THE FUTURE OF AN INDEPENDENT SOUTHERN SUDAN

The probability of intrastate war in an independent Southern Sudan
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THE PROBABILITY OF INRASTATE WAR IN AN INDEPENDENT SOUTHERN SUDAN

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The exact borders of Southern Sudan are still subject of dispute between Northern and Southern Sudan.
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<td>GoS</td>
<td>Government of Sudan</td>
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ABSTRACT

In Sudan a war between the North and the South has been going on for over fifty years. With the peace agreement in 2005 this war came to an end, simultaneously creating an autonomous government of Southern Sudan and providing for a referendum in 2011 during which Southerners can vote for either unity with or separation from the North. It is commonly thought that the South will vote for secession. The attention of the international community as well as academic researchers and international organizations almost exclusively focuses on what will happen to the North-South relations after Southern Sudan becomes independent. Although this is an interesting and important question, the future of an independent Southern Sudan itself is at least as relevant. This however is underconsidered and underresearched, which is problematic due to extremely worrisome intra South dynamics resulting from, amongst others, the instable government, unprofessional army, exceptionally high militarization and increasingly violent conflicts among Southern groups that have evolved from cattle raiding to ethnic clashes.

Considering the preceding, this thesis intends to alter the exclusive focus on the North-South relations and aims to analyze the probability of intrastate war within an independent Southern Sudan. Based on an early warning model and indicators specifically selected for the region’s specific context, Southern Sudan will be analyzed in terms of its security, economy, political and social situation, and in relation to the probability of an intrastate war.

It is analyzed that the probability of intrastate war in an independent Southern Sudan is very high. The majority of the assessed indicators were rated as very high, reflecting the highly volatile and tense situation in the region. Especially the dynamics captured in the security and political factors were assessed to be exceptionally explosive, depicting a situation in which Southern Sudan’s government will collapse after independence and heading to an intrastate war.
(PHOTO)

Juba, Southern Sudan
Photo: Anne Schuit
INTRODUCTION

In January 2011 the international community may have to welcome a new state; Southern Sudan. After having been embroiled in over 50 years of conflict with the Northern Sudanese government in Khartoum, the South now awaits a referendum during which Southerners can vote for unity with or secession from Sudan. According to most observers who have followed the developments over the years it is likely that the South will vote for secession, and this is also the finding of the author after having conducted numerous interviews in Juba, Southern Sudan, in April 2009. The split between the North and the South, resulting from the long history of violent conflict and political and economic marginalization of the South by the North, seems to be unbridgeable and according to some surveys as much as 90% of the Southerners will vote for secession.

The probable outcome of the referendum is not the only thing the Southerners, researchers, international organizations and other stake-holders agree on. Even though Sudanese president Omar al-Bashir recently has stated that the Khartoum government will accept a Southern vote for independence, most people depict a discouraging picture of what secession will imply for the relations between the North and the South. “I am convinced that separation would lead to war. Many in the North would go to war in order to keep the South part of Sudan. The border between the North and the South would be disputed. Fights would start in order to occupy the oil fields. In the transitional areas (Abyei, South Kordofan and Blue Nile) civil wars would erupt” explains the in 2006 Special Representative of the Secretary General to Sudan Jan Pronk. Also the main Southern political party, the Sudan People Liberation Movement (SPLM), and the Government of Southern Sudan (GoSS) seem to believe renewed aggression to be likely if the South rejects unity with the North. Increased military expenditure and acquisition of arms clearly purposed for combat reveal the Southern priority of preparing for a new war. However, renewed violent conflict does not have to be the outcome of vote for independence. Some argue that the North will be able to keep economic domination over the South regardless of unity or secession. The dependency of the South on the North relating to oil trade and transport renders direct hostilities unnecessary. What is clear is that the attention of the Southerners as well as the international community is almost exclusively focused on

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the North-South dynamics. Although understandable due to the strong and ongoing animosities between the two regions, this limited focus is rather surprising in the light of the extraordinary event that the secession of the South represents. Contrary to customary and international law and the ideas of the international community including the African Union, a part of a existing sovereign nation will secede and form its very own state. This act will surely have significant implications for other liberation struggles and calls for self-determination within Sudan, for instance Darfur, as well as the African continent, such as the case of Nigeria, and other countries around the globe. In this perspective, and interesting question regarding the ability of self-governance of a newly independent state and the likelihood of effective implementation of stable governance rule of law comes into prominence.

Considering the history of the Southern region and its contemporary situation the stability of an independent Southern Sudan can seriously be questioned. The region remains fragile and vulnerable to conflict, and according to some organizations the risk of recurring and localized conflict within the South cannot be ruled out. Various Southern ethnic and tribal groups, most notably the Dinka and Nuer but also involving the Murle, Shilluk and other communities, have been enmeshed in conflict over cattle and land for hundreds of year, a conflict that over the last years has become more fierce, violent as well as politicized. During the author’s research in Juba a great number of experts, international staff as well as civilian Southern Sudanese referred to an independent Southern Sudan becoming the ‘new Somalia’, implying a stateless, anarchic and Hobbesian state. In its CPA Alert\(^8\) IKP Pax Christi warned at the end of 2009 that the violence within the South had increased both in quantity and quality, resulting into huge casualties among women, children and the elderly.\(^9\) Moreover, United Nations officials in Southern Sudan have indicated that the number of internal conflicts has risen sharply in 2010, with 450 people killed and 60,000 people displaced within just the first three months of the year.\(^10\)

Thus, it is evident that the narrow focus on the North-South relations is insufficient to account for a comprehensive understanding of the difficulties and challenges the South will be confronted with in the near future. The dynamics within the South are, at a minimum, equally important, but underrepresented, underreported, underresearched and underconsidered.\(^11\) This short-sightedness is

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\(^8\) CPA stands for Comprehensive Peace Agreement, the peace deal the North and the South signed in 2005


\(^10\) The Enough project (2010). ‘Grading the Benchmarks’, p. 5

\(^11\) One of the few exceptions is the report by J. van der Lijn from the Netherlands Institute for International Relations ‘Clingendael’ titled ‘Sudan 2012. Scenarios for the future’. However, this report is rather speculative. Written from the perspective of 2012, it talks about the present as being the past and about the future as being the present, including details as
problematic since disregarding the highly complex and difficult future of an independent South may hinder the formulation of constructive and strategic policy making and/or response.

This thesis aims to make a first attempt to restore the balance. It focuses on the future of an independent Southern Sudan and whether intrastate war will emerge within the South. The research question therefore is:

WHAT IS THE PROBABILITY OF INTRASTATE WAR WITHIN AN INDEPENDENT SOUTHERN SUDAN?

The term ‘probability’ is meant in non-statistical terms.

In order to give a sound and reliable analysis of the probability of intrastate war within Southern Sudan the so called ‘early warning models’ will be utilized. The indicators employed by these models are derived from extensive academic and practical research on the root causes of conflict. By assessing whether these indicators are indeed present in a given society a certain likelihood of intrastate war will be concluded.

It is of upmost importance to realize that this thesis solely focuses on the occurrence of intrastate war. In Part II the exact definition of intrastate war will be further explored. This thesis does not take into account the notion of peace. This is a much more complex and comprehensive concept that ranges from negative peace to positive and sustainable peace, indicating the vast difference between the non-occurrence of intrastate war on the one hand and enjoying the liberties and freedoms in a durable peaceful environment on the other. An assessment of the occurrence of peace in Southern Sudan is beyond the scope of this thesis. The probability of intrastate war within an independent Southern Sudan is essential and the major focus of this thesis.

The study for this thesis is predominately based on academic literature and the rapports of international organizations and ngo’s. Also interviews with professionals working in Southern Sudan, which were conducted for a separate research project, provided a valuable source of information. Finally, interviews with two academic experts on Sudan contributed to the research for this thesis.

‘the Security Council decided to defer the Bashir case before the ICC’ (page 10) and ‘in the referendum, an overwhelming majority -91 per cent- of Southern Sudanese voted for independence’ (page 14).


The author conducted research about the indictment of Sudanese President al-Bashir by the International Criminal Court and the security effects in Southern Sudan in April 2009.

Jaïr van der Lijn, researcher at the Netherlands Institute for International Relations ‘Clingendael’, and Naglaa Elhag, Capacity Assessment and Development Manager at ICCO (Interkerkelijke Coördinatie Commissie Ontwikkelingscoöperatiewerk)
To give a good understanding of the history of Southern Sudan in light of the topic at hand, Part I addresses the history of conflict between Northern and Southern Sudan and the peace process. Part II then provides the academic framework, that is the early warning model, according to which the situation in Southern Sudan will be analyzed. In Part III the future of an independent Southern Sudan will be assessed by utilizing the early warning model. Part IV gives the final conclusion.
Herdsman in Terekeke, Southern Sudan
Photo: Anne Schuit
Africa’s longest civil war has been happening in Sudan. Yet it is not the infamous Darfur conflict that the international community recently has mainly concentrated on, but the clash between Northern and Southern Sudan. This civil war started just before Sudan’s independence in 1956, and in spite of several peace accords is in many respects still ongoing. The majority of rationalizations for the war centre on religion and ethnicity. According to these views, the war is about Muslims (North) versus Christians (South) or Arabs versus Africans. Yet, these stark dichotomies hinder a thorough understanding of the root causes of the war, as the polarization in Sudan goes beyond these issues and is essentially about political and economic marginalization.

*The North – South war*

The onset of the civil war in 1955 was fuelled by the South’s discontent to be excluded from the newly formed government, one that was both geographically and politically dominated by the North. The Southern exclusion followed the deliberate policy of the British colonialists to separate the North and South, instigated by a desire to prevent Islam and Arabism from influencing black Africa. As missionaries were in complete control of the education system in the South, they were able to design a curriculum that discouraged and even punished political motivation and action. Furthermore, movement and trade between the two regions was prohibited.

By the time Sudan gained independence the disparities between the North and the South were profound. Political and economic power was exclusively concentrated in the North and in hands of a Northern conservative elite. The concentration of power disseminated further into the government’s narrow focus, leading to policies solely aimed at development of the North. Unlike the North, the South lacked any basic infrastructure, urbanisation or any development for that matter. Aiming for a more inclusive government as well as demanding righteous expenditure of the governments oil revenues, oil predominately extracted from the South, a variety of Southern groups took up their arms against the North. The North-South conflict that followed was essentially a power struggle between the elites from either side, both exploiting cultural and religious identities to assure popular support.
support. Failing to challenge the dominant Northern parties, the segregated Southern groups proved to be too weak to have a real influence in the Northern government. As a result, various Southern factions shifted their aim to secession. Others continuously shifted their alliances between the North and the South, and some groups persisted to fight for inclusion in the Khartoum government, contributing to the large fragmentation among Southern groups.

The rise of the SPLM/A

With the first major peace agreement, the 1972 Addis Ababa Accords, the South attained large regional autonomy and became a liberal and democratic island in a largely autocratic Islamic state. What this rule was denied however was economic power and the resources to sustain and develop the Southern region. As a result, economic development stagnated, accompanied by declining living conditions and social anarchy. Added to that was a deterioration of the political and social Southern landscape following continuous power struggles among the Southern elite and the mobilization of support on the basis of ethnic relations. The fragile peace lasted for a decade. The conflict resurrected when the Khartoum government decided to incorporate the Shari’a law in Sudan’s penal law, thereby imposing traditional Islamic values on the predominantly Christian and animist South and essentially revoking the South’s autonomy. The start of this second civil war instigated the unification of the factionalized Southern groups into Sudan People’s Liberation Movement/Army (SPLM/A). The SPLM/A challenged the tactics of the Southern elite, and linked political marginalization, economic underdevelopment and cultural domination by the North to national processes. It was not the North versus the South that was the problem, but the established and power hungry elites in Khartoum. Consequently, the SPLM/A ruled out the option of working from within the existing system, instead challenging the status quo and fighting for a more just and democratic new Sudan. The movement furthermore rejected secession, since this would not secure any guarantee against future destabilization by the Northern elite. Concurrently, it regarded the Southern elite as unable to ensure long-term stability, peace and development.

Internal struggle

Despite this unification to fight the common Northern enemy the SPLM/A continued to comprise out of clearly distinctive divisions and dissenting political perceptions. These factions centred around tribal affiliation. Southern Sudanese continue to identify themselves first as Dinka, Nuer, Shilluk etc., and then as Southerners. A Southern Sudanese identity is missing. Where the Dinka tribe dominated

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22 Op. cit. note 18, p. 71  
26 Op. cit. note 23, p. 6
the SPLM/A with their leader John Garang, the other large tribes as the Nuer, Murle, and Shilluk all secured their own representation. The sole unifying factor among these groups was and persists to be primarily their collective repression and resistance. Besides their unification to fight a common enemy it is largely the self interest these groups aim to pursue that motivates them to be part of the SPLM/A. In fact, the most prominent feature of the Southern groups is not their willingness to unite, but the division between the many ethnic Southern communities and the ability of the elites to manipulate tribal identities in their quest for power.\textsuperscript{27} Being more of an umbrella organization than a truly unified Southern movement, the SPLM/A on various occasions witnessed the escalation of this division and self interest.\textsuperscript{28} With financial and material aid of the Northern government seeking to disrupt Southern unification, numerous groups revolted against the movement. The Murles rebelled against the SPLA in 1989, the Mandari had done so as early as 1984.\textsuperscript{29} Fierce fighting in Southern Sudan killed many,\textsuperscript{30} and in 1991 Riek Machar (Nuer) and Lam Akol (Shilluk) staged a military coup to oust John Garang. The result was a breakaway faction calling themselves the SPLM/A-United and the onset of a enduring power struggle between predominantly the two major Southern tribes; the Dinka and the Nuer. It was only in 1999 that the two groups signed an official peace agreement and joined forces against the North once more.\textsuperscript{31} Interestingly enough Riek Machar at present is the vice president of the Government of Southern Sudan, and Lam Akol recently led his supporters to form yet another political party; the SPLM/A-Democratic Change.

\textit{Comprehensive Peace Agreement}

The second civil war officially ended in 2005, when the Northern National Congress Party (NCP) and the SPLM/A signed the Comprehensive Peace Agreement (CPA) that created an independent Government of Southern Sudan (GoSS). The primary aim of the CPA is to explore the possibilities for a prosperous united Sudan.\textsuperscript{32} The CPA depicts a six year timeline according to which both the North and the South are required to undertake measures that will make unity attractive. For the CPA to be successful it is crucial that key disputed issues are solved, such as the definite border demarcations and wealth and power sharing provision. Other important aspects are the census in the South and national democratic elections. The six year interim period will conclude with a referendum in the South, allowing Southerners to vote for either unity or secession.

\textsuperscript{28} Hemmer, J. (2009). ‘Ticking the box: elections in Sudan’. Conflict Research Unit, Netherlands Institute for International Relations ‘Clingendael’, p. 8
\textsuperscript{29} \textit{Op. cit.} note 23, p. 2
\textsuperscript{30} \textit{Op. cit.} note 27, p. 5
\textsuperscript{31} \textit{Op. cit.} note 2, p.167
The implementation of the CPA faces serious difficulties.\(^{33}\) Essential provisions enshrined in the agreement are not implemented,\(^{34}\) and instead of increasing trust among the Northern and Southern parties the political climate seems to deteriorate. One of the main obstacles appears to be the North’s reluctance to successfully implement the CPA.\(^{35}\) Secession of the South, which will be the likely result of the referendum, will have a direct impact on the North’s access to oil and mineral resources, and therefore many believe that the North deliberately sabotages the essential steps towards the referendum.

*An independent Southern Sudan*

Much of the attention concentrates on the events leading up to the referendum, and the actual referendum itself. Notwithstanding the importance of these dynamics it is essential to consider the long-term events after the referendum. Assuming the outcome of the referendum will reflect the current popular opinion of the Southern Sudanese people that secession is inevitable, the question concerning the future of an independent Southern Sudan becomes important. Considering the SPLM/A’s historical background as being a rebel army for twenty one years, the party’s experience with governance is marginal. The ruling SPLM has so far been unable to transcend into a solid political party and lacks the capacity to establish basic structures of governance in the new autonomous Government of Southern Sudan. More important are the ongoing disputes within the SPLM/A and the failure to unite various rival Southern groups. Intra South tribal fighting continues to be a problem. In March 2009 the Nuer killed 453 Murle, and a month later the Murle’s counterattack killed 250 Nuer. In the year 2009 alone the death toll of intra South fighting was higher than that in Darfur.\(^{36}\) There are signs that the underlying causes of the North-South war, economic and political marginalization and power-hungry elites, also characterise the ongoing disputes and violence within the South. As a result the prospects for a peaceful independent Southern Sudan are seriously questioned. In the following chapters an analysis will be presented of the future of an independent Southern Sudan.

\(^{33}\) *Op. cit.* note 6, p. 8  
\(^{34}\) For example, the Southern Sudanese population census suffered serious delay and the results needed to be revised when the GoSS protested the outcome. Also, the dispute over borders in the oil-rich Abyei region threatens an agreement over the border demarcation. See for more information Brosché (2009). Other problems are the demarcation of the entire North-South border, oil-money transfers and the continuing support for other militia groups in the South, most notably Uganda’s Lord’s Resistance Army. See for more information Elhag, N. (2008). A tale of two wars: The militarization of Dinka and Nuer identities in South Sudan, in: J. Abbink and A. van Dokkum (eds.), *Conflict of interest in their resolutions in modernizing Africa*, 12 , p. 182  
\(^{35}\) Numerous organizations, among which IKV Pax Christi, assume the NCP never intended to implement the CPA in the first place. They support their argument by pointing out that the CPA is in essence the exact same document as a draft presented a year earlier, which was with undiplomatic language rejected by the NCP. Ashworth, J. (2009), p. 5. See for more examples on Khartoum’s reluctance to implement the CPA: Elhag, N. (2008)  
PART II  PREDICTING INTRASTATE WAR

Up until the Cold War the occurrence of war featured predominantly one or more sovereign states. Fighting over territory, resources, ideology or otherwise, these states aimed to either secure the status quo or change it for their own benefit. The end of the Cold War consequently changed the nature of traditional warfare. The number of interstate conflicts dramatically declined, whereas the incidence of intrastate wars rapidly increased.\textsuperscript{37} A multitude of these intrastate wars, also called ‘civil wars’,\textsuperscript{38} are fought in Africa. Civil wars commonly revolve around revolutions, secessionist wars and ethnic revolts.\textsuperscript{39} Between 1945 and 1999 there were 25 interstate wars and 127 intrastate wars,\textsuperscript{40} indicating that intrastate wars are overrepresented five times.

