

Report for CTSAMM

I have lived in South Sudan among pastoralists for the last 13 years (3 years among the Mundari and 10 years among the Nuer). It is my recommendation for outsiders NOT to look at South Sudan as a nation-state. That was an imposition from the international community. The local people accepted it in order to reach independence from Khartoum. **Consider the 64 ethnic groups like autonomous entities that need to find a mutual agreement like the sovereign states of the European Union need to collaborate with respect and diplomacy** in order to move in the same direction. Membership in the EU is voluntary and the example of Brexit shows that the Union is fragile because none of the member states can be forced to submit to agreements against their convictions. In the same way, **the ethnic groups in South Sudan won't accept to be forced to submit to a corrupt government and rather fight for their interests and rights**. Because there is no exit-paragraph in the South Sudanese constitution (like the EU offers an orderly exit) people fight with weapons for their interests and survival.

If we analyze what keeps European countries willing to cooperate for their mutual benefit, we might find the key to a model of a peaceful, multi-ethnic nation in South Sudan. A solution of the diverging interests can only be found if we abandon the concept of a nation-state where there is a central government that would care for all its citizens equally. "One person, one vote" does not work, as I will explain below. Instead of keeping the illusion that elections could express the will of the people and that there could be a "neutral" administration serving its citizens indiscriminately, one should rather focus on how the various ethnic groups can have a just representation in the running of this country and have a fair share in the distribution of wealth and development.

These are my recommendations that I will back up with facts on the ground.

Ethnic Affiliation and the Absence of a Functional State

In the media one often hears that the current conflict stems primarily from a power struggle within the ruling SPLM party where politicians are "utilizing" the ethnic affiliation for their goals. It is the wish of the international community that this be the case, because it allows observers to distinguish between "bad" politicians and "innocent" civilians. While the political power struggle certainly is to blame, I will rather show in this analysis that ethnic conflicts have always been there and that they come to the surface also in the way politics is being done. Instead of commenting on recent events, my aim is to explain **how and why** the ethnic affiliation plays such an important role in the lives of the people here and why there are no "innocent civilians". Ethnic affiliation is based on language because the cultures of various pastoralist groups in South Sudan are quite similar. (In this report, I only refer to pastoralists, not to the more peaceful sedentary population.) The categories "tribe" or "ethnic group" are problematic definitions given by outsiders to create taxonomies. For example, the Dinka and Nuer originate from one group.

Before describing ethnic affiliations in South Sudan, let's look at the Western model of society. All of us have the need for safety and a functioning judiciary. The modern secular state provides the

framework in which every citizen has access to safety and justice – at least in principle. If we criticize the state, we speak against distortions or abuses within the system, but rarely the state in its entirety, because in general most people benefit from the services the state provides. **And this is the legitimacy of its existence: that the state serves its citizens.** But let us not forget that it took centuries of painful social and political upheavals in Europe until the modern state has become able to provide for the basic needs which, in former times, were fulfilled by one's clan (extended family) or tribe. So, why can't people in African countries forget their ethnic identities and just live as citizens? Because, in many places, the state is not a reliable institution and has never been.

In South Sudan, the state always has been an intruder. First came the British colonialists, then the Arabs who treated blacks as second-class citizens or enslaved them. The current government has allowed it to happen that a third of the state revenues (or more?) went into private pockets of politicians since 2005. Almost no service that one can expect to receive from one's government is offered (e.g. infrastructure, health care). Or, if it is offered, it is implemented poorly (e.g. education). The Arabs never hid their malicious intentions, so there didn't arise false expectations. In the current situation, however, the people are disappointed with the newly founded state because it hasn't kept its promises. Instead of receiving reliable services, the people need to fear unpaid soldiers and criminal gangs who extort or threaten. They also don't understand why to pay taxes if that money is used for an administration that doesn't function.

