

# Sudan People's Liberation Army Disarmament in Jonglei and its implications

John Young

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## Introduction

The Comprehensive Peace Agreement of 9 January 2005 marked the formal end of hostilities between the Sudan Peoples' Liberation Movement/Army (SPLM/A) and the national government's Sudan Armed Forces (SAF). However, it did not end the multiple internal conflicts from which south Sudan suffered. As a result, the Comprehensive Peace Agreement was followed by the Juba Declaration of 8 January 2006, which largely brought to a close the conflict between the SPLM/A and the SAF-supported South Sudan Defence Force (SSDF) (Young, 2006). The next stage in the pacification of the south in the view of the SPLM/A leadership – and also that of the United Nations (UN) – was the disarmament of the civilian population, and that is the concern of this study. Almost certainly part of the SPLM/A's urgency in carrying out this disarmament was based on the conclusion that it needed to ensure that the south was internally secure before it could effectively confront the challenge posed by the SAF's deployment to the oil-producing borderlands and its continuing efforts to foster instability in the south.

It must be stressed that this study is by no means comprehensive. It gives primary attention to what is generally acknowledged to be a violent and coercive disarmament campaign of the Lou Nuer of Jonglei State. Apart from research carried out in Juba and Malakal, it also involved a week-long stay at the United Nations Mission in Sudan (UNMIS) camp in Motot in late August 2006, which was the centre of the Jonglei disarmament and of the resistance to the campaign. In addition, the study will include some analysis drawn from investigations conducted by the author in February 2006 of a parallel, but largely peaceful, disarmament campaign carried out in the eastern Upper Nile among the Jikan Nuer. Still other disarmament campaigns have been, and are currently

being, conducted by the SPLA and, where known, relevant comparisons and contrasts are drawn. But none of these disarmaments has been on the scale or with such violent results as that among the Lou Nuer.

Having encouraged the SPLA to disarm and pacify the civilian population, the UN was shocked by the process in Jonglei, but said nothing publicly. Fearful that the death and destruction that was visited on the Lou Nuer community when sections of it resisted the

SPLA's forced disarmament would be repeated in Akobo, the local SPLM/A commissioner, Doyak Choal, pressed for a non-violent alternative that involved utilising traditional and youth leaders. In the wake of the Jonglei disarmament, the UN jumped at this opportunity to support what was hoped would be a non-violent alternative disarmament, and by providing minimal technical assistance the UN effectively endorsed the Akobo process. However, critics have argued that only a small proportion of the weapons in the community were turned in and, further, that the campaign could not be considered truly voluntary since

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the threat of a forced SPLA disarmament was ever present. The Akobo disarmament also led to fears that a more coercive disarmament might be in the offing, although with the passing of time that became less likely. There was also fear of a forceful disarmament campaign among the Murle, who are heavily armed, very ruthless and – until September 2006 – were firmly in the camp of the SAF. However, the announcement by Murle leader, Major General Ismael Konye, that he had joined the SPLM/A hopefully will reduce the prospects of violence in that civilian disarmament. That said, civilian disarmament faces many more challenges and it is clear that the UN was caught unawares by the level of violence in Jonglei, had to severely revise its earlier commitment to community disarmament, and does not have a clear view on the way forward.



## Background

Khartoum and South Sudan had been at war for 38 of the country's 49 years of independence when the Comprehensive Peace Agreement was signed in 2005. The war has created deep and multi-layered antagonisms between the north and the south, and also many divisions within the south that have been readily exploited by successive governments in Khartoum. Indeed, a consistent policy of the four Khartoum-based governments that have led the war against the SPLM/A since 1983 has been to encourage divisions within the south and hence south-south conflict. Against that background it would be naïve to expect that any formal peace agreement could quickly overcome these problems. On the one hand, there is good reason to doubt the willingness of the SAF to end decades of engagement and machinations in the south just because a peace agreement was signed and, on the other hand, because the Comprehensive Peace Agreement was an agreement that acknowledged only one armed group in the south (namely the SPLA), when it is clear that there were many others, it could not hope on its own to lay the basis for internal peace (Young, 2006).

Given the SAF support for a range of armed groups opposed to the SPLM/A, both before and after the signing of the Comprehensive Peace Agreement, the GoSS (Government of South Sudan) doubts whether it is prepared to end northern hegemony in the territory. At the very least, the GoSS believes that the SAF intends making life as difficult as possible for the SPLM/A by encouraging, and even creating, security problems as a means to undermine support for the movement, and hence to create an environment in which the Comprehensive Peace Agreement-scheduled referendum on southern independence either does not take place because of insecurity (the reason that was used to abort a similar promised referendum under the 1997 Khartoum Peace Agreement), or that a disenchanting population would vote for unity.

Critical here is the issue of SAF deployment in the north as stipulated in the Comprehensive Peace Agreement. While even UN officials acknowledge that the SAF may indeed – as it claims – be deploying from the south ahead of schedule, the Comprehensive Peace Agreement only laid down overall numbers, and the widespread view was that the national army was leaving non-strategic areas and strengthening its positions in areas of more significance. This focus is generally assumed to be the northern oil-producing areas, in particular, Abyei, western Upper Nile and Adar (UN official, pers. comm., Juba, 11 August 2006).

The fact that the ruling National Congress Party (NCP) has not accepted the Abyei Boundary Commission decision, which placed most of the territory within southern Sudan and the further decision of the commission to place the critical Heglig oil-producing field within Abyei, is making this area the focal point of a political and military stand-off between the SPLM/A and the NCP.

The SPLM/A has also had to face many challenges simultaneously in the wake of the Comprehensive Peace Agreement and the death of John Garang. The Comprehensive Peace Agreement signalled peace and that produced a scramble for positions, a decline in vigilance, and the settling of old tribal scores that sometimes saw elements of the SPLA fighting other components of the organisation, particularly in the Dinka heartland of the Lakes District. Increasingly then, external conflicts were being overtaken by internal disputes, particularly between the SSDF and the SPLA. It is to the credit of the incoming SPLM/A leader, Salva Kiir, that in contrast to Garang he looked to a diplomatic solution to the problem and his

efforts were marked with considerable success as demonstrated by the Juba Declaration of January 2006, which brought the government aligned SSDF into the SPLA. However, while achieving greater southern unity, absorption of the SSDF involves its integration into the SPLA, and their senior officers into its command structure, and to date this has not been done. Adding to the difficulties facing the SPLA, it is also undergoing a transformation from a rebel army to a conventional army. Some progress has been made in this regard, but more time is needed. While it is reported that soldiers are now more regularly receiving supplies and salaries (which was not the

case in the past), it is noteworthy that the SPLA forces employed to disarm the civilian population in Jonglei did not receive regular food supplies and, instead, subsisted on the cattle belonging to the inhabitants, thus further exacerbating the problem.

Another problem for the SPLM/A was its pre-occupation with leadership problems which largely pit those close to the former leader against the followers of Salva Kiir, although by late 2006 this problem had somewhat eased. However, the SPLA as an army remains dominated by Dinka close to the former leader, while those SSDF members who went into the SPLA as a result of the Juba Declaration are largely Nuer, support Salva, remain deeply suspicious of the Garangists, and were upset by their marginalisation during the Jonglei disarmament. Suspicion of the objectives of the SPLA disarmament was even greater in the Jonglei countryside, which was home to many in the SSDF and to the white army, a cattle camp-

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based organisation that offered fierce resistance to the SPLA. At all times SAF endeavoured to deepen these suspicions and drive wedges into the SPLA.