§ 1  Intrastate war

According to the widely used operational definition of the Correlates of War (COW) Project,\textsuperscript{41} an intrastate war is a ‘sustained military combat, primary internal, resulting in at least 1,000 battle deaths per year, pitting central government forces against an insurgent force capable of effective resistance and determined by the latter’s ability to inflict upon the government forces at least 5% of the fatalities that the insurgents sustain’.\textsuperscript{42} This rather technical definition is by some authors reduced to ‘armed conflict between the government of a sovereign state and one or more organized groups that are able to mount effective resistance against the state’.\textsuperscript{43} Over the past fifty years intrastate wars worldwide have caused over 16 million deaths.\textsuperscript{44} These deaths are directly attributable to the war, and therefore called direct mortality. Opposed to the direct mortality there is the indirect mortality, deaths not directly attributable to the war itself but to the long term effects of the conflict on society at large. The long term effects of war, for instance the disruption of society, devastation of the economy,\textsuperscript{45} brain drain, environmental degradation and scarcity of basic human needs as food and potable water seriously threatens human survival. The numbers of people who die of hunger-related causes each year alone is

\begin{itemize}
\item[38] The terms civil war and intrastate war will be used interchangeably
\item[39] \textit{Op. cit.} note 37
\item[40] \textit{Op. cit.} note 37
\item[41] The COW Project was founded in 1963 by J.D. Singer, a political scientist at the University of Michigan. It is concerned with systematic accumulation of scientific knowledge about war.
\item[45] \textit{Ibid}
\end{itemize}
15 million, indicating its enormous significance as these causes are responsible for the loss of a much greater number of lives than battle related causes. To provide a lucid perspective: compared to the two world wars, every two year the number of people who die of hunger is roughly equivalent to the number killed in 11 years of world war.\textsuperscript{46}

Despite the fact that intrastate wars are fought inside a given sovereign territory and are instigated by intrastate dynamics, in an increasing globalized world these intrastate wars have global ramifications. Not only are people on the other side of the planet more aware of what is happening in faraway and exotic places such as Sierra Leone, Afghanistan and Sudan, also their respective governments and multinational corporations increasingly react to, intervene, support and/or benefit from these conflicts. To take Sudan as an example, both China and the United States rely heavily on Sudan’s oil, with China receiving as much as 70\% of Sudan’s export\textsuperscript{47} and selling weapons in return.\textsuperscript{48} The two countries are reluctant to criticize the Khartoum government out of fear to jeopardise their trade relations. This was blatantly obvious in the Darfur case, where both China and the United States for some time hindered the necessary United Nations Security Council (UNSC) referral of this situation to the International Criminal Court. Eventually they abstained from voting in the UNSC, resulting into the referral of the case and ultimately the indictment of Sudanese president Omar al-Bashir. To focus on an independent Southern Sudan, oil thirsty countries may find it beneficial to support whoever is in control of the oil fields (for example the SPLM and therefore predominantly the Dinka’s) even though this could mean supporting gross human rights violations (for instance towards the Nuer who are seen as the greatest rivals of the Dinka). The unlikeliness of this situation being mere a speculation is evident in the presence of various international corporations, most notably the Royal Dutch Shell company, in the Niger Delta in Nigeria. It is both this example and the Sudan case that highlight the advantages that the international community and multinational corporations gain from unstable and exploitive regimes in Africa. As long as oil rights and revenues are centred on a minority of elite, oil concessions and favourable prices are guaranteed. Albeit the immense importance to comprehend the forces behind unrelenting war, it is beyond the scope of this thesis to further explore this issue.

\section{Early warning}

The new characteristics of warfare as well as the horrifying consequences of intrastate wars have motivated the international community and academics to thoroughly analyze its causes, duration,

\begin{itemize}
\item \textsuperscript{47} Economist (2006). ‘Never too late to scramble – China in Africa’. Economist, 28 October 2006
\item \textsuperscript{48} Small Arms Survey (2007). ‘Arms, Oil and Darfur. The evolution of relations between China and Sudan’. Small Arms Survey, p. 2-5
\end{itemize}
severity and outcomes with the aim to effectively prevent or mitigate these wars. Motivated also by the costs incurred in managing crises\textsuperscript{49} the focus of the international community has shifted from engaging in ongoing wars to preventing its occurrence by trying to eliminate the root causes. With the dissemination of conflict analysis theory to professionals and practitioners working for international organizations, international corporations and non-governmental organizations (ngo’s) the necessity of an operational predictive model for war became apparent. A number of the United Nations Security Council Resolutions indeed express the need for thorough analysis of early warning models.\textsuperscript{50} The early warning models have been developed to identify the causes of war, to predict the possibility of an outbreak (when and where) and to suggest approaches on how to prevent or mitigate the situation.\textsuperscript{51} Simultaneously it is used to ensure interventions by corporations and organizations alike do not instigate, exacerbate or revive violent conflict.\textsuperscript{52} By identifying factors that increase the probability\textsuperscript{53} of war, it can be indicated where crises are more likely to occur and what the probability of war is in a certain geographical area, often on state level. Concurrently, by identifying factors that decrease the probability of war strategies can be derived to prevent or mitigate its occurrence.

The identification of the main causes is based on collecting and analyzing information on specific key indicators. These indicators crystallized after extensive analysis of conflict worldwide and assume that although every situation is unique, they exhibit characteristics common to all wars.\textsuperscript{54} National governments, multilateral organizations, universities, ngo’s, think tanks, and private enterprises all have created several dozen models designed to predict violent conflict, investment risk and fragile states.\textsuperscript{55} Apart from this wide range of institutions, a diverse set of methodologies,\textsuperscript{56} ranging from qualitative studies to complex regression and systems dynamics analysis, have been applied.

Proponents of early warning argue that the models are capable of predicting war with a success rate between 75\% and 90\%.\textsuperscript{57} However, the exact accuracy and predictive capacity of the models are rather difficult to measure. Therefore, measuring the success of predictive models is a complicated endeavour. An appreciation for the preventive potentials of the models and the extent to which early warning models can prevent the occurrence of war is even more difficult. If an early warning analysis

\textsuperscript{50}United Nations General Assembly Resolution 46/182, United Nations Security Council Resolutions 1265, 1296 and 1366
\textsuperscript{52}Conflict Prevention and Reconstruction Unit (2002). ‘The Conflict Analysis Framework (CAF). Identifying Conflict-related Obstacles to Development’, the Social Development Department of the Environmentally and Socially Sustainable Development Network of the World Bank, 5, p. 1
\textsuperscript{53}The term ‘probability’ is meant in a non-statistical term.
\textsuperscript{56}Also called: triangulation
\textsuperscript{57}Op. cit. note 55, p. 12
results into a high risk assessment and points out key figures accelerating the potential war, the international community, ngo’s, the national government etc. can develop strategies to eliminate these. The question of whether conflict ultimately transpires or not, and if this is indeed due to the early warning analysis gains importance. However, this is an impossible question to answer. Due to the multitude of different dynamics, and the presence of unknown or invincible factors, which influence political, military and societal processes, the non-occurrence of war simply cannot be ascribed to one specific analysis, strategy, intervention or organization. The legitimacy of early warning models is also questioned by the fact that the models are scarcely used in practice. Predictive analysis is met with scepticism, and practitioners find the models to predict the obvious and value them accordingly as an unnecessarily complex academic exercise.\(^58\)

Also, what it is exactly that various models measure highly influences the question of whether or not they are accurate. The majority of available models from different origins (business, non-profit etc.) focus on a variation of specific subtypes of violent conflict, specific focus and specific outcomes. Thus it can be expected that different predictive models have different outcomes regarding different situations, albeit focusing on the same geographical area. A multinational corporation is more likely to focus on business interest, economic factors and political instances, whereas an ngo is more inclined to use a model including social factors. Multinational corporations identify with the risks relating to investments, thereby focusing more on corruption and inflation and perhaps to a lesser extent health, education and violent conflict per se. Ngo’s are likely to focus more on the risks to human security and sustainable development, subsequently focusing more on health, education and the occurrence of violent conflict and to a lesser extent the inflation rates. Consequently, the ultimate outcome of both models will depict a different image regarding future risk at the country at stake. Models developed or used by international organizations as the United Nations and academics are expected to take a more neutral or inclusive stand.

In spite of the above mentioned critique the importance of predictive models cannot be denied. After decades of unrestricted and unproductive provisions of development and humanitarian aid, difficulties with peacekeeping missions and largely ineffective peace building operations, the international community currently realizes the importance of the ‘do no harm’ principle. At worst, development programmes may inadvertently exacerbate war.\(^59\) At best, it may prevent war. But as a minimum, it should be irrelevant to the issues causing the war. Analyzing wars and utilizing predictive models clearly instigates an enhanced understanding of the vital factors in the conflict process. By realizing

\(^{58}\) Op. cit. note 49, p. 3  
\(^{59}\) Op. cit. note 52, p. 3
what these essential factors are as well as drafting a possible scenario for the future, a profound basis for an effective policy design is created.

It is not the academic exercise that motivates the author to apply an early warning model on the case of Southern Sudan. Instead it is the conviction that these models can profoundly enhance the understanding of war, as well as give a sound and reliable scenario for the future by systemizing that information that is considered significant. Although even a scenario based on early warning models continues to be an educated guess to some extent, the academic foundation and justification it nonetheless has greatly distinguishes it from a wild uneducated guess based on rumours and scattered information. A reliable predictive scenario can help specify priorities for the international community as well as international organizations and thus becomes exceptionally important in ensuring sustainable peace in Southern Sudan.

§ 3 Selecting the factors and indicators

The success of models predicting intrastate war is determined by the factors and indicators that are selected. Factors refer to overarching concepts such as ‘economy’ and ‘security’, whereas indicators give more specific information such as high/low ‘gross domestic product’ and high/low ‘military spending’. These indicators themselves do not cause the war, but when negatively present in society it may increase the likelihood of the occurrence of war. Also, the presence of a specific indicator in the society does not necessarily mean a conflict is likely to transpire. However, when numerous indicators are strongly present this likelihood does increase. An integrated approach is thus essential. Although there is consensus as to what indicators correlate to war, the causality is a widely disputed issue. The type of regime for instance is commonly recognized as relating to the probabilities of war. Autocratic regimes are considered to induce war, whereas democracies inhibit war.\(^60\) However, do democracies inhibit the occurrence of war because it provides alternative ways for dispute settlement, or is democracy itself a result of states home to consensual societies? Commencing from this a multitude of related questions can be deduced, such as if a one-party state is more favourable in societies with deep ethnic, economic and political cleavages and whether an open investment environment in a non-democratic state may be more conducive in the long term to democratization.\(^61\)

An analysis of the causal relationship of indicators goes well beyond the scope of this thesis. Instead, it is accepted that certain indicators correlate to war. By analysing the extent to which these indicators correlated...
are present in a country the probability of the occurrence of intrastate war can be derived. Extensive research by other scholars has brought forward a wide range of indicators, and it is on this research the thesis will draw a predictive model. The option of adopting an established model, even the more inclusive models developed by academics, is rejected. As mentioned earlier, the success of early warning models depends on the selected indicators. These indicators need to be selective and central to the emerging situation. Therefore one cannot rely on general models; a country specific model is required. The significance of different indicators differs from country to country and from conflict to conflict, and an indicator that has a strong impact on war in one country might have less relevance in another. For example, a decreasing involvement in international trade might be relevant to a country such as Nigeria, but to a lesser extent to a country such as Rwanda. Whereas Nigeria is highly active on the international economic market and a change in this situation is likely to represent other societal processes, Rwanda is not a significant player in the first place. Another reason for selecting indicators on a country specific basis is a more practical one. The information to effectively apply an indicator is sometimes simply missing, rendering the indicator useless. In most conflict areas, with Rwanda and Nazi Germany being notable exceptions, it is extremely hard to obtain accurate information. Somalia for example has not been included in the United Nations Development Programme’s global Human Development Index since 1997 as a result of the non-availability of statistics. The problem with assuring correct data not only stems from the difficulty of collecting this data in violent and life-threatening circumstances, but also from the deteriorating administration that long precedes the ultimate war. Consequently, countries potentially heading to war are often featured by the non-existence of (reliable) imperative information concerning the country’s demographic, geographic and socio-economic make-up. Unfortunately, this practical argument is of high concern to Southern Sudan. Besides the reasons mentioned above, an added predicament is the fact that Southern Sudan is not an independent state. This means that information is not always dissected for the Southern region but only available on a national level, that is the entire Sudan. It is regrettable that practical considerations are of influence, and the author is aware of the effect this can have on validity of the ultimate predictive model. Utilizing unreliable data however would have a serious detrimental effect. The availability of reliable data is therefore a legitimate criteria. In conclusion, due to the great importance of country specific indicators and the practical considerations when including indicators, it is decided to create Southern Sudan specific model. Notice should be given to the fact that this is essentially not a country specific model but a regional specific model, as Southern Sudan is not an independent country.

64 Op. cit. note 52, p. 2
Hence, it is of utmost importance to employ only those indicators that are relevant to Southern Sudan. Consequently, the criteria for selecting the indicators are:

Criteria 1. The consensus as to whether the indicator relates to the occurrence of war

Criteria 2. The relevance to the situation in Southern Sudan

Criteria 3. The availability of reliable data

As a result, indicators that are commonly included in predictive models but have no significance to Southern Sudan will not be incorporated in the model. Indicators that are less often included but are highly relevant to the Southern Sudanese situation will be included. Indicators that meet criteria 1 and 2 but cannot be used effectively due to the lack of information concerning Southern Sudan will not be included. An analysis of the existing early warning models will result into the selection of indicators according to criteria 1. Selection of indicators by criteria 2 will derive from the analysis of the conflict in Southern Sudan. Finally, consulting the available information regarding the selected indicators so far might further eliminate some indicators according to criteria 3. It must be noted here that when hard data (i.e. statistics and academic accounts) is not available, soft data (i.e. information obtained from interviews, media accounts etc.) will also be considered.

§ 4 Towards a predictive model

The attention paid to predictive models from a wide variety of organizations, from international organizations to ngo’s and multinationals, has resulted in over a thousand different early warning models. Despite this large number, most models use similar overarching criteria. Economic, social, political and security factors are always included, although at times differently referred to or integrated in singular factor, such as ‘socio-economic conditions’. A factor not unanimously included but nonetheless frequently present in the models are regional/international dimensions.

In order to identify commonly used key indicators the PCR Project Special Briefing from the Centre for Strategic and International Studies (CSIS) may proof helpful. For this report the CSIS surveyed 30 publicly available models and strategies that aim to predict conflict and instability. Based on 6 factors, (security, governance, justice and reconciliation, economics, social well-being and cross-cutting) the total distribution of indicators is portrayed. The factors security, governance and

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The indicators that will be employed will be selected. Also the underlying arguments which indicate the reason for the importance of the indicators will be presented. However, the explanations given are far from complete. Studies that focus solely on the influence of a single indicator have been conducted and it is beyond the scope of this thesis to fully address these relations. For a more comprehensive account the reader is referred to the references as offered in the text.

§ 5.1 Security

The security situation within a country provides valuable information regarding the risk of a civil war. The first indicator within this factor is a history of armed conflict and its aftermath. The prior occurrence of armed conflict increases the probability of future conflict. The theoretical argument is that the causes of conflict often do not cease to exist after the ending of the war itself. Conflicts emerge after a long period of grievances, tension, hostilities and incidents. They do not ‘just happen’. At the same account, they do not just end. By signing a peace agreement the war may stop, but tensions in a society remain. However, this argument tends to disregard the functional potential of a conflict when considering societal conflict in a broader perspective. According to the constructive approach, a conflict, even in violent form, implies a revolutionary struggle which, when dealt with constructively, signifies a new era of augmented equality. From this viewpoint it can be derived that a

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68 The CSIS Report show the number of indicators per category, ranging from 0 to 90. ‘Commonly used indicators’ are those including at least 20 indicators.
69 For example Collier’s (2009) study on the effect of democracy on political violence.
previous war might in fact reduce the potential for renewed conflict. Albeit recognizing its constructive potential, it cannot be denied that most wars do in fact generate increasing probability of renewed conflicts as the underlying dynamics remain unaltered. Another notion that is equally important is that a post-conflict government may not be capable of inhibiting a new conflict from emerging due to lack of resources, information and understanding of good governance or reluctance to solving the underlying causes. Consequently, a prior history of conflict is considered to be a valid indicator

A second indicator is increased militarization and arms supply. The greater a state’s level of military spending, the greater the likelihood of a civil war as the increased arms supply allows for violent clashes. However, this link between militarization and conflict is not entirely undisputed. Increased militarization can just as well positively influence a state’s security. By obtaining weapons the state’s ability to effectively protect its sovereignty and its population increases. Even the mere display of its arms capacity might have a deterrent effect. However, in an anarchic international system, militarization ultimately results into war as states aiming to safeguard their own security simultaneously decrease the security of others. This is called the security dilemma. Although a state might increase its military expenditure purely for defensive reasons, other states will consider the heightened military capacity to be a threat to their own security. Consequently, they too will enhance their military spending, leading to an arms race. Although the security dilemma originally only applied to interstate war, its essential rationale can be accurately employed to intrastate war. In times of rising conflict the state often does not hold effective control over various regions or groups, resulting in an equally anarchical system in which militarization signifies an increasing likelihood of conflict. Militarization moreover represents a group’s capacity for collective action, which in turn is believed to have a strong predictive capability on future conflict. Some authors furthermore distinguish various types of militarization and arms influx, and differentiate between weapons of war and weapons of personal protection. Finally, increased military expenditure is associated with a decreased spending on social welfare, health and education.

