

Cyclical Violence in Jonglei State:
The Deadly Shift in the Practice of Cattle Raiding

By

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Author's Declaration

I hereby declare that I am the sole author of this thesis. This is a true copy of the thesis, including any required final revisions, as accepted by my examiners.

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Abstract

One of the greatest post-conflict problems in South Sudan, which has emerged as a threat to the nation's security, has been the deadly clashes between tribes during cattle raids. This thesis examines why cattle raiding shifted from a relatively non-violent rite of passage to the primary manifestation of tribal conflict in South Sudan, and whether it is possible to reverse this shift. This thesis proposes a unique approach to the topic by analyzing two underlying causes: insecurity in Jonglei State and a breakdown of traditional governance structures – as well as how their combination has led to the shift. This thesis focuses on a case study of Jonglei State, as it has experienced the largest number of instances of conflict attributed to cattle raiding in South Sudan. Furthermore, current attempts to reduce conflict through increased security and disarmament, demobilization, and reintegration programs have failed as they only address problems of insecurity. I will be comparing two periods of cattle raiding in Jonglei: the current conflict from 2009 until the present, and a historical review of cattle raids focusing on governance of the raids. The review will not cover any specific time period as it aims to identify what aspects of the tradition contributed to a reduced scale of violence before the shift in 2009. Insecurity has caused the increase in clashes, while disconnections to traditions have caused the increase in violence. To address these problems, traditional leadership structures and the de facto rules that structured raids must be re-established in order to produce a long-term solution.

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List of Abbreviations

CPA: Comprehensive Peace Agreement
GOSS: Government of South Sudan
MPDF: Murle Pibor Defence Force
MSF: Médecins Sans Frontières
NGOs: Non-Governmental Organizations
SALW: Small Arms and Light Weapons
SASS: Small Arms Survey Sudan
SPLA: Sudan People's Liberation Army
SPLM: Sudan People's Liberation Movement
SPLM/A: Sudan People's Liberation Movement and Army
SSPF: South Sudanese Police Force
SSP: South Sudanese Pound
UNMISS: United Nations Mission in South Sudan
UNMIS: United Nations Mission in Sudan

Chapter 1: Introduction

1.1 Introduction

Entering its second year as an independent state, the Republic of South Sudan continues to face many internal security challenges. One of the greatest post-conflict problems in South Sudan, emerging as a primary threat to the nation's security, has been the deadly clashes between tribes during cattle raids. Violence between tribes has been widespread among agro-pastoral communities in many South Sudanese states. However, this thesis will analyze the outbreak of tribal violence in Jonglei State, which is South Sudan's largest territorial unit. With a population of over 1.3 million¹ – and with approximately 80 percent dependent on the cattle economy² – the outbreak of agro-pastoralist conflicts in Jonglei has had a major impact on the population's daily life. In particular, the violence in Jonglei has become highly personal; it has moved well beyond the theft of cattle carried out by youth as a rite of passage. Instead, current raiders attack and burn entire villages, targeting women, children, and the elderly.³

Cattle raids in Jonglei have become cycles of violence among the three largest tribes in the state⁴: the Dinka, Lou-Nuer, and Murle. For this reason, my research examines why cattle raiding shifted from previously being a relatively non-violent rite of passage to the primary manifestation of tribal conflict in South Sudan, and if it is possible to reverse this shift. I will be taking a unique approach to the topic by analyzing two

¹ International Crisis Group, "Jonglei's Tribal Conflicts: Countering Insecurity in South Sudan," *Africa Report* no. 154 (23 December 2009): i.

² Laura Heaton, "Root Causes of Violence in Jonglei State, South Sudan," *Enough Project* video, 2:56 (17 December 2012), http://www.youtube.com/watch?v=uTDm0ioYKHY&feature=player_embedded.

³ Traditionally, raiding parties would solely target cattle. If conflict erupted, violence would be confined between raiders and cattle guards (youth who are responsible for guarding the cattle of the tribe).

⁴ There are six tribes in Jonglei: the Dinka, Lou-Nuer, Gawaar-Nuer, Jikany-Nuer, Anyuak and the Murle. While there was conflict between the Lou-Nuer and the Jikany-Nuer in 2009, its scale was minor in comparison to the conflict among the Lou-Nuer, Murle, and Dinka.

underlying causes: insecurity in Jonglei State and a breakdown of traditional governance structures – as well as how their combination has led to the shift. Current efforts by local, national, and international actors to reduce the violence focus on addressing factors of insecurity in the region. While these issues must be addressed, the more pressing cause of violence is the lack of effective governance in Jonglei. When the traditional governance structures broke down, a void was created that the Government of South Sudan (GOSS) has failed to fill. Foundational services such as the rule of law and provision of security are virtually non-existent in Jonglei. Therefore, I will argue that insecurity has caused the increase in the number of clashes, while the breakdown of governance structures has caused the new, increased scale of violence.

1.2 A United South?

When John Garang founded the Sudan People’s Liberation Movement (SPLM) on April 6th, 1983, its purpose was to create a “free, secular, democratic, and united society” within Sudan.⁵ Six weeks later, the 105th Battalion stationed at Bor⁶ revolted, leading to the start of the Second Sudanese Civil War.⁷ At its outset the SPLM - supported by its military wing the Sudan People’s Liberation Army (SPLA) - sought to bring all groups in both the North and the South under its banner. For this reason the separation of the South, although supported by many within the SPLM/A command, was not one of the initial

⁵ Robert O. Collins, *A History of Modern Sudan* (New York: Cambridge University Press, 2008), 141.

⁶ Bor is currently the capital of Jonglei State.

⁷ Then President of Sudan Ja’afar Nimeiri ordered all southern garrisons to be relocated to either the north or the west of Sudan. Nimeiri wanted to remove all military forces with southern loyalties from the region to eliminate any possible threat of revolt. In addition to questioning the loyalty of southern soldiers to the central government (as they had fought the Khartoum regime in the First Sudanese Civil War), Nimeiri had implemented several unpopular policies (including declaring Sudan an Islamic state), which imposed the regime’s power over the periphery regions. While the order was intended to bring stability to the region, Nimeiri’s order was used as part of the justification by the SPLM/A for the revolt. Collins, *A History of Modern Sudan*, 139.

goals of the civil war.⁸ The issue of separation was contentious, and led to rifts within the SPLM/A.

In addition to the issue of Southern separation, the growing absolute authority of John Garang over the SPLM/A increased animosities within the organization. Robert Collins has argued that the reason Garang maintained absolute control was because he was leading an army consisting of many personnel from different tribes who had, at one time or another, fought each other. According to Collins, being a ‘strong man’ allowed Garang to lead a divided group.⁹ However, John Garang could also be viewed as using his power as the leader of the SPLM/A to remove dissenting voices from the decision making process. The result was that all political and military decisions were made by Garang, and then carried out by his subordinates. The absence of a democratic process within the SPLM/A was given as the primary reason why senior SPLA commanders Riek Machar Teny Dhurgon, Gordon Kong Cuol, and Lam Akol Ajawin demanded the removal of John Garang as the SPLM/A leader on August 28, 1991.¹⁰ When the attempts to remove Garang failed, Riek Machar and Lam Akol broke away, creating the SPLA-Nasir faction.

That November, in an attempt to defeat Garang in his home territory, the SPLA-Nasir launched an attack on Bor and Kongor, located in the southwest corner of Jonglei State (see Figure 1) in Dinka territory.¹¹ This major counteroffensive, known as the ‘Bor

⁸ There were many reasons why Garang did not create the SPLM/A as a secessionist movement. He personally believed that if the regime could be overthrown, Sudan could remain a united, secular democracy. Garang also had additional considerations: the tactical alliances with Northern anti-Nimeiri forces, support from regional countries (such as Ethiopia) fighting separatist movements of their own, and the difficulty of conceiving how to separate the North and South geographically and economically. Johnson, *The Root Causes of Sudan's Civil Wars*, 62.

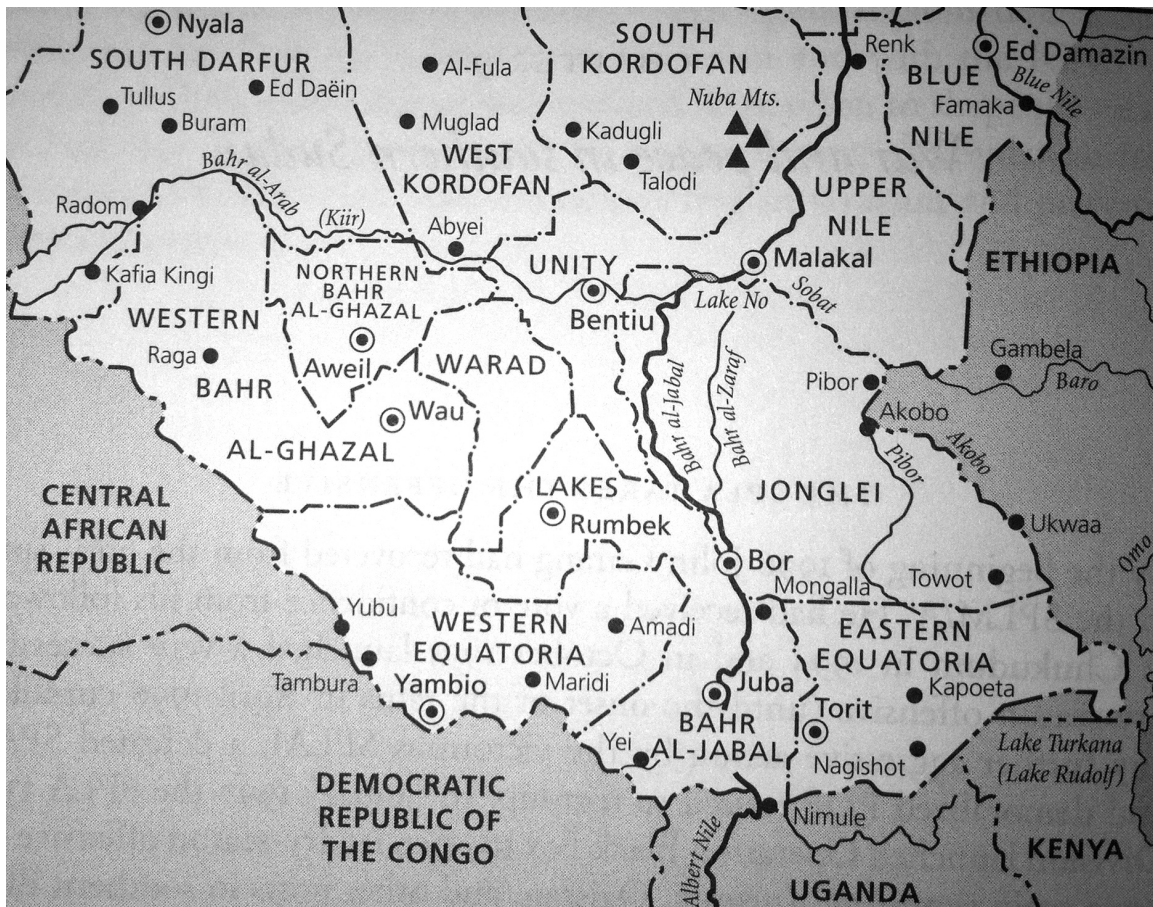
⁹ Collins, *A History of Modern Sudan*, 175.

