

# Transformation Backlog in South Sudan

## Security Sector Reforms Stall in the Face of Growing Autocracy

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On July 9, 2013, South Sudan celebrated its second birthday as the world's youngest nation. Since the country acquired its independence, the South Sudanese government has made several remarkable policy decisions. One of the most spectacular was its one-year halt on oil production—an audacious move for a country that is more than 97 percent dependent on oil revenues. Although Sudan and South Sudan were on the brink of war after their separation, the two governments have since managed to achieve an impressive balancing act in their relations. Yet the South Sudanese regime has still not succeeded in ensuring domestic peace. As a former rebel movement, the administration is having difficulty taking on the role of a civilian government. Security sector reform is faltering: Attempts at demobilization have not materialized and there is no division of responsibilities between the police and army. Moreover, conflicts are increasingly focused on ethnic divisions, and instead of encouraging political participation, the government in Juba is falling back on the exercise of authority and control.

The Republic of South Sudan currently oscillates between self-confidence and pride in having emerged victorious from the war of independence and the struggle with confronting the structural challenges of newfound statehood. Conditions seemed promising at the country's founding. Still today, the Republic of South Sudan is well positioned financially compared with other nations in the region, with oil revenues amounting to 9 billion dollars since independence in 2011, a gross domestic product of 15 billion dollars, and around 1 billion dollars in annual donor funding, with good prospects of additional loans from China. Yet all this wealth is not being channeled

into domestic infrastructure or future-oriented investments in areas such as education, despite illiteracy rates of greater than 70 percent. Furthermore, the country is rife with corruption: More than 4 billion dollars have disappeared into the pockets of government officials since 2011. And although defense expenditures make up approximately 40 percent of the national budget, military salaries have gone largely unpaid in recent months. This has created serious security problems, with destitute soldiers robbing the civilian population or joining financially solvent militias.

Since South Sudan owes its nationhood to a successful independence movement

like those in Ethiopia, Eritrea, and Uganda, its identity is closely tied to the struggle for national liberation. Again and again in the more than 20-year history of the conflict, the Sudan People's Liberation Army (SPLA) has assimilated outside insurgents; Rivals could not be tolerated in the struggle with Khartoum. Even today, competing militias are incorporated into the army, while dissident opinions are not tolerated either within or outside of the governing party. Therefore, armed dissidents are being integrated into the political system, but without any discussion of the country's political goals.

Furthermore, two years after independence, the political elites in Juba and Khartoum have still not succeeded in separating from one another completely. Each of the two countries blames its internal security problems on the other's involvement rather than dealing with the structural problems that have emerged from its own policies of exclusion and neopatrimonial clientelism.

### **Security**

Since South Sudan's secession, the security situation in the country has worsened rapidly. Over 2,200 people have died in armed conflicts. More than 320,000 of the around 8 million residents of the country have been driven from their homelands by conflict, floods, or droughts. In addition to increasing clashes between militias and the national army, traditional cattle theft is also on the rise and is taking place with growing brutality. Here, a form of historically violent distributional conflict is becoming mixed with efforts at ethnic mobilization and competing commercial interests. Since the peace agreement of 2005, the bride price paid in the form of cattle to the bride's family has risen dramatically. For many young men, it has become impossible to marry without stealing, and they now often work together in groups to capture large herds of cattle from neighbors in order to pay the bride price. In addition, criminal gangs often hire cattle thieves

to steal cattle that they resell in the region. And cattle thieves themselves are developing into an ethnic fighting force that no longer just steals herds from neighbors but also attacks the populations of neighboring ethnic communities.

In many regions, traditional authorities like chiefs or elders have been weakened by war and displacement or delegitimized by political entanglements. Social networks have also been affected, if not destroyed entirely, by war. Meanwhile, the state has extreme difficulties maintaining its monopoly on the means of legitimate force given the geography of the country, which consists primarily of sparsely populated, infrastructurally isolated peripheral regions. The government is pursuing two approaches to improve security: first, to incorporate armed opposition groups by granting amnesty, and second, to reform the security sector.

### **Inclusion and integration**

More than 40,000 irregular combatants from diverse armed groups were formally integrated into the national army under South Sudan's "big tent" policy. Up to now, however, this program has done little more than to provide leaders of armed movements with the privileges and opportunities at advancement they desired. The integration of ordinary combatants has been less successful. This has resulted in a widening gulf between military leaders and their troops, which could prove problematic in the future. Dissatisfied combatants may establish new militias in order to gain access to political resources. The successful assimilation of militants into the military could lead to the emergence of new factions that also demand privileges and chances at advancement. Furthermore, conflicts between the different factions of some militia groups may well be viewed as a game of political poker aimed at gaining entry into negotiations with the SPLA.

## Security sector reform

Even during the transitional phase following the Comprehensive Peace Agreement of 2005, there were efforts to professionalize the South Sudanese army under the leadership of the USA and the UK. Plans included reducing troop strength, introducing a pension plan for former soldiers, and developing a new conception of the police and their responsibilities. To date, however, implementation of these plans is long overdue or has already been abandoned. There is a widespread lack of will on the part of the government to take the step of shifting the focus of its activity from the military to the political arena. In prioritizing national defense, it has left other areas unaddressed that are fundamental for comprehensive security, such as building a constitutional infrastructure. South Sudan's slow progress on demilitarization, the backlog of reforms in its security sector, and the lack of rule of law call into question the credibility of the state's monopoly on the means of force as well as the government's political legitimacy.

