastructure, there is still a lot to be done and the police have a point when they say that they are facing a lot of challenges in this area that prevent them from carrying out their jobs effectively. But this recent history of conflict also brings other challenges.

Erin: You also indicated that the police sometimes tell you: “Well, you know, we want to go and respond to a security incident, but we are actually unable to, or we are not being paid enough.” What other things do you hear from the police themselves in terms of what they actually need to start fulfilling their role more effectively?

John: As you know, we just got independent and initially South Sudan was completely founded from the organized forces from the SPLA, which was the rebel movement. And when we got the country, the SPLA, who were only taught how to shoot and kill, were brought to the country, and then they were divided into different security organs. Some have been taken to the army, some were just taken to the police directly, and others were taken to prison and others are taken to wildlife and fire brigades. These people all come from the SPLA, which is a military background that was fighting for the independence of South Sudan. Some still have the mentality of the army. They do not have the mentality of the police.

Marc: In both interviews we did, it became very clear that this lack of effective police performance greatly affects how people then start to perceive the police. Civilians pointed out many reasons for why they do not trust the police. One of them being that a lot of police officers are recruited from armed groups and join the police without having received prior or sufficient training.

Sarah: Most of the police are not trained. There is a lot of illegal recruitment that takes place where people are influenced by key decision makers to join the police and in most cases, they are home, they are not trained, they are just given their uniform, their gun and their ID and then they are sent for operations. Most of them do not know the rules or the procedures of the police. This is why you find there is a lot of corruption among the police.

In most cases, the police take bribes a lot and then they judge in favor of whoever has money. For the police to make a statement or to attend to their rescue, in most cases they ask for money, which the citizens do not have at times for the police to attend to them. This really is so discouraging to the citizens and they feel the police are not there for them but actually they are just money-oriented.

Then there is also a lot of tribalism along the police sector. So, if a specific tribe is on duty and I am from a specific tribe and I have come to report a case, they will not take it so seriously simply because I do not speak their language, so they feel I am wasting their time at times. And if not, they will start asking for money and [inaudible] me here and there. So, there is a lot of tribalism in the police sector which really needs to be worked upon such that people can have trust in the police.

The people have a negative mindset because these very police hire out their guns to criminals. They hire out their guns to criminals to do criminal acts during the course of the night and then, in the morning, the owner of the gun is paid. So, these criminal acts will never stop, simply because they are using the guns of the police to do all these activities.

Annie: So, I am hearing a number of serious concerns from communities: from lack of training, to corruption, to bias in who police are willing to help, to sometimes arming violent actors directly. Those are significant complaints.

Marc: And of course there are also police officers who do their best, right? Who actually want to show up for the communities they are serving. And if we look at all the data collected in the Human Security Survey, we do see some important nuances: while many civilians point out these weaknesses in police performance, in most locations where we survey, the police is still – relatively speaking – the security actor that the people consider the most accessible or the most reliable. Up to 80 or 90 percent of

respondents may indicate so in certain locations. And the incidents that were mentioned about police hiring out their own guns fortunately do not seem to be the norm across South Sudan.

But yeah, there are a lot of issues that need to be addressed. And, as came up in the interview, all of this makes it very discouraging for people to go to the police and this can have far-reaching implications as people are forced to deal with security incidents on their own, or they may not be able to deal with them at all.

Sarah: A majority of the people tend to keep quiet in case of an incident. For example, a lady was raped by thieves who happened to attack them in the night, she decided to keep quiet and not go to the police and go through that trauma on her own. So, most people do not go to the police. Besides the raping that took place, they took items, but she decided not to go to the police because they feel they will not get the justice that they need. Above all, the perpetrators will not be caught and the community will now be having a negative mindset towards her. She will be seen as somebody who has been raped by unknown people and then they will start mocking her in society, so they tend to keep quiet and not raise an alarm about it.

Erin: What happens if the police do not show up?