Perhaps the most raw and still untreated self-inflicted wound in the south was the horrific attack on the Bor Dinka in 1991, which occurred after the SPLM/A leadership split between Dr Riek Macher and Dr John Garang, himself a Bor Dinka. More than 100,000 people (almost all civilians) are estimated to have been killed in this attack, and there is little doubt that the pain and anger continues to afflict relations between Dinka and Nuer. Some expression of this could be seen in the acrimony between the Dinka-dominated SPLA and the Nuer-dominated SSDF (Young, 2003). While there is little evidence to suggest that Bor Dinka resentment and a desire for revenge caused the SPLA High Command to unleash the violent disarmament campaign on the Lou Nuer, there are reasons to believe that these sentiments may have come to the surface during its course. Since it was largely Lou Nuer of the white army that undertook the attack on Bor, it is perhaps not surprising that those anxious to weaken the SPLA encouraged the belief that the Bor Dinka were consumed by hatred and a desire for revenge.

Lastly, it must be emphasised that despite officially having a political wing, the SPLM/A has long been dominated by the military, was led by military men and gave scant attention to political struggle, including administration and the development of a guiding ideology (Young, 2002). From the movement's inception in 1983 it saw itself as engaged in a largely military struggle that would take it on a one-way road from the bush to Khartoum. Garang's death and the Comprehensive Peace Agreement overturned the national objective, and have led to a more narrow focus on the south, but it did not change the ruling militarist orientation. As a result, military officers and not civilians are usually the people who take the lead in dealing with all manner of problems, particularly in the countryside. Their approach is likely to be authoritarian and ultimately to involve the utilisation of force to implement decisions that are also typically made by military officials. It was that approach that dominated the Jonglei disarmament.

It must also be appreciated that despite the fact that the large majority of the SSDF have formally stated their allegiance to the SPLA as a result of the Juba Declaration, that loyalty was never unconditional and could not be expected in an environment where tribe has always had more resonance than party or ideology. In addition, few of the youthful members of the Lou Nuer white army could be expected to have much vision beyond protecting their cattle and

retaining their weapons, which gave them so much power in their community. Hence they viewed with considerable suspicion the SPLA with whom they never had any agreement and who wanted to take away their weapons. In the culture of the Nuer, and in particular that of the Lou, martial values hold a central place and during recent years of war these values were closely linked to owning modern weapons. The SPLA demand for disarmament thus involved far more than the loss of weapons, but in the symbolic world of the Nuer youth it also involved the loss of manhood, a return to childhood, and a reassertion of the power of the fathers and the traditional community leadership.

Against this background the UN stuck to a narrow legalistic reading of the Comprehensive Peace Agreement and focused on carrying out disarmament among the warring parties identified in the Agreement, namely the SPLA and the SAF. Preparing only for disarmament, demobilisation and reintegration among the Comprehensive Peace Agreement signatories, the UN was caught off guard by the ensuing internal conflict and the focus of the SPLM/A on civilian disarmament, even though it had encouraged the SPLM/A to take a strong line on security issues and move quickly to disarm civilians. Unfortunately, the UN's rhetorical support was not translated into back-up programmes and, instead, the disarmament, demobilisation and reintegration components that functioned through different UN agencies have often appeared to work at cross purposes. Even though most disinterested observers were highly critical of the abuse of the human rights involved, the UN had little to say, apparently feeling that having encouraged disarmament it would not be fitting to criticise publicly the means employed. Therefore, the UN largely sidelined itself on this critical issue.

### Military officers' approach is likely to be authoritarian and involve the use of force

### Jonglei disarmament

The actual motives for the SPLA's disarmament policy are not conclusively known, but a number of factors appear to have figured in the decision. First, SPLA rhetoric constantly emphasised that 'our people are killing one another' to justify the disarmament. This largely referred to conflict between the Lou Nuer and their neighbours during the course of their dry season migrations, but since the signing of the Comprehensive Peace Agreement it also included endemic clan-based fighting among the Dinka of the Lakes District, Murle cattle rustling and a number of other local conflicts. Second, given that the SPLM/A did not achieve state power through a military victory over its enemies (including its internal opponents),



but as a result of a peace agreement engineered by the international community, it was anxious to assert its hegemonic position in the south, and this was best accomplished by forcing friends and enemies to accept that its army alone had the right to bear weapons. Third, the SPLM/A was concerned with the extent to which SAF infiltrated, influenced, controlled and supplied a range of armed groups in the south. In this light, some or all of the armed groups opposed to the SPLM/A were viewed as fifth columnists that should be eliminated.

Fourth, all of this reasoning provided the backdrop for SPLM/A preparations for what is widely held to be a definitive struggle with the SAF in the northern and oil-producing borderlands where the national army is increasingly taking up positions. And before the SPLA is prepared to confront this challenge, it has to ensure the security of its territory and eliminate elements that may be under the influence and direction of the SAF. But if these are reasons that would inform the thinking of SPLM/A strategists, it does not deny that during the course of the fighting in Jonglei other factors may have come into play, such as tribalism, the desire for revenge, and local power struggles.

From the beginning, the SPLM/A assumed that only the strong presence of its army would convince southerners to turn over their weapons, and hence the threat of violence, or its application, was part of the process. Although unsystematic and local-level civilian disarmaments had been carried out in various locations, the SPLA concentrated its major effort on central Upper Nile. No doubt, one of the reasons for this decision was the growing amount of violence associated with the dry season movement of cattle by the armed youth of Ayod (Gawaar Nuer), Duk (Dinka), and Uror and Nyirol (Lou Nuer), and in particular those groups that composed the Lou. Evidence of SPLA fears that the disarmament might be perceived by the Lou as an attempt by their enemies to weaken them is indicated by the fact that it assigned the task to General Peter Bol Kong, a Lou Nuer, and that his force was tribally mixed.

The first indication of problems on the horizon was the request by Lou Nuer to graze their cattle in their neighbours' territory and although this was a common practice, this year the neighbours insisted that the pastoralists disarm before being allowed to remain in these territories. This, in turn, led to a series of meetings that began in Kharflus County with the armed youth of the white army from the Duk (a small Dinka group), Gawaar and Lou sections, together with groups from civil society. The Jonglei State government also became involved and stressed, first,

that everyone should have access to common grazing lands and, second, that anyone not agreeing to turn over their weapons voluntarily to the SPLA would be forcefully disarmed (PACT, 2006).