73 Op. cit. note 42, p. 58
75 Op. cit. note 63, p. 557 and 565
76 Op. cit. note 49, p. 8
77 Op. cit. note 42, p. 58
Human rights abuses constitute the third indicator.\(^78\) A high level of human rights abuses increases the likelihood of a violent conflict. The deliberate and systematic denial of civil and political rights increases the likelihood that groups will express dissenting views through violence, thus increasing the probability of violent conflict.\(^79\) Also the denial of socio-economic rights fosters resentment and forms an incentive for conflict. Nevertheless, an analysis of the discouraging status of civil and political rights in countries as Libya, Saudi Arabia and China challenges this argument. Although blatantly denying the rights of freedom of speech, assembly, religion, movement, rights to fair trial and physical integrity, no civil war has emerged. Possibly, the moderately guaranteed socio-economic rights in these countries, especially Saudi Arabia but to a lesser extent China, inhibit the occurrence of conflict. Yet, the socio-economic rights for the black population under apartheid South Africa were fairly guaranteed also,\(^80\) but the gruesome denial of civil and political rights ultimately resulted in a regime change, just in time to avoid a civil war. And in contemporary South Africa, the lack of service delivery, signifying the inability of the government to guarantee socio-economic rights, once again fuels major riots that increasingly turn violent.\(^81\) In conclusion; although this indicator is widely recognized to contribute to early warning models, the precise value of this indicator is unclear. It once again emphasizes the importance of an integrated model. It is the combination of indicators that create a sound predictive model.

The last and fourth indicator often present in early warning models is the internal stability.\(^82\) Low internal stability fosters future armed conflict. The basic contention here is rather straightforward and self-explanatory. As mentioned before, conflicts do not erupt overnight. They are the product of a slow accumulation of friction and hostility.\(^83\) Violent incidents, e.g. the recent mass killings in the city of Jos in Nigeria, massive demonstrations, e.g. those in the city of Teheran in Iran, and open hatred between political or ethnic groups, e.g. that in Rwanda before the genocide, decrease the internal stability and consequently increases the likelihood of civil war.

All these four indicators, namely the history of armed conflict and its aftermath, militarization, human rights abuses and internal stability, are relevant to Southern Sudan. One more indicator is proposed

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\(^79\) Op. cit. note 52, p. 2


\(^82\) CSIS Report: 92 indicators.


\(^83\) Op. cit. note 54
(following criteria 2). While very little used in most early warning models due to its operational difficulties, poor professionalism of the army is believed to be of great importance to the situation of Southern Sudan. The current army predominantly comprises out of former SPLA rebels, many of whom are illiterate. Its professionalism and effectiveness is disputed, and combined with the various reports on human rights abuses and arbitrary killings, the professionalism by the army appears to be an important indicator which should be taken into consideration.

The factor ‘security’ now contains five indicators. The data available allows to effectively use these indicators on the Southern Sudan situation. Consequently, the security situation in Southern Sudan will be based on information concerning the history of armed conflict, militarization, human rights abuses, internal stability, and poor professionalism of the army.

§ 5.2 Economy
As the connection between economic performance and an increased risk for violent conflict is significant, the majority of the studies include economic conditions in their model. The first indicator for economic performance is the economic stability. Low economic stability increases the likelihood of armed conflict. Economic stability is measured by the country’s Gross Domestic Product (GDP). This measurement is believed to be a proxy for state capacity, indicating that rich states are better able to monitor a population and deal with rebellion effectively. Countries with a low or declining GDP are more likely to experience violent conflict. As the economic health of a state is the chief responsibility of the political leadership, citizens facing economic deprivation such as poverty and unemployment are likely to hold the regime responsible for their hardship. Poor economic conditions can consequently undermine a government’s authority. Harff and Gurr (1998) present an interesting dissenting argument. They assert that countries with a high Gross National Product (GNP) and economic stability have greater autonomy to resolve disputes and are likely to deal with challengers as they wish. The lower status countries however are confronted with economic dependency which in turn decreases a state’s ability to oppress internal opponents. Following this line of reasoning, low status countries are susceptible to persuasion by foreign donors to accommodate opposition, which as

84 CSIS Report: 0 indicators
A different but related indicator that is more often used is the civil-military relationship. See: Barton, F. and Hippel, K. von (2008)
86 CSIS Report: 66 indicators
88 Op. cit. note 42, p. 57
89 Op. cit. note 63, p. 561
a result can inhibit the incentive for rebellion. Despite this argument, it is widely recognized that low economic stability and GDP negatively affect the countries stability, and increases the probability of conflict. Harff and Gurr also recognize this, and conclude that greater economic dependence may decrease oppression, ‘other factors considered’.  

Economic inequality constitutes the second indicator. A high level of inequality increases the risk of future conflict. Economic marginalization may provoke frustration and conflict among competing communities and may provide an incentive for rebellion against the government. In criminological research there is not much support that poverty causes revolt. However, there is a strong conviction among academics that inequality does cause rebellion. It is not the depth of poverty that matters, but the differences among the population. Criminologist call this relative deprivation, referring to the importance of the perception of poverty. Economic inequality contributes to social fragmentation, sometimes along ethnic, tribal or political lines, and affects the legitimacy of the state. As such, this indicator is strongly interlinked with political indicators as ‘regimes effectiveness’ and ‘elite’.

Thirdly, the indicator concerning natural resources and dependency on primary commodities such as oil, minerals and water, is of importance. A high level of dependency increases the likelihood of future conflict. There is strong evidence that states with abundant resource wealth perform less, have lower human development and are home to more conflict than their resource-poor counterparts. Notable examples are Angola and Nigeria. In Angola, oil revenues reached $10.5 billion by 2005 and powered a GDP growth of more than 35% in 2007 while simultaneously 70% of its population live on $1 or less a day. In 2007, the country was listed as 161st out of 171 countries for human development. Despite Nigeria’s position as being one of the largest oil suppliers in the world, two thirds of its population live in abject poverty, a third is illiterate and 40% have no safe water supply. The Niger Delta, were most of the oil is extracted, is home to rebel groups fighting the government and the oil companies for control of the resources, and is one of the most dangerous places in Africa. The ‘resource curse’, as this phenomenon is called, instigates poverty and conflict, but the question as
to why this is the case is less agreed on. Economic explanations focus on the notion that international commodities markets are subject to sharp price fluctuations which transfer to the domestic economies, making government revenues unreliable. Political explanations suggest that resource wealth cause a type of short-sightedness among public and private actors. The easy and seemingly inexhaustible access to resources moreover decreases the government’s dependency on taxes for its revenues. As a result, the usual ‘no taxation without representation’ and the checks and balances this assumes are nonexistent, creating a government that is not accountable to its citizens. Those in control are not dependent on the population’s approval of their policies in order to stay in power, denying disgruntled civilians the opportunity to change their situation by political means. This makes a civil uprising more likely. Finally, control over the government implies control over resources, increasing the stakes of power struggles.

The last and fourth indicator is regional and international trade. Low trade is connected to an increasing risk of conflict because it signifies an unfavourable investment climate. This often accounts to corruption, instability and poor infrastructure. The indicator thus reveals political and social risk factors.

The four indicators, economic stability, economic inequality, natural resources and trade, are not all relevant to Southern Sudan. Although Southern Sudan possesses abundant natural resources as oil, minerals, timber and water, as long as it is united with Sudan it is the Khartoum government that is responsible for the trade. Despite its large regional autonomy Southern Sudan does not have executive and legislative powers regarding, among others, customs, excise and import duties. Consequently, there is no real meaning in including the trade indicator. Southern Sudan does have independent regional trade, but Sudan’s statistics do not include data on trade crossing borders in the South. The other three indicators are considered relevant.

Unfortunately there are no official economic statistics available for Southern Sudan. This makes inclusion of the indicator ‘economic stability’ a difficult task. Although information is available for Sudan, no statistics are present for Southern Sudan. The Southern Sudan Commission for Census, Statistics and Evaluation is currently in the process of gathering demographic and economic data, but ‘obtaining such reliable data and building a National Statistical System takes time’. Some authors try to estimate Southern Sudan’s GDP based on the nationwide GDP. The factor ‘economic’ will

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99 Ibid, p. 309
100 CSIS Report: 42 indicators
102 Ibid, p. 8
103 Website Southern Sudan Commission for Census, Statistics and Evaluation: http://ssccse.org/blog/node/58
include only two indicators if ‘economic stability’ is excluded, which from a methodological point of view this is problematic. It is therefore decided to include this indicator and use soft data.

As a result, the economic factor ultimately comprises out of three indicators: economic stability, economic inequality and natural resources.

§ 5.3 Political

The first indicator is the regime type.\textsuperscript{104} Compared to autocracies, democracies tend to improve government performance by subjecting leaders to the discipline of being accountable. Also, they tend to be legitimate and inclusive, as the government is in power by the grace of the majority of the population. This reduces violence as there is less basis for grievances\textsuperscript{105} and increases the difficulty to mobilize violent opposition. According to the democratic peace theory, democracies furthermore benefit from constructive and non-violent means of resolving disputes among states, for example by diplomatic means. Democracies thus are considered to be more peaceful. Various researchers have contested this argument when applied to intrastate situations. They found that whether or not a country is democratic has no impact on the likelihood of a civil war\textsuperscript{106} and support their argument by pointing to the large number of autocratic states that have not been embroiled in civil wars. Others did find democracy to strongly inhibit civil war, claiming that they have the least internal conflict.\textsuperscript{107} The current popular opinion is that the relation between the degree of democracy and the incidence of civil war is a parabolic one. Low scale and semi-democracies (often democracies in transition) are more prone to civil war than full fledged democracies or autocracies. Full fledged democracies provide their population with legitimate channels of dispute resolution, while autocracies are resistant to civil war due to their excessive use of repression, which suppresses dissidents.\textsuperscript{108} Consequently, transitional or ‘semi’ states with political institutions halfway between repressive autocracy and inclusive democracy have the highest level of violent conflict.\textsuperscript{109} In relation to internal stability, these are thus adverse regime types.

A second indicator is the effectiveness of the regime.\textsuperscript{110} States in the process of failure and in the advent of a civil war are often marked by a declining effectiveness concerning the judiciary, law and

\begin{thebibliography}{99}
\item \textsuperscript{105} Collier, P. (2009), Wars, Guns and Votes. Democracy in Dangerous Places. London: The Bodley Head, p. 18
\item \textsuperscript{106} Op. cit. note 85, p. 7
\item \textsuperscript{107} Op. cit. note 85, p. 7
\item \textsuperscript{108} Op. cit. note 42, p. 55
\item \textsuperscript{109} Op. cit. note 85, p. 7
\item \textsuperscript{110} CSIS Report: 58 indicators
\end{thebibliography}
order, societal tensions and repressing, mediating or brokering between varying interests that could result into conflict.\textsuperscript{111}

The international relations of a state constitute a \textit{third} widely used indicator.\textsuperscript{112} Intensive international relations reduces the likelihood of civil war as the indicator is believed to represent the country’s interdependence. On the one hand, dependency on other states decreases the opportunities to violently suppress opposing groups and persuades governments to form participatory and inclusive institutions. On the other hand, it assures a variety of support mechanisms, as third states can act as mediators to the conflict.

The \textit{fourth} indicator is the presence and features of the ruling elite.\textsuperscript{113} The nature of the relation between the elite and the overall population is of importance. In many African states, political activity signifies the most important way of securing personal power and wealth.\textsuperscript{114} When elites favour certain ethnic or tribal kinships, grievance among other groups occurs. Related to that, the fragmentation and competition within the governing elites follows. This can lead to a power struggle within the elites and rising challenges by groups seeking to improve their status.\textsuperscript{115}

The three indicators regime type, regime effectiveness and ruling elite are of importance for Southern Sudan. The indicator international relations is also important, but will nevertheless be excluded. Although Southern Sudan has regional autonomy and even has liaison offices in various African countries, the international community still conducts the majority of their international relations with the Sudanese government. In fact, Southern Sudan does not have executive and legislative powers regarding foreign affairs and international representation.\textsuperscript{116}

A new indicator, regime legitimacy, will be proposed. Similar to the previously proposed professionalism of the army, regime legitimacy is not often included due to operational difficulties. Also, the indicator has some overlap with the indicator concerning the ruling elite. Despite these obstacles this indicator is assumed to be of considerable importance to the situation in Southern Sudan. The Government of Southern Sudan is troubled by fierce allegations of being a SPLM/A and Dinka dominated regime, thereby excluding numerous other tribes such as the second largest Nuer tribe and the Murle and Shilluk tribes. The same accusations are reflected in the SPLM/A itself, recently leading to the establishment of the new political party SPLM-DC under leadership of former SPLM/A politician Lam Akol. Interestingly, the questionable legitimacy and lack of inclusions of the Southern

\begin{thebibliography}{116}
\bibitem{111} Op. cit. note 49, p. 7
\bibitem{112} CSIS Report: 50 indicators
\bibitem{116} Op. cit. note 63, p. 561
\bibitem{117} Op. cit. note 101
\end{thebibliography}
regime mirror that of the Northern regime, which was one of the main causes of the North-South conflict. Following the above, the indicator regime legitimacy will be included.

The factor ‘political’ now includes four indicators. It is estimated that the available reliable information is sufficient to include these indicators in the model. Consequently, this factor comprises out of regime type, regime effectiveness, regime legitimacy and ruling elite.

§ 5.4 Social

The first indicator is the either heterogeneous or homogeneous formation of the society. Highly heterogeneous societies have an increased likelihood of violent conflict. Heterogeneity, often assessed by the cultural and ethnic composition of a state, is one of the indicators most consistently implicated in civil wars, and represent group incentive for rebellion. Heterogeneous societies are less likely to reach a consensus among different cultural or ethnic groups, and are more likely to face social and ethnic cleavages and exclusion, possibly resulting into grievances among communities. Some authors mention that grievances are also present in societies that are not entangled in civil war, and view grievance as an effect rather than a cause of war.

Education is a second indicator. The higher the percentage of educated people among the population, the less likely civil war is to erupt. The underlying assumption is that educated citizens are aware of their civil and political rights and are familiar with available means to ensure these rights. As a consequence, they are less prone to resort to violence.

The third indicator is the refugee, internally displaced persons (IDP’s) and returnees flow. Large refugee and IDP flows have a destabilizing effect on the country, as they disrupt social bonds, pressurizes institutions and have a negative effect on living standards. Also, the manner in which returnees are received and accommodated is of significance. For example, the settlement of land claims is of importance.

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117 CSIS Report: 41 indicators

The three indicators are of importance to the Southern Sudan situation. Also, the amount of reliable information is sufficient. The factor ‘social’ consequently consists out of three indicators: hetero/homogenic society, education and refugee / IDP / returnee flows.

§6 The predictive model

From the paragraph above the model to measure the probability of violent conflict within Southern Sudan materializes. The indicators presented are thought to signify those indicators most viable to contribute to the model’s predictive value. The author is aware of the fact that many more indicators exist. However, those presented here are considered to be most significant for the situation in Southern Sudan. Also, it is beyond the capacity of this thesis to include all indicators that may potentially have a predictive quality. This furthermore would subtract the clarity of the model, which is problematic from a methodological point of view.

The indicators are described in a way to specify their relation to intrastate war. A higher rating of the indicator indicates an increased probability of intrastate war.

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<th>POLITICAL</th>
<th>SOCIAL</th>
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<td>History of Armed Conflict and Continuation Root Causes</td>
<td>Economic Instability</td>
<td>Adverse Regime Type</td>
<td>Heterogeneous Society</td>
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<td>Militarization</td>
<td>Economic Inequality</td>
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<td>Human Rights Abuses</td>
<td>Dependency on Natural Resources</td>
<td>Regime Delegitimacy</td>
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In Part III the factors and their accompanying indicators will be applied to the situation in Southern Sudan. In order to do this efficiently the indicator needs to be placed in a context. No clear guidelines on how to do this exist. Various methods are possible, but it ultimately relies on every specific situation on how to proceed. One possible method is to analyze the temporal context: how does the presence of the indicator change over time. Another method is the qualitative context: how strong is the presence of the indicator. A combination of both would be the most favourable option, as this
allows for a nuanced trend line. Unfortunately it is not possible to establish a trend line for Southern Sudan. The first reason is that no reliable data are available for most indicators regarding the situation in Southern Sudan before the year 2000/2005, as is often the case in conflict areas. The second reason is that especially the political situation in contemporary Southern Sudan is significantly different from the situation before the 2005 peace agreement that this cannot lead to a reliable trend line. For example, there regime ineffectiveness and delegitimacy cannot be assessed before 2005 since there was no government of Southern Sudan before that time. Due to the fact that there are no reliable data available and that the unique situation of Southern Sudan does not allow for many indicators to be compared to the situation in the past, it is not the temporal context that will be utilized to place the indicators into context. However, attention will be given to the development trend of some of the indicators when possible. Notice should be given to that fact that a development trend itself does not allow for a nuanced image of the situation. A stable development trend for example does not signify the seriousness of the situation, leaving the development trend somewhat deceptive. In the situation of Southern Sudan it will become apparent that the main reason for some of the stable development trends is the results from the reality that it cannot get much worse, rendering any positive judgement void.

Instead of using the temporal context, the qualitative context will be utilized. The qualitative context will be analyzed by assessing the indicators according to a rating scale. By doing so the degree to which the indicator is present will become apparent. The presence of an indicator and even the extent to which it is present is always relative, and subsequently becomes more meaningful when compared to other situations. Therefore these comparisons will be made when possible and most ideally to both a situation which is highly prone to conflict (for example Somalia) and would have a high score on the indicator and one which is highly adverse to conflict (for example Sweden) and would have a low score on the indicator. It should be noted that due to the lack of standardized data (such as GDP) on Southern Sudan even comparisons are not always possible. The author is highly aware of the severe restrictions this imposes on the reliability of the analysis on the probability of intrastate war. This thesis will work with the data available however, thereby not claiming to provide an incontestable assessment of the future of an independent Southern Sudan, but attempting to change the underresearched and underconsidered situation in Southern Sudan.

The rating scale will be as follows: very low, low, medium, high, very high. A very low rating refers to a situation in which the indicator is not present at any level. When an indicator is rated as low the indicator is present at some minor level(s) but not in a considerable amount. A medium rating signifies that the indicator is notably present and influences the situation. An indicator that is rated as high means that the indicator is significantly present in the situation. A very high rating refers to a situation in which the indicator is omnipresent.
Although the rating scale gives a more nuanced image and indicates the seriousness of the indicator, it does not result into a formula for answering the question if Southern Sudan will resort to intrastate war or not. It is for example not the case that with seven or more ‘very high’ scores Southern Sudan will face a future of war. Even saying that with a majority of the indicators rated as ‘high’ Southern Sudan will resort to war is hazardous. Early warning is not a science, and it definitely is no maths. Trying to predict a future scenario remains highly speculative, even when an early warning model is employed. However, what the developed model and its integration with the situation in Southern Sudan can do is provide a scenario that is considered to be more likely than the adverse scenario. And it is this scenario that will be used to answer the research question.
Children in Juba, Southern Sudan
Photo: Anne Schuit
PART III       ANALYZING THE SITUATION IN SOUTHERN SUDAN

In this section the situation in Southern Sudan will be analyzed based on security, economy, political and social factors and the indicators of the early warning model that was developed in Part II. After assessing the presence and the quality of the indicator in the Southern Sudanese context, the indicator will be ascribed a weight according to the rating scale as presented in the former chapter: very low, low, middle, high, very high.