¹⁰ *Ibid.*, 204.

¹¹ Johnson, *The Root Causes of Sudan's Civil Wars*, 98.

Massacre,’ led to the indiscriminant death of Dinka civilians and the destruction of Bor.¹² While reports vary, estimates are that 2000 Dinka were killed in the attack.¹³ In addition to units consisting exclusively of Nuer soldiers, armed Nuer civilians known as the ‘White Army’ supported the SPLA-Nasir during the massacre.¹⁴ The attack by an exclusively Nuer force on Dinka territory resulted in the formalization of tribal differences during the civil war.

Figure 1: Map of the south of Sudan. Source: Robert O. Collins, *A History of Modern Sudan* (New York: Cambridge University Press, 2008), 175.



While the SPLM/A split in 1991 resulted in tribal divisions in the South, the initial

¹² Collins, *A History of Modern Sudan*, 205.

¹³ International Crisis Group, “Jonglei’s Tribal Conflicts: Countering Insecurity in South Sudan,” *Africa Report* no. 154 (23 December 2009): 3.

¹⁴ The White Army was created to defend cattle and local communities during the civil war.

movement included members of various tribes. Douglas Johnson argues that the fairly even number of Dinka and Nuer commanders before the split demonstrates that the SPLM/A tried to overcome tribal divides - one of the remedies that Garang insisted was needed to unite Sudan.¹⁵ Therefore, Johnson argues that any divisions at the leadership level were based on personal and ideological differences. However, from the outset of the Second Civil War, the SPLM/A was generally perceived by outside groups and citizens as a 'Dinka army'. Any group or tribe which opposed the SPLM/A could target local Dinka or Nuer tribes which were perceived as being the power base of the organization.

Recognizing an opportunity, the Khartoum government fanned the dissatisfactions of other tribal groups in the South to cause proxy wars and divert the SPLM/A's attention from their northern campaigns.¹⁶ The SPLA-Nasir received supplies and support from Khartoum in order to combat the SPLM/A, which led to a quasi-alliance. That the SPLA-Nasir strongly advocated for the secession of the South certainly made them strange bedfellows in the alliance with Khartoum, but it should be noted that arming factions in the South was not a new policy for the Khartoum government, which had also used the tactic in the First Sudanese Civil War (1955-1972). The Murle of Jonglei State, for example, have a long history of fighting their Dinka and Nuer neighbors with weapons and resources provided by Khartoum.¹⁷ As the Murle felt marginalized, the Sudanese government was able to manipulate the discontent among the Murle within only a couple of months of the Bor revolt in 1983.¹⁸ Throughout the civil war the Murle stronghold was

¹⁵ Johnson, *The Root Causes of Sudan's Civil Wars*, 65.

¹⁶ While there was representation of Dinka and Nuer (the two largest tribes in the South) within the SPLM/A, smaller southern tribes were not included in the senior membership.

¹⁷ Khartoum began using the Murle in the First Civil War, arming them to fight the Anyanya separatist group. The Murle were never disarmed and were therefore able to use the weapons in raids on Nuer and Dinka throughout the 1970s. Johnson, *The Root Causes of Sudan's Civil Wars*, 68.

¹⁸ Ibid.

located in Pibor County (traditional Murle territory), in the southeast of Jonglei. Within the region, Ismail Konyi led the Murle Pibor Defence Force (MPDF) against SPLA forces, aided by resources from Khartoum.¹⁹ The SPLA, and later the GOSS, were never able to effectively establish control in Pibor due to Murle resistance.

The Dinka and Nuer populations in Jonglei were important sources of support and manpower for the SPLM/A. Therefore, by raiding the Dinka and Nuer populations, the Murle forced the creation of local security forces, drawing manpower away from the North-South conflict. Known as cattle guards, youth from local tribes were armed in order to protect local villages and cattle herds. The SPLA also targeted civilian populations perceived to be supporting tribal militias, hoping to reduce support for those militias and break supply and support chains.²⁰ During 1985 and 1986, the SPLA campaigns involved attacks on Southern civilian populations it regarded as hostile towards the movement. The motive behind these attacks was to consolidate SPLA control in the Southern States and gain revenge against groups that targeted Dinka communities.²¹ Throughout the war, either the SPLM/A or the Khartoum government had armed the Dinka, Lou-Nuer, and Murle tribes. In addition, civilians from each tribe had been the targets of violence, causing animosity and mistrust towards surrounding tribes.

In January 2002, Machar and Garang formally reconciled, and re-united under the SPLM/A. The Second Civil War ended on January 9th, 2005 when the Comprehensive Peace Agreement (CPA) was signed. The Southern Sudanese population had suffered terrible losses. By 2003, approximately 2 million Southern Sudanese had died, and

¹⁹ International Crisis Group, "Jonglei's Tribal Conflicts: Countering Insecurity in South Sudan," 5.

²⁰ Johnson, *The Root Causes of Sudan's Civil Wars*, 82.

²¹ *Ibid.*, 83.

anywhere from 4-6 million had fled from the South due to the constant fighting.²² Although the South was granted autonomy in the CPA and had governed itself during the civil war, the SPLM/A was never able to establish exclusive control over the vast southern territory during the civil war. Areas throughout the South constantly alternated between control by the North and South. Where the SPLM/A failed to establish its control, tribal hierarchies provided the basis for governance.

Three events during the Second Civil War led to the formation of strong tribal stereotypes and resentments in the South. First, the split in the SPLM/A in 1991 led to a divide between the Dinka and Nuer that continued after the reconciliation of the factions. Additionally, the split resulted in the perception that the current Vice-President (and potential presidential candidate in 2015) Riek Machar did not fully support the cause of the South, as he had fought the SPLM/A and received support from Khartoum. This perception is particularly strong among the Dinka, who are also hostile towards Machar because of the Bor massacre. Second, the use of the Murle by the Khartoum government as a pawn in the war reinforced the perception that the Murle are ‘backward’, traitorous, and untrustworthy.²³ Furthermore, the raids led to the arming of the Murle, Dinka, and Lou-Nuer, and none of the groups have been properly disarmed since the end of the war. Third, the SPLM/A’s inability to ‘win the hearts and minds’ of the civilian population in the South has caused fear of military involvement in civilian conflicts.²⁴ The SPLA used force against civilians in the civil war; it also tends to have a heavy hand when dealing with outbreaks of inter-tribal violence. This has led to the perception among non-Dinka

²² Collins, *A History of Modern Sudan*, 258.

²³ Jonah Leff, “My Neighbour, My Enemy: Inter-tribal violence in Jonglei,” *Sudan Issue Brief* No.21 (October 2012): 6.

²⁴ Richard Rands and Matthew LeRiche, “Security Responses in Jonglei State in the Aftermath of Inter-Ethnic Violence,” *Saferworld* (February 2012): 5.

populations that if the SPLM/A is deployed it might use violence to end the current cycles of raids.

During the Second Civil War, the Dinka, Lou Nuer and Murle each came into conflict with one of their neighbours. The Murle raided both the Dinka and the Lou-Nuer throughout the civil war. On the other hand, relations between the Lou-Nuer and Dinka have tended to fluctuate. While the reconciliation between the SPLM/A and the SPLA-Nasir led to a working relationship between the Dinka and the Nuer, the Bor massacre is still cited as a primary reason for tensions between the tribes. The events of the Second Civil War are not the sole cause of the current cycle of violence, but they continue to cause mistrust between tribes and are often used in rhetoric to incite action against a particular tribe.

1.3 Insecurity and the Breakdown of Governance Structures

Before analyzing the relationship between governance and insecurity, I will briefly touch on some of the key background issues needed to put the connection between these underlying causes into context. When South Sudan became independent on July 9th, 2011, its secession from Sudan did not resolve many of the socio-political problems it was facing. Secession led to the South becoming an independent state, but the region already had a long history of being out of the Khartoum government's control. In fact, throughout South Sudan's history most imperial-colonial forces have failed to exercise their administration beyond a few stronghold cities.²⁵ In the conflict and post-conflict reconstruction literature, it is noted that informal systems of governance are often created either in regions that lack a formal government, or where the government is unable to

²⁵ Douglas H. Johnson, *The Root Causes of Sudan's Civil Wars: Peace or Truce* (Rochester, NY: James Currey, 2011), 9

exert its control. In Jonglei, the absence of a formal government led to a system in which tribes provided governance in lieu of the state. This governance ensured that there was a basic level of security for members of the tribe and predictability in their lives. Kenneth Menkaus argues that for this reason, regions such as Jonglei's might be "without government, but not without governance."²⁶ With secession, citizens expected the GOSS to take on the roles that tribal systems have provided to the population. Currently, however, the GOSS has not developed the capacity to provide the most essential services needed by the population: security and governance.