John: When the police do not show up, there are incidents of cattle raiding, properties have been lost in most of these locations where we operate. And there has been revenge because if the community does not receive protection, they take the law into their hands and then they use revenge. Because if the police did not come into the scene at the right time to rescue the properties or to rescue the life of the people, then the community will reorganize themselves and follow the attackers and then do the same. And of course, the police will just be very far away and the community will go on to do this. This has also prompted the formation of what they call the local armed youth. From a certain community, they find ways of buying guns and use their own local youth as an alternative protection, at least to bridge the gap or maybe provide their local protection, which is also good in one way and disastrous in the other way, because they cause conflict and they cause harm against the other. The fact that they are not organized, they do not have central command, they do not have rules, and they do not have code of conduct. They only protect their own community, and then they use the guns or the arms that they have to cause destruction to the neighboring community. If the police fail, if there is no proper protection of properties and lives, then the community will be forced to use the local armed youth.

Erin: You mentioned cattle raiding as being a specific example of a security incident that is actually common in South Sudan and where local armed youth may actually start to intervene. I think a lot of people outside of South Sudan or outside of your context, may not know exactly what cattle raiding is and why it happens. Could you give a bit of context to that particular security phenomenon?

John: In South Sudan, most communities are cattle keepers: they keep cattle, few of them are farmers. And because of the proliferation of arms in the hands of civilians and because of the importance of the cattle in the life of South Sudanese, especially the Dinka and the Nuer, cattle is very important. It is playing a bit of a central role. It is used to marry: when you want to marry, when you want to get a wife, you have to have a number of herds or cattle. And if you want to buy a good house, you need to sell some cows. If you want to take your children to school, you need to sell the cows. Cattle are very important. And now because of the gap of law enforcement and because of the presence of arms in the hands of civilians that have no control, some of the youth use cattle raiding.

Cattle raiding is a process of going to a certain neighboring community. You take those cattle by force and then you start fighting there: you chase the owner, you kill the owner, or the owner kills you, and then you take away the cattle. You keep them in your territory and then you defend them. When you want to marry now, you can pay a number of cows to your in-laws and they will be giving you a wife. You do not get these cows from the small work that you do, agricultural work or some small income; the only shortcut is to go and raid, get you a gun with a lot of ammunition, a lot of bullets. You fight, you take a hundred of them, that will give you your wife.

Since there is no accountability, of course, they will go and raid. The only state that has stopped it now is Lakes where the governor has put some top rules against cattle raiding. But in some other locations like Jonglei, as we speak, there has been violence between communities. Lou Nuer of Jonglei is fighting itself, is raiding itself. The Murle people are raiding people from Bor, including child abduction.

All these kinds of things are going on. And as what you just said: It is as a result of escalation, it is as a result of revenge. You raid, the other people go and get revenge, then it escalates. It is a cycle of revenge, it goes on, and the violence continues.

Annie: Our guests have described what sound like two typical responses to ineffective or even predatory policing in South Sudan: Either people do not report incidents at all, since they do not trust the police to respond effectively, or they feel forced to take matters into their own hands, which can contribute to cycles of violence and retaliation.

Marc: And it is understandable, right? It is a bit like what John said about these local armed youth being a good thing on the one hand because it may be the only form of protection civilians in certain parts of South Sudan enjoy, and it being completely disastrous on the other hand as it severely undermines security and the rule of law in both the short term and the long term.

I would also argue that it is not a phenomenon that is limited to South Sudan: We see other places around the world where a lack of trust in the central government and police may fuel the proliferation of arms among civilians.

Annie: If we are looking ahead: What is actually needed to start bridging this so-called law enforcement gap?

Erin: In the survey, I suppose you also ask people about what they want the police to improve. Are there concrete suggestions, things that people are mentioning: "If the police do this and that, then maybe this will lead to better protection of our civilian communities?"