Because people cannot trust the state institutions, they rely on family and clan to survive since time immemorial. **The traditional pastoralist society works like this: Security and access to wealth (resources) are provided by a clan system and alliances which are formed through marriages.** There is an African proverb: *Because we are, I am.* This refers to the immediate relationships that support an individual. It ensures survival in a hostile environment. In Europe, relationships and friendships are optional. It even happens that a person may sever contact with the parents and siblings because it is possible to care for oneself in the modern state. Let me describe the reality among the Nuer where I live, but it also applies to the Dinka and other pastoralists: a man cannot rely on anything except that his brothers and grown-up sons will defend him and his possessions with their very lives. Furthermore, only the clan will look after him in old age. Therefore, a Nuer will always support his brother, not matter whether this brother is right or wrong. He will also defend his clan without compromise against other clans. This is also the reason why so many Nuer wish that Riek Machar is successful, regardless of his rightness or wrongness. What people agree on is that through him the Nuer will have a voice and access to the nation's revenues.

For almost all people in South Sudan, the ethnic affiliation is more important than the national identity. It is a relational network which is difficult to leave, even if one wishes to. The pressure of the relatives is extremely intense. When someone earns money, there are many relatives asking for a share. How will a politician who manages state funds react in this context? When it comes down to it, he will rather betray the State than betray his clan. **That, which is generally characterized as corruption and nepotism, is the way through which the various ethnic groups ensure that their members are taken care of.** The preference for one's own group and the resulting conflicts – that has always been around. This pattern of behavior continues to be exhibited when one becomes a politician or administrator. Politicians do not "abuse" their power; they simply do not have an idea of the concept of a NEUTRAL state composed of EQUAL citizens because of their background, which is for most South Sudanese the pastoralist culture of time immemorial and half a century of guerrilla war. Therefore, I disagree when the UN or BBC claim that the conflict stems **primarily** from a power struggle of greedy politicians and generals, and not from an ethnic struggle. On one hand, it is true that the escalation of events was caused by decisions made by certain politicians and other influential people. On the other hand, these individuals are fully rooted in their ethnic groups. Individual actions arise not just from desire for power; they follow an "ethnic" logic.

The Difficulty of a Democratic Reform

When we hear the word „democratic“, we associate it with a social system in which citizens act as individuals and take informed decisions based on policy options (e.g. different party programs). In South Sudan most people have a **collective world view**. The clan and unwritten traditions are defining instances, not the personal opinion. An institutional political reform won't amount to much when politicians and voters are encased in their traditional mindset.

During the elections in 2010, I was living among the Mundari in Tali. There, the elders decided for all the registered voters what they should vote for. Because 98% of the people are illiterate in that region, an assistant was in the ballot box to mark the ballots for each voter. The result was that all Mundari in Tali voted the same. Later, the elections were recognized by the international community as valid and representing the will of the people.

A functional democracy needs the idea of the **individual person as political subject** as well as a certain level of education. Otherwise it's all a farce, since a political decision-making process cannot take place. In South Sudan only one in four people can read. Women have even less access to education. It is three times more likely that a teenage girl will get pregnant and die due to complications during child birth than that she finishes school. Regardless of any political reform, the perspective of women won't be present in politics for years to come.

Because the establishment of a functional democracy lies far ahead in the future, I propose to focus now on the rights of ethnic groups and protection of their interests. Let the EU be a potential political model for the multi-ethnic society in South Sudan. The EU works because its president has limited power. A fair representation of all countries is guaranteed in the legislative and the executive. Every EU country has veto-power. Furthermore, money is channeled from richer regions to poorer ones. **Let us imagine that the EU would follow South Sudanese politics:** The German chancellor – from the largest “tribe” – would govern the EU by decree and ignore the Legislative. He/she would not coordinate with the parliament in Brussels, but follow the advice of a German “council of elders” (in South Sudan the “Jieng Council” of the Dinka). Germans would take key positions in the EU; other Europeans could only become ministers when the Germans allow it. The German chancellor as leader of the EU would appoint the heads of state in other European countries (in South Sudan, the president appoints governors). Funds would be channeled to Germany, particularly to regions where the politicians come from. How long would this Union hold together?

It does not work to create a state according to Western standards with a secular constitution and a democratic voting system (each adult one vote) as long as the people think and act along tribal lines. This is not a complaint. People simply don't know any differently. In this situation, it is more relevant to ensure fair representation of ethnic groups, rather than believing that the individual votes of adult citizens for the next president would make this country “democratic”.