There has been a chronic lack of security and justice in Jonglei since the CPA was signed in 2005, which marked the end of the Second Sudanese Civil War. This is due to three key reasons. First, the events of the civil war caused a breakdown in the system of tribal governance. Youth, the primary source of manpower during the civil war, were often relocated to various regions outside traditional governance structures as a result of wartime operations. Upon their return, they often challenged and resisted these structures. In addition, external relations between different tribes in the region collapsed as they often took different sides during the civil war. Second, the GOSS has failed to effectively transition into the roles previously held by tribal groups. This has led to a vacuum in the provision of security and predictability in the lives of the Dinka, Lou-Nuer and Murle. Third, the GOSS has been unable to establish an effective justice system. Formally, cattle raiding in South Sudan is illegal. However, raiders are rarely arrested or criminally tried. Furthermore, the GOSS has been unable to establish an effective police or security force to combat many of the sources of insecurity within the state.

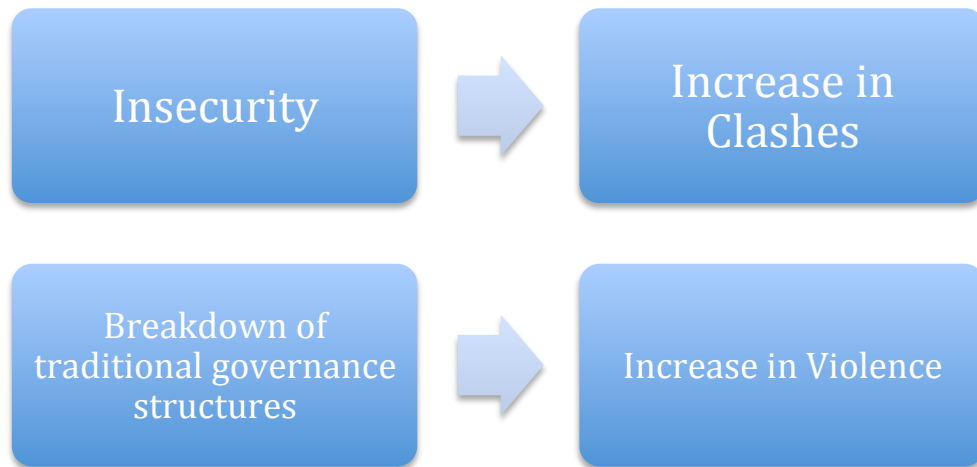
²⁶ Kenneth Menkaus, "Somalia: Governance vs. Statebuilding," in *Building States to Build Peace*, ed. Charles T. Call with Vanessa Wyeth (Boulder, CO: Lynne Rienner Publishers, 2008): 188.

The question that this thesis addresses is why cattle raiding shifted from a non-violent rite of passage to the primary manifestation of tribal conflict in South Sudan, and whether the situation can be reversed. Insecurity, or lack of human security, felt among the population in South Sudan has caused the increase in clashes because – as demonstrated by the ‘parable of the tribe’ theory in Chapter 3 – tribal groups fear the actions that could be taken by a neighboring tribe and therefore respond to any potential threat with hostility. Furthermore, violent clashes between tribes during cattle raids are due to the fact that the youth participating in the raids are disconnected from the tradition in which they are participating. There has been both a breakdown of traditional leadership structures, as well as a trend amongst those who are participating in the tradition to not follow the *de facto* rules that formerly structured the raids. This is most clearly seen in the lack of respect given to tribal elders, who were previously able to facilitate the practice and acted as the primary mediators to diffuse the conflict before it escalated. Therefore, there are two causal mechanisms that will be applied in this thesis (see Figure 2). First, it will be argued that insecurity has caused an increase in clashes between tribal groups. Second, when these clashes occur, the breakdown of traditional governance structures has caused the increased scale of violence. If the insecurity within South Sudan were to be addressed, the number of clashes between the tribes would decrease. If the traditional governance structures, or hybrid systems (as will be discussed in Chapter 6), were reintroduced through the restoration of formerly *de facto* rules and elder influence, then the levels of violence would decrease.

In order to explain the shift in the scale of violence seen in cattle raiding from 2009-2012, this thesis proposes a re-evaluation of the approach to examining the

underlying causes of the conflict in Jonglei: studying the linkage between insecurity and the breakdown of governance. Research on the conflict derived from cattle raids has focused on analyzing the sources of insecurity as the cause of increased violence in Jonglei. Given that the current literature examining sources of insecurity have used the concept broadly and in order to maintain congruency, this thesis will therefore define insecurity as any threat to human security. Human security at its most basic level is the ability of individuals to be free from violence and fear. While traditional security studies experts criticize the human security approach as being too broad,²⁷ this approach places the focus on individuals, who are the primary victims within Jonglei State.

Figure 2: Relationship between Insecurity and Governance



The way in which insecurity has been defined in Jonglei has stretched the concept, allowing the inclusion and exclusion of a variety of factors. These sources of insecurity include: the economics of bridewealth, environmental effects on grazing lands and migration, the proliferation of small arms and light weapons (SALW), lack of infrastructure, political interest in the conflict, and the failure of the security sector to

²⁷ Fathali M. Moghaddam, *The New Global Security: how terrorism, environmentalism, collapse, economic inequalities, and resource shortages are changing our world* (Denver, CO: Praeger Security International, 2010), 6.

respond to conflicts. This is not an exhaustive list, as the dynamics within the state are constantly changing, leading to the constant re-evaluation of factors and their effect on insecurity. Therefore, an analysis of the most consistent factors of insecurity in Jonglei – bridewealth, environmental factors, and SALW – in Chapter 5 will demonstrate that these factors, which have increased the levels of insecurity in the state, led to an increase in clashes rather than a direct increase in the scale of violence. Previously, clashes between tribes tended to occur primarily during the dry seasons, as tribes would migrate to find grazing lands. The clashes were fairly predictable, to the extent that “tribes knew precisely when and where they would encounter neighboring tribes.”²⁸ Given the predictability of clashes, actions could be taken within the traditional leadership structures to mitigate the conflict. However, with the changing dynamics within Jonglei, insecurity within the state has led to shifts in the daily lives of the tribes. This shift has led to more frequent confrontations between the Dinka, Lou-Nuer, and Murle.

Furthermore, sources of insecurity felt by the different tribal groups do not necessarily have to be ‘real’; they can also be perceived. If an individual or tribe perceives that it is threatened, and that the government does not mitigate the threat, then it will seek an alternative source of security. Since within Jonglei the government does not have a monopoly on violence, security is found instead within the tribal structure. If an outside force is perceived to threaten a tribe, then its leaders will act to eliminate that threat. Therefore, violence can be caused by perceptions as well as actual threats to security. Insecurity felt by the population in Jonglei has caused the increase in clashes because tribal groups fear the potential actions that could be taken by a neighboring tribe.

²⁸ Leff, “My Neighbour, My Enemy: Inter-tribal violence in Jonglei,” 6.

With the breakdown of relations between tribes, one of the only options to ensure that a group is not attacked is to eliminate the threat, and therefore attack first.

While research on the conflict in Jonglei has included the breakdown of governance structures within the explanation of underlying causes, there is no consensus on the way that governance has affected the conflict. The breakdown in governance has tended to be included as one source of insecurity.²⁹ However, I would argue that the breakdown of traditional governance is directly and significantly related to the increase in violence in Jonglei and must be addressed separately. Traditional governance managed tribal affairs locally, as well as relations between neighboring tribes. This established system gave structure to a region with minimal formal government power. Codes of conduct were adhered to in daily life, including during raids. Given these rules, there was predictability in the interactions within tribes and between two different tribes. If these codes were broken, individuals would be held accountable by the tribal leadership, and faced being shunned by the community if they did not follow the ruling of the elders and chiefs. Therefore, traditional governance motivated adherence to rules that were enforced if broken. However, when these traditional systems broke down, there was no enforcement of the rules that dictated conduct between tribes. Therefore, raiders were able to break these rules and were not held to account.

The importance of governance in reducing violence during cattle raids is clearly seen in the response to the cattle raids in Unity, Warrap, and Lakes states (see figure 1, where Warrap State is labeled as Warad - an alternative spelling of the state). A pattern of clashes similar to the cycles of conflict in Jonglei has been experienced among Unity,

²⁹ “People’s Perspectives on Peace-making in South Sudan: An initial assessment of insecurity and peacebuilding responses in Jonglei State,” *Saferworld* (September 2011): 3.

Warrap, and Lakes states; however this violence is minor compared to the scale seen in Jonglei. These conflicts differ from those in Jonglei as the cycles of raids cross state borders, concentrated particularly on raids occurring between Lakes and Warrap states, as well a cycle of violence between Unity State and Warrap State. The raids assume a cyclical nature, crossing the bordering regions of each state and creating a triangle of conflict. In addition, as in the case of Jonglei, the power of elders in Unity, Warrap, and Lakes states has deteriorated since the civil war, greatly reducing their ability to act as mediators in the resolution of conflicts between bordering tribes.³⁰ However, what made the circumstance in Unity, Warrap, and Lakes states different when compared to Jonglei is that the political leaders representing Unity, Warrap, and Lakes states have made ending conflicts between their states a top priority.

Members of Parliament for Unity, Warrap, and Lakes states have worked to return all stolen cattle to their original tribes and prosecute those responsible for theft.³¹ Efforts by state officials has led to accountability for actions taken during cattle raids, removing the culture of impunity in Unity, Warrap, and Lakes states that is rampant in Jonglei. Furthermore, during a conference from June 17-19, 2013, the Governors of Lake, Unity and Warrap states agreed to increase security measures to prevent cross border raids. This has included the possibility of imposing the death penalty on individuals accused of raiding cattle across state borders.³² While the measure must still be passed by each state parliament, the emphasis on standardizing punishment across the three states indicates

³⁰ "People's Perspectives on Peace-making in South Sudan: An initial assessment of insecurity and peacebuilding responses in Warrap State," *Saferworld* (September 2011), 6.