John: We do find recommendations from our data, from the civilians themselves, and from the validation meetings. When we ask the civilians what they think, because they may talk of the inadequacy of the law enforcement in their villages. So that causes this gap, this insecurity, because there is no maximum protection. So what they suggest is that there is a need for a sufficient deployment of security forces, that the presence of the police forces is best appreciated is number one. And then not only presence, they need to be present and they are effective, they do their role. So their performance and their presence is something that they recommend; that they need enough deployment of police forces in the community. And then these police forces that have been deployed are the trained ones. Those who know what they do, those who know their work, not just a number, but people who know how the police is, the policing. And then, this is what they recommend, that they need to be equipped and they need to be deployed among the communities, and they need to be facilitated with some of the mobility, and offices, stationeries, and et cetera.

Sarah: For South Sudan to have a better police force, there is a lot that needs to be done. They need to ensure that all these police are paid on time, and they should be given enough salaries that can sustain their families. Most of them have been forced into the police or into these criminal acts because most of them have 2-3 families that they cannot sustain with a government salary and they are forced to the extreme and do some of these things, so a lot needs to be done for the system to be clear and for the community or the people, the citizens to gain trust in them. A lot of training needs to be done.

For better performance of the police, during recruitment there should be a minimum standard for everyone who is interested in joining the police. For example, it could be a senior school leaver, or it could be someone who has a higher level of education where he can read, he can write, can make proper judgments and not just recruiting people anyhow. I also feel the police should avoid bribes.

Marc: And this is also where the international community can contribute to improving police performance.

John: The international actors should help the police in training. They should train them, help in development of curriculum for the police training also, and provide for logistics including the office stationery and computers. I think by doing that, they will also help the government or the community.

Marc: And it is not only people *outside* of the police who are saying this. Over the years, PAX has numerous times also spoken directly with police representatives about what support *they* need. And police officials keep mentioning a number of priorities, most prominently a need for better training of the existing police force, as well as an increased police presence in rural areas and better equipment and supplies.

Annie: Although, from what I am hearing from our interviewees, it does not sound like more resources will fix all of the issues that civilians face in dealing with the police. What other needs does PAX see in South Sudan?

Marc: Well, it is absolutely key that trust between the police and the people that they are meant to protect is being built or rebuilt in South Sudan. And that often starts with a conversation: after each survey round, John and his colleagues purposely bring together community and police representatives to reflect on the findings together and to discuss a way forward *together*. They need to understand each other's perspectives and the police need to start showing civilians that they are there to serve *them*.

Which brings me to one of the most important elements for trust building: accountability. It is highly frustrating to civilians that police cannot only get away with poor performance, but that police officers sometimes also get away with behavior that itself harms civilians. Whether it is corruption, ethnic discrimination or bias, or these more rare cases of collaboration with criminal groups. South Sudan needs a better system of upholding and being accountable to the law and to its people, also and especially where it concerns those who are meant to protect them. Seeing more accountability will help rebuild trust in the national police forces, and it will also make it safer and easier for international actors to provide the South Sudanese police force with the material support and resources that they say they need.

Annie: That is it for today's episode of the Civilian Protection Podcast.

Marc: In our next episode, we will explore community-led protection efforts in Nigeria, looking at ways that civilians have organized to advocate for their own protection needs.

Annie: The Civilian Protection Podcast is brought to you by Center for Civilians in Conflict and PAX – two NGOs working to improve the lives of civilians caught in conflict. Today's episode was written by Erin Bijl with assistance from Anton Quist, Hans Rouw, Lauren Spink, Annie Shiel and Marc Garlasco. It was produced by the Podcast Guru. Hajer Naili made sure we are online. We would like to thank our guests for joining us and for sharing their insights.

Marc: You can find us on Spotify or anywhere you get your podcasts. We want to hear from you: share your thoughts on this episode or topics you would like us to cover by emailing civilianprotectionpod@gmail.com. Follow us on Twitter and Instagram at ProtectionPod to stay up to date on our episodes and guest speakers, and to get behind-the-scenes content like full interviews. You can also find behind-the-scenes content and interviews on our YouTube channel, as well as civiliansinconflict.org/podcast and protectionofcivilians.org. Thanks for listening.