§ 1 Security

The factor Security comprises out of five indicators: history of armed conflict and continuation root causes, militarization, human rights abuses, internal instability and the poor professionalism of the army.

§ 1.1 History of Armed Conflict and Continuation Root Causes

A history of armed conflict increases the probability of new conflict for two reasons. First, the root causes of the conflict may continue to exist despite the fact that the war is over. The events leading up to the end of the war may indicate if this indeed is the case. For example, an effective solution where all parties agree with each other is likely to cause less reasons for the continuation of the root causes of the conflict than the defeat of one party by the other. Also important is the way a society aims to transform itself, if the perpetrators of war crimes and human rights abuses are dealt with according to cultural norms of justice and whether previously rivalling groups are reconciled. Transitional justice plays an important role here, as it functions as a healing process to enable the process of a regime of violence to a more sustainable peace in society.  

...Second, the occurrence and effect of a history of armed conflict is important because the social, economic, political and security infrastructure may have been destroyed, increasing the difficulty of rebuilding a functional state. As a dysfunctional state is more prone to conflict, these effects of prior armed conflicts are of importance.

124 For more information on transitional justice see the website of the International Centre for Transitional Justice: http://www.ictj.org/en/index.html
Southern Sudan has a long history of armed conflicts, both between the North and the South as within the South. When analyzing the first reason why the history of armed conflict is of importance, namely the continuation of the root causes of the conflict after the war is over, only the intra South fighting is relevant as it is the root causes hereof that may once again revive intra South conflict.

A history of armed conflict within the South has been part of Southern Sudan’s long history and dates back even before independence. The fighting was primarily organized around ethnic and tribal lines, with conflict among but sometimes also within ethnic groups. These conflicts usually centred around cattle and grazing land, with rivalling ethnic or tribal Southern groups raiding each other’s cattle and abducting women and children in the process. With the onset of the North-South war in 1955 the attention of the Southern groups shifted from rivalries with other Southerners to the Northern enemy. Although factionalization and hostilities among Southern groups persisted, Southerners increasingly started to unite, leading to the establishment of the SPLM/A in 1983. Realizing the importance to unite, the attention on the intra South fighting decreased and the common resistance of factionalized Southern groups against the North seemed to lessen the intra South rivalries. It is difficult to say if the number of conflicts and fatalities of intra South fighting indeed decreased, as no research has been done on this topic. It is clear however that the events leading to some degree of cooperation have not been instigated by a solution to the causes of the intra South rivalries, but by the distraction of a new enemy: the North. Increased cooperation was thus not the result of the elimination of causes for conflict, meaning these causes still persist. Nevertheless, one could perceive the existence of the SPLM/A as an effort to reconcile the various rivalling groups, as the party proclaims to be the Southern voice against the North. The fact that the SPLM/A is a Dinka dominated party contests this image however. And also after the establishment of the SPLM/A Southern groups continued to fight each other, with a major violent conflict between the Dinka and the Nuer being the most predominant. Despite the great number of atrocities committed by various Southern groups to various Southern groups no effort has been made to bring to justice the perpetrators of these crimes, resulting in a de facto amnesty. Considering the above, it is very likely that the root causes of the conflicts among Southern groups have continued to exist. This is substantiated by the fact that ethnic and tribal fighting have increased in the recent years.

Analyzing the second reason why a history of armed conflict is of importance, namely because post-conflict governments may be less capable of inhibiting new conflicts from emerging due to the enormous task of re-establishing the social, economic, political and security infrastructure, the war between the North and the South is also of significance. This war lasted for over 50 years and thus had

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126 Much of the internal fighting in the South has centered around conflict between the two largest ethnic groups: the Dinka and the Nuer. However, there is also tribal conflict within these ethnic groups, with for example various Dinka tribes fighting each other.
a tremendous impact on the just mentioned infrastructures. Even though the destruction of this infrastructure for a large part can be attributed to the North-South war, it affects the capabilities of a constructive approach to the Southern internal animosities. Indeed, the long history of conflict has wiped out many of societal building blocks, and the deterioration of the people’s livelihoods as a result of the long war fosters growing tensions.\textsuperscript{127} It has left the South furthermore with virtually no road infrastructure, hindering trade, hardening the organization of credible elections and decreasing the ability of the security apparatus to enforce order. Also, sectors such as education, health and the judiciary have severely deteriorated during the war. It is up to the current government, one that was previously exclusively focused on achieving military and strategic goals, to rebuild these destroyed infrastructures amidst a society featured by internal tensions.

The development trend for the ‘history of armed conflict and continuation of root causes’ is rather stable. The root causes of conflicts within the South were present when the attention shifted more to the common enemy the North, and still persist. In addition, the cause for conflict has expended from mere cattle raiding to ethnic fighting. The development trend thus seems to be deteriorating. In can be concluded that the causes for the history of armed conflict in the South continue to exists in contemporary Southern Sudan. Furthermore, the presence of past conflict has created unfavourable conditions for effective and constructive governance. Considering the strong presence of both the first and the second reason why a the occurrence and effect of a history of armed conflict is of significance, this indicator is rated as: very high.

\section*{§ 1.2 Militarization}

Militarization can be present at two levels: on a government/state security level and on a civilian level. When analyzing militarization on the level of the state, what is important when assessing an increased probability of renewed conflict is the assumption of political power by the military, the state’s level of military spending (the budget that is spend on defence purposes), the proportionality of this spending as compared to other sectors such as education and health, and the supply of arms. What is considered when analyzing militarization on a civilian level is the arms supply among civilians and the presence and effect of disarmament, demobilization and reintegration (DDR) programmes.

The government of Southern Sudan can be considered to be a military government. Significant is the fact that the South’s military, the SPLA, is extensively and deeply connected with the SPLM. In its turn, the SPLM is practically synonymous to the government as it is the only party in the GoSS (Government of Southern Sudan). Military spending would be best analyzed based on the percentage

of the Gross Domestic Product (GDP) spend on security, but unfortunately no data on GDP is available. What is known however is that the human, material and financial resources of the GoSS have largely been devoted to security and military purposes, with the Sudan’s People Liberation Army (SPLA) receiving the largest share of the GoSS’s budget. For the period between 2008 and 2011 the GoSS expects to spend a total of $2,403 million on security (38.1% of the total amount), with infrastructure (such as roads) being the second priority ($1,799 million, 28.5%), followed by education ($916 million, 14.5%), health ($825 million, 13.1%), production ($229 million, 3.6%) and rural water ($138 million, 2.2%). Notice should be given to the fact that the GoSS’s expected spending on infrastructure simultaneously holds security benefits, as the ability of the army to be able to travel the region is of considerable military significance. It is not precisely clear what the primary focus of the education spending is. If this includes the greatly needed education of the armed forces, such as reading and writing, this again changes the meaning of the above data. The exact amount spend on military and security purposed could thus be larger. It is important to realize that the numbers and percentages mentioned here help create an image of GoSS’s spending, but can be misleading. Albeit recognizing this, it is notable that compared to for instance education and health, the government’s spending on security is considerably large.

Whether the large amount spend on security is also disproportional is a more complicated question, as this depends on an objective analysis of the threat to the South’s security situation. Information on this is not available. Whether the spending is excessive or modest as compared to other (post) conflict regions is extremely difficult to analyze as well since it cannot be established how much percentage of Southern Sudan’s GDP is reserved for security. As mentioned previously, no GDP data is available. Note that it is not possible to derive any economic measurement such as GDP from the above numbers on GoSS’s expected expenditure. These numbers indicate the amount needed for the various purposes and do not imply anything about the government’s revenues. In fact, (large) parts of the required amounts are expected to be financed by the international community.

Now that comparison between countries based on the percentage of the GDP spent on security is impossible, one could try to compare the crude numbers of $ millions spend on security per country. Comparisons based on crude numbers is rather useless though, as this does not allow for an understanding of the relative magnitude

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131 It is not possible to derive any economic measurement such as GDP from these numbers as these numbers indicate the amount needed for the various purposes. It does not indicate GoSS’s possible expenditure, and (large) parts of the required amount are expected to be financed by the international community.
132 In fact, the data presented here has been subtracted from information given by the Government of Southern Sudan to international donors in a plea for financial assistance.
of the spending. Also, comparing Southern Sudan’s $2,403 on security (4 year time period from 2008 to 2011) to for example post conflict Rwanda’s $190.5 on security (4 year time period from 2005 to 2008) is a ludicrous comparison as it, apart from the GDP, does not take into account variables such as population size and geographical area size. In conclusion, GoSS’s expenditure on security seems considerably high as compared to its spending on other domains as educations and infrastructure, but it is not possible to make a clear analysis on whether it is excessive or modest when compared to other countries.

The supply of arms on the state level is significant. According to a report from the Small Arms Survey, an organization monitoring global arms trade, Southern Sudan has acquired a large arsenal of weapons from 2007 to 2009, ranging from Soviet-era battle tanks and anti-aircraft guns to rocket launchers and AK-47 assault rifles. Added to that is the large amount of weaponry already in possession of the South due to the conflict with the North.

Considering these factors it can be argued that on a state level there is considerable militarization. An important question is what the incentive for this militarization is. It is frequently argued that it is the perception that the North-South conflict may revive. As mentioned previously, Southern politics are primarily focused on the animosities with the North, thereby neglecting intra South dynamics. Despite the fact that the militarization on government level is linked to a focus on the North, the implications for intra South clashes are significant because of the absence of financial resources left to develop the South and the presence of weaponry in the Southern society. What is more, even though the resources are spend on military means to fight the North, these means are of course indiscriminate: weaponry can be utilized in any other conflict as well. Realizing this in context of the current situation of the SPLA, the militarization is rather worrying. Notwithstanding the fact that the SPLA is the official army of the South, it still comprises out of a multitude of Southern factions. Dinka SPLA soldiers in general adhere to their Dinka commanders, mistrusting authority from another ethnic group. Nuer SPLA soldiers follow orders from their Nuer commanders, and so every ethnic group in effect has its own distinguishable sub-army and command, each ensuring their own loyalties for their own interest. If the hostilities between these ethnic and tribal groups escalates the chance that the SPLA will fall apart is significant, creating a scenario in which every subgroup will confiscate the military means already in possession, which subsequently will be used for their own cause:

132 For example, a year’s spending of $900 million on security is incredibly large for a state with for example a $1.446 billion GDP (which was Liberia’s GDP in 2007, see the CIA World Factbook on Liberia), but would be extremely small for a state with for example a $2.158 trillion GDP (which was France’s GDP in 2007, see the CIA World Factbook on France).
133 stockholm international peace research institute (SIPRI)
134 Which in case of Southern Sudan would be even more complicated as both the population size and the size of the geographic area of Southern Sudan are disputed aspects.
137 Note here that although the factions are organized around tribal and ethnic lines, the instigators of violent clashes are often political and military figures that aim to pursue their own political and economic agenda.
'You would be very craze if you, as a militia leader who integrated into the SPLA, wouldn’t make sure to be prepared. And you don’t really need anything new. You already have it, the normal weaponry.'

That the threat of factions defecting from the SPLA is real has become clear just recently, when in Southern Sudan’s Jonglei state the former SPLA Deputy Chief of Staff General George Athor rebelled against the GoSS and clashed with the SPLA four times during the first two weeks of May 2010.

The militarization of Southern Sudan is also present on a civilian level. First of all, a large proportion of the Southern Sudanese (male) population has been involved in active fighting and has received a certain form of military training. According to one researchers, almost 90% of the people in Southern Sudan have received some form of military training by the SPLA. Second of all, the long civil war has left a legacy of a proliferation of small arms.

‘In the state of Jonglei there has been tribal clashes that has claimed more than 500 people. More than 500 lives. It happened only for two days. You can imagine what kind of ammunitions they are using. They are using artilleries, heavy weapons. That is the situation of security in this land’

These weapons have been used in the fight against the North as well as for the assault of adversary tribes and ethnic groups within the South. Whatever the reason of the proliferation of arms in the South, the weapons are now primarily used for rivalries between communities. ‘There are too many weapons in civilian hands. The tribes are killing themselves’ says a Lou Nuer leader. Indeed, the Lou Nuer are locked in conflict with the Bor Dinka and Murle, attacking each other with spears as well as automatic weapons.

DDR programmes exist, but are ineffective. Apart from the selective disarmament of communities who supported the North during the last civil war and who are perceived as potential enemies during a possible next North-South was, there is little political will to disarm groups. In most instances disarmament leads to violence. This is not only because the targeted groups violently protest the disarmament, but also because the neighbours against whom they have been fighting for decades are not disarmed at the same time or at all, leaving communities vulnerable to attacks from their rivals.

The strong resistance against disarmament also relates to the ineffectiveness of the state to provide security for the people and the fact that perpetrators are not prosecuted. With the state failing to protect...
its people, people have started to organize themselves, resulting into a situation of self-help. In general, the disarmament efforts appear to have exacerbated insecurity and stoked tensions among rival and neighbouring tribes.\textsuperscript{146} In 2006 a disarmament campaign in Jonglei state resulted into an estimated 1,600 deaths,\textsuperscript{147} whereas in May 2010 twenty-four people were killed when cattle raiders from a community in Unity state that yet has to be disarmed attacked herders in the already disarmed Warrap state.\textsuperscript{148}

It can be argued that militarization in Southern Sudan is present on the level of the state as well as on the civilian level. The relative militarization on especially the state level is difficult to assess though, as GoSS’s expenditure on security cannot be compared to that of other (post-conflict) countries. It is suspected that militarization on the state level is mainly motivated by the animosities with the North, but this does not prevent the negative implications for the situation in the South. Assessing militarization on a civilian level it can be assessed that militarization among civilians is due to the conflicts among Southern groups, and remains very high. In that sense the development trend seems to be stable, as it cannot can get much worse. The significant level of militarization on both levels, state and civilian, leads to a rating of this indicator as: very high.

§ 1.3 Human Rights Abuses

Human rights comprise out of three distinguishable rights. First generation rights are the civil and political rights such as the right to life, physical integrity and freedom of religion and vote, and are commonly considered as the core human rights. Second generation rights are the socio and economic rights such as access to water, food, housing and social security. Third generation rights are relatively new in their universal recognition and constitute environmental, development, cultural and language rights.\textsuperscript{149} Notwithstanding the fact that second and third generation rights are of great importance, the focus here is predominantly on civil and political rights as these are most fundamental to human dignity.\textsuperscript{150} Also human rights organizations in Southern Sudan almost exclusively focus on these rights and especially their violations, and have not come to work on socio economic rights yet.\textsuperscript{151} In addition, the capacity of a state to ensure socio and economic rights often follows the path of development,

\begin{itemize}
  \item \textsuperscript{146} Op. cit. note 10
  \item \textsuperscript{147} Op. cit. note 36, p. 12
  \item \textsuperscript{148} Reuters AlertNet (2010). ‘South Sudan raids kill 24 as secession vote nears’. Retrieved on 10 May 2010 from: http://www.alertnet.org/thenews/newsdesk/MCD669339.htm
  \item \textsuperscript{149} The African Union in particular greatly appreciates the third generation rights and has adopted these rights in the African Charter. For more information on third generation rights see also the website of the Constitutional Court of South Africa: http://www.constitutionalcourt.org.za/text/rights/bill.html#First
  \item \textsuperscript{150} The rating of civil and political rights as the core human rights can be debated however. Critics argue the relative importance of for example the right to vote (as ensured under civil and political rights) for people who do not have access to food, water or shelter (as ensured under socio and economic rights).
  \item \textsuperscript{151} Interview with Jehanne Henry, researcher for Human Rights Watch in Southern Sudan, April 2009.
\end{itemize}
meaning that the access to for example food and potable water and housing improves when a region starts to develop. In the (post-conflict) context such as in Southern Sudan this is not yet the case.

According to the annual Freedom House country reports on Sudan, both the North and the South committed human rights abuses during the civil war. It is suggested by some authors that this accounts for the exclusion of accountability for wartime abuses in the CPA.\(^{152}\) Focusing on crimes committed by the South, the violations range from extrajudicial killings by the SPLA to abducting civilians and the use starvation as a means of combat, to using child soldiers and systematic denial of civil and political rights.\(^{153}\)

'We have identified different cases of ill-treatment and torture by the security forces, basically by the SPLA and Southern Sudan police service, but basically the SPLA'\(^{154}\)

At the time of the signing of the CPA there was virtually no respect for the basic human rights and fundamental freedom in the Southern region, with severe restrictions on freedom of opinion, expression, speech, assembly and association.\(^{155}\) In the years following the signing of the peace agreement the situations has improved, with Southerners now enjoying more freedom, for example regarding freedom of religion and freedom of speech. The SPLM/A furthermore abolished its use of child soldiers. A large number of child soldiers have been demobilized. In June 2006 this was a total of 1013 children formerly aligned the SPLA as well as other groups in the South.\(^{156}\) Forced servitude has now been abolished, and reintegration programmes have been put into place. Accounts of SPLA soldiers being involved in random killings still occur, but no longer on a large scale.

The last year however has seen a deterioration of rights, most notably political rights, once more, possibly due to the elections. In March 2010 Southern Sudanese security forces raided the Bakhita FM and Liberty FM radio stations and arrested and intimidated the stations' two directors. The GoSS furthermore has deliberately limited the ability of opposition parties to campaign freely, using intimidation and detainment of opposition members by the SPLM and the SPLA. In January 2010 three candidates of the newly formed SPLM-DC were beaten up, arrested and detained long enough to make them miss the deadline for submitting applications for candidate nominations. An independent candidate for governorship in Central Equatoria was harassed and detained in March 2010,\(^{157}\) and


\(^{153}\) Op. cit. note 10, p. 3 and op. cit. note 2, p. 171

\(^{154}\) Interview with the United Nations Mission in Sudan, Human Rights Unit, April 2009

\(^{155}\) Op. cit. note 10, p. 3

\(^{156}\) Op. cit. note 36, p. 15

\(^{157}\) Op. cit. note 10
during the elections many independent and SPLM-DC candidates as well as voters have been intimidated, harassed and arrested.\textsuperscript{158}

Analyzing the human rights in Southern Sudan it can be concluded that the situation is improving, most notably regarding extrajudicial killings and child soldiering. However, the human rights abuses committed by the government and its security forces are still taking place, most notably in the political sphere. The violation of political rights has deteriorated in the running up to the elections. Considering this, the indicator is rated as: medium.