³¹ "Lakes & Unity MPs agree to recover stolen cattle," *Miraya*. (21 May 2013). <http://www.radiomiraya.org/news-202/south-sudan/11299-lakes-unity-mps-agree-to-recover-stolen-cattle.html#gsc.tab=0>.

³² "Three South Sudan state agree to impose the death penalty on cattle raiders" (19 June 2013) <http://www.sudantribune.com/spip.php?article47022>.

that all raiders will be treated equally, removing any possibility of preferential treatment from their home jurisdiction. While the death sentence might be removed from the agreement, the legalization and standardization of bloodwealth³³ compensations at 51 cattle for each victim is likely to reduce violence as gains from raids would be negated.³⁴ This example demonstrates that in Unity, Warrap, and Lakes states, members of the GOSS were able to fill the void caused by the breakdown of traditional governance structures, reducing the level of violence. By adopting measures such as bloodwealth that were deeply rooted in traditional tribal governance, the GOSS introduced an indigenous solution³⁵ to the conflict, ending the culture of impunity.

Cattle raiding, as a source of tribal conflict in South Sudan, has become one of the greatest post-independent threats to domestic security. For this reason international, government, and non-governmental actors have been working to find ways to curb the violence that has occurred during raids. Thus far, efforts have focussed on mass disarmament campaigns, reforming the security sector, providing security forces around large herds of cattle, and establishing a national reconciliation commission. These examples are not exhaustive, however, and these efforts to address these sources of insecurity will only reduce the incidence of clashes. For example, if rearmament occurs or if herds are not protected, raids will continue – and have continued – to occur. The underlying reasons for the conflict are not properly understood and therefore long term

³³ Bloodwealth is the payment of cattle to a family or tribe in compensation for ‘wrongdoing’ or crime. This concept will be covered in more detail in Chapter 4.

³⁴ Ibid.

³⁵ As discussed in Chapter 4, an indigenous solution is something that is locally inspired, but does not necessarily have to be a traditional approach. While bloodwealth is a tradition, ensuring fixed compensation reflects a new approach to the tradition.

solutions cannot be devised. Therefore the issue of governance must become a top priority in addressing the conflict in Jonglei State.

1.4 Features of the Thesis

The remaining thesis will be broken down into five chapters. Chapter Two will explain the cyclical conflict unfolding in Jonglei State. It will start off with a brief explanation of the tradition of cattle raiding, moving into the explanation of the shifts that have occurred in this tradition. The rest of the chapter is broken down into a description of the different cycles of conflicts between the Dinka, Lou-Nuer, and Murle.

Chapter Three will focus on why the conflict in Jonglei can be described as a tribal conflict, why there is a persistence of tribal structures in modern states, and what explanatory factors can be introduced to interpret the cycles of violence among the Dinka, Lou-Nuer and Murle. The chapter will also delve into the debate on how to define a tribe, when or why the term is used, and some of the controversies involved with using the term tribe. The research question for this thesis is located within a polarized debate in the ethnic conflict literature, in which the term ‘tribal’ is considered both a proper descriptor for a conflict that satisfies certain criteria, and a term that defines a conflict as intractable. The chapter will end with the ‘Parable of the Tribe’, that will be used to explain the cyclical nature of the conflict in Jonglei. Since the ‘Parable of the Tribe’ is a thought process to which I will apply a practical case, I will address some of its shortfalls. The parable properly explains the cyclical nature of the current conflict in Jonglei, as well as the potential for the conflict to spiral and escalate. My additions will primarily examine the impact of outside actors on the cyclical nature of the conflict described in the parable, as well as the effect of cooperation and mediation on bringing an end to the

conflict. This chapter covers key definitions, concepts and theories, and therefore will also serve as a review of the relevant literature on the topic.

Chapter Four is a review of the tradition of cattle raiding in the Dinka, Lou-Nuer, and Murle tribes, focusing on governance of the raids. The review compares aspects of the traditions in each of the tribes, identifying those traditions that could be re-introduced to reduce the scale of violence. The review will not cover any specific time period as it aims to identify what aspects of the tradition contributed to a reduced scale of violence before the shift in 2009.

Chapter Five will cover the main causes of insecurity in Jonglei State. Economic instability is a key factor that has added to insecurity, especially among young men who need cattle for bridewealth payments. If there are no alternatives to obtaining the wealth needed for bridewealth payment, one of the ways that this wealth can be gained is through cattle raiding. The increase in the number of raids has led to an increase in the number of encounters between tribes. Environmental factors also have to be considered, as tribes in Jonglei must look for water, and grazing lands for cattle, which is increasingly threatened. The final source of insecurity covered in Chapter Five is the effect of small arms and light weapons (SALW), as the proliferation of arms is often cited as one of the greatest threats to security in Jonglei. There are many other sources of insecurity that could be included in the analysis of Chapter Five. For Example, the lack of infrastructure, including transportation and roads, has added to insecurity as government security forces have difficulty reaching some of the areas in which conflict occurs. Therefore, if one group were to raid another, it is likely that the former would be able to leave with the stolen cattle before security forces were deployed. However, bridewealth, environmental

changes, and the proliferation of SALW are considered the main causes of insecurity in Jonglei. Furthermore, each of the sources of insecurity included in Chapter 5 demonstrates the importance of traditional governance structures, as the structures historically reduced insecurity caused by bridewealth and environmental factors.

Finally, Chapter Six will conclude the thesis by examining the potential for instituting a hybrid solution that could address the lack of governance in Jonglei. Current attempts to address the problems in Jonglei have focused on instituting solutions that fall within an operational model of post-conflict reconstruction. This approach has led actors to address conflict in Jonglei with a ‘best practice’ model, instituting programs that have proven to work in other post-conflict states. This has included solutions such as disarmament, demobilization and reintegration programs; security sector reform; civilian disarmament; and peace conferences. The implementation of these programs often focuses on pleasing donors, leading to a donor-driven model for post-conflict reconstruction in which programs must be implemented in order to receive funding. This proves problematic, as better ways to address the problem can be overlooked. I will conclude with suggesting that moving forward, local, national, and international actors will need to implement a hybrid form of post-conflict reconstruction. This involves consultations, implementation, and buy-in from all relevant actors. In terms of governance, a hybrid system would involve overlapping authority in Jonglei between the GOSS and tribal structures, one complementing the deficiencies of the other.

Chapter 2: The Cyclical Conflict in Jonglei

2.1 Traditional Cattle Raids

The conflict in Jonglei is described by a notable variety of terms. The GOSS has tended to refer to the cycles of violence as inter-tribal conflict; emphasizing tribal divides as a cause of violence. The terms inter-communal and agro-pastoral violence have each been used by non-governmental organizations (NGOs), while news organizations have described the conflict as cattle raids or cattle rustling. Although each of these terms describes the conflict in Jonglei differently, they all refer to the same cycle of clashes between tribes. The conflict originated from the tradition of cattle raiding. Raids occur when individuals or groups steal cattle from a neighboring tribe in order to gain prestige and expand the size of their herd.³⁶ The process was traditionally relatively non-violent, and the tribe whose cattle were stolen would eventually conduct a counter-raid. These raids and counter-raids were minor in impact in comparison to current cycles of violence; the raiding party was small, it travelled on foot, and used spears as weapons. All these factors resulted in the theft of only a small number of cattle during raids. If conflict occurred during traditional raids, it was confined to the raiders and cattle herders, as they were all “men of fighting age” and only a threat to each other.³⁷ The surrounding community was rarely involved, as it was not perceived as a threat or appropriate target.

2.2 Shifts in Cattle Raiding

The current cycle of conflict in Jonglei, beginning with the January 2009 raids by the Murle on the Lou-Nuer, has greatly escalated. Larger groups conduct raids on a scale only observed during the Bor Massacre. Raiders are more organized, coordinating their

³⁶ International Crisis Group, “Jonglei’s Tribal Conflicts: Countering Insecurity in South Sudan,” 1.

³⁷ Leff, “My Neighbour, My Enemy: Inter-tribal violence in Jonglei,” 2.

activities using new technologies such as satellite phones.³⁸ The proliferation of small arms and light weapons has led to an increase in casualties when clashes occur. The current tactics allow raiders to steal more cattle, which leads to a reciprocally escalated response during counter-raids. Furthermore, herders are more inclined to increase the scale of violence in hopes of dissuading any additional retaliatory response, reclaiming their stolen cattle, and stealing cattle as compensation.

Due to the lack of prosecution for raids and no bloodwealth compensation,³⁹ counter-raids have allowed the victimized tribes in Jonglei to seek ‘justice’ for previous thefts and deaths. Bloodwealth is an important tradition, as any ‘wrongdoing’ once resulted in compensation in the form of cattle.⁴⁰ Due to the importance of cattle for the tribes in Jonglei, incidents of violence were reduced since cattle had to be given as bloodwealth, negating any previous gains from raids. The movement away from this system has led to a great increase in the level of destruction.⁴¹ While cattle remain the primary focus of the current string of conflicts, all members of the tribal community are now targets for violence by raiders. Furthermore, attacks have been carried out in such a way that maximum damage is done to the community by increasing the number of cattle stolen in each counter-raid, attacking all members of the community, burning community structures, and destroying infrastructure and the source of livelihoods during raids.⁴² The shift to targeting civilians has led to the conflict being reframed in communal and tribal dimensions, as the entire group and its way of life is now susceptible to violence.

³⁸ Ibid., 6.

³⁹ The importance of bloodwealth will be explained in more detail in Chapter 4, particularly in regards to the role it has as compensation for crimes.

⁴⁰ International Crisis Group, “Jonglei’s Tribal Conflicts: Countering Insecurity in South Sudan,” 1.

⁴¹ Leff, “My Neighbour, My Enemy: Inter-tribal violence in Jonglei,” 5.

⁴² United Nations Mission in South Sudan, “Incidents of Inter-Communal Violence in Jonglei State,” *United Nations Mission in South Sudan* (June 2012): 7.