Arguing that in 2005 there had been no such requirement, the Lou and the Gawaar refused to hand over their weapons. Although the cattle herders were clearly told that they could not keep their weapons unless they chose to join the SPLA, Jonglei Governor Philip did promise that compensation would be given for weapons handed in, and indeed they were duly registered. It is not clear, however, where the funding would come from to pay for the weapons. Failing to convince, the meetings and consultations went on for so long that one UN official (pers. comm., Juba, 17 August 2006) estimated that the mediators and the SPLA had consumed some 1,300 cattle belonging to the Lou Nuer, and no doubt this served to increase tensions. But through all of these efforts the Lou Nuer refused to disarm, arguing that they needed their weapons to protect themselves from the Murle, and that the SPLA had to first, or simultaneously, disarm the Murle. It is against this background that the initial skirmishes broke out, and by the end of January the white army launched a major attack on the SPLA. In the resulting mayhem the SPLA forces were scattered, and hundreds were driven into the empty dry lands and died of thirst and hunger. Two Lou clans, the Chieng Dak and the Chieng Thieb, and particularly the former, played the leading role in this attack and all subsequent fighting. Significantly, SPLA military commander Bol Kong, former SSDF official Simon Gatwich, his deputy Simon Wojang, and Dr Riek Gai a senior official in the National Congress Party, all hail from the Chieng Dak, and each had his own interest in the outcome of the conflict.

One of the first senior SPLA leaders to be killed was Wutnyang, who was also a spiritual leader of the Gawaar Nuer from Ayod. He had been brought in to play a leading role in the disarmament campaign because of his tribal affiliation, and his status as a respected traditional leader and a founder of the white army. His death had three immediate implications. First, it made clear the ineffectiveness of the SPLA efforts to convince the youth to turn over their weapons. Second, it threatened to instigate an inter-clan conflict between the aggrieved Gawaar and the Lou. Third, Wutnyang's death, and those of a growing number of other SPLA soldiers, raised demands for a rapid military response that almost certainly was not free of a desire for revenge.

### Preparations for a struggle with the SAF in the northern and oil-producing borderlands



At this point it is necessary to provide a brief description of the Lou white army (a more detailed presentation will be found in a forthcoming study of the subject by the author). Loosely organised in the cattle camp, the white army was largely composed of young boys aged 14 to 20 years. The white army of the Lou was thus a children's army, although no less dangerous for that. During the 15 or so years of its existence, its fighters acquired weapons from individual SPLA soldiers who sold them for food; from Riek Macher after he had defected from the SPLA; increasingly in recent years through Simon Gatwitch, who received them from SAF; from their victims; and from individual purchases. While Gatwitch (pers. comm., Juba, 12 September 2006) claims to have the biggest influence over the white army, it must be stressed that having an influence over them and controlling them were two completely different matters, and neither Gatwitch nor any leader ever really controlled them. Leaders came from their own members and were typically selected for being brave, good marksmen and able to control people. Ostensibly, their weapons were purchased individually with their own cattle or cattle provided by the family, but over time the young boys increasingly used violence, sometimes against their own fathers, to acquire cattle. That leaves open the question as to whether the boys could be considered the genuine owners of the weapons, or whether these should be viewed as a collective resource. Although lacking in military training, leaders and discipline, the boys had the mindless bravery of youth and frequently this was combined with excellent shooting skills. Against unorganised forces, the white army was very effective and, on occasion, it could overwhelm a more sophisticated force if this was surprised, but in sustained conflict with conventional forces experience would demonstrate that it could be readily overcome.

Against the background of the white army attack on the SPLA, the Juba leadership of the SPLM/A became seized with the issue. The Security Committee of the GoSS met and divided between those demanding a swift and hard response, and those who urged restraint. Curiously, Riek Macher, a Nuer, is identified with the former camp – at least in the sense that he wanted a rapid response – while Salva Kiir, a Dinka (albeit from northern Bahr El Gazel, close to the Nuer lands) was, as is often the case, an exponent of continuing consultation to win over the white army. But despite being the leader of the party and the army, Salva did not press his position and the hardliners, most of whom could be characterised as Garangists from the military, won out. But it is not clear that the Juba leadership controlled the process, which was rapidly either spinning out of control or

### A forced agreement reminiscent of the Garang-led SPLM/A

had been overtaken by the army's leadership, Bol Kong and a handful of commanders in the field. At any rate, it was agreed to give Bol Kong a virtually free hand to end the dispute. The legal basis for the armed campaign of forced disarmament had thus been laid, even if those who gave it had little or no control over the subsequent events. One leading SPLA official close to these debates later described the decision making as a forced agreement reminiscent of the Garang-led SPLM/A.

The major battles that began in late January 2006 pitted elements of the white army, forces of Thomas Maboir (but not Maboir, who did not take to the field) and part of the army of SSDF leader Simon Gatwitch under his deputy, Simon Wojong, who had only recently affiliated with the SPLA - all fighting against the disarmament forces of Peter Bol Kong. These first battles took place immediately after the signing of the Juba Declaration on 8 January, and the status of SSDF leaders like the two Simons may have been a matter of doubt. The fighting also demonstrated that tribal loyalties were stronger than ties to the SPLA, as units of the army fought one another in a confusing free for all. Simon Gatwitch (pers. com., Juba, 12 August 2006) denies that his forces fought the SPLA, contending that they were the SPLA, so how could they fight the SPLA? But there is sufficient agreement that his deputy did fight the SPLA, even if he fought the SPLA while flying its flag (UN official, pers. comm., Malakal, 21 August 2006) and that he was also a critical link to the white army that played the leading role in the conflict. While one UN official (pers. comm., Juba, 16 August 2006) close to the events insisted that the engagement of Maboir's forces made clear the involvement of SAF Military Intelligence from the beginning, his counterpart (pers. comm., Juba, 17 August 2006) was equally insistent that that was not the case.

In the face of the deteriorating security situation, a conference was organised in Yuai in the heart of Lou country from 27 February to 7 March to convince the white army to turn over their weapons peacefully to the SPLA. Various leading figures, including GoSS Vice-President Riek Macher, himself a Nuer; Sports and Youth Minister, John Luc, a Lou Nuer from Akobo; and Timothy Taban Juch, a Lou of the defunct South Sudan Liberation Movement and minister in the Jonglei State government, were brought in to meet with the white army. But concerned that their cattle would not long survive in the dry lands of Yuai, the pastoralists moved them to Pokap in Duk County (PACT, 2006). The dignitaries followed the armed youth, and Riek, who is generally acknowledged as the founder of the white army, formally announced



its dissolution and again told its members that unless their weapons were turned over peacefully to the SPLA they would be taken forcefully (PACT, 2006). All indications, however, were that most of the youth remained determined to keep their weapons.

Evidence of growing Military Intelligence support for insurgents in Jonglei in the period April to May 2006 was the frequent sightings of a white helicopter arriving at the military camp of Simon Wojong near Yuai. The SPLA initially assumed that because of its colouring it was from the UN, but later it was concluded that the helicopter was probably ferrying SAF military supplies to his forces who, in turn, were assisting the white army (UN official, Malakal, 23 August 2006).

According to SPLM officials in Motot, Bol Kong arrived in the area on 16 May to carry out disarmament, but was stopped by the white army, which objected to his efforts and was supported by forces under Simon Wojong (pers. comm., Motot, 25 August 2006). After a couple of minor skirmishes, a full-scale confrontation took place on 18 May in the *toiche* outside Motot, Karam and Yuai in which 113 white army fighters were killed as opposed to one SPLA soldier (pers. comm., Motot, 25 August 2006). This effectively brought the conflict to an end, but in their retreat from the *toiche* the white army carried out some of its worst looting, not only of cattle but of the property of the civilian population. It would also appear that in their pursuit of the retreating forces that the SPLA looted the looters and kept much of this already-stolen property (Observer, pers. comm., Motot, 31 August 2006).