\textbf{§ 1.4 Internal Instability}

Internal instability increases the probability of intrastate war because it indicates the presence of tensions, grievances and/or hostilities that ultimately can lead to civil war. Internal instability can occur both on a ground level and on a state level. The former refers to civilians, the latter to the governmental/political sphere. This distinction is not always useful however, as the instability among civilians can be traceable to governmental structures and political figures and their disputes. The focus here will be on the occurrence of recurring violent confrontation among Southern groups.

On a civilian level, violent confrontation between groups has featured the Southern region even before the independence of Sudan,\textsuperscript{159} and continues to feature contemporary Southern Sudan:

\textit{‘There is fighting related to tribes. There is fighting related to culture, those who are keeping animals. We had them already before the war (the North-South war, red.), it was already there, and it will not finish. Even if there is no gun, they will still fight’}\textsuperscript{160}

\textsuperscript{158} SPLM-DC Email Message on 29 April 2010
\textsuperscript{160} Interview with Paul Biel Otoang of the Nile Hope Development Forum in Southern Sudan, April 2009
The confrontations centre around conflicts over cattle and grazing land, with adversary tribes raiding each other’s cattle and on a few occasions abducting women and children. Over the last few years the nature of the conflicts has changed. Ethnic identities have become increasingly important. Rivalling ethnic groups not only steal each other’s cattle but increasingly aim to eliminate the other group. Some professionals interviewed in Juba in 2009 voiced their concern that the conflicts now bear clear signs of ethnic cleansing:

‘The type of violence, it has evolved from cattle raiding to something like ethnic cleansing. Deliberate targeting of civilians, women and children in particular, along ethnic lines, depopulating areas, burning villages. That is the nightmare scenario, disintegration and eruption of conflict along ethnic lines. (...) They fear a Somalia type, complete collapse or disintegration of central authority’. 161

Also Pax Christi notes that the conflicts increased both in quantity and nature. 162 In 2009 the violence among Southern ethnic groups increased significantly. At least 2,500 people were killed in ethnic clashes. 163 Moreover, the conflicts were fought with unusual weaponry such as automatic weapons as AK-47’s, machine guns and rocket-propelled grenades 164 and resulted into unusual high casualties among women, children and the elderly. 165 Also this year, 2010, it is ethnic as well as tribal affiliation that continue to be the lines along which hostile groups organize themselves, with 450 people killed during the first three months of 2010 due to inter and intra ethnic conflict within the South, and 60,000 people displaced. 166

Under the influence of the North-South war the conflicts between the Southern groups has changed in paradoxal way. On the one hand the focus on the common enemy the North increased the cooperation between the different Southern groups, with the establishment of the SPLM/A as a good example hereof. On the other hand, ethnic and tribal affiliation became politicized over time, with smaller tribes being concerned about political and economic marginalization by the larger tribes, ethnic groups being concerned about political and economic marginalization by other ethnic groups, and with political figures manipulating these tribal and ethnic identities for their own benefit. 167 Here it is clear that the civilian and state/political level entwine with one another. Conflicts among civilian groups have implications on the political level, and conflicts between political figures disseminate to the ground level. For example, elders in various ethnic communities recognize that the fighting among Southern groups has worsened and see this as the product of the personal ambitions by the leaders of factions

161 Interview with David Lochhead from the United Nations Development Programme Southern Sudan, April 2009
162 Op. cit. note 9
163 Op. cit. note 152
165 Op. cit. note 9, p. 7
166 Op. cit. note 10, p. 5
within the SPLM/A.\textsuperscript{168} A notable example of the effect of these personal ambitions is the split by Riek Machar (Nuer) and Lam Akol (Shilluk) from the SPLM/A in 1991 and the establishment of an opposing party, the SPLM/A-United,\textsuperscript{169} which led to violent conflict between the Dinka and Nuer ethnic groups. Although the leaders attributed the split to a desire for a more democratic SPLM/A and a struggle for an independent Southern Sudan (the SPLM/A at that time proclaimed unity to be the most desirable option) it is widely recognized that they were predominately motivated by dissatisfaction with the Dinka domination in the SPLM/A and the desire to gain more power themselves.\textsuperscript{170}

The Khartoum government in the North has played a great role in the hostilities among Southern groups, as it aimed to destabilize the South by arming adversary ethnic and tribal groups. ‘Let the Southerners fight each other and we will make peace with whomever remains’ said a government official in Khartoum.\textsuperscript{171} Indeed, Southern groups, predominately the Dinka and the Nuer, have invested a very large proportion of their time and energy in fighting each other, rather than combating the Khartoum government.\textsuperscript{172}

SPLMA as well as SPLA officials who at times break away and rebel against the SPLM/A are another sign of instability on the governmental level. In June 2009 Lam Akol again defected from the SPLM/A to form the SPLM/A’s only opposition party, the SPLM-DC (Democratic Change). The relations between the two parties are cold at best, with the SPLM/A trying to prevent the SPLM-DC from occurring because the party would have a destabilizing effect on the South, and the SPLM-DC calling a news message by the SPLM/A as ‘an utter lie driven by sinister motives’.\textsuperscript{173} The rebellion of former SPLA Deputy of Staff General George Athor against the SPLM/A in May 2010, just after the elections, is the another example, and at the time of writing yet another group has taken up arms to challenge SPLM/A’s dominance, resulting into fighting and the evacuation of aid workers in Jonglei state.\textsuperscript{174} In the future, after the referendum, further fragmentation cannot be ruled out:

‘Take Riek Machar (the current vice President of Southern Sudan, red.) for example. He is very much in favour of SPLA’s policy to be prepared for the possible next war against the North. At the same time he makes sure that his people, he is a General and has his own units, are prepared for possible

\textsuperscript{168} Op. cit. note 125, p. 172
\textsuperscript{169} Op. cit. note 125, p. 165
\textsuperscript{170} One of the arguments given for this reasoning is the fact that the SPLM/A-United greatly collaborated with the Khartoum government, who supported them in their violent struggle against the SPLM/A. This is contrary to their claim to fight for independence. Also, their desire for a more democratic party seemed to be false, as they protected the great autonomy of army officials in the field. This autonomy had led to many incidents of extra-judicial killings.
\textsuperscript{171} Op. cit. note 125, p. 166
\textsuperscript{172} Op. cit. note 128, p. 20
\textsuperscript{173} SPLM-DC Email Message on 5 May 2010
fighting against Salva Kiir’s people (the current President of Southern Sudan, red.), he’s also a General and also has his own people. And so does Paulino Matib. And so does everyone else.\textsuperscript{175}

The shared desire to make it to the referendum seems to be the glue that withholds the highly factionalized groups from further alienating from each other.

‘People are keeping a low profile now and work for a common aim: secession. After that they will go their own way. They are different groups who formed a coalition. They decided that ‘we need independence’ and work for that together. After independence has reached they will go back to being different groups again.’\textsuperscript{176}

The internal stability on a civilian as well as state level has seriously deteriorated over the last 50 years. Especially in the last few years internal conflicts have increased, with a death toll of 450 and 60,000 people displaced during the first few months of 2010. The conflicts have become more serious in terms of casualties and frequency. Also the nature of the internal instability has altered, with ethnic identities becoming increasingly important. Analyzing this situation it appears that the opposing groups at present form a very fragile united front against the North. The unity that remains seems to be motivated solely by the realization that only a united Southern Sudan is strong enough to ensure that the South will be granted its 2011 referendum.\textsuperscript{177} Consequently, the unity that still exists is fragile. Considering this, the indicator internal instability is rated as: very high.

§ 1.5 Poor Professionalism of the Army

The indicator poor professionalism of the army is hardly included in any early warning model because of the difficulties of pointing out the exact criteria. Due to the fact that the SPLA is widely criticized and by some authors perceived to be a threat to the internal security of the South,\textsuperscript{178} the indicator seems to be of importance and is thus included. To rate the indicator the legitimacy of the army is assessed, as well as the effectiveness, discipline and education of army personnel.

\textsuperscript{175} Op. cit. note 138. Translated from Dutch.
\textsuperscript{176} Interview with a member of the SPLM, April 2009
\textsuperscript{177} Op. cit. note 6, p. 19
The Sudan’s People Liberation Army (SPLA) has been a rebel movement for over 20 years, turning into the South’s official army with the signing of the 2005 peace agreement. In that year the size of the army was estimated to be somewhere in between 30,000 and 40,000 troops, or up to 80,000 if the reservists were also included, but this was a very rough and unreliable estimate as in fact no one, including the SPLA and the GoSS, knew the exact size. It was also not known how many people were employed by the SPLA (‘troops’ refers to a unit, not to the number of people). This makes a comparison to the size of armies in other (post) conflict regions impossible. As of 2005 the GoSS has aimed to downsize the army because the large number of troops hindered efficiency and effectiveness. The current army size should thus have decreased, although, again, official numbers are lacking.

Due to its strong political lineages to the SPLM and the accusations of Dinka domination not all Southerners agreed with the status of the SPLA as being the official army, contesting it to be the legitimate Southern army. Despite outright hostilities between these groups and the SPLM/A, the majority of them eventually reconciled and were formally integrated into the SPLA. The SPLA however still cannot be looked upon as a united army. It rather is a collection of former militias and ethnic groups that constantly balance between collaboration and animosities. ‘The SPLA is a patchwork of guerrilla militia’ as one researcher explains it. The great division in the army troubles its effectiveness and simultaneously continues to undermine its legitimacy, although this latter critique at the same time is diminished by the very fact that the SPLA comprises out of various groups (albeit predominantly a negative aspect due to the danger of fractionalization).

The army’s incapability to protect civilians during ethnic and tribal fighting seriously questions the SPLA’s effectiveness. The SPLA for some time had a policy not to intervene in these conflicts, arguing armed civilians on occasions outnumber and outgun the soldiers. Indeed, SPLA soldiers have come into conflict with armed civilians on many occasions. In June 2009 soldiers came under attack from armed Nuer groups in Upper Nile state, resulting in over 40 deaths. If being allowed to intervene, Lou Nuer SPLA soldiers would have joined the attackers based on their ethnicity the GoSS said, and some did despite the orders. A possible cause of the ineffectiveness of the army is the little knowledge among SPLA officials of the importance and methods of protecting civilians from conflict. This is not surprising considering its history as being a rebel movement, which requires entirely different values and priorities from its members, who as a consequence acquire a very different set of skills than those trained in an army focused on protection. The lack of money,

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179 People normally engaged in agriculture and mobilized only to defend local communities or engage in large-scale offensives.
180 Op. cit. note 128, p. 20
181 Often referred to as OAG’s: Other Armed Groups
185 Op. cit. note 36, p. 2
structures and qualified individuals make the transformation process from rebel movement into a state military all the more problematic. A majority of the SPLA soldiers moreover is uneducated, with many soldiers being illiterate. The GoSS struggles to pay the salaries of the SPLA, seriously undermining the soldiers’ discipline and motivating some SPLA soldiers from former other factions to defect and join Northern forces and creating a situation of lawlessness.

The domination of the Dinka’s in the SPLA, especially in high positions, severely undermines the SPLA’s legitimacy. Also it’s sometimes active role in committing human rights abuses contributes to this. In February 2009 for example more than 30 civilians were killed as a result of abuses by SPLA soldiers. In a report the UN expresses its concern that this lawlessness has been seen as ‘the most serious concerns related to security in the South’ and that the crimes committed lead to increased tribal clashes as the Dinka as an entire group are blamed for SPLA crimes due to the before mentioned Dinka domination in the SPLA at large. Other problems are a number of independently operating SPLA forces along the Kenyan and Ugandan border, whom the higher SPLA command seems unable to completely control and also highlights the lack of discipline among SPLA soldiers. That civilians have a grim image of the SPLA is supported by the fact that the recently the citizens of Juba, the capital of Southern Sudan, have reported an increased feeling of security due to the relocations of SPLA soldiers to the outskirts of the city. Having been there herself, the author greatly understands this dynamic and is of the opinion that the greatest fear during her stay in Juba was instigated by the unpredictable SPLA soldiers, whom at various occasions intimidated and once arrested her.

Although the army has improved on certain fronts, the transformation of being a rebel groups into a professional army seems far from complete. No real shift of focus from fighting to protection has emerged and the army continues to comprise out of separate factions. The legitimacy of the SPLA as being the South’s official army is furthermore contested. In addition, the army is poorly equipped and organized to be able to prevent or intervene in ethnic and tribal conflict. Considering this, the indicator is rated as: high.

§ 1.6 Conclusion of the factor ‘Security’

Analyzing the security situation in Southern Sudan it becomes apparent that the region faces serious and highly volatile issues. The long history of armed conflict has left the Southern government with a nonexistent social, economic, political and security infrastructure, hindering its ability to inhibit
renewed conflict. Furthermore, the root causes of the intra South fighting continue to exist. Although the attention for the tensions among various Southern groups has been distracted by the North-South conflict, the causes for intra South fighting are still present and the relations among the groups have further deteriorated. As a consequence the South experiences a highly instable situation. On a civilian level this is paramount by the highly adverse Southern groups and the fighting among these groups that as of late has a strong ethnic dimension. On a stale level this is created by the highly factionalized GoSS, a government with basically one political party, the SPLM, which comprises out of temporary alliances between groups that are likely to break away as soon as independence is reached. Added to this is the poor professionalism of the army, one that is incapable to provide civilian protection and at times is the perpetrator of atrocities itself. What is more, the army is highly factionalized, a patchwork of sometimes outright hostile groups that are loyal to a specific official high up in the government. Considering all this in regards of the extreme level of militarization on a state as well as civilian level, and the fact that militarization gives groups the capacity to satisfy their anger by extremely violent means, Southern Sudan is assessed to be a highly explosive situation. Finally, the abuse of human rights has decreased since the signing of the CPA in 2005, but deteriorated again in the running up to the elections.

§ 2 Economy

The factor Economy comprises out of three indicators: economic instability, economic inequality and dependency on natural resources.

§ 2.1 Dependency on Natural Resources

The ‘resource curse’ instigates poverty and conflict because government revenues become less reliable and due to the fact that abundant natural resources decreases the government’s accountability, denying civilians peaceful means to express their discontent. Assessing the South’s dependency on natural resources it is important to know how much of the government’s budget comes from natural resources. The exact percentage of the region’s GDP that comes from natural resources would be valuable information, but unfortunately there is no data available. Other information that can be useful is the possibility of other sources of income, thereby looking into possibilities to avoid the resource curse.

In Southern Sudan, oil revenues account for approximately $2 billion a year. Over 90% of Southern Sudan’s budget comes from oil, making the region almost totally dependent on oil revenues. The

GoSS estimates 96% of its budget for the period from 2008 to 2011 to come from oil production, which, although an improvement when compared to an oil dependency of 99% in the preceding years, is a very unique and unfavourable situation. As the production as well as the global market for oil is unstable a significant dependency on oil makes the Southern Sudan’s fiscal situation highly vulnerable. Oil dependency moreover decreases a government’s accountability. Apart from the oil sector Southern Sudan’s economy has limited market activity and low import and export levels. Cotton was traditionally the largest non-oil export product but this has changed over decades to livestock and sesame. Other products that could change the course of oil-dependency are timber, water and energy, although these too are natural resources and thus does not alter the primary concern of dependency on natural resources.

Southern Sudan is highly dependable on natural resources. The current dependency on oil is very unfavourable. Although the region does have other sources for income than oil, these sources also constitute natural resources. Therefore, this indicator is rated as: very high.

§ 2.2 Economic Instability

Economic instability decreases the state’s capacity to deal with rebellion. Economic instability could be measured by fluctuations in the Gross Domestic Product (GDP), meaning GDP rates that are increasing and decreasing over the years. Economic growth itself, leading to a changing GDP, is a positive trend, although should be treated with care if it is a result of highly unstable income such as natural resources. Inflation rates are important also, as changing inflation rates indicate economic instability. It is important to realize that the effectiveness of GDP rates to assess the Southern Sudan’s economic situation is

194 Op. cit. note 130, p. 8
195 Op. cit. note 101, p. 8
196 Water is also a possible source of conflict. The river Nile is of huge importance for Sudan as well as Egypt. Construction of a canal that would increase Egypt’s water supply was halted by a SPLA military action in 1984, and Southerners are still reluctant to allow a project which will adversely affect Southern rainfall and the migration patterns of both domestic and wild animals. Egypt is reported to have said it would regard any attempt to alter the Nile status as an act of war. The UN has warned that a lack of agreement in the future would certainly result in ‘military confrontation between countries in the region’. See also: Ashworth, J. (2009), p. 12
debatable. Money metric measures are rendered largely inapplicable in the region’s subsistence economy, in which monetary transactions are not the sole or even dominant means of conducting trade. Many transactions are in the form of barter or exchange. Labour is paid for with food, and cattle are often exchanged directly for grain. Seen in a regional context this is not unusual, although even compared to neighbouring countries the cash circulation remains very low.\(^{197}\)

No disaggregated statistics for Sudan’s economy are available, leaving the exact economic situation and data such as the GDP rate in Southern Sudan unknown.\(^{198}\) Various international organizations and researchers have attempted to make an educated guess of Southern Sudan’s economic situation.\(^{199}\) In order to do this, they move beyond the mere GDP statistics and include Gross National Income (GNI), human development figures and data directly or indirectly related to economic development. The New Sudan Centre for Statistics and Evaluation in association with Unicef in 2004 argued that in similar conflict situations the GNI was around $100 per year, but that this seemed to be an overestimation for Southern Sudan. According to its estimates the GNI in 2004 in the SPLM/A held areas was approximately $90 per year.\(^{200}\) An estimated 90% of the population was living under less than a dollar a day, which made the region one of the poorest in the world.\(^{201}\) This has been a stable situation for decades, and did not change much in 2005, with the UNDP World Development Index rating Southern Sudan as one of the least developed regions in the world. Due to the wealth sharing provisions included in the CPA\(^{202}\), the economic situation in the South has changed drastically since the signing of the peace agreement. Southern Sudan has witnessed a sustained economic recovery since 2005.\(^{203}\) The average per capita income in 2008 was estimated to be $550 GNI.\(^{204}\) Compared to neighbouring countries this is not so bad, as Uganda had an GNI of $420 and Chad $540 in this year.\(^{205}\)

The economic recovery not necessarily benefited the economic stability. Due to Southern Sudan’s dependency on oil revenues the region is vulnerable to oil market fluctuations and recently the global recession. Oil revenues furthermore are dependent on the production capacity of the wells, which in Southern Sudan is expected to decline after 2010.\(^{206}\) Also its large dependency on international aid decrease the economic stability. USAID criticizes the GoSS for lax fiscal discipline, resulting into

\(^{197}\) Op. cit. note 159, p. 13  
^{198}\) Op. cit. note 127, p. 2. See also: USAID (2009), p. 21  
^{200}\) This was around four times lower than the rest of Sudan.  
^{202}\) The wealth sharing provisions state that the oil revenues are equally divided between the Government of Sudan and the Government of Southern Sudan, with a separate provision for the contested Abyei region.  
^{203}\) Op. cit. note 1, p. 5  
^{204}\) Southern Sudan’s per capita income in 2008 was estimated to be half the national income according to Ahmed, A.G.M. (2008). According to the World Bank, Sudan had a $1,100 GNI in 2008.  
^{205}\) World Bank  
^{206}\) Op. cit. note 130, p. 9
questionable financial irregularities and rising inflation, and a fiscal crisis in early 2009.207 The inflation rate in January 2009 rose by 5.77% compared to 1.06% in December 2008.208 Reliable data on inflation over a longer period is not available. USAID assesses the current pattern of economic instabilities as not atypical in a post-conflict situation and places the economic difficulties in perspective by pointing out that a typical progression form peace to sustained economic growth may take up to ten years.209

The economic situation in Sudan has improved when compared to the situation before the signing of the CPA. Unfortunately this does not necessarily increase the economic stability. Rather, Southern Sudan continues to be economically unstable, for example due to its dependency on oil. The indicator is therefore rated as: medium.