2.3 Cyclical Conflict Between the Dinka and Lou-Nuer

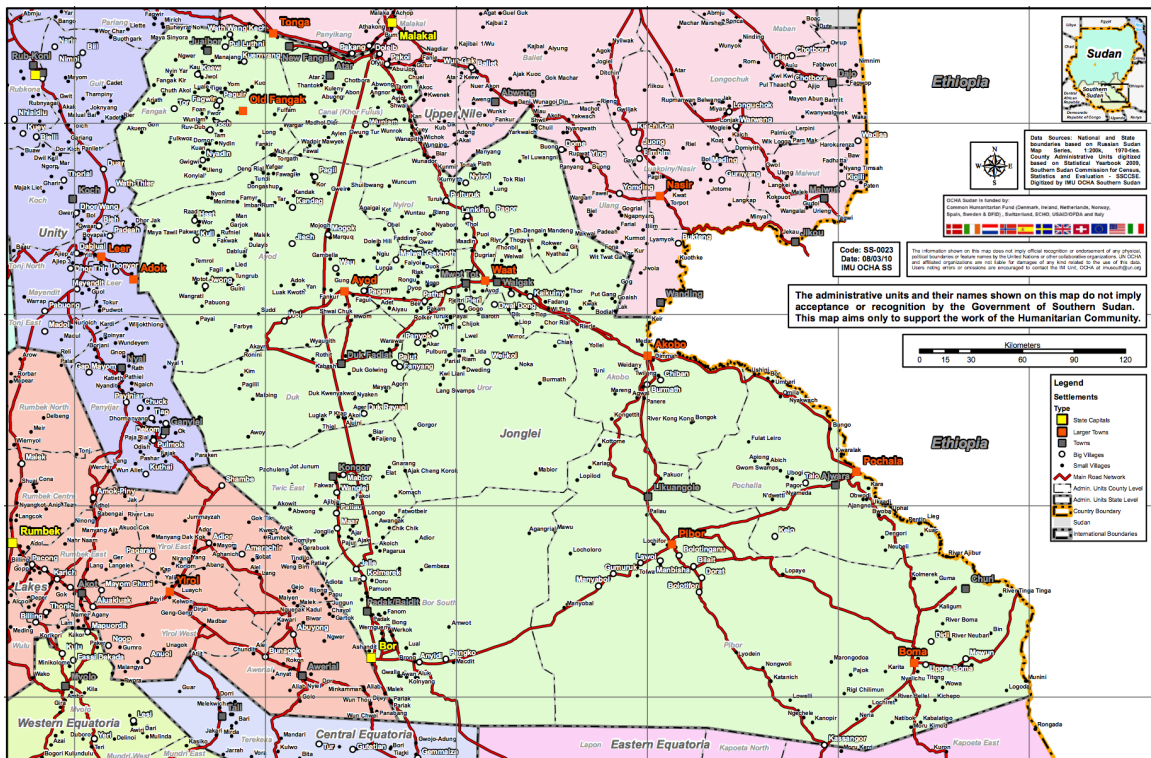
Each of the cycles of conflict originated at different times and for different reasons. While it is usually difficult to determine the exact attack that started the cycle, there are fairly strong indications which major clashes fueled the conflict (see table 1). The most recent conflict between the Dinka and the Lou-Nuer can be traced to a raid that occurred in Duk County in May 2007 (see figure 3). The Dinka were able to raid some 20,000 cattle from the Lou-Nuer; however, there were no deaths reported. Cattle in the pastoral regions are each worth about \$400-500 South Sudanese Pounds (SSP).⁴³ Therefore, the stolen herd was worth anywhere from 8-10 million SSP (equivalent to 1.8-2.27 million USD). Given that over 90% of the population in South Sudan lives on the equivalent of a dollar per day, the theft was very substantial.⁴⁴ Although cattle are not sold on a regular basis, they are considered savings that can be used when needed. The Lou-Nuer strongly believed that the government failed to properly investigate the raid, as they only recovered 300-800 cattle, and cite this incident as one of the key grievances fuelling future conflict with the Dinka.⁴⁵ Small-scale raiding occurred throughout 2007 to 2009; however, the Lou-Nuer responded to the May 2007 Dinka raid two years later in August and September 2009.

⁴³ Matt Richmond and Flavia Krause-Jackson, "Cows-for-Bride Inflation Spurs Cattle theft Among the Mundari in South Sudan," *Bloomberg News*, July 29, 2011, <http://www.bloomberg.com/news/2011-07-26/cows-for-bride-inflation-spurs-cattle-theft-among-mundari-in-south-sudan.html>.

⁴⁴ UNICEF in South Sudan, "Children in South Sudan," 3. http://www.unicef.org/esaro/Children_in_Sudan_summary_sheet_final.pdf

⁴⁵ The response on how many cattle were stolen varied. International Crisis Group, "Jonglei's Tribal Conflicts: Countering Insecurity in South Sudan," 3.

Figure 3: Map of Jonglei State. Source: United Nations Office for the Coordination of Humanitarian Affairs, “Jonglei State map,” *Reference Maps*. <http://www.unocha.org/south-sudan/maps-graphics/administrative-maps>.



The delay between major clashes was partly due to the disarmament of Lou-Nuer that occurred throughout January-May 2006.⁴⁶ The disarmament caused vulnerability in the Lou-Nuer territories, as it was the only population to be disarmed, and the Dinka raid in May 2007 took advantage of the inability of the Lou-Nuer to defend themselves. The May 2007 raid caused the Lou-Nuer to rearm out of a need to protect themselves as the government had proven unable to do so after tribal disarmament. When the Lou-Nuer conducted retaliatory attacks on Wernyol in August and Duk Padiet in September 2009, these attacks did not involve the theft of cattle. The attacks focused on administrative centers – a clear response to the lack of government reaction in May 2007.

⁴⁶ Disarmament as a source of insecurity will be discussed in more detail in Chapter 5.

Table 1: Major Tribal Clashes in Jonglei State

Date of attack	Perpetrating tribe	Victim of attack	Location	Estimated Deaths	Estimated Cattle Stolen
May 2007	Dinka	Lou-Nuer	Duk	N/A	20,000
January 2009	Murle	Lou-Nuer	Akobo County	300	N/A
February 18, 2009	Murle	Lou-Nuer	Akobo County	250	N/A
March 5-8, 2009	Lou-Nuer	Murle	Likuangole and Pibor County	450	600
August 2009	Lou-Nuer	Dinka	Wernyol and Panyangor	42	N/A
Sept 2009	Lou-Nuer	Dinka	Duk padiet	167	N/A
February 6, 2011	Murle	Lou-Nuer	Uror County	8 (3 Nuer Chiefs)	1000
April 18-24, 2011	Lou-Nuer	Murle	Likuangole and Pibor County	200	138,000
June 15-24, 2011	Lou-Nuer	Murle	Gumuruk, Likuangole, and Pibor County	400	398,000
August 18, 2011	Murle	Lou-Nuer	Pieri and Uror County	750	38,000
December 2011	Murle	Dinka	Jale	42	N/A
December 23, 2011 – January 9, 2012	Lou-Nuer	Murle	Likuangole, Pibor, and Pibor County	1000	100,000
January 2012	Murle	Dinka	Duk	47	200
December 27, 2011 – February 4 2012	Murle	Lou-Nuer and Dinka	Akobo, Nyirol, and Uror Counties	276	60,000
February 2012	Dinka	Murle	Bor	9	N/A
March 2, 2012	Murle	Lou-Nuer	Nyirol County	15	15,000
March 9-11, 2012	Murle	Lou-Nuer	Ethiopia (Wanding Payam)	225	20,000

Compiled from Sources: Jonah Leff, “My Neighbour, My Enemy: Inter-tribal violence in Jonglei,” *Sudan Issue Brief* No.21 (October 2012): 3.; Agereb Leek Chol, “Jonglei state Conflict Analysis: Why Second Disarmament Is Not a Solution.” *South Sudan News Agency*, March 18, 2012. <http://www.southsudannewsagency.com/opinion/analyses/jonglei-state-conflict-analysis-why-second-disarmament-is-not-a-solution.>; International Crisis Group, “Jonglei’s Tribal Conflicts: Countering Insecurity in South Sudan,” *Africa Report* no. 154 (23 December 2009).

2.4 Cyclical Conflict between the Lou-Nuer and Murle

While the conflict between the Dinka and Lou-Nuer peaked in 2009, the clashes between the Lou-Nuer and Murle then began, bringing a new level of violence to the conflict. In January 2009, a Murle attack on the Lou-Nuer in Akabo County was seen as breaking in a perceived ‘pledge for peace’ negotiated by Vice-President Riek Machar in

early 2009 between both tribes.⁴⁷ Part of the pledge, according to the Lou-Nuer, was the freedom to migrate into Murle territory. This is a major point of contention, as the Murle strongly objected that migration was not part of the negotiated agreement. It is difficult to determine what was guaranteed as Riek Machar acted as a shuttle negotiator between both tribes. Therefore, it is possible that the Murle and the Lou-Nuer were given different versions of the agreement. Regardless, the peace was broken, resulting in great mistrust between the Murle and the Lou-Nuer.

In response, the Lou-Nuer attacked Likuangole from March 5-8th, 2009, killing 450 Murle, mostly women and children.⁴⁸ In addition, Lou attackers also stole 600 head of cattle during the raid. The retaliation by the Lou-Nuer is cited by Small Arms Survey Sudan (SASS) as the major clash that caused the cycle of violence with the Murle.⁴⁹ In order to take this position, the SASS would have to justify why the Murle attack, which resulted in the death of 300 Lou-Nuer, is not considered the beginning of the cycle. While the purpose of the Murle attack was to demonstrate that the Lou-Nuer could not enter their territory freely, this should not exonerate the Murle. Rather, I would argue that the cycle began with the Murle raid, but was escalated by the Lou-Nuer.