Eight Behavioral Patterns on the Local Level which Fuel the National Conflict

If you examine clan behavior of pastoralists at the local level and transfer it to the national level, the dynamics of the conflict become comprehensible. I present them in 8 points:

- 1) **People trust a person more, the closer they are related to him/her.** This fact has been explained above in this report.

2) ***The obligation to provide exclusively for your own clan and close relatives.*** Outside observers complain that politicians steal from their citizens whom they are supposed to lead and protect. But as insiders, it makes perfect sense since the **mindset of the tradition** – the duty to provide for one’s family – overrides the modern mindset of being impartial administrators for the common good of society. In the traditional culture, there was NO communal system (at least not among Nuer and Dinka) by which the leaders collected taxes and did something with that income to benefit the public. Local chiefs were NOT responsible for distributive justice or investments; they were mediators of conflict between autonomous clans who were self-sustaining and self-reliant. Each clan took care of itself.

The grand theft on the national level fits in the context of a traditional culture which treats oil revenues as a “hunted gazelle” which is shared only among one's own clan members. Others are left out, unless one needs to bribe or silence them. The state institutions are run as a clan enterprise and kleptocracy. The President is controlled by the Dinka Jieng Council and told by them how to fasten the power grip over the other ethnic groups.

3) ***The social status of a man rises by having more cows/wives/children.*** In the traditional culture, there is no relevant social distinction between men, except the number of cows, women and children. It is accepted and even expected that a chief or a leader distinguishes himself by having more of cows, women and children than the average man. Today, the leading elite are the politicians, generals and war heroes, and **it is logical to them and their followers that they must own more than the rest of the population**, including wives (e.g. General Paul Malong has over 100 wives; General Gabriel Tang-Ginye had accumulated 19 wives until he was killed).

One can observe this behavior even with men who are employed by an NGO. One might think that they have adopted a modern value system, especially because NGOs constantly talk about gender equality and women’s rights. But the NGO salaries in Fangak County are mainly invested in marrying as many women as possible.

4) ***Traditionally, there is no moral evil in killing cattle-keepers from another ethnic group during a cattle raid.*** Just don't get caught. The shepherds are killed so that they don't sound the alarm. **Our concept of universal human rights which apply equally to each human being is an intellectual construct.** You could come close to that concept by believing in a god who sets the standard. But the traditional religion does not have advice that goes beyond one's own group. Harmony is sought within. With outsiders, people establish strategic alliances. Hospitality for guests/foreigners, though, is of high value. But universal human rights are a foreign concept.

5) ***Any man can legitimately be killed as a representative of his group.*** In the case of revenge-killings, there is no need to find the perpetrator. Any male relative or member of the tribe is good enough to be killed.

At our Comboni Mission in Tail (Terakekka County among the Mundari), there was a soldier’s battalion with mixed members before the civil war. When war broke out, the Nuer soldiers attempted a mutiny and planned to kill the Dinka soldiers. But the plan was discovered and the Nuer soldiers were executed for treason. They had their wives and families with them living in Tail. The Dinka soldiers wanted to kill all the boys of the Nuer, too, because it is Nuer and Dinka tradition that a son has to revenge the killing of his father (for whatever reason), which means that in 20 years those boys will all kill unknown Dinka men in compensation for their loss. The Dinka soldiers knew this because they would act in the same way. In the end, the Mundari elders were able to save those boys from being killed, because the soldiers were not in their homeland. **This episode illustrates well how Dinka and Nuer look at each other not as individuals but as representatives of a different, potentially hostile group.**

There are courageous individuals of the Dinka, the Nuer and other ethnic groups who reach out to rival groups (both inter-ethnic and intra-ethnic) to work for peace and reconciliation. But often, they are attacked by their own people and accused of being with the other side. Unfortunately, individual voices hardly change the direction of current events in South Sudan. Hopefully, they will be remembered as men and women of peace in the future.