§ 2.3 Economic Inequality
Economic inequality may instigate conflict among competing groups that experience relative deprivation, and may provoke rebellion against the government. Economic inequality can be present between social distinguishable groups (for example the tribes) as well as between a small elite and the rest of the population. The lack of statistical data for Southern Sudan hinders an good understanding of the economic inequality in this region. In order to nonetheless get a general understanding of this situation it is again necessary to use soft data and related information, such as research on the livelihoods of people in Southern Sudan and assessments of the needs of the communities. From this information an image of the economic inequality can be derived. Important hereby is the notion of relative deprivation. Also important would be information on the Gini coefficient, a measurement for the inequality of income distribution within a country. Unfortunately there is no data available for this coefficient in Southern Sudan.

As mentioned in the previous paragraph, over 90% of the Southerners lived below the poverty line before the signing of the CPA,210 and in 2005 the UNDP World Development Index rated Southern Sudan as one of the least developed regions in the world. The health and nutrition situation in the South has been reported as being one of the worst in the world.211 Given the economic recovery in the last couple of years it is suspected that this situation must have improved but no solid data is available

207 Op. cit. note 1, p. 1
208 Op. cit. note 1, p. 4
209 Op. cit. note 1, p. 4
211 Op. cit. note 128, p. 33
to support this claim. However, a respondent working for the United Nations Development Programme in Juba, Southern Sudan and interviewed in 2009 observed that:

‘It (Southern Sudan, red.) is probably the most de-developed, not underdeveloped, de-developed, region of the world, with the lowest human development indicators that you will see’\textsuperscript{212}

In a 2007 report on livelihood profiles the World Food Programme assessed that the people’s ability to support their livelihoods is low.\textsuperscript{213} It also found that the number of times people eat (irrespective of the amount and quality) differs slightly among various states.\textsuperscript{214} As there is a correlation between ethnic and tribal linkages and geographic space this might provide information regarding inequality among groups, but the differences are minimal and therefore not significant.

What is salient is that the development of business enterprises, and its considerable increase since the 2005 peace agreement, has not seen the inclusion of Southerners. Apart from a few Southern entrepreneurs that are strongly linked to the GoSS and SPLM the vast majority of business owners are Kenyan, Ugandan or North Sudanese.\textsuperscript{215}

The indicator economic inequality is significant because relative deprivation can stir social fragmentation. Concerning inequality between groups, the image that emerges in Southern Sudan is one of indiscriminate deprivation and consequently a low level of economic inequality within the South. Although people are struggling to survive, which in itself is of course of great concern, there is no resentment towards other social groups for being economically privileged. There is very little data available to assess the inequality between an elite and the rest of the population so no clear analysis can be given regarding this. However, in the interviews conducted in Southern Sudan it never was brought up as an issue. If the nature of deprivation is indeed indiscriminate this is rather surprising in the context of Southern Sudan’s large oil resources. Following the reasoning behind the resource curse it would be expected that a small elite has taken control over the oil revenues, spending it predominantly on their personal benefit. In many resource cursed countries this has indeed been the case, such as in the Democratic Republic of Congo, Angola, Nigeria and Guinea-Bissau. It does not seem to be the case in Southern Sudan. In contrast, the oil revenues for a large part appear to be spend on military projects. The situation becomes more complex though when one realizes this military might is in the hands of different army officials, many of them with their own factionalized group behind them.

\textsuperscript{212} Interview with Sue Tatten, United Nations Development Programme Southern Sudan, April 2009
\textsuperscript{213} Op. cit. note 127, p. 9
\textsuperscript{214} Op. cit. note 128
\textsuperscript{215} Op. cit note 127, p. 13
\textsuperscript{210} Op. cit. note 101, p. 9
The indicator ‘economic inequality’ has not seen much significant change. Despite the fact that many economic statistics are lacking for Southern Sudan it can be estimated that Southern Sudan is a largely deprived region. And as just assessed, Southern Sudanese continues to be tremendously deprived from the most basic needs. This does not differ for distinguishable groups within the society however and thus the relative deprivation seems to be rather low. Although contrary to what is expected by the presence of the resource curse, the poverty in Southern Sudan appears to be indiscriminate. The indicator is therefore rated as: low.

§ 2.4 Conclusion of the factor ‘Economy’
Southern Sudan’s revenues are highly dependent on natural resources, most notably oil. It is estimated that over 90% of the budget comes from oil. This extreme dependency on oil has negative implications for the accountability of the government, and also destabilizes the economy as the incomes from oil are subject to worldwide fluctuations. The economic inequality in the South is assessed to be low. Southern Sudan lacks the most basic of development, and this is true for all Southern groups.

§ 3 Political

The factor Political comprises out of four indicators: adverse regime type, regime ineffectiveness, regime delegitimacy and the fragmentation of the ruling elite.

§ 3.1 Adverse Regime Type
Democracies and autocracies appear to have less civil wars than semi-democracies, hence the significance of this indicator. The focus here is on the democratic or autocratic nature of Southern Sudan, thereby taking into account free and fair elections and accountability of the government. Also important are the legitimacy of the government, the ruling elite and human rights abuses, but these indicators are analyzed elsewhere.

During the years of the North-South conflict the SPLM/A administrative rule in the Southern region was often described as dictatorial. The party’s response to perceived threats to its authority was on numerous occasions the political and physical elimination of opponents, and the now deceased leader Garang had the power to appoint or dismiss at every level of the military and civil administration,

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216 Unfortunately Freedom House, an organization widely recognized and appreciated for their research on freedom in the world, has no aggregated data for Southern Sudan. Only data for Sudan is available, although some Southern specific information is also given.
indicating a large centralization of power. The rather autocratic features of the governance structures during that time are not very surprising as the South was controlled by a rebel army that was more focused on military strategic decisions than concerned with democratic principles. Also, these autocratic features feature the organizational structure more than the whole situation in Southern Sudan, a situation that could better be described as a state of self-help.

Currently the Southern Sudanese government is in a stage of transition. It aims to democratize the structures of governance, as the heritage of the long war situation has left governance strongly influenced by military strategic thinking. Until April 2011 the SPLM was the sole political party in the GoSS. In the April 2010 elections the SPLM gained 93% of the votes, and the SPLM-DC 7%, meaning the GoSS will now have to accommodate some opposition. The elections did not bring the democratic change that was hoped for however. The opposition is considerably little, and instead of allowing for opposition the SPLM before and during the elections has aimed to consolidate its power by intimidating and harassing opponents. The Carter Center proclaimed that the ‘elections in the South experienced a high incidence of intimidation and the threat or use of force. State interference in the campaigns of opposition candidates was widespread in the South’. On numerous instances the SPLA has been accused of intimidating voters, stationing itself too close to polling stations, harassing opposition etc.

The GoSS is expected to remain highly autocratically structured and dominated by an SPLM which has little enthusiasm to share its power. This might not be a very favourable situation from a democracy point of view, but is quite understandable when considering the fact that the GoSS is effective for only five years now and is still primarily focused on surviving the interim period with the Khartoum government and assuring that the referendum in January 2011 will proceed. Due to these reasons and the ongoing animosities with the North as well as the conflicts within the South the focus on political pluralism, democratization and the development of functional governance structure are not always the primary goals. Consequently, decision making structures within the GoSS remain to be highly centralized on the top level. According to Jehanne Henry, researcher for Human Rights Watch in Southern Sudan, this is not necessarily a negative aspect:

‘There are a lot of ethnic problems within the South, which could be very explosive. There are arguments that real genuine elections and real democratic reforms here in the South would open the door for more conflict because people would just start fighting, the ethnic issues would surface’

219 A renowned organization headed by former U.S. President Jimmy Carter that monitored the elections in Sudan.
220 Op. cit. note 10, p. 4
221 Op. cit. note 151
Democracy is thus not automatically the most favourable system, and autocracy not the worst, as was explained also in Part II. At the same time however the GoSS is not a autocracy either. Too weak to exert full control over its territory the GoSS is believed to be primarily concerned with survival, especially survival to at least after the 2011 referendum, but simultaneously incapable to manage the rivaling groups. The argument that autocracy features the GoSS but not so much the entire state thus still seems to be valid.

Governance in Southern Sudan continues to be lacking democratic structures. Power is highly centralized and in the hands of one political party, and the recent elections have shown the SPLM/A does not wish to lose or share their control. At the same time, while the GoSS severely lacks democratic structures, it also does not have the capacity for autocratic rule. It should not be forgotten however that compared to the regime types in other post-conflict and conflict countries, the GoSS is not unique in its flawed structures. Nevertheless, the current weakness of the regime is highly adverse to stability in the South. The indicator is therefore rated as: very high.

§ 3.2 Regime Ineffectiveness
Regime ineffectiveness functions as an indicator for state failure, which is a situation in which the government has lost complete control over territory, military, economy and social provisions. Regime ineffectiveness will be assessed based on the government’s capacity to bring the necessary developments, the judiciary and the regime’s capacity to effectively control its territory.

In 2005 the capacity for service delivery was largely nonexistent, with no tarmac roads and the existence of extremely little health programmes and education opportunities.222 Health, education, infrastructure and nutritional needs of the Southerners for many years was primarily fulfilled by foreign ngo’s, who were so numerous that one researcher asked ‘is New Sudan actually the first NGO-istan?’.223 With the establishment of the GoSS and the wealth sharing agreements consolidated in the CPA it was commonly believed that there would be a clear peace dividend for the Southern Sudanese. Although recognizing that development takes time, many people hoped to see some change in their livelihoods in the years following 2005. But five years down the line the GoSS has been unable to show tangible improvements in the delivery of even the most basic social services.

222 Op. cit. note 128, p. 33 and 46
223 Op. cit. note 27, p. 17
A lot of reports talk about a lack of peace dividends in ordinary life. So for somebody outside of Juba, has my life changed? Has the absence of conflict actually improved? No. I still wait more than two hours at a borehole, my child still dies of malaria.224

The lack of infrastructure still renders large parts of Southern Sudan inaccessible in the wet seasons. Many people do not have adequate shelter and developments in the agricultural and private sector are largely delayed.225

‘The existing government, it’s like they forget about the innocent people. (...) In many states of Southern Sudan you couldn’t find no construction, things to do with schools, hospitals. Still people move very far and very long distances. Before you reach there you could even die, your child, your whatsoever could die on the way. So nothing has been done. And the government is saying ‘the government is still small, it’s growing’. But it is 4 years time, in 4 years you could do something. Establish yourself, but also don’t forget the entire community. Because there are those who are in need and they are helpless, who will take care of them? It is the government that is to take care of them. Because they have the right to live, to life. So in that way, if you forget about your citizens, and now, who are you protecting? Who are you coming to rule?’226

Large spending on the military and a fiscal crisis that at least for some part was caused by GoSS mismanagement and corruption227 has severely limited the government’s ability to pay those who work in government228 as well as reserve the financial means for development purposes. The institutional capacity of the GoSS continues to be fragile, with few rules and regulations to secure entrepreneurial endeavours and lacking infrastructural and educational development. Apart from this, the lack of political neutrality, professionalism, efficiency and transparency seriously deters investment and trade. In a report by the Peace Security and Development Network the GoSS is described to lack effective governing institutions due to wanting capacity both in terms of resources and qualified staff.229 Concerns for the future are whether the government has the capacity to manage oil companies and enforce corporate social responsibility.230

Rule of law institutions such as the judiciary have yet to become adequately functional.231 At present, there is little accountability for perpetrators of even the most serious of crimes, such as those active in the ethnic conflicts. Although it is the GoSS’s responsibility to protect civilians from violence and

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224 Interview with Melissa Phillips of the NGO Secretariat, April 2009
226 Interview with Louis of an indigenous ngo, Southern Sudan, April 2009
228 Op. cit. note 101, p. 8
230 Op. cit. note 9, p. 11
hold the perpetrators accountable, it is unable in doing both. Even when clear signs are given that inter or intra ethnic fighting is near, the government fails to intervene and prevent. Lou Nuer leaders for example publicly threatened to attack if authorities would not disarm the Murle, and Murle warned local authorities of the mobilization of the Lou Nuer. No one intervened however, resulting into the killings of many. Notice should be given to the relative importance of an official judiciary in the Southern Sudanese societies however. Most people are not familiar with institutional justice and a punitive law system. It is customary law, practices accepted as law but not formalized in decrees or institutions, as preached by elders and chiefs that Southern Sudanese societies are build on, with often a thorough appreciation ascribed to mediation and reconciliation processes than present in a criminal law system. As such the development of rule of law institutions seems to be a rather forced process from above, and in fact exacerbates the ineffectiveness of the government as the discrepancy between the formal institutions and the way justice is done in communities is considerable.

Considering the preceding, the GoSS’s control over the Southern territory is disputable. It is unable to prevent ethnic and tribal fighting as well as holding accountable the perpetrators, possibly perpetuating further conflicts. It’s effectiveness to govern the South is furthermore undermined by various other armed groups operating in its territory, such as Northern proxy forces and Uganda’s Lord’s Resistance Army (LRA).

Despite that fact that the GoSS faces tremendous challenges to rebuild Southern Sudan, both in terms of the state of the region it inherited and GoSS’s own difficulties of transforming into a solid government, the current Southern Sudanese government cannot considered to be effective. Urgently needed developments are starkly delayed, turning the peace dividend into little more than the absence of the North-South war. Furthermore, the ethnic and tribal fighting continues without the GoSS being able to prevent it or intervene or even hold the perpetrators accountable, simultaneously seriously

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233 Op. cit. note 212
questioning the government’s control over the South. This indicator is subsequently rated as: very high.

§ 3.3 Regime Delegitimacy
This indicator is of importance because delegitimacy of the government increases people’s dissatisfaction with the government. This in turn may lead to violence, especially if there are no structures in place to change the status quo in a peaceful way. Here the representation of the societal groups in the government will be assessed, and whether the government promotes the interests of its citizens. Democratic delegitimacy is also important and although this has already been discussed briefly in paragraph 3.1 will be touched upon as well.

In paragraph 3.1 it was argued that albeit the recent elections have introduced some opposition to the SPLM dominated GoSS, the Southern government is very likely to remain highly autocratic and SPLM dominated. Various international organizations have denounced the elections as failing to meet the international standards. They deemed the elections as neither free nor fair due to fraud, corruption, intimidation and harassment. The question is however if meeting the international standards can be expected from an administration holding elections for the very first time. Also, countries in similar (post-)conflict conditions hold equally credible elections, such as Ethiopia and Afghanistan. Notwithstanding this, the elections did not bring the democratic change that was hoped for, and as a result the democratic legitimacy of the regime remains contested. Rather, the SPLM dominated GoSS seems to attain its legitimacy from the armed struggle against the Northern regime. The regime’s legitimacy is thus primary rooted in a militaristic background.

Southern Sudan is home to numerous distinct groups, as will also be discussed in paragraph 4.1. The largest Southern groups are the Dinka and the Nuer, followed by the Murle and Shilluk. It is however almost solely the Dinka population that is represented in the GoSS, rendering it an ethnically exclusive party and resulting into serious dissatisfaction among the other groups. These groups do not trust a Dinka dominated government to promote their interest, in fact viewing the GoSS as a vehicle of Dinka domination. This is of serious concern, as domination by one group over the other and the political and economic marginalization that is/can be the result of this is exactly the underlying cause of the North-South conflict. A repetition of this situation would turn an independent Southern Sudan in a copy of the enemy they are fighting.