The Murle and the Lou-Nuer have claimed that they are each the victims of an initial attack, and used the rhetoric of victimhood to justify their actions. While both tribes were the victims of violent clashes, both were undeniably perpetrators as well. The first attack by the Murle was aggressive and broke the spirit of the negotiated peace. However, given the spirit of the pledge for peace, the Lou-Nuer could have decided against any retaliation. Perhaps more realistically, the Lou could have chosen to respond

⁴⁷ International Crisis Group, "Jonglei's Tribal Conflicts: Countering Insecurity in South Sudan," 6.

⁴⁸ Leff, "My Neighbour, My Enemy: Inter-tribal violence in Jonglei," 2.

⁴⁹ Ibid.

in kind. The former would have indicated a willingness to address the raiding problem through dialogue rather than violence, while the latter would have resulted in a scaled or symmetrical retaliation. However, the Lou-Nuer not only launched a counter-raid, they greatly increased the scale of destruction. In addition to 450 deaths, there were “over 150 injured, 200 women and children abducted, and over 5,000 displaced.”⁵⁰ For this reason, Richard Rands and Matthew LeRiche believe that the Lou-Nuer attack represented an increase in the scale of violence.

The response by the Lou-Nuer led to a tit-for-tat strategy during the following two years.⁵¹ In each case, a victimized tribe would only respond to the hostile actions of another. This allowed the scale of the conflict to increase or decrease depending on the circumstances within the state. Therefore, from February 2009 until February 2011, there was a reduction in the scale of violence during raids. However, small raids were conducted often during 2009 to 2010, and daily during the 2010 to 2011 dry season, starting in November.⁵² The reduction in scale has been partly attributed to the response and presence of the United Nations Mission in Sudan (UNMIS), as it established temporary operating bases in the Lou-Nuer and Murle territories of Akobo and Pibor County respectively. As will be explained in the parable of the tribe in Chapter 3, the presence of outside forces led to a cessation in hostilities. However, as these bases were temporary, once the UNMIS presence was removed, conflict re-occurred.

In January and early February 2011 the Murle conducted a series of small-scale raids in Uror County. On February 6th, a Murle raid resulted in the death of eight Lou-Nuer; three were traditional chiefs. Initial attempts were made to resolve the conflict

⁵⁰ Rands and LeRiche, “Security Responses in Jonglei State in the Aftermath of Inter-Ethnic Violence,” 8.

⁵¹ International Crisis Group, “Jonglei’s Tribal Conflicts: Countering Insecurity in South Sudan,” 6.

⁵² United Nations Mission in South Sudan, “Incidents of Inter-Communal Violence in Jonglei State,” 9.

through dialogue and bloodwealth by County officials, the South Sudanese Police Force (SSPF), SPLA, and Pibor chiefs.⁵³ All parties agreed that the raiders should be arrested and the cattle returned. Although there was widespread support to resolve the conflict, the GOSS failed to implement the agreement. The SPLA recovered only a portion of the cattle, 260 of the 1000, and failed to return the cattle to the Lou-Nuer. Furthermore, the SSPF failed to arrest the raiders responsible.

The inability of various government authorities to respond to the killing of three traditional chiefs can be viewed as the last straw for the Lou-Nuer. Subsequent retaliations increased to an unprecedented scale of violence, with each counter-raid topping the level of violence of the previous raid. The peak of the cycle of conflict between the Lou-Nuer and Murle occurred from December 2011 until February 2012. Beginning on December 23rd, 2011, a new ‘white army’⁵⁴ force of 8000 men composed from a Lou-Nuer majority and Dinka minority launched a series of attacks on the Murle. Conservative estimates suggest these attacks resulted in a total of 1000 Murle deaths - the highest level of casualties seen in Jonglei since the Bor Massacre.⁵⁵

The white army was the largest force assembled since the signing of the CPA. It was well organized, and able to carry out large-scale attacks. The subsequent retaliations by the Murle could not match the level of violence achieved by the white army. At most, the Murle were able to mobilize a few hundred fighters for any given raid. However, the Murle traditionally organized in small mobile groups, allowing them to strike quickly; this allowed the small groups to steal large amounts of cattle; e.g., during the 2012 raids

⁵³ Ibid.

⁵⁴ While the raiders took the name of the exclusively Nuer force that fought alongside the SPLA-Nasir during the Second Sudanese Civil War, the new force does not have direct connections to the original white army. Furthermore, the new ‘white army’ consists of both Nuer and Dinka forces.

⁵⁵ Leff, “My Neighbour, My Enemy: Inter-tribal violence in Jonglei,” 3-5.

they stole 95,000 cattle. The number of cattle acquired during the raids was especially impressive given the relatively small number of raiders. The white army, with a much larger force, stole 100,000 cattle during the raids. Both tactics, although different, have been able to balance out the number of deaths and value of cattle stolen. While the white army conducted more singular large attacks, the quick Murle attacks resulted in high levels of destruction when added up. As seen in Table 1, after the December 2011 and January 2012 attacks by the Lou, the Murle conducted three subsequent raids. Given the mobility of the Murle, they were able to conduct several raids from December 2011 to March 2012 that resulted in the deaths of approximately 526 Lou-Nuer.

2.5 Cyclical Conflict between the Dinka and Murle

There were comparatively few major clashes between the Dinka and Murle. The only major attack by the Dinka on the Murle occurred in Bor. Members of the Murle tribe rarely travel to Bor since they are often beaten or killed there. In 2007, seven Murle were killed - four while waiting to be treated at a Médecins Sans Frontières (MSF) hospital.⁵⁶ The relative absence of clashes between the Dinka and the Murle is partially due to the way in which the December 2011 clashes are reported. The new ‘white army’ is portrayed as a Lou-Nuer force, drawing upon imagery from the second civil war. However, this re-constituted white army had Dinka participants. While the Dinka did not comprise the majority of the force, their presence was significant. A combined force indicated an alliance of the Murle’s two rivals, putting the Murle in a weak position. Furthermore, the rhetoric used by the new white army, indicating that their operations would not end “...until the Murle do not pose a security threat to their neighbours,” only served to increase the scale of violence. The Murle began to respond to the white army

⁵⁶ Ibid., 6.

attacks “as if their survival depend[ed] on taking the fight to their Nuer and Dinka enemies.”⁵⁷ As will be explained in Chapter 3, according to the parable of the tribe argument, the increased insecurity felt by the Murle led to the belief that the opposing force would not stop its attacks until the Murle were completely defeated. For this reason, the parable explains that the Murle had to respond in kind to defend themselves.

2.6 Conclusion

As described in this chapter, there has been a shift in the way cattle raids have been conducted. The cycles of conflict from 2009 until 2012 have clearly departed from small-scale raids focused on increasing the size of tribal herds. The conflict between the Dinka, Lou-Nuer, and Murle slowly escalated starting in 2009 because tribes that were attacked did not only want to respond with proportional levels of violence, but increased the levels in order to dissuade subsequent retaliations. Dissuasion did not result, and the violence of the clashes steadily increased, peaking in 2012. With the escalation of conflict, the rhetoric used by each of the tribes became increasingly hostile. This was particularly the case with rhetoric directed at the Murle, who began to act as if their survival depended on retaliation. As will be discussed in the next chapter, this approach causes cycles of violence that could continue until only one tribe is left. However, due to a decrease in the scale of violence in 2012, it is more likely that the violence will continue until there is outside intervention. While cattle raids in Jonglei still occur on a regular basis in 2013, levels of violence have decreased. This is partially due to the strong presence of the SPLA in Jonglei, as troops are deployed there to deal with the David Yau Yau rebel group. However, once this presence is removed, unless the conflict between the tribes is resolved, violence could once again escalate in Jonglei.

⁵⁷ Rands and LeRiche, “Security Responses in Jonglei State in the Aftermath of Inter-Ethnic Violence,” 4.

Chapter 3: The Tribe in Concepts and Theory

3.1 Introduction

The content of this thesis is situated in an evolving debate, in which many of the concepts that are used are being constantly re-evaluated. This chapter aims to throw light on this debate, particularly in regards to the use of the term tribe, given that it is considered controversial in the literature. I will define key concepts that are used throughout the thesis, including tribe, clan, and ethnicity, in order to explain why tribe is the best descriptor for the conflict in Jonglei State. By looking at these different descriptors, the importance of peripheral characteristics will demonstrate that tribe, clan, and ethnicity are not synonymous in the case of group conflicts. There will also be a brief discussion of the post-colonial state, as it has encouraged the persistence of tribal structures within Jonglei State. Finally, the chapter will end with the parable of the tribe, the key theory explaining cyclical tribal conflict. As seen in the previous chapter, cycles of conflict in Jonglei are likely to continue until outside intervention prevents conflict. However, it is unlikely that the GOSS will continue to deploy the SPLA in Jonglei once the David Yau Yau rebellion has been dealt with. Once this force is no longer present, conflict is likely to re-occur in the same cyclical form that it assumed from 2009-2012. However, as will be discussed in Chapter Four, the tradition of cattle raiding did not continue until only one tribe achieved an outright victory, as the parable of the tribes would lead one to believe. Although cyclical, there were mechanisms in place to ensure that the conflict ended after a few cycles. Given the use of bloodwealth as compensation and the structure of elder mediation, conflicts did not continue indefinitely. It is important

to situate this thesis within the larger debate in the literature, especially as I will take the side of the debate that uses the descriptor of tribe rather than ethnicity.

3.2 Concept of Tribe

3.2.1 Criticisms of 'Tribe'

This thesis is centered in a polarized debate within the group conflict literature concerning whether the term ethnicity or tribe can be applied to the group conflict situation in Jonglei. Criticisms of the use of the term 'tribe' as a unit of analysis have led to an insider-outsider distinction, in which those who use the term tribe as a descriptor in academic work are found on the 'outside,' and required to justify their choice. This divide in the literature has led to ethnicity becoming the default 'right' descriptor, while using the term tribe is seen as the 'wrong' way of approaching group conflict.⁵⁸ Marie Smith believes that when looking at conflicts in Africa, understanding both sides of the debate is important, because some of the underlying causes might be overlooked by naming a conflict 'ethnic' or 'tribal' without understanding what the terms represent.⁵⁹ By staunchly taking one side, without consideration of the criticisms the other side brings to the analysis, both sides miss the potential for a complete analysis.