- 6) ***The tit-for-tat killings.*** A revenge killing in South Sudan is a Tit for a Tat. One life for one life among clans. If you cannot count the dead anymore – like in this civil war – the thirst for revenge and restitution is unlimited. **That was clearly the dynamic of 2014:** On the order of the government, security forces killed thousands of Nuer civilians in Juba in December 2013. As a “tat”, the IO attacked Malakal in December and Bor in January. As a “tit”, the government let Leer, the birth town of Riek Machar, be attacked in February by the JEM from Dafur. As a “tat”, the IO attacked Bentiu in April, massacring the Dafurian traders to take revenge on the JEM (compare with point 5). As a “tit”, the government attacked the Nuer IDP camp outside Bor in June. As a “tat”, the IO attacked an IDP camp near Akobo in July where there were Dinka hiding from the Nuer. After that, the war became chaotic. In all these instances, BBC claimed that each attack was “without cause/reason”. But it was a **logical chain of events**.

In each instance, when the Nuer forces had a victory in 2014, the people in Old Fangak cheered as in a football match when one’s team scores a goal. The sub-tribe of the president (Warrap State) did the same when the government had the upper hand.

There is a disturbing observation: While traditional tit-for-tat killings follow a code of conduct (e.g. only men are killed, enemies are not attacked while sleeping at night, etc.), the current conflict manifests a new level of violence and atrocities not known to traditional conflicts. It now includes killing women and children, mass rape, mutilating and sexually molesting dead bodies, refusal to allow to bury the bodies of the dead, hate speech and incitement on social media, etc.

Another point to remember for the future: The massacre of thousands of Nuer in Juba in December 2013 was a revenge for 1991 when Riek Machar’s troops killed about 2000 Dinka in Bor. That was 22 years before. The Nuer can also wait for 22 years to hit back. And they will when they feel strong enough. The international community will say that the future massacre is without cause. But it has a cause, which is the humiliation of the Nuer in this current war.

- 7) ***Written agreements and laws don’t count much.*** South Sudan is 75% illiterate, in my region over 95% of the local population. The traditional oral culture is bound together by an **unwritten code of behavior that people understand by intuition**. This is what people follow. A signature under a document means only something as long as they agree to it. When it becomes a disadvantage, an official document, even a law, might be ignored, unless the other party of the contract has power to back up its claims by force. This does NOT mean that people are not reliable. It only means that binding consensus is not found the way Western culture works (laws, written statements and signatures) but through sincere negotiation, group consensus and the **slaughter of an animal**. The shedding of blood is the binding element and the witness. If that happens, a Nuer or Dinka will be **absolutely loyal** to his word.

The international community has tried several times to create peace in South Sudan by letting the parties sign documents. The agreements are not worth the paper they were signed on. **For the government and IO it was and it is mainly about TACTICS to appease the donor community and make outsiders BELIEVE that there is progress**. But if there were true progress, it would show itself not only in their signatures. Progress would occur, for example, if the government would retribute confiscated land and property to people from other ethnic groups who have been displaced (in particular Greater Equatoria Region), which has not happened until today.

Progress would occur, if the training of private security forces on the president's farm in Luri would stop. **You would know that Dinka and Nuer are truly reconciled when they slaughter a bull publicly, following a traditional rite of reconciliation.** As long as this has not happened, it is all about tactics following the script of "Game of Thrones", buying time for revenge. South Sudanese leaders are very good in deceiving the foreigners. In my observation, they play with the ignorance of the international community.

There are several examples of successful inter-ethnic reconciliation among pastoralists that we can learn from, e.g. the **Holy Trinity Peace Village in Kuron**, Eastern Equatoria, an initiative of Bishop Paride Taban, and the **People to People Peace Process in Wunlit**, organized by the churches in the late 1990s. These examples show that pastoralists need to engage in peace-making and reconciliation mechanisms which are found in their traditions, not a script of international diplomacy that pushes with a carrot (financial aid) and a stick (sanctions) and ignores the specific historical and cultural reality of South Sudanese people. Co-existence and sharing are possible if it is done in a way that people can follow.

8) The lack of sustainable planning among pastoralists (semi-nomads). Cattle-keepers take and use what they find – what nature provides – without thinking of the future. They move where the grass grows and leave a place when the grass is eaten. The last giraffe was seen in Old Fangak about 20 years ago. Instead of preserving rare wild life, the people slaughtered it immediately – as they do with any big animal – not considering that they might never see a giraffe again. **In the same way, state funds are misused as if there was no tomorrow.** The government diverts international donor money. If this stream dries up, they will look for another source as they look for new grazing land. The last thing they would do is to build up an income-generating economy and a national production sector that sustains itself without international help.