234 BBC, The Enough project (2010), The Carter Centre.
236 Op. cit. note 27, p. 4
Objectively speaking it is not determinable if the Dinka dominated GoSS indeed exclusively aims to promote Dinka interests. GoSS’s current policy is mainly focused on security and ensuring next year’s referendum. Development in social and economic fields has not crystallized yet in the entire South, making a comparison in these field in relation to ethnic groups impossible. The GoSS is simply still too much absorbed with the animosities with the North. Nevertheless, non-Dinkas claim to be marginalized and refer to the fact that the SPLA, also Dinka dominated, various times in the past attacked other Southern groups. Also, Dinka groups from certain areas have been moved to non-Dinka territory, making them the dominant population and at times depriving non-Dinkas from their livelihoods. Whether or not the GoSS objectively speaking exclusively promotes Dinka interest is an important question, but the perception among other Southern groups that this is indeed the case is at least as relevant. The fear for Dinka domination has resulted into a seriously destabilization of the GoSS, and it’s forerunner the SPLM/A, on several occasions. The Addis Ababa Agreement in 1972 for example not only failed due to the North’s reluctance to implement the provisions, but also because of power struggles between Southern groups and their fears about Dinka domination.\footnote{Op. cit. note 128, p. 7} Also, the breakaway of the Nuer dominated SPLM-DC from the SPLM/A was instigated by the Nuer dissatisfaction about Dinka domination. Or at least was promoted this way, as it is said that personal ambitions also played a big part. Nevertheless, Nuer and other communities greatly sympathised with this, leading to a destructive Dinka-Nuer war that claimed many lives. A recent example is the establishment of the SPLM-DC party headed by the Shilluk Lam Akol, also protesting against Dinka domination. This breakaway party indicates an interesting but worrying dynamic. In the last five years the various Southern political groups seemed to agree on an umbrella role for the SPLM, awaiting the referendum to begin real negotiations on power in the South. The establishment of the new party constitutes the first major violation of the implicit agreement to stick together until 2011,\footnote{Op. cit. note 28, p. 18} possibly showing the advent of further power struggles after the South gained independence.

The government of Southern Sudan is heavily dominated by the Dinka ethnic group. This creates mistrust among non-Dinka groups towards the government, and seriously questions its legitimacy. The Southern groups seem to accept the GoSS as a temporary umbrella organization for the South, and appear to be awaiting next year’s independence to start real negotiations concerning economic, political and military power. They will not accept the Dinka group governing them, as they do not believe a Dinka dominated government to promote their interests. Considering this, the indicator will be rated as: very high.
§ 3.4 Fragmentation of the Ruling Elite

This indicator relates to the nature of the relation between the elites and the population as well as the fragmentation among the elites themselves.

As in many countries in the region there is a wide gap between the people in the government and the majority of the population, of whom in Southern Sudan the majority resides in rural settings with strong traditional lifestyles. A large proportion of the population is psychologically as well as physically cut-off from the government. Psychological barriers result from a different appreciation of structures of governance, in which decision making processes centre more around tribal leaders and family structures. Physical barriers result from the lack of infrastructure, leaving large parts of Southern Sudan inaccessible and making the seat of the government Juba seem a world away:

‘People are aware of the CPA, but not on the governmental level or regarding the constitution. People are very much still focused on customary law and justice.’

Milestones such as the CPA and the recent elections are alien to many Southerners, who regard it as a political powerplay among the elites. The signing of the 2005 peace agreement was by many people considered to be an elitist undertaking which had little resembles to the wishes of the people on the ground. The peace negotiations and the CPA itself indeed took a rather exclusive approach, as it only facilitated talks between the Khartoum government and the SPLM/A, a party seen by other Southern groups as being a stronghold of the Dinka elites. As a consequence the other groups, often politically marginalized as compared to the Dinka’s, felt left out. People’s trust in the elite is further undermined by the idea that it is mainly due to their personal ambitions that inter and intra ethnic rivalries continue to be pervasive. In their struggle for economic, military and political power these elites exploit ethnic identities and mobilize accordingly to challenge opponents. Also, the little progress in livelihoods for most of the populations it often said to be caused by the fact that it is mostly the elites that benefit from the oil exploitations.

The fragmentation among the elites has been quite apparent from the previous sections. The elites are organized along tribal and most notably ethnic lines, meaning different ethnic groups represent different political ideas. The fighting among Southern groups is strongly linked to this. A total fragmentation of the elite which could result into the collapse of the region, seems to be inhibited by their common aim to make it to the referendum, but has on various occasions, including very recently, lead to breakaway factions. Considering the above, this indicator is rated as: high.

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239 Interview with Thomas Faustini, UNHCR, Southern Sudan, April 2009
§ 3.5 Conclusion of the factor ‘Political’

The political sphere in Southern Sudan is assessed to be a problematic and fragile domain. The government itself lacks democratic structure. While simultaneously being unable to control its territory, this regime is adverse to stability in the region. Since its establishment in 2005 the GoSS furthermore has been unable to provide the much needed developments, with people still lacking the most basic social provision and roads still largely nonexistent. Also, it is unable to deal effectively with intra South fighting and de facto has no control over its own territory. This interplays with as well as intensifies the delegitimacy of the regime, which is also caused by the SPLM domination in the GoSS and the fact that people perceive the SPLM to exclusively promote Dinka interests. Also the fragmentation of the ruling elite contributes to this, with there on the one hand being a large gap between the people in government and the majority of the population, and on the other hand strong divisions among the ruling elite.

§ 4 Social

The factor Social comprises out of three indicators: heterogeneous society, lack of education and large refugee / IDP / returnee flows.

§ 4.1 Heterogeneous Society

When considering the extent to which a society is heterogeneous two aspects need to be considered. First, the divisions in society and the nature of these divisions are important. Second, tensions arising from these divisions need to be assessed.

With the Southerners uniting to struggle against the North some shared features of Southerners as compared to Northerners became apparent. Whereas the Northerners are predominantly Muslim Arabs, Southerners can be said to be primarily Christian or animist.
Africans. These stark dichotomies are often declared to be the main cause of the North-South conflict but this is a severe oversimplification of the real causes of that conflict, which are rooted in the political and economic marginalization of the South. More important here is the fact that these dichotomies and the perception that there is ‘a Southerner’ are not as stark in reality. In practice there are Muslim Africans and Christian Arabs, and Muslim Arabs living in the South and Christian Africans living in the North. Focusing on Southern Sudan, what is clear is that the region is a cultural and political contested space with no unified Southern Sudanese identity.\(^{243}\) Despite some shared feeling of hostility against the North no Southern identity can be distinguished. In contrast, the divisions between the many ethnic as well as tribal groups are the most dominant feature of the Southern landscape. The Dinka’s are the largest ethnic group, followed by the Nuer. Next come the Murle and Shilluk. Smaller groups are the Mandari, Bari, Zande Acholi, Madi, Moru, Kuku and others. Within these ethnic groups there are various tribes. The Dinka ethnic group for example contains the Bor Dinka tribe as well as the Gok Drinka tribe. The primary divisions are between the ethnic groups and tribes of different ethnic groups, but also divisions among tribes from the same ethnic group exists. A person’s ethnic and tribal affiliation is the primal point of reference. One respondent in Southern Sudan gave a good example hereof. A judge for example, she said, can be an incredibly educated, reasonable, honest, objective person, educated at Harvard or Oxford University. All these qualities do not matter if the judge happens to be a Dinka and the defendant a Nuer, Murle, Shilluk or else. This very simple fact prevents any Southerner from believing the judge could give a fair ruling.\(^{244}\) Apart from ethnicity there is also division along the lines of religion and language. Most Southerners are Christians or adhere to traditional beliefs, but also Muslims live in the South.\(^{245}\) The various groups also speak different languages and dialects.\(^{246}\) Some researchers argue that the stark divisions between groups has mainly been instigated by political leaders seeking to exploit different ethnic identities to promote their own interests. Despite the fact that differences exist, the various groups have always been interconnected due to intermarriages and trade. Also during the war people continued to live along side each other.\(^{247}\) In as much as this can be true, it does little to prevent the serious consequences of the divisions as present in the contemporary society. The tensions between the groups frequently lead to violent clashes. The clashes between Southern groups have increased both in occurrence and intensity over the last year. Furthermore, apart from raiding cattle the perpetrating group now also attacks and destroys hospitals, shops, administration offices and ngo offices and killing children and women.\(^{248}\) As mentioned previously in

\(^{244}\) Op. cit. note 212  
\(^{245}\) Op. cit. note 27  
\(^{246}\) Op. cit. note 159  
\(^{247}\) Op. cit. note 125, p. 169  
paragraph 1.4 these developments have instigated a fear among professionals in Southern Sudan of outright ethnic cleansing, with one professional even saying:

‘There is certainly genocidal overtones and a lot of language of kind of pushing them (rival Southern groups, red.) out of the area or kind of exterminating them, these people were not from here, they should be removed, they don’t belong here, you see a lot of that’\textsuperscript{249}

Southern Sudanese society continues to be highly diverse in terms of language, culture, religion and ethnicity and tribes. It is thus a highly heterogeneous society. There is a sharp division between these groups, and this division is of a predominately ethnic nature. Furthermore, the divisions lead to violent clashes. Considering all this, the indicator is rated as: very high.

§ 4.2 Lack of Education

A lack of education among the population decreases people’s capability to voice their concern by non-violent means. Important aspects to take into consideration are the enrolment rates in primary, secondary and higher education, as well as the availability and quality of these three. Unfortunately no data is available on the exact enrolment rate in recent years.

The population in Southern Sudan was estimated to have the least access to primary education in the world, with a net enrolment ratio of 20\% in 2004 and 23\% to 25\% in 2005. The second worse on the list is Afghanistan. In Northern Sudanese states the access to primary education was 99\%. Also primary school completion was among the lowest worldwide, with only one out of every fifty children finishing primary school.\textsuperscript{250} From the children that did attend school girls were significantly underrepresented, which is especially problematic as the education of women has been recognized to drastically affect other development indicators as malnutrition, under five mortality rate and birth rate.\textsuperscript{251} The lack of education was caused by lack of access and availability as well as the quality of education and cultural and social barriers. As a result of the poor education system, three out of four Southern adults and about 90\% of the Southern women were illiterate. In the Northern central states the adult literacy rate was between 60\% and 70\%. In 2005 7\% of the teachers were trained and only 1,600 schools existed for 1.6 million children. 10\% of the classrooms were in permanent buildings.\textsuperscript{252} Since the signing of the CPA the education system is expected to have improved regarding both availability and quality. In 2007 education remained rather rudimentary though, and moreover almost entirely dependent on humanitarian support. In the entire Southern Sudan there is only one university.

\textsuperscript{249} Op. cit. note 161
\textsuperscript{250} Op. cit. note 201, p. 3 and 9
\textsuperscript{251} Op. cit. note 201, p. 10, 11 and 24
\textsuperscript{252} Op. cit. note 128, p. 33
the University of Juba. Literacy remains very low, ranging between 19% and 28% in most Southern states.\textsuperscript{253} Illiteracy was also a problem during the April 2010 elections as people were unable to read the election ballots. The GoSS has budgeted $916 million on education for the period between 2008 and 2011, making it its third priority after security and roads.\textsuperscript{254} The precise aim for this budget is unclear however. The GoSS could for example intend to spend a (large) part of this money on the education of its armed forces rather than development of primary, secondary and university education.

The education system in Southern Sudan has been one of the poorest in the world, both in terms of quality and availability. It is expected that the access to education has improved since the signing of the peace agreement, but very little data is available. Despite these expectations, the education system was assessed as rather rudimentary in 2007, and highly dependent on external actors such as ngo’s. Considering this the indicator will be rated as: high.

§ 4.3 Large Refugee / IDP / Returnee Flows

Considering the refugee / IDP / returnee situation it is important to look at the size of this population as well as the nature of return. The nature of the returnee flow can be organized or unorganized, meaning under control of international organizations such as the United Nations High Commissioner for Refugees (UNHCR). This is important because an organized returnee flow decreases the chance of conflict over properties and development opportunities.

More than 80% of the Southerners had been displaced at some time between 1983 and 1999.\textsuperscript{255} As a result of the second civil war between the North and the South, which lasted from 1983 to 2005, an estimated 4.5 million Southern Sudanese have been uprooted, resulting into the highest number of IDPs (internally displaced persons) in the world and a large diaspora of Southerners in Eritrea, Ethiopia, Kenya, Uganda, the Democratic Republic of Congo and Egypt.\textsuperscript{256} After the signing of the CPA both refugees and IDPs started to return to the South, and the United Nations Mission in Sudan (UNMIS) has assisted an estimated 634,000 returnees to move back.\textsuperscript{257} The total number of returnees is likely to be much larger, as a high percentage of returnees returned spontaneously and without any support.\textsuperscript{258} The return of these IDPs and refugees has caused difficulties related to land distribution

\begin{footnotesize}
\begin{itemize}
\item \textsuperscript{253} Op. cit. note 127, p. 1 and 8
\item \textsuperscript{254} Op. cit. note 130
\item \textsuperscript{255} Op. cit. note 31, p. 171
\item \textsuperscript{256} Op. cit. note 128, p. 36
\item \textsuperscript{257} Op. cit. note 6, p. 8
\item \textsuperscript{258} Op. cit. note 127, p. 21
\end{itemize}
\end{footnotesize}
and equitable distribution of development and reconstruction resources, which is exacerbated by the high expectations returnees often have and the scarce resources available. The returnees furthermore place a stain on the food resources. The current number of IDPs and refugees is unknown. However, the importance of the presence of Southern Sudanese in the South during the census and also during the elections in April 2010 had motivated the GoSS to encouraged returnees. It can be suspected therefore that many of those who wanted to return have indeed returned.

The refugee / IDP / refugee flow has been very large in the past. Currently this seems to be considerably less, although this does not change the difficulties resulting from the previous large flow of returnees. A considerable number of people returned in an unorganized manner. The indicator is therefore rated as: medium.

§ 4.4 Conclusion of the factor ‘Social’
Analyzing social indicators in Southern Sudan what is striking is the highly heterogeneous composition of the society. A multitude of distinct groups exist, and these groups are predominately organized around ethnic and tribal lines. No Southern identity exists. The Southern groups have always been embroiled in fighting over cattle and grazing land, but the relations have severely deteriorated and now resulting into severe violent clashes along ethnic lines.

The quality and access to education in Southern Sudan has improved since the establishment of the GoSS in 2005, but is still very rudimentary and dependent on international organizations.

259 Op. cit. note 27, p. 3
During the North-South war and also as a result of intra South fighting many people have fled the Southern region. International organizations as UNHCR as well as the GoSS have put effort in repatriation of refugees and IDPs, and it is expected that the majority of them have returned by now.

§ 5 Overview

The situation in Southern Sudan has been analyzed based on the indicators of four factors: security, economy, political and social.

In the factor security three indicators were assessed to be very high (history of armed conflict and continuation root causes, militarization and internal instability), one was assessed to be high (poor professionalism army) and one was assessed to be medium (human rights abuses). In conclusion, the security situation in Southern Sudan is highly tense and volatile. Especially the extreme militarization and the very lethal ethnic clashes are considered to have highly explosive characters.

In the factor economy one indicator was assessed to be very high (dependency on natural resources), one was assessed to be medium (economic instability) and one was assessed to be low (economic inequality). To conclude, the economy in Southern Sudan is highly dependable on natural resources, most notably oil. This decreases the governments accountability and moreover increases the economic instability as revenues from oil are highly dependable on fluctuations on the global market. The economic inequality is low as no relative deprivation among groups exists.

In the factor political three indicators were assessed to be very high (adverse regime type, regime ineffectiveness and regime delegitimacy) and one indicator was assessed to be high (fragmentation of the ruling elite). It has become clear that the GoSS is a highly autocratic government where democratic structures are lacking. Simultaneously the government is unable to control its territory, creating a highly adverse regime time for the stability of the region. The GoSS has proven to be unable to provide the most basic of development and is furthermore seen as Dinka dominated government. This decreases its legitimacy. The high level of factionalization make the government little more than a patchwork of adverse groups, and it is feared that after independence has reached the fragile unity will fall apart.

In the factor social one indicator was assessed to be very high (heterogeneous society), one was assessed to be high (lack of education) and one was assessed to be medium (large refugee / IDP / returnee flows). Access to and the quality of education is improving, although remaining very
rudimentary and dependent on international organizations. The refugees and IDPs have largely been repatriated. What is striking is the highly heterogeneous Southern Sudanese society, with groups predominately being organized around ethnic and tribal lines. The relations among these groups have severely deteriorated, with the clashes among them moving away from the traditional cattle raiding and being increasingly characterized as ethnic fighting.
(PHOTO)

Boy in Terekeke, Southern Sudan
Photo: Anne Schuit
This thesis aims to answer the question: *What is the Probability of Intrastate War within an Independent Southern Sudan?* A short history of Southern Sudan, the conflict against the North and the intra South fighting was provided for in the Part I. Part II then gave a theoretical background on early warning models, and a Southern Sudan specific early warning model was developed. Part III integrated the situation in Southern Sudan with the developed model, utilizing indicators that are believed to be of significance to focus on the important aspects. Finally, in Part IV the question regarding the probability of intrastate war in Southern Sudan will be answered. This answer is based on the analysis of the indicators in relation to Southern Sudan, and the rating of these indicators. Below is an overview of the indicators and their rating:

<table>
<thead>
<tr>
<th>INDICATOR</th>
<th>RATING</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>SECURITY</strong></td>
<td></td>
</tr>
<tr>
<td>History of Armed Conflict and Continuation Root Causes</td>
<td>Very high</td>
</tr>
<tr>
<td>Militarization</td>
<td>Very high</td>
</tr>
<tr>
<td>Human Rights Abuses</td>
<td>Medium</td>
</tr>
<tr>
<td>Internal Instability</td>
<td>Very high</td>
</tr>
<tr>
<td>Poor Professionalism Army</td>
<td>High</td>
</tr>
<tr>
<td><strong>ECONOMY</strong></td>
<td></td>
</tr>
<tr>
<td>Dependency on Natural Resources</td>
<td>Very high</td>
</tr>
<tr>
<td>Economic Instability</td>
<td>Medium</td>
</tr>
<tr>
<td>Economic Inequality</td>
<td>Low</td>
</tr>
<tr>
<td><strong>POLITICAL</strong></td>
<td></td>
</tr>
<tr>
<td>Adverse Regime Type</td>
<td>Very high</td>
</tr>
<tr>
<td>Regime Ineffectiveness</td>
<td>Very high</td>
</tr>
<tr>
<td>Regime Delegitimacy</td>
<td>Very high</td>
</tr>
<tr>
<td>Fragmentation of the Ruling Elite</td>
<td>High</td>
</tr>
<tr>
<td><strong>SOCIAL</strong></td>
<td></td>
</tr>
<tr>
<td>Heterogeneous Society</td>
<td>Very high</td>
</tr>
<tr>
<td>Lack of Education</td>
<td>High</td>
</tr>
<tr>
<td>Large Refugee / IDP / Returnee Flows</td>
<td>Medium</td>
</tr>
</tbody>
</table>

Figure 2: the indicators and their rating
It is very difficult and hazardous to assess the probability of intrastate war in Southern Sudan. Despite the carefully chosen indicators, the developed early warning model cannot give a definite and indisputable answer to the research question. The aim of this thesis was not to predict with certainty Southern Sudan’s future after independence however, but to alter the exclusive focus on the North-South problems and present a thorough analysis of the dynamics within the South. Having said this and understanding the limitations of the research, an assessment of the future of an independent Southern Sudan can be presented. Bases on the employed model, the selected indicators and the subsequent analysis, an indication of the probability of intrastate war in Southern Sudan transpires.