The core argument against the use of tribe is that the term embodies a negative stereotype. Ronald Atkinson argues that the term tribal is the product of a particular time, when the language used to study ethnicity was based in a tribal discourse. The term tribal was used because it was the prevailing way of characterizing ethnic groups in Africa - in both academia and the mainstream literature - until the 1970s, when the more

⁵⁸ Marie Smith, "Insider-Outsider issues in researching violent and divided societies," in *Researching Conflicts in Africa: Insights and Experience*, ed. Elisabeth Porter et al. (New York: United Nations University Press, 2005), 15.

⁵⁹ *Ibid.*, 10-14.

‘appropriate’ descriptor of ethnicity was made popular.⁶⁰ Furthermore, Soyinka-Airewele argues that those who still use tribal as an explanatory term are doing so to bring up associations that the members of the tribe are “primitive, racially or genetically predisposed to fight, and incapable of or unwilling to resolve conflicts themselves.”⁶¹ This belief returns us to the insider-outsider distinction and creates a polarization in the field by categorizing all academics who use the term tribal as promoting the use of negative stereotypes. However, the core argument that using the term tribal can possibly reinforce underlying stereotypes must be taken into account.

Returning to Atkinson’s analysis, he outlines three stereotypes that caused academics to move away from using tribal as a descriptor. First, by using the term tribe, academics divided people into two binary categories: tribal or not tribal.⁶² Second, defining the particular tribes to which individuals belong is complicated since a specific criterion for tribe has been difficult to identify. Finally, Atkinson argues that talk of tribal identities implies that they are “ancient and powerful,” and that tribes are unchanging.⁶³

Critics of the term argue that those considered to be members of tribes would only associate with other member of their small group, implying a form of primitive political development. However, current political systems in many African countries are based on the ability to harness the allegiance of particular groups, including tribes. The current political system in South Sudan encourages continued tribal distinctions within particular states, as seen in the strong connection of the Dinka tribe to government and the military

⁶⁰ Ronald R. Atkinson, “The (Re)Construction of Ethnicity in Africa: Extending the Chronology, Conceptualization and Discourse,” in *Ethnicity and Nationalism in Africa: Constructivist Reflections and Contemporary Politics*, ed. Paris Yeros (London: Macmillan Press Ltd, 1999), 17.

⁶¹ Smith, “Insider-Outsider issues in researching violent and divided societies,” 10.

⁶² Atkinson, “The (Re)Construction of Ethnicity in Africa: Extending the Chronology, Conceptualization and Discourse,” 17.

⁶³ Ibid.

positions. Defining a tribe is more difficult; although recognized as political units, other factors such as territory, language, and race have also been used as elements of the definition of a tribe as well as ethnicity.⁶⁴ However, there are key peripheral characteristics that help define the concept of a tribe. Atkinson's criticism of the tribal stereotype as implying 'ancient and powerful' identities has been disregarded by many academics, and in the popular literature, since it is understood that groups – such as tribes – are fluid and therefore always adapting. There are many examples of individuals and even groups that have changed or been absorbed by another group; this helps counter the fear that stressing distinct tribal identities would lead the reader to assume that tribal cultures are formed in isolation from other groups and society.⁶⁵

Frederick Barth argues that the persistence of 'boundaries' between different groups, even given considerable mobility, demonstrates the importance of understanding that there is a "process of exclusion and incorporation whereby discrete categories are maintained."⁶⁶ The maintenance of these categories allows academics to study different tribes and the conflicts that are derived from their interaction. There is a loss of understanding and context when the term tribe is replaced by ethnicity, because the peripheral meaning of tribe is excluded from analysis.

3.2.2 *Defining Tribe*

Since the 1970s, the growing popularity of using ethnicity to describe certain group conflicts has led scholars to shy away from using the term tribal.⁶⁷ Alexander Johnston draws attention to the phenomenon whereby commentators have tended to use

⁶⁴ Ibid.

⁶⁵ Fredrik Barth, *Ethnic Groups and Boundaries: the Social Organization of Culture Difference* (Boston: Little, Brown and Company, 1969), 10.

⁶⁶ Ibid.

⁶⁷ Steve Fenton, *Ethnicity* (Cambridge: Polity Press, 2003), 1.

the term tribalism when they disapprove of certain actions, while ethnicity is used as a 'less judgmental' descriptor for conflicts or events.⁶⁸ There is a tendency for ethnicity to be used in the literature for situations where the political system resembles a 'modern' western democracy, in which rational individuals are working towards the creation of their own state or some form of self-determination. On the other hand, tribalism has been used in the context of actions that are viewed as irrational, backwards, and non-conducive to state building. This descriptor of tribal compared to ethnic conflict does not withstand testing, as many ethno-national conflicts have been detrimental to state building and have involved irrational slaughter.⁶⁹

Chris Gillian discusses the problems that arise when academics attempt to be more 'enlightened' in the terms they use in hopes of avoiding possible political and moral problems that can be associated with controversial terms.⁷⁰ These political and moral associations, however, are critical to the understanding of any conflict. Even though tribalism has been used as a pejorative term, if it is used in its proper context and explained, scholars should not shy away from using the term. Through a more detailed examination of particular conflicts, and by using the term tribalism in appropriate contexts, the term can be re-claimed and used more effectively.

In the conflict literature, many descriptors have been used interchangeably in discussions of group conflicts. Race, nation, ethnicity, tribe, and clan have all been used

⁶⁸ Alexander Johnston, "Ethnic Conflict in Post Cold-War Africa: Four Case Studies," in *Ethnic Conflict, Tribal Politics: A Global Perspective*, ed. Kenneth Christie (Surrey: Curzon Press, 1998), 131.

⁶⁹ The violence in the former Yugoslavia can be described as an ethnic conflict that was non-conducive to state building and violent. As in the case of tribal conflicts, the location of different groups was important factor, however there was no emphasis on the size of the groups. Krishnamurthy has argued that this case demonstrates that 'irrational, backwards and non-conducive' actions are also found in ethnic conflict. Chris Gillian, "Race and Ethnicity," in *Routledge Handbook of Ethnic Conflict*, ed. Karl Cordell and Stefan Wolff (New York: Routledge, 2011), 79.

⁷⁰ Ibid.

as synonyms in academia as well as the popular media.⁷¹ The use of these concepts in the popular media, however, has led to a “slippage in usage”, since sources such as newspapers do not require academic precision in the terms that they employ.⁷² Even so, how can all these terms be used interchangeably to describe a large variety of conflicts that have very different causes and results? Steve Fenton discusses the phenomenon of the presence of core and periphery traits in terms used to describe similar, but different, events. He believes this occurs since such terms tend to share core characteristics which allow them to be used interchangeably in certain cases to discuss various groups.⁷³ This becomes problematic; at times a national group, a racial group, an ethnic group, a tribe, and a clan become synonymous in the conflict literature. This occurs because in some circumstances, those who are writing or reading about the terms emphasize the core traits that the terms all share. Implied in the literature on group conflicts is that the groups under consideration share common characteristics such as history, descent, language, religion and culture.⁷⁴ However, these terms also differ in many ways, which is why Fenton emphasizes the importance of peripheral traits.

Although a group conflict could be described using any of the above terms, to understand the intricacies of the conflict the way in which the conflict is described is critical. If a conflict is described using the wrong term, the core traits will be present, but peripheral traits will be excluded from the discussion. The use in this thesis of the terms ethnic group, tribe, and clan must be explained because all three terms have been used as synonyms, as they share similar core characteristics. While the core characteristics of

⁷¹ Ibid.

⁷² Ibid., 81.

⁷³ Fenton, *Ethnicity*, 13.

⁷⁴ Ibid.

common history, descent, tradition, and culture are shared by the groups identified by these three terms, they are differentiated from other group descriptors due to the internal structures described. Each of these terms describes a group wherein the members not only identify themselves as part of the group, but are “identified by others, as constituting a category distinguishable from other categories in the same order.”⁷⁵ In other words, individuals can identify themselves as part of a particular tribe; other members of that tribe affirm their belonging, and the tribe, through its own history, descent, traditions, and cultures, differentiates itself from another tribal group. The same is true of both ethnic groups and clans. Due to some basic similarities, these terms are used interchangeably when the core characteristics are emphasized when describing a particular situation.

However, the peripheral characteristics of these terms, although limited, are quite distinct (see figure 4). The peripheral characteristics of clans are kinship networks with an emphasis on lineage.⁷⁶ The emphasis on lineage is the defining peripheral distinction in comparison with the other terms because clans are understood as being “a group of people linked by putative unilateral descent.”⁷⁷ While there are occasions where common ancestry is perceived rather than factual, the clan must recognize that members share a common lineage. In many cases, clans play a significant political role even within larger groups.⁷⁸ In the case of the Murle in Jonglei, the ‘red chiefs’, who are the hereditary rulers in Murle tribes, consist of the Bulanec clan.⁷⁹

⁷⁵ Atkinson, “The (Re)Construction of Ethnicity in Africa: Extending the Chronology, Conceptualization and Discourse,” 18.