This defeat of the white army stimulated a full-scale retreat north by the forces of Thomas Maboir, the white army, and those of Simon Gatwitch under Simon Wojong. Although there is little doubt that Gatwitch's forces did initially fight the SPLA, he claims to have ordered them north, reaching a final destination in Dolip Hill on the banks of the Sobat River in the lands of the Shilluk, precisely to avoid conflict with the SPLA (pers. comm., Juba, 12 August 2006). It appears that Gatwitch's forces continued to claim their allegiance to the SPLA, but left the field because Bol Kong did not acknowledge their loyalty. In any case, it is known that individuals from his forces, and even more from the rapidly disintegrating white army, did join the SPLA.

Rather than follow these retreating forces, Bol Kong called a meeting of chiefs and the local authorities on 20 May to begin organising the disarmament (SPLM local authorities, pers. comm., Motot, 25 August 2006). Thus the chiefs began mobilising the people

and the weapons passed through them to the local authorities and, hence, to the SPLA. This process continued for two months, after which the local authorities concluded that the disarmament had been 95 per cent effective (pers. comm., Motot, 25 August 2006), although that is a matter of dispute.

While some estimates run as high as 700, it can safely be said that at least 400 SPLA soldiers died and UN officials typically claim that 1,200 white army fighters had died during the course of the Jonglei disarmament campaign, although in the circumstances these figures must be considered very rough estimates. A more reliable set of figures is provided by officials of SPLM Nyirol County (which takes in some of the villages that witnessed the most serious fighting) and their total is 213 combatant deaths in their county (Motot, 25 August 2006). There is much disagreement in the UN on the number of civilian deaths among the Lou Nuer, with one official in Juba claiming a figure of 200, while another official in Malakal put the figure at less than a dozen. In any event, after this round of fighting both the SPLA and the white army looted a large number of cattle.

### Local authorities generally wanted to receive some benefit for turning over their weapons

The UN estimated that 3,300 weapons were acquired in Jonglei State (but not including Akobo) as a result of the disarmament campaign, but the local SPLM authorities in Motot (pers. comm., 25 August 2006) claim that they and the chiefs had acquired 3,701 weapons in the Nyirol area alone. Some of these weapons were taken by the SPLA to unknown destinations, but others were still being held in the Motot area at the time of the author's visit; in one case in the private house of a *payam* administrator (pers. comm., 25 August 2006). In this area no promises

of compensation were made for weapons handed in, but the local community appeared confused about what to expect. Some seemed to think that carrying weapons is a human right. While there is no unanimity on the issue, the local authorities generally wanted to receive some collective benefits for turning over the weapons. At the top of their wish list was a school, a clinic, or a water system. Indeed, shortages of water necessitate the Lou cattle herders taking their animals to the lands of neighbouring tribes where fighting has all too often been the result.

The local authorities also say that Ayod still needs to complete its disarmament and complain about insecurity on the 'road' to Malakal. They are also concerned about the presence of mines and explosives in the area, and indeed the author viewed unguarded ordnance near the Motot community water pump. Much ordnance had been stockpiled by the SPLA since the late 1980s in a *tukul*, which

has since collapsed. They are now spread around a populated area. Given the level of ignorance among some community members about these explosives (in one case mines were being used by a family in their communal toilet), there is a need for a quick response to the problem.

### Implications of the Jonglei disarmament

The immediate implication of the Jonglei disarmament was that the people were facing serious food shortages. Not only did the lawless white army routinely steal their own community's cattle and goats, but the SPLA also lived off the land, which is a polite way of saying that their own agencies could not provide them with food and they were forced to eat the animals they found en route. Furthermore, under conditions of such instability the Lou Nuer were not able to carry out their seasonal planting and, as a result, were solely dependent upon the small amount of dura and a few vegetables grown immediately around their *tukuls*. Despite all the planning that apparently went into the SPLA's disarmament campaign and the efforts made to ensure tribal balances in those conducting the campaign, little attention was given to the provision of food for the soldiers so that they did not have to resort to devastating the local economy, and hence perhaps lay the basis of new resentment to be exploited by enemies of the SPLA.

Although the SPLM/A has apparently not made a full-scale assessment of the Jonglei disarmament, its implications were being widely debated at the time that this research was being conducted. Without the SPLA explicitly expressing its disapproval of the forced and violent campaign of disarmament, which has not happened (although John Luc, a Lou Nuer from Akobo who serves in the GoSS as a minister, did note SPLA excesses in a radio broadcast commemorating the disarmament campaign in Akobo on 21 August 2006), it can be surmised that an important message for other tribes to be disarmed is that they stand to face similar treatment if they do not rapidly turn over their weapons. That was the background to the disarmament campaign in Akobo.

Shocked by the violence of the Lou disarmament campaign, but lacking the mettle to speak out against it, or provide alternatives of its own, the UN was quick to support any kind of alternative. Fortuitously Akobo Commissioner Doyak Choal offered up one of his own. He too was alarmed by what had happened to the east of his domain and did not want to oversee a bloodbath in his community. As a result, Doyak appealed to Bol Kong, who initially said that Doyak had two weeks in which to conduct a convincing

disarmament or he would bring his army in to do the job, and by this he insinuated a process similar to that he had just conducted (UN official, pers. comm., Juba, 16 August 2006). With the time frame clearly being impossible, Doyak went to Jonglei Governor Philip, who supported his plan to have the traditional authorities and youth leaders carry out disarmament without any involvement of the SPLA. Together they managed to convince higher officials in Juba, and he was given the necessary authority, but time remained at a premium. Since Doyak was not a member of the SPLM/A, but came from the now-defunct South Sudan Liberation Movement and was placed in his position by popular demand of the community, he may well have been looked upon as a person of suspicion by SPLM/A loyalists.

Doyak understood that as well as fending off Bol Kong and the SPLA, he also had to keep the Murle at bay, since they might use the disarmament, or the confusion around it, to launch attacks, and this would bring about its collapse and the arrival in short order of the SPLA. As a result, meetings were held in May and June involving chiefs from Akobo and from the Murle not associated with Ismael Konye, who at the time remained firmly in the SAF camp. These meetings were considered successful, but fears remained that either Murle raiding parties or, more ominously, the SAF-supported Murle militia, which was both very well equipped militarily and extremely violent, would disrupt the process. The dilemma faced was that a sufficiently large SPLA contingent could protect the community during the disarmament, but might well be considered an occupying force by that community, while the small SPLA force in Akobo could not withstand a major attack. In any event, no attack took place during the course of the disarmament.

Although a Murle attack was considered a worst-case scenario, close observers of Akobo report that most of the violence in the area is inter-clan, and the biggest problems faced by the commissioner and his supporters were negotiating with clan and youth leaders and repeatedly convincing them that their opponents were indeed disarming. That said, most chiefs shared the same fears as Doyak and were anxious to convince the SPLA that an effective and non-violent disarmament could be carried out. No doubt the chiefs also saw disarmament of the white army as critical to efforts to regain authority in their communities. The chiefs and the commissioner were also anxious that the UN play a role in the effort. UN engagement, it was held, would give the process legitimacy, provide security and make available technical assistance, such as organising

### The UN was quick to support any kind of alternative



meetings, using its communications equipment to impart reassurance, and – when weapons were handed in – move them to secure locations. And for the UN it was a lifeline, a means to overcome its increasing irrelevance in the field of disarmament, demobilisation and reintegration and proclaim its bone fides (UNMIS, 2006), despite its late and minor contribution. As well as providing technical assistance, such as communications support and the movement of personnel and weapons turned over, the UN also promised compensation in the form of tools to individuals, although this is a matter of controversy, with some UN officials arguing that compensation should be given only to the community.