I think the government's manoeuvre with the peace agreement is a trick to keep the money of the UN and its aid agencies flowing into the country for as long as possible. Hundreds of millions of dollars in aid are being flushed into South Sudan, of which more than half are getting lost in the system. The government knows the Western countries have a "helper syndrome", and it knows how to "milk the cow". **The aid system is a bottomless pit that will only create dependencies and a kleptocracy for decades to come.**

Conclusion and Recommendation

I don't want to be pessimistic with this report. Instead, my aim is to prevent the international community from assisting in a "stillbirth" by applying an inappropriate methodology of nation-building.

My application of local clan behavior of pastoralists explains many aspects of the national conflict. I wanted to disprove with my report the narrative that "bad" politicians have misled a "peace-minded, civilian" population. The South Sudanese are all in this together, all in the same boat. It is important to understand and accept the violent pastoralist culture, which exists since biblical times, in its own right. Otherwise, international institutions will propose something that does not work.

The BBC denied for the first 2 years of the conflict that it was ethnic, and later spoke of a political power struggle with "ethnic undertones". My point is that the dynamic of the conflict (not the

particular events or decisions) becomes predictable because of the "cultural DNA" which is so deeply embedded in the hearts of all persons that the parties of the conflict and individuals cannot escape this mechanism. If outsiders come with concepts of "*human rights*" or "*civilians*" or "*South Sudanese citizens*" or "*accountability*" or "*democratic reform*" or whatever other NGO-talk, and ignore how deep a person is embedded in his mindset of clan and (sub-)tribe loyalty, they behave like Martians who attempt to judge the terrestrial population by extra-terrestrial standards.

My personal experience and expertise are about the Nuer and their relationship with the Dinka. This is the focus of my report. The other ethnic groups, in particular the Greater Equatoria Region, have their own view on this conflict and probably their own ways of conflict solving. **Their voices need to be heard and their position has to be understood because they perceive both, Dinka and Nuer, as a threat.** Historically, conflicts between Equatorians and pastoralists were worse than those between different pastoralist groups.

Generally, I think we could learn from multi-national institutions like the EU. What makes it possible that sovereign nations cooperate in peace? If you agree that the Polish and the Dutch cannot be ruled by a German chancellor, but Poland, the Netherlands and Germany can forge a union, reflect what that implies for the ethnic groups in South Sudan where the president has enormous power. As European nation-states enter freely in cooperation on equal terms and reap mutual benefits in the EU, only in this way the South Sudanese people will find unity and prosperity.

I believe that, for the time being, it is the **first priority to ensure that ethnic groups are represented fairly** at all levels of decision making in South Sudan on issues which affect them directly. Let leadership and power sharing **within** each ethnic group be organized according to **traditional customs** of forming a group consensus. It is my assessment that the international community wastes time to follow a script of nation-building using as a standard Western democracies with an educated population. Administrations of Western states have an obligation to serve their citizens. We have internalized this state-citizen-relationship. **It is an illusion to believe that a central government in South Sudan would do that in the near future.** Therefore, wherever reasonable, state funds should NOT be administered by the central government but locally, where there is an interest to invest and the possibility to control administrators and politicians. The ethnic groups (or sub-tribes) should be responsible for distributive justice for their members. Within these groups, there might occur corruption, too. But people of an ethnic group or sub-tribe are better prepared to hold their local leaders accountable compared to the current situation where the ruling elite is far removed from the control of the people.

My approach fortifies the ethnic order for the time being. But this type of thinking or acting cannot be overcome by denying it. Instead, the problems that go along with it should be addressed openly. No one should be made to feel ashamed that his/her actions are influenced by one's ethnicity. Anything else would be hypocrisy. **In so far the state reliably fulfils the basic needs of its citizens in the future, and when cultural attitudes have changed through access to general education, the importance of one's ethnic background will lessen on its own.** But it will take several generations.

That is my conclusion of living almost 13 years in this country.