One obstacle to rapid reform of the SPLA is the sheer number of soldiers, estimated at between 120,000 and 180,000. But the competence and training levels of soldiers also pose serious problems. An army whose members are not literate and do not possess a basic understanding of human rights, military ethics, or international martial law—yet who are faced with possible demobilization—bears immense potential for conflict. Civilian life can scarcely provide these individuals an alternative livelihood, and agriculture offers equally dismal prospects of security due to unclear property ownership and inadequate infrastructure.

## Approaches to transformation

In January 2013, the government attempted to provide an impetus for transformation by discharging around 100 high-ranking officers from active military service. Even this small number of discharges and re-deployments led to unrest in the military.

A rumor arose that the leadership in Juba had wanted to block an attempted coup. Ethnic loyalties within the government were mobilized, and since then, the reform process has run aground.

Efforts to build a South Sudanese police force are likewise fraught with difficulties due primarily to differing views about police responsibilities. The Ministry of Internal Affairs in particular is giving mixed signals. On the one hand, plans have been signed to build a professional police force, whose task will be to protect citizens and guarantee security. On the other hand, it is common practice to recruit ex-soldiers into the police. This shows that the reform of the security sector is not based on a strict separation between army and police tasks, which would be necessary to build trust in the government. In addition, the discharged Lieutenant General Pieng Deng Kuol was appointed Inspector General of Police. This, too, gives cause for concern about the effectiveness of security sector reform.

The blurring of responsibilities between the police and the military contributes to a feeling of insecurity within the general populace. A number of incidents in recent months have shaken the population's confidence in state security forces. In December 2012, police, prison guards, game wardens, and security personnel working for banks in Wau, a capital city in northwestern South Sudan, opened fire on a peaceful demonstration, killing eight civilians. An investigation of the incident was opened, but no charges have been brought against any member of the security forces, and no convictions have been made. The idea of a police force that stands in the service of the civil population and acts to protect them is far from reality in South Sudan. Meanwhile, the army has been accused of even more serious human rights abuses. The SPLA has allegedly taken action against civilians on repeated occasions, particularly in the context of its fight against rebel militias in the state of Jonglei. Even during the disarmament campaign "Restore Peace" in

March 2012, the army was reported to have carried out violent assaults on the civilian population.

### **Authoritarian continuity**

After South Sudan's independence, there were high hopes that an inclusive and participatory new state would emerge, particularly in light of South Sudan's own experience with social, political, and economic marginalization by Khartoum. Up to now, however, there has been no sign that South Sudan has rejected a politics of exclusion and neglect. Instead, the South Sudanese government seems to be much like a copy of the regime in Khartoum. The national army's attacks on civilians, the narrowing of the political sphere, the increasing repression against journalists, and the president's successive expansion of power are clear warning signals.

Already in the transitional phase before the country's independence, President Salva Kiir expanded his own authority and curtailed the powers of the Vice President and parliament. After Vice President Riek Machar announced his intention in April 2013 to run for the presidency in the next elections, Kiir reduced his powers further. Since South Sudan's independence, a constitutional commission has been meeting sporadically, but it is not endowed with the necessary funds to bring about progress on constitutional reform. Within the governing party SPLM, which won the 2010 elections by a large majority, factions are developing along ethnic and not political lines. Despite the clear tendency toward a one-party state, the SPLM is not likely to take a strong leadership position in this situation, but will instead probably become enmeshed in conflicts between ethnic groups.

In view of the accumulation of power by the president and his practice of politics by decree, paired with the powerlessness of the parliament, there is an urgent need for a separation of powers on the political level and an increase in political participation.

Already in the 2010 elections there were protests not only by opposition parties but also by SPLM supporters who felt excluded and took up arms to defend their interests. In the view of the chairman of the SPLM, it is entirely possible that this unrest will repeat itself again in the next election in 2015.

The fixation on violence, the perceived and actual lack of possibilities for participation, and the increasing fragmentation of the country into ethnic groups threaten the stability of South Sudan. The government's legitimacy is especially critical during the formative phase of a new state, when it must credibly communicate the need for difficult and in some cases painful reform processes to the broader population.

### **Influence of external actors**

External actors must provide serious, critical, and long-term support to South Sudan's statehood-building process. This would be more sensible than the predominant approach taken so far by international community, which has wavered between euphoria and avoidance. Germany and Europe should play the role of engaged and reliable partners—especially considering competition with China, India, and Malaysia, all of which offer the South Sudanese government higher volumes of investments as oil partners.

For the German government, this could also mean increased involvement in promoting the rule of law and possibly also in providing police training. In the area of security sector reform, however, the government in Juba must be called upon to make a clear separation between police and army tasks. If it does not, support from external actors threatens to become mere financing of the military.

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