Officially, the campaign ended on 30 July and to that date it was reported that 1,300 weapons had been turned in from the sections of Akobo in which the disarmament campaign was carried out. The problem is how to interpret these numbers. The UN official closest to the process, David Lochhead (pers. comm., Juba, 17 August 2006), contended that a close analysis demonstrates that given the relatively small number of young men in the community – the 500 that joined the SPLA and, hence, kept their weapons – and the number of gun-owning men who were out of the community at the time of the disarmament, it was generally successful. He further quotes Commissioner Doyak as estimating that only about 200 weapons remained in private hands.

The problem is that it was less a question of whether this analysis is correct than if the SPLA, and in particular Bol Kong, believed it to be correct. Simon Gatwisch (pers. comm., Juba, 14 August 2006), who had previously provided the Akobo people with weapons, said that the 1,300 weapons constituted less than a quarter of the actual number, former SSDF leader Paulino Matieb (pers. comm., Juba, 15 August 2006) estimated that it amounted to ten per cent, while another former SSDF commander, Peter Gedet (pers. comm., Juba, 17 August 2006), who also had experience distributing weapons in the area, thought that the number of weapons handed in was a small fraction of the actual amount.

The impending Murle disarmament weighed heavily on both the SPLM/A and the UN. Unlike the Akobo, which was officially aligned with the SPLM/A, the main leadership of the Murle is under Major General and Sultan Ismael Konye, and he appeared firmly wedded to the SAF, despite extensive efforts by many in the SPLM/A, Members of Parliament (MPs) and chiefs from his own community, and members of the international community to break that allegiance. Although the Murle, unlike the Nuer, have a tradition

of unity and not fighting one another, many among his force had defected to the SPLA, and a number of key chiefs under Nagantho Kawla broke from Ismael and were engaging with the SPLM/A. But Ismael still had a few hundred very heavily armed and well-trained soldiers loyal to him. While SAF had evacuated the regional capital of Pibor, they reportedly left behind much of their weaponry and ammunition, and some believe that agents of the Military Intelligence were giving his forces cash through traders operating in the area (Guzule Yar, Murle MP, pers. comm., Juba, 17 August 2006). Against this background Ismael announced at a press conference in Juba attended by Lieutenant General Salva Kiir on 22 September that he had joined the SPLM/A. The sighs of relief could be heard across the SPLM/A and the UN, while SAF must have been shocked at the loss of such a supposedly committed ally. Salva had demonstrated remarkable patience in dealing with Ismael, and his commitment to achieving a diplomatic solution had borne fruit.

However, behind the violence involved in the disarmament campaign and its timing was a concern to strengthen the rear of the SPLA as a prelude to confronting the national army in the north. And, in that light, the military campaign against SSDF leader Gabriel Tangyangi's base in Faim (New Fanjak) in central Upper Nile is another indicator of the SPLA's seriousness. The SPLA also made clear its impatience with the forces of Thomas Maboir at Dolip Hill (Young, 2006), and of those of Gordon Kong and others in Malakal, Nasir and Adar. While SAF claimed that all of the members of these groups belonged to them, the fact that they typically operate outside their barracks, do not share the same benefits as regular soldiers, and that their senior officers are known to report to junior northern officers makes clear to the SPLA that they should be viewed as other armed groups not operating within the terms of the Comprehensive Peace Agreement (SPLA Brigadier Murial, Malakal, pers. comm., 21 August 2006). The growing tension and heightened SPLA rhetoric was designed to impress Murle leader Ismael Konye that the days when he could 'walk with the lions and sleep with the lambs' were rapidly reaching their limit. Apparently he correctly interpreted the message.

### **Explanations, issues and controversies**

Earlier efforts by the SPLA at disarmament amongst the Dinka and some sections of the Nuer were largely peaceful. However, the outburst of violent resistance in the Lou Nuer lands brought the issue of disarmament to the centre of attention in the SPLM/A, and exposed latent contradictions and controversies that have not been resolved. Within

## **A concern to strengthen the rear of the SPLA before it confronted the national army in the north**



the SPLM/A the forceful measures used to disarm the Jonglei white army were yet another issue in which the various divisions in the organisation came to the surface and became part of a broader power struggle. What follows is a consideration of the views of the critics within the SPLM/A, because there is little indication that decision makers in the GoSS had much say on the process or outcome of the disarmament. Although the large UN presence in southern Sudan would have suggested both a role in the disarmament and clear views on the humanitarian disaster in Jonglei, that was not the case – despite the unhappiness of some individual members of staff at this self-imposed isolation.

Although some in the former SSDF camp are convinced that the SPLA attack on the white army and civilian population had been planned and approved by the Garang-linked military leadership in Juba to serve as revenge for the Nuer assault on the Bor Dinka in 1991, the evidence for such a contention remains weak, even if it cannot be completely dismissed. In support of this view is the fact that Simon Gatwetch (pers. comm., Juba, 12 August 2006), who was a leader in the 1991 Bor attack, the principal SSDF leader in the area under assault by the SPLA, and who had close relations with the white army, had been called away from the field to Juba just before the conflict broke out. Those rejecting this thesis point to the fact that the SPLA Chief of Staff, Oyai Deng, is a Shilluk, while neither of the main field commanders – George Athor, a non-Bor Dinka, and Bol Kong, a Nuer – would be likely to be so angered by the Bor attack to launch reprisals 15 years later.

However, an active major general in the SPLA (who is neither Nuer nor Dinka) reported that he regularly hears Bor Dinka officers express their pain over the events of 1991 and does not discount that revenge figured in the Jonglei conflict, although he did not think it stimulated the conflict. While it cannot be claimed categorically that there is a direct link between the Nuer attacks on Bor in 1991 and SPLA's violent assault on the white army, when a crisis emerges that brings together the same tribes and groups, the sentiments of the past are likely to come to the surface. Thus it is significant that during the course of this research every senior former SSDF leader interviewed drew attention to this problem and called for a broad-based reconciliation between the Nuer and the Bor Dinka. A couple of these leaders have also said that Bor Dinka commanders in Nuer areas – the SPLA Director of Military Intelligence in Waat, Kuol Manyang, was signalled out as an example – were unduly harsh on the Nuer, and they attributed this to anger over the events of 1991. While

Riek Macher has repeatedly apologised for his role in the disaster, these respondents (who curiously were mostly Nuer) said this was insufficient and they wanted a full-scale reconciliation conference. Paulino Matieb (pers. comm., Juba, 14 August 2006) in particular called upon the international community to help organise such an event.