§ 1 The probability of intrastate war in Southern Sudan

From the above figure it becomes clear that particularly the indicators in the security and political factor were assessed to be exceptionally high. Indicators on the economy and social factors have a moderately lower rating but nonetheless also depict a worrying image. Of the fifteen indicators present in the model, eight have been ascribed a ‘very high’ rating.\(^{260}\) Six of these ‘very high’ ratings fall within the security and political factors.\(^{261}\) Three indicators are rated as ‘high’,\(^{262}\) three indicators are rated as ‘medium’\(^{263}\) and one indicator is rated as ‘low’.\(^{264}\) No indicator is rated as ‘very low’.

§ 1.1 Intrastate war

To repeat, the definition of intrastate conflict according to the Correlates of War Project an intrastate war is ‘sustained military combat, primary internal, resulting in at least 1,000 battle deaths per year, pitting central government forces against an insurgent force capable of effective resistance and determined by the latter’s ability to inflict upon the government forces at least 5% of the fatalities that the insurgents sustain’.\(^{265}\) As explained in Part II, this is a rather technical definition and therefore by some authors reduced to ‘armed conflict between the government of a sovereign state and one or more organized groups that are able to mount effective resistance against the state’.\(^{266}\)

\(^{260}\) The eight indicators rated as ‘very high’ are: history of armed conflict and continuation of root causes, militarization, internal instability, dependency on natural resources, adverse regime type, regime ineffectiveness, regime delegitimacy and heterogenic society.

\(^{261}\) These are also the factors with most indicators

\(^{262}\) The three indicators rated as ‘high’ are: poor professionalism army, fragmentation of the ruling elite and education.

\(^{263}\) The three indicators rated as ‘medium’ are: human rights abuses, economic instability and large refugee/IDP/returnee flows.

\(^{264}\) The indicators rated as ‘low’ is: economic inequality.


\(^{266}\) *Op. cit.* note 43, p. 261
Currently there is no intrastate war in Southern Sudan. Firstly, Southern Sudan is not an independent state so an intrastate war in the South is formally not even possible. Secondly, the ongoing violence (which does surpass the criteria of 1,000 battle related deaths as employed by the Correlates of War Project) is not a result of government forces against other group(s) and vice versa but mostly the consequence of civilian groups attacking each other. It therefore is a civilian matter. This is also the viewpoint of the United Nations Mission (UNMIS) in Sudan, which does not deal with the intra and inter ethnic fighting unless it has state implications.\textsuperscript{267}

§ 1.2 Process leading up to intrastate war

The probability that an intrastate war, meaning a situation where the current ‘civilian fighting’ will evolve to a situation in which the government takes active part in the fighting, will erupt due to processes as captured in the indicators of the economy and social factor is rather modest. The ratings on these indicators were relatively low as compared to the other indicators. More important is that these indicators represent long term processes that do not have acute explosive qualities. For example, the trigger for an intrastate war is not likely to be the fact that people do not have access to education or because the economy is not stable. These are not issues that instigate people to all of a sudden take up their arms, which is also apparent from the reason why these indicators are of importance in the first place. The indicator education is important because educated citizens are aware of non violent means to ensure their rights, not because people will start fighting if they do not have access to education. And economic instability is not important because people will take up arms if they notice the economy is not stable, but because an unstable economy over the long run inhibits the state’s ability to govern. The fact that the economy and social indicators are long term processes that in years may increase the probability of intrastate war simultaneously implies that these are not the processes that at present may trigger intrastate war. However, if the issues stipulated by the indicators do not improve over the years they do in fact become problematic and dangerous because they then transfer to the other two dimensions: security and political. The continuous lack of education then for example penetrates into the security realm by undermining the internal stability, and the economic instability into the political realm by contesting the regimes effectiveness.

What at present is a highly volatile situation however are processes as captured in the indicators of the security and political factor. These processes have the quality to trigger an intrastate war right now, and the ratings on their indicators are very high. Analyzing the causes of the current tensions in

\textsuperscript{267} UNMIS human rights unit does not deal with inter and intra ethnic fighting unless it has direct linkages to the SPLA, for example when human rights abuses are committed by the SPLA or other security forces or when the SPLA aims to mitigate in hostilities. Information obtained from UNMIS Human Rights Unit.
Southern Sudan, mainly the inter (and to a lesser extent intra) ethnic fighting and the political instability, it are indicators such as internal instability and regime delegitimacy that appear to be exceptionally explosive. With this also the extreme militarization on both civilian and state level is of increased significance as militarization represents the capacity for violent actions.

Considering the four factors, security, economy, political and social, a gradual scale of importance appears to exist, one that is predominately based on a temporal context. Analyzing the probability of intrastate war, the security and political factors are assessed to be most important because of their temporal proximity, making these processes highly explosive and able to trigger an intrastate war.

§1.3 The probability of intrastate war
Considering the preceding and the high rating on these indicators, a trend towards intrastate war appears to occur. The answer to the research question is therefore that the probability of intrastate war in an independent Southern Sudan is very high. In view of the highly instable situation in Southern Sudan, the escalating violence among the Southern groups and the highly factionalized government as well as the army, there is a serious chance that within a few years after independence a intrastate war will occur. Analyzing the security and political situation, it seems realistic that in an independent Southern Sudan the current government, the GoSS, will implode due to the highly factionalized and hostile societal groups. At the moment most of these groups are to some extent present in the SPLM, each securing their own interests. Simultaneously most of the groups regard the government as being strongly Dinka dominated, and protest this. Furthermore, the societal groups are organized around ethnic lines, and so the disputes have become ‘ethnicalized’. Here the cultural differences among tribal and ethnic groups become entwined with the political interest, thereby instrumentalizing ethnic identity. All these issues create a highly tense environment, in which a collapse of the government and society at large is a very real threat. If the government indeed collapses, with the segregated factions breaking away and taking control over their own domain and challenging what remains of the SPLM/A and GoSS, Southern Sudan will find itself in an intrastate war.

What is striking from the analysis in the preceding part is the extent to which ethnic identities have become the main feature of conflicts. The tensions among ethnic groups may originate from the fact that Southern Sudan is a highly heterogeneous society, but the ethnic affiliations have become politicized over time, with officials exploiting ethnic identities for their own political and economic gain in a government and security apparatus that appears to be more of a temporary collection of highly adverse groups than an integrated unit. The glue in the current political, military and civilian
society is the shared wish to make it to the referendum. Major instability and fighting within the South may give the North an excuse to delay temporarily or indefinitely the referendum, and despite the many differences and hostilities the Southern groups are willing to postpone these issues until after the referendum, until after independence, to then start ‘negotiating’ power. At the same time, these groups already started to prepare for the period after independence, and the expected power struggle that may occur. The background of the hostilities among groups, the motivation for their relative union in the SPLM/A, the fact that various officials in the SPLA are securing the loyalty of and prepare their own (ethnic) units and recent developments indicate towards this direction, with the recent developments being the previously mentioned establishment of the SPLM-DC, the rebellion of General Athor and an armed group in Jonglei and the increased fighting among ethnic groups. As stated in the previous part:

‘People are keeping a low profile now and work for a common aim: secession. After that they will go their own way. They are different groups who formed a coalition. They decided that ‘we need independence’ and work for that together. After independence has reached they will go back to being different groups again’

The unification of adverse group to fight a common enemy and for a common goal only temporarily inhibits hostilities between groups. Internal fighting after the secession of a group from a greater enemy has happened numerous times in the past and in various parts of the world. Most notable is what happened at times of the decolonization process in Africa, where almost all decolonized states to some extent experienced internal fighting amongst adverse groups. Once freed from colonial domination these groups, now captured in one country and under one (alien) authority, got embroiled in a new struggle for power and self determination. A similar situation and process appears to advent in Southern Sudan. ‘After independence has reached they will go back to begin different groups again’. But these groups have been become fragmented and hostile to such an extent that peaceful coexistence does not seem very probable. In fact, they do not live together peacefully now and have not been living together peacefully for a long time. An important question is whether the fighting among the groups remains a ‘civilian matter’ as UNMIS calls it, or evolves to a state matter. Also this is a difficult question to answer, but a situation in which fighting remains isolated to the ‘ground level’ while on the level of the GoSS stability remains is not very probable. Considering the politicalization of ethnic identities inter ethnic fighting is likely to spill over to the government level, and issues on the political level are once again likely to be disseminated into the civilian level. Once

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268 A similar fear arose when Sudanese President Omar al-Bashir was indicted by the International Criminal Court, resulting into a very neutral and rather lukewarm reaction by the GoSS. Also the ngo’s present in the South withheld from strongly supporting the indictment in order to avoid forcing the GoSS to take a stand.
269 Op. cit. note 176
270 Op. cit. note 176
271 By then (after secession) one can speak of a state.
again, what inhibits this from occurring at present is the impending referendum and probable independence.

Arguing that the probability of intrastate war in an independent Southern Sudan is very high the question as to when this may occur comes to mind. Again, this is a very difficult question to answer and trying to do so means little more than trying to predict the future. But in view of the highly unstable situation Southern Sudan is already in, and the escalating violent conflicts between Southern groups, the author deems it reasonable to estimate that intrastate war is probable within a few years after independence.

In conclusion, the occurrence of intrastate war within Southern Sudan is very probable. The increasing tension among groups in Southern Sudan’s highly heterogeneous society, groups that are organized along ethnic lines, is not likely to decrease after the referendum.\(^{272}\) Ethnic fighting is likely to continue and perhaps increase, especially when the GoSS does not present a unified front against internal fighting and for social, economic and political development. The trend that is currently visible is that the GoSS is highly factionalized. Polarization among factions mainly within the SPLM worsens, with very recent examples of instability on state level being the violent rebellion of General Athor against the SPLM/A, and a group in Jonglei state taking up arms to fight SPLM/A’s dominance. Considering the recent dynamics and developments in the South it is unlikely the GoSS will remain united, which will intensify the already very lethal clashes among societal groups and resulting into an intrastate war.

§ 2 Implications

The conclusion of this thesis is that an intrastate war in an independent Southern Sudan is very probable. By pointing out the explosive issues currently at hand, the author hopes to contribute to an enhanced informed policy making among professionals and organizations employed in Southern Sudan. This thesis has pointed out that especially the areas of security and governance need direct attention in order to prevent the South from ‘becoming the new Somalia’. Diverting the direction Southern Sudan is currently heading to requires acute intervention in the areas assessed to be highly explosive (such as the ‘ethnicalization’ of the conflicts, the extreme militarization and the extreme fractionalization on government level), and thorough and long term investment in the areas such as education and economic stability. Having altered the exclusive focus on the North-South conflict,

\(^{272}\) Not everybody agrees with this. One respondent interviewed in Juba mentioned that: ‘If the bigger war is curtailed it can also lead to minimalisation of these other factions. The Khartoum government is actually sponsoring some of these factions to cause conflict between themselves. I think once the referendum is done and Southern Sudan is independent, it will also lead to these factions of wars in Southern Sudan will be easy’. Interview with Paul Biel Otoang from the Nile Hope Development Forum in Juba, Southern Sudan, April 2009.
explained the gravity of the problems within Southern Sudan, analyzed the situation in relation to the probability of intrastate war, and clarified the gradual importance (based on a temporal context) of factors in relation to intervening strategies, the author aspires to have contributed in her own small way to a more peaceful life for the people of Southern Sudan, a peace they so much deserve.
(PHOTO)

Juba, Southern Sudan
Photo: Anne Schuiz
PART V DISCUSSION

Without a doubt any academic work will never entirely include all the issues and themes related to the topic. Despite this fact the author wishes to point out some aspects that were not included in this thesis but are nevertheless of great importance.

Firstly, apart from mentioning it in the introduction and once or twice in the main text, this thesis has focused very little on the role of Sudan (the Khartoum government) in the situation in Southern Sudan. This is an oversimplification of reality, and limits the understanding of the dynamics in the South and the intra and inter ethnic violence. It is commonly accepted that the North has intentionally spurred the divisions among the Southern groups, arming rivaling parties, to create instability and consequently a less strong opposition towards the North. As such the role of the North is important to understand the causes of the intra South fighting. The reason why this part is underrepresented is that this thesis aims to focus exclusively on the South. By including the Northern dynamic the attention very easily shifts to the North-South conflict, which does not fit in the exclusive focus on the South, which is the framework of this thesis. Also, as much as Northern policies have influenced the dynamics in the South, the current issues have moved beyond the divisions instigated or deteriorated by Khartoum, and unfortunately will persist with or without its influence.

Secondly, many assumptions underlay the research question of this thesis, and this at times made adherence to academic principles challenging. It is important to realize that the answer to the research question is founded on the assumption that by selecting the right indicators the situation in contemporary Southern Sudan in relation to its future could be assessed. As has been argued before, important data is sometimes lacking, challenging the reliability of the analysis. The absence of data on Southern Sudan’s GDP for example critically undercuts what assessment can be made on indicators as militarization and economic instability. However, the thesis does not aspire to provide a indisputable analysis on the probability of intrastate war. Rather, it intends to initiate further and more thorough consideration of the future of an independent Southern Sudan.

Also assumed is the fact that the situation as it is in Southern Sudan right now will steadily continue. However, the occurrence of events with a significant impact on mainly the security and/or political situation may alter the course of Southern Sudan’s future, and thereby change the answer to the research question. Even single events can significantly change the rating on a certain indicator, and can trigger a whole chain of events. The death of John Garang, the leader of the SPLM/A, in 2005 clearly indicates this. John Garang was one of the major initiators of the CPA and envisioned a united Sudan, in which the South would have a just share in political and economic power, and in which
institutional marginalization and exclusions would be eliminated. Despite major critique of being an authoritarian leader\textsuperscript{273} Garang was incredibly charismatic and the only leader both the North and the South as well as many Southern groups respected. Had Garang been still alive, the GoSS could possibly have been more legitimate as well as effective, which in the early warning model as presented in this thesis would have resulted in a lower score on the factor ‘political’ and possibly changing the whole chain of events and the future of Southern Sudan.

Thirdly, another issue that needs to be addressed is the limited relevance of labelling a situation intrastate war or not from a human security perspective. If within five years time an independent Southern Sudan will be in intrastate war, as is the probable scenario, how much difference does that make for people on the ground? The fact that the current violence is regarded as a civilian matter does not change the fact that in 2009 at least 2,500 people were killed in ethnic clashes.\textsuperscript{274} In comparison, the Polity IV Project estimates that in the year 2008 between 1,000 and 5,000 people were killed in the Democratic Republic of Congo, a country whose intrastate war is regarded as extremely horrifying and lethal.\textsuperscript{275} And despite the fact that the current situation is not an intrastate war, in the first 3 months of 2010 more than 450 people were killed and 60,000 people displaced due to the conflicts.\textsuperscript{276} In comparison, in 2005 less than 100 people were killed in Burundi,\textsuperscript{277} a country which in 2005 had an intrastate war.\textsuperscript{278} These numbers clearly signify the limitations of focusing purely on predicting the occurrence of intrastate war. More important is the real change in people’s lives. Consequently, attention should be given to the implications of the change in security fabric for the human security situation. What does the occurrence of intrastate war mean for people on the ground? In the case of Southern Sudan, what does it effectively change compared to the violent situation at present? Simultaneously, how does the non-occurrence of intrastate war improve the human security situation? Does the level of violence decrease and social development improve? Deviating from the non-focus on the North-South dynamics for once, it is interesting as well as disheartening to notice that the situation in Southern Sudan after the 2005 peace agreement did not improve much for the ordinary Southerners, who still cannot travel the regions due to a non-existent infrastructure, who still has very little access to education, and who still faces life-threatening security concern on a daily basis. Here the notion of negative and positive peace becomes relevant, with negative peace being the absence of violence and the absence of war and positive peace as the integration of human society resulting into peaceful

\textsuperscript{273} This was partly the reason given for the establishment of the SPLM-United
\textsuperscript{275} Polity IV Project factsheet on ethnic wars.
\textsuperscript{276} Op. cit. note 10, p. 5
\textsuperscript{277} Op. cit. note 270
\textsuperscript{278} Whether Burundi in 2005 was embroiled in an intrastate war depends on the definition of intrastate war that is employed, especially concerning the ‘required’ number of deaths. Nonetheless, according to the CIA World Factbook on Burundi, the country signed a ceasefire with the last remaining rebel groups in 2006, meaning, to some definitions of intrastate war, in 2005 Burundi still had an intrastate war.
conflict resolution. Note that peace is not conditional on conflict. Peace does not mean the absence of conflict. Rather, it signifies non violent and institutional means for conflict management. Positive peace also implies a certain degree of the durability of the peace, whereas negative peace does not. A next category of peace that is sometimes distinguished is sustainable peace, focusing primarily on the extent to which the peace will last.

By not taking the human security position into account this thesis has, to a certain extent, become distant from the reality, limiting its practical implication for people living in Southern Sudan. The author recognizes the implications hereof and sincerely hopes this thesis will motivate a critical reader to take up this incredibly important approach. It is furthermore strongly hoped that the thesis will instigate more researchers to focus on the intra South dynamics. Simultaneously, the author hopes to have contributed to a more informed policy making among international organizations employed in or working for Southern Sudan, who now perhaps have a better understanding of the highly explosive intra South dynamics and the dire situation within Southern Sudan, and can aim their efforts on the most explosive dynamics in order to divert the disheartening course the region is currently heading to. If anything, the author hopes to contribute to a more peaceful Southern Sudanese society in which the people of Southern Sudan can finally live in peace.

\[footnote{279} The United States and the European Union for example have extensive trade conflicts. These conflicts are resolved without recourse to military means. Instead they are settled within formalized diplomatic and institutional procedures.\]

\[footnote{280} Klein, J.P., Goertz, G. and Diehl, P.F. (2008), p. 68\]
(PHOTO)

Terekeke, Southern Sudan
Photo: Anne Schuit
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