The failure of the SPLA to involve Simon Gatwetch as the principal military leader in the Yuai area where the fighting was the most severe is hard to understand. Both Paulino Matieb and Chayout said that a major reason for the success of the disarmament in respectively western Upper Nile and in the Longochuk areas (success in the sense that there was no loss of life) was due to the fact that as leaders of their areas they had a major role and the SPLA worked through them. It is thus strange that among a people who it could be anticipated would be highly suspicious of any SPLA disarmament, that Simon was not utilised and only brought to the region after the disaster had occurred and he could do little. The only thing that could be said in defence of the SPLA is that so soon after the Juba Declaration its leaders may have retained doubts as to Gatwetch's new loyalties.

### Some among the SPLA leadership were not happy about the impending integration of SSDF officers

Indeed, another explanation is that some among the SPLA leadership were not happy about the impending integration of SSDF officers into their ranks: first, they were angry at their former alliance with the national government; second, it could change the balance within the leadership, since Salva supporters would assume a more dominant role; and, third, integration would necessarily mean that there would be less lucrative positions available. (The author can recall a similar response among senior

SPLA officers when Riek Macher brought a far smaller group into their ranks in 2002.) Indeed, one former SSDF leader (pers. comm., Juba, 12 August 2006) attributes the timing of the SPLA assault on the Nuer objectors to disarmament as an attempt to sabotage the rise of a new SSDF-centred leadership, and to stop their consolidation under Salva and Paulino. These people point the finger at the Garangists who still largely control the army through the late John Garang's son-in-law, Chief of Staff Oyai Deng, and which also includes Bier Ajeng, the Deputy Chief of Staff for Operations, Major General James Garouth Mai, Deputy Chief of Logistics, and Major General Garoth Salva Matok. According to this line of reasoning, the Garangists wanted to weaken the incoming SSDF as a means to maintain their dominant position in the army. In fact during that period the Garangists–Salva dispute coloured all major decisions made in the SPLA, particularly those open to contention, but

again conclusive evidence for that hypothesis is not available.

In the end it is claimed that 3,300 weapons were captured in Jonglei. However, few people think this constitutes more than a fraction of the weapons held by people in the area. Nor can it readily be argued that the removal of these arms will in and of itself increase the security of civilians in the area in the long term. Even if SPLA claims that the disarmament campaign was initiated out of a genuine concern for the loss of civilian life, there is little doubt that at some stage it was overtaken by a desire for revenge and to hit out at what was seen as a military opponent. Fears that the SAF's Military Intelligence was behind the troubles may also have motivated SPLA commanders, or been used to excuse their excesses. Whether those elements of the white army who did not agree to be absorbed into the SPLA feel duly chastised and willing to reconcile with the SPLA is not known. It is possible, given the violent revenge-based culture of the region, that these individuals may bide their time and look for a suitable opportunity to settle scores. But any revenge is unlikely to be pursued through the white army, because an institution that was largely unorganised, almost leaderless, devoid of any guiding ideology and dependent on outside sources for supplies is unlikely to survive its recent defeat. However, if the white army is finished, the disaffected youth that were drawn to it have to be presented with viable alternatives, or they might well form the basis of a future movement of dissent.

This suggests another motive for the ruthless SPLA disarmament: to eliminate all armed opponents in southern Sudan. As the duly acknowledged sovereign authority for the region as specified in the Comprehensive Peace Agreement, the SPLA has the authority to challenge any group that claims the right to bear arms without the acceptance of the GoSS. Since it is unlikely in a territory as vast and lawless as southern Sudan that any army could totally disarm the civilian population, a more realistic goal is to smash armed opponents, and there is every indication that the SPLA operation in Jonglei, or the much softer approach utilised in Akobo, were indeed successful, at least in the short term.

The fundamental division within the SPLM/A was between those who defended the rapid and thorough military response that was taken, and those who argued for restraint and contended that there should have been more time for discussion. The first group maintained that the time for making further efforts to engage the white army in discussion had passed and the only thing that would impress its members was

a strong show of force. Without perhaps knowing it, this camp was following in the footsteps of the British colonial authorities, who held that violence must be used against the Nuer, especially the Lou Nuer, to get them to accept government (Willis, 1931). It is not clear, however, if the SPLA exponents of this thesis further accepted the contention of the British: that having put down the Nuer, they had to move quickly to establish functioning systems of local administration (Willis, 1931).

The contrary view is that the Lou had genuine grievances that should have been taken up before embarking on a ruthless campaign of disarmament, and in this light access to grazing lands and watering stations were emphasised. It was also held that more effort should have been expended on utilising local authorities and continuing dialogue with the gun-carrying youth. What is interesting here is that the latter position was held by all of the senior SSDF officials who joined the SPLA as a result of the Juba Declaration (as confirmed in interviews), and they further contended that, given their familiarity with conditions in the area, they should have been consulted, but were not.

### There was a division within the SPLM/A between those advocating a rapid, military response, and those arguing for restraint and discussion

However, these explanations carry little weight with the people in Motot, Jonglei, who are at the centre of the triangle of Yuai, Waat and Karam, the region that suffered the most from the fighting between the white army and the SPLA. The civilians interviewed were of one mind in opposing the white army and holding that it was essential for the SPLA to disarm its members, even when that meant considerable loss of life among their sons and the virtual elimination of their cattle and goats, which has left them in a state close to starvation. They

painted a picture of virtual anarchy as young men and (more often than not) young boys rampaged the countryside, stealing cattle, shooting people at will, and being completely beyond the authority of their fathers and traditional leaders. Long-established patterns of courtship all but ended because these boys did not depend on their families for cows for dowries; with a gun a bride could be acquired without cows, or the cows could be taken by force. As Joseph Kuok Deng (pers. comm., Motot, 26 August 2006), a former chief, put it, the white army members 'became a government by themselves'. The chiefs, he said, could control local conflicts when traditional weapons were used, but not when automatic rifles were the favoured weapons. But it was also appreciated that elements of the SPLA had a role in the establishment of the white army and in supplying its members at various times with weapons, and in the recent conflict 'both played with the property of the people' (Nyaboth Kua and Nyakuth Makuoc, pers. comm., Motot, 26 August



2006). Also, surprisingly, the people of Motot did not think that more extensive efforts at reconciliation, the intercession of traditional authorities, leading figures from the SPLA, or the engagement of the UN – all of which were proposed by different critics – would have convinced the white army to lay down their weapons.

Thus, community members interviewed were of the view that the harsh measures employed by the SPLA were necessary in the circumstances. These statements cannot, however, be taken completely at face value. This area of greater Upper Nile has been at the centre of the southern civil war for more than two decades, and one gets the strong impression that people are resigned to war, the inevitable loss of life and the use of force to resolve problems. This resignation is often linked to the predictions of the great nineteenth-century Nuer prophet, Moun Deng, who anticipated such troubled times and whose tomb is in nearby Waat. There is also a strong sense of denial, as if the recent deaths in their families had not happened or should not be talked about. It is significant that Dr Rish Ray (pers. comm., Motot, 31 August 2006) of the Indian Army in Motot estimated that 60 per cent of his patients, most of whom were women, were suffering from various psychological disturbances and he speculated that these illnesses may have been stimulated by the recent loss of family members, although not one patient he treated during his three-week stay at the clinic made mention of this.

Even after the resounding defeat of the white army, the people of the Motot area retain pride in their fighting traditions and bravery, and this may figure in their respect for the SPLA, which defeated their fearless, if misguided, sons. The people are also willing to give the SPLA the benefit of the doubt, unless or until it proves unworthy of respect. However, though the SPLA is the undisputed power in the region, that power could be challenged again by these pugnacious people if the commitment of the SPLA to provide security, administration and development is not kept. Even the local SPLM administration (pers. comm., Motot, 25 August 2006) in Motot acknowledged that peace in the area is dependent upon the establishment of a good local administration. If the implementation of the Comprehensive Peace Agreement is too slow, then discontent will arise and the expectation is that dissidents could again turn to SAF for weapons and support (pers. comm., Motot, 25 August 2006).

Another problem that arises with the explanation of the people of Motot and area of the ill-disciplined white army is the contrast with the views of inhabitants

along the Sobat, as collected by the author in February 2007. Among the Jikan of the eastern Upper Nile, respondents invariably identified the white army as 'our sons', and although it was acknowledged that the traditional authorities had little control over them, their efforts were held to be crucial to the security of their communities. Moreover, without too much effort on the part of the SPLA, the white army of the Jikan Nuer turned over their weapons peacefully. Why the difference? One explanation is that the Jikan inhabit lands adjacent to the Ethiopian border and hence have long had access to modern weapons and therefore had sufficient time to adapt to the changes that these brought to their community. The Lou, however, did not have access to modern weapons on a large scale until the 1991 split in the SPLM/A. Then Riek Macher began acquiring large numbers of weapons from the SAF and many more were taken in the subsequent attack on the Bor Dinka. Thus in a very short period and during a time of war a region previously largely devoid of weapons became awash in them and with virtually no responsible authority. Another factor may be the greater dependence of the Lou on dry season migrations, for this may have encouraged more aggressive and violent attitudes. Such explanations fit the facts, but are almost certainly deficient and the problem deserves further investigation.

### The weakness of the civilian disarmament campaign was its lack of a legal basis and civilian supervision

#### Conclusion

In the first instance, the weakness of the entire civilian disarmament campaign was its lack of a legal basis and civilian supervision. This was an operation of the SPLA in which the civilian leadership of the SPLM was brought in only late in the day, in the face of a violent and unanticipated opposition in Jonglei, to

endorse decisions already made by the military leadership. Even to draw a distinction between the military and political wings of the SPLM/A is a bit disingenuous, since the political wing is dominated by people who were only very recently high-ranking military officers and is headed by a lieutenant general. Moreover, although the SPLM/A has established a southern Disarmament, Demobilisation and Reintegration Commission, it never undertook any field investigations during the course of the Jonglei and Akobo civilian disarmaments. If the SPLM/A is trying to convince its constituents and the international community that it is not simply an army with an attached political wing, but instead, a duly constituted government, then it gave little sign of that during the Jonglei disarmament campaign, which was seen by almost all observers as an entirely military-directed and implemented affair.



Moreover, leaving an operation that not only affects the security of the south, but has important political implications, solely to the army is not wise constitutionally, nor is it smart politically. And since it was pre-eminently a military operation, its leaders apparently felt little compulsion to explain their actions to the citizens of southern Sudan. While it must be acknowledged that even developed Western countries have a marked tendency to claim that security-related issues should be kept from the purview of its citizenry, this position cannot be defended on democratic grounds, and it poses the danger of the emergence of a military cabal in Juba similar to that which rules in Khartoum.

And, even setting aside the issue of whether battle-hardened soldiers of the SPLA should be the sole vehicle to confront the children-dominated white army, as a military operation the disarmament was carried out in a questionable way. While the Lou Nuer, and particular groups within that community, were the initial focus of the SPLA's disarmament in Jonglei because they were deemed to pose the biggest threat and their defeat would bring the other Lou groups into line, and indeed this largely proved to be the case, then the question must be asked why the same logic was not applied to the south as a whole? Thus, instead of starting the disarmament campaign amongst the generally passive Dinka and the very lightly armed civilian population of the western Upper Nile and other areas, why did the SPLA not focus from the beginning on the most violent groups in the south? Perhaps the SPLA hoped that Murle leader, Ismael Konye, could be convinced to switch his allegiance and thus ease the difficulties of disarmament in that community. However, no such reasoning applies to the Taposa, who inhabit an area where the SPLM/A commands considerable support. Moreover, as noted above, it is strange that having gone to great efforts through the organisation of its forces and its command structure to convince the Lou Nuer that the disarmament campaign was not a tribal-based assault on their community, that it did not ensure that its army was adequately fed and thus did not have to undermine the local economy.

While this research could not find evidence to conclude that Bor revenge for the horrific events of 1991 figured directly in the disarmament campaign, again it was striking that all leading Nuer and non-Nuer former senior SSDF leaders called for a broad-based reconciliation conference on the issue. The wounds of the past keep coming to the surface and will continue to do so, unless they are fully addressed. The Jonglei disarmament campaign again opened this particular wound.

The Jonglei disarmament also exposed divisions within the SPLA, notably between the former SSDF leadership and the army high command. It is significant that without exception the former SSDF leaders interviewed during the course of this research (and that included non-Nuer as well) were critical of the military emphasis of the disarmament campaign amongst the Lou Nuer. They contended that greater effort should have been made to convince the civilian Lou population to turn over their weapons peacefully and they were also disappointed that their experience was not employed during this critical event. Indeed, this division and others are likely to come to the surface during any controversy until the SSDF leadership has been fully and satisfactorily integrated into the ruling elite of the SPLA. That had not been accomplished while this research was being conducted. Stability in the south is thus irrevocably linked to the reorganisation and democratisation of the SPLM, and the establishment of an army directly accountable to the GoSS.

Having urged the SPLM/A to disarm southern Sudan's civilian population, the UN was caught off guard by the violent outcome. Although privately many of its staff members were uncomfortable about the levels of violence employed, officially the UN had nothing to say. This is a strange response from an organisation that normally loudly espouses its commitment to human rights. UN peacekeepers and specialists typically operating in Sudan invariably point to their vast experience to imply that they have special insights into the security problems facing Sudan. In fact, there is reason to think that such experience provides false confidence, precludes genuine inquiry, and thus is an obstacle to understanding the actual conditions faced in South Sudan. Arrogance, combined with a view that all peacekeeping missions are the same, has meant that the UN was woefully ill-prepared to deal with the problems associated with internal disarmament. Moreover, conducting this research was made vastly more difficult because UN personnel consulted were deeply divided on their understanding of the events surrounding the civilian disarmament, how to interpret them and the way forward. That the UN issued a highly self-congratulatory press release for its meagre efforts in Akobo will convince no one familiar with the situation, and even a leading official in the UN acknowledged that with respect to disarmament, demobilisation and reintegration, it has 'failed miserably' (Juba, 16 August 2006).

The Disarmament, Demobilisation and Reintegration Unit of UNMIS assumed that it could carry out disarmament from a clean slate and, as a result,

### Stability in the south is linked to the reorganisation and democratisation of the SPLM



developed ideas and plans that bore no link to conditions on the ground in southern Sudan. Hence, on the eve of the Jonglei disarmament the established gospel of the Disarmament, Demobilisation and Reintegration Unit was 'community security'; a very attractive and progressive idea that played down contentious notions of disarmament and instead focused on the need of the community for security. These ideas are theoretically sound and had a basis in the experience of neighbouring Ethiopia (Lieutenant-General Tsadkan rtd, pers. comm., Khartoum, 28 April 2006), even if few in the UN knew anything about that history. What is surprising, however, is that notions of community security were pursued with almost no consultation with the SPLM/A, and without sound ground-level studies. This is all the more strange, given the UN's commitment to working closely with their national counterparts. As a result, the Jonglei disarmament led the Disarmament, Demobilisation and Reintegration Unit to dispense completely with its commitment to community security and it is now pre-occupied with hard-core disarmament and the technical issues surrounding it. This intellectual leap has occurred with little indication of any serious thought or introspection. Like other units of the UN, the policies of UNMIS's Disarmament, Demobilisation and Reintegration Unit were neither well grounded nor researched, and after the SPLA had conducted its Jonglei disarmament, the unit quickly fell into line with the new realities. Ostensibly a planning unit, the UN Disarmament, Demobilisation and Reintegration Unit was overtaken by events and is now following instead of leading.

Another weakness of the UN in South Sudan was the primacy it gave to the Comprehensive Peace Agreement, which largely ignored the problems faced by other armed groups, failed to adequately consider actual conditions on the ground, and ardently defended a narrow mandate which included disarmament only of the SPLA and SAF. Indeed, the Comprehensive Peace Agreement held that the conflict in Sudan solely pitted the SPLM/A against the NCP's SAF and largely ignored the role of other armed groups. But civilians in many parts of South Sudan knew only too well the extent and power of the other armed groups, and that the southern conflict could best be described as both north-south and south-south. Those familiar with the security situation in southern Sudan, including some very able members of the UN, would almost certainly have informed policy makers of the difficulties posed by groups such as the SSDF and the white army. Why their voices were not heard is a question best answered by the UN leadership, but the fact that it drew its understanding almost exclusively from the Comprehensive Peace Agreement and the experience

of other countries, and did not give sufficient attention to those with Sudanese experience, meant that the UN was not able to respond proactively to events on the ground. It was also unable to position itself in such a way that it could have played a role in mitigating the humanitarian disaster that took place in Jonglei.

Ironically, while UNMIS argued for non-involvement in the civilian disarmament process and cited the Comprehensive Peace Agreement, it was precisely the Comprehensive Peace Agreement that was threatened by the fighting between the other armed groups and the SPLA during the course of the disarmament campaign, as was pointed out by one of its own officials (pers. comm., Juba, 16 August 2006). And having not given due attention to an unfolding humanitarian disaster, there is reason to fear that the UN will be equally slow to provide the necessary programming to solidify the fragile peace in other areas in which disarmament is likely to be highly disruptive. In particular, there needs to be recognition that the members of the white army constitute child soldiers who require far-reaching programmes of education and rehabilitation. Moreover, these efforts must not only be understood as a humanitarian response, but also as a security measure to ensure the lasting stability of the community, and, more broadly, the viability of the Comprehensive Peace Agreement. Beyond that, stability and the solidification of the Comprehensive Peace Agreement will involve the rapid establishment of viable systems of local administration.

### The UN Disarmament, Demobilisation and Reintegration Unit was overtaken by events

The UN cannot be criticised only for being contradictory. Confronted with a disarmament campaign in Jongelei that it abhorred, but did not challenge, it moved remarkably quickly to endorse the Akobo disarmament, apparently for two reasons. First, with its own planning thrown out of the window by the unfolding events on the ground, it could not offer any realistic alternative. Second, as its officials so often proclaim, disarmament was peaceful and voluntary, and thus in line with its own commitment to human rights. Peaceful maybe, but was it voluntary? Having watched fellow Lou Nuer being shot down in large numbers by the SPLA, noting the presence of the SPLA during the Akobo disarmament, and knowing full well if Bol Kong concluded that an adequate disarmament had not been carried out that he would send in his forces and use the same ruthless methods as those employed in Jongelei, could such a disarmament be considered genuinely voluntary? Since the threat of violence was ever present no human rights tribunal worthy of the name would ever declare the Akobo disarmament truly voluntary and even resorting to the word peaceful is a bit disingenuous

in the circumstances. That the UN did so without qualification says much about its desperation. Having failed miserably in the area of internal disarmament, one might have hoped for humility and introspection; instead, the UN dealt with the difficult human rights issues involved in the Akobo disarmament campaign by simply ignoring them and proclaiming a great victory. A case can be made to defend the SPLA disarmament, but it must rest on the need for security and not be couched in the language of human rights, as the UN has falsely done.

The decision made late in the day by Ismael Konye to join the SPLM/A should have the positive effect of reducing the level of violence involved in the disarmament of the Murle, but other problems lie ahead, both in the south and in adjacent territories. Disarming the Taposa, northern tribes such as the Rufa who migrate from north to south, and essentially non-Sudanese tribes such as the Umbero, which have been armed by the SAF, will not be easy. Moreover, the tribes of southern Sudan do not constitute a self-contained security unit and are only rarely contained within state boundaries. As a result, a civilian disarmament confined to the south will not inevitably provide security. Indeed, the SPLA is aware of this fact and recently attempted to disarm Nuer groups in the Ethiopian province of Gambella who were in conflict with the Jikan, although apparently without the consent of Addis Ababa. To the south, the Murle are frequently in disputes with the Yangatum in Ethiopia and the Turkana in Kenya. Uganda's Karamajong regularly launch raids into South Sudan, and so on. A disarmament whose focus is the provision of security for civilians must necessarily look further afield, no matter how daunting the task. In some UN, SPLM/A, and regional security circles there is an appreciation of this fact, but thus far there is little indication of the necessary political will or capacity to undertake such a project. But having started a process that involves a commitment to providing security for civilians, the process cannot stop within the boundaries of southern Sudan.

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## About this paper

The Comprehensive Peace Agreement of 9 January 2005 marked the formal end of hostilities between the Sudan Peoples' Liberation Movement/Army (SPLM/A) and the national government's Sudan Armed Forces (SAF). However, it did not end the multiple internal conflicts from which South Sudan suffered. As a result, the Comprehensive Peace Agreement was followed by the Juba Declaration of 8 January 2006, which largely brought to a close the conflict between the SPLM/A and the SAF-supported South Sudan Defence Force (SSDF). The next stage in the pacification of the south in the view of the SPLM/A leadership – and also that of the United Nations (UN) – was the disarmament of the civilian population, and that is the concern of this paper. Almost certainly part of the SPLM/A's urgency in carrying out this disarmament was the conclusion that it needed to ensure that the south was internally secure before it could effectively confront the challenge posed by the SAF's deployment to the oil-producing borderlands and its continuing efforts to foster instability in the south.

## About the author

John Young is a Canadian academic with a PhD in Political Science and holds the position of Senior Research Associate with the Institute of Governance Studies at Simon Fraser University, Vancouver, Canada. He has lived in Africa for 15 years, mostly in the Horn of Africa, and currently in Sudan where he writes on peace and security issues. He has published one book, 'Peasant Revolution in Ethiopia' (Cambridge University Press, 1997) and many articles and chapters. He is currently carrying out an assessment of the IGAD Sudan peace process.

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