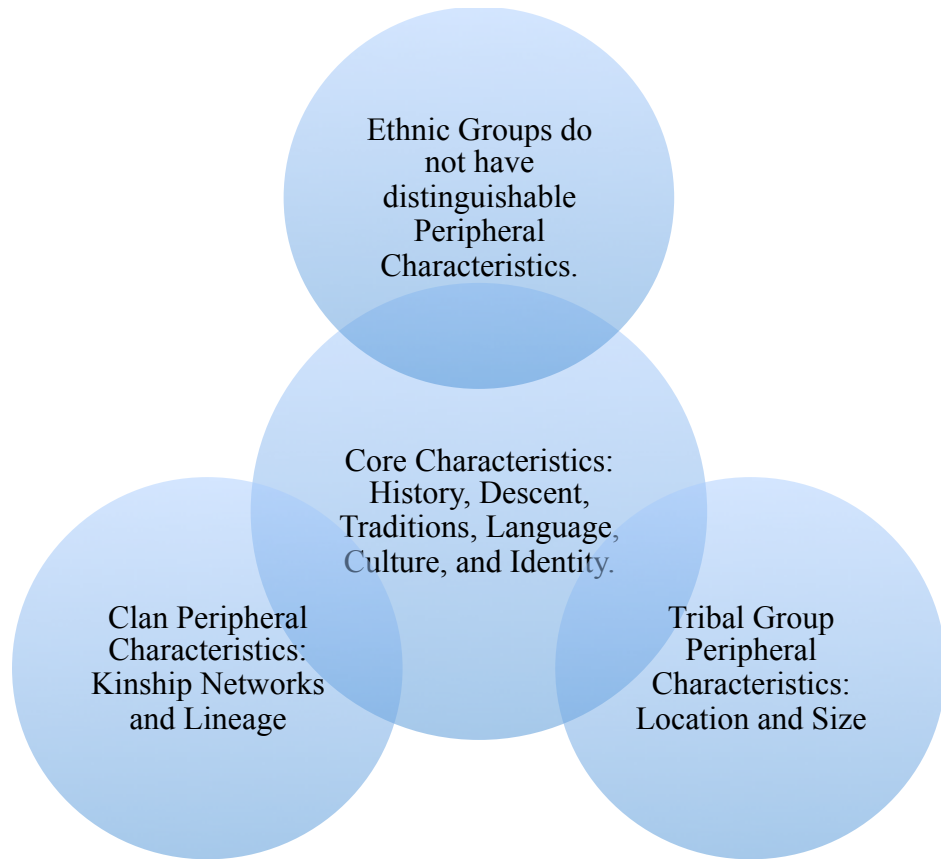
⁷⁶ Johnston, “Ethnic Conflict in Post Cold-War Africa: Four Case Studies,” 140.

⁷⁷ Max Gluckman, *Order and Rebellion in Tribal Africa* (London: Cohen and West, 1963), 77.

⁷⁸ One of the well-known cases in which clans played a political and structural role was in Somalia, before its breakdown into ‘warlordism’ in 1991. (Johnston, “Ethnic Conflict in Post Cold-War Africa: Four Case Studies,” 138).

⁷⁹ Amnon Orent, “Ethnology: The Murle: Red Chiefs and Black Commoners. B. A. Lewis,” *American Anthropologist* 22, no.2 (June 1975): 383.

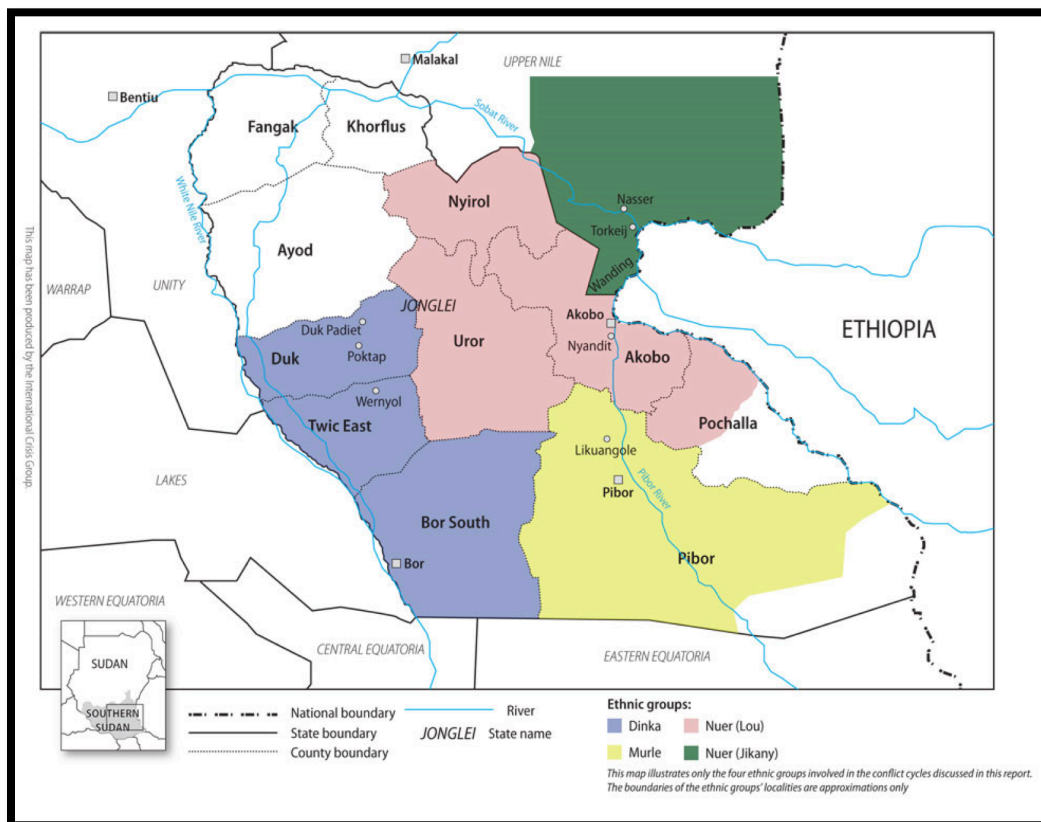
Figure 4: Core and Peripheral Characteristics



A tribe has the peripheral characteristics of location and size. Location does not mean looking at a conflict in Africa in comparison to Europe, but rather that the particular location of a tribe (or multiple locations for nomadic tribes) is crucial when looking at tribal interactions. In Jonglei State in South Sudan, the interactions between bordering tribes of the Dinka, Lou Nuer and Murle have been centered within the area in which these groups have been living for much of their histories (see figure 5). Their location and proximity to each other has defined their relationship. Furthermore, the size of a tribe is an important distinction. Although there are tribes that can become quite large and spread out among different cities and regions, an individual's primary affiliation is to the local tribal group. This is seen in the case of the Lou-Nuer in Jonglei State. The Lou-Nuer are members of a confederation of Nuer tribes that extends across

East Africa; however, an individual’s loyalty lies with the local tribe. This is exemplified in the conflict that occurred between the Lou-Nuer and the Janaki-Nuer in 2009. While both tribes have a similar ancestry, conflict erupted and the loyalties each individual was given to the local tribe. Since ethnicity evolved into a blanket term for various groups, it does not have a defining peripheral characteristic. Saideman and Jenne define ethnic groups “according to markers that are perceived to be inherited, such as race, religion, or language.”⁸⁰ For this reason, more specific terms such as clan or tribe should often be used rather than the all-encompassing term of ethnicity.

Figure 5: Map of Tribes in Jonglei State. International Crisis Group, “Jonglei’s Tribal Conflicts: Countering Insecurity in South Sudan,” *Africa Report* no. 154 (23 December 2009): Appendix B.



⁸⁰ Stephen M. Saideman and Erin K. Jenne, “The International Relations of Ethnic Conflict,” in *Handbook of War Studies III: The Intrastate Dimension*, edited by Manus I. Midlarsky (Ann Arbor, MI: The University of Michigan Press, 2009): 261.

3.3 The Existence of Tribes in the Modern State

Johnston has suggested that three issues must be addressed to resolve some of the problematic aspects of using tribal in the context of African conflicts.⁸¹ First, academics must ensure that they do not generalize about tribal conflicts in Africa as a whole. In this sense, tribal conflicts have different effects depending on the individual country, and the socio-historical context of individual situations must be understood.⁸² Second, the historical context of the conflicts being analyzed must be addressed. This emphasizes the importance of looking at “the continuity and weight of indigenous historical experience in understanding contemporary Africa.”⁸³ Many Africanists have discussed the need to look at the pre-colonial settings of conflicts in addition to problems caused by colonization, decolonization, and post-colonization.⁸⁴ Finally, as discussed above, Johnson emphasizes that the discourse of tribalism must always be acknowledged.

Academics who look at the state of African politics have argued that Africa currently exists in a postcolonial political space, and this ‘new’ space must be understood to properly examine current problems in Africa. In certain countries, such as South Sudan, tribes are one of the sub-national groups that are part of the political structure. Johnson emphasizes that tribes have no desire to create their own states or obstruct the current state, but that their presence causes the development of state authority and power structures around the existing divisions.⁸⁵ Whether the state is a multi-party democracy, autocracy, or under military rule, political leaders will seek to use these existing divisions to maintain power. The postcolonial politics that draw from existing power bases,

⁸¹ Johnston, “Ethnic Conflict in Post Cold-War Africa: Four Case Studies,” 129.

⁸² Fenton, *Ethnicity*, 25.

⁸³ Johnston, “Ethnic Conflict in Post Cold-War Africa: Four Case Studies,” 130.

⁸⁴ The current period within the discourse of African politics that will be discussed later in this paper.

⁸⁵ Johnston, “Ethnic Conflict in Post Cold-War Africa: Four Case Studies,” 131.

according to African scholar Achille Mbembe, is not a ‘new’ phenomenon, but rather an adaptation of colonial and pre-colonial systems that has been altered to suit the needs of African leaders. Therefore, when looking at the current political system in South Sudan, the local structures are affected by, and affect, those who hold political power. The state systems in Africa have therefore been engineered in order to satisfy the requirements of the elites that rule over a young and growing population.

The former colonial Turko-Egyptian administration established the system of governance in Sudan, remnants of which are still visible today. During the period after Muhammad Ali’s invasion, the Sudan was ruled under the Ottoman system, which superimposed the authority of a Governor-General and army leaders upon the country.⁸⁶ The Governor-General had exclusive control over civil and military power within the Sudan. This extensive power could have led to strong governance and consistent policies. However, from 1821 until 1877, twenty Governor-Generals administered Sudan during a period of just over fifty-five years.⁸⁷ This led to inconsistent governance of Sudan as a whole, encouraging regional governance. The Sudan was further divided into administrative provinces, which were under the control of provincial military commanders.⁸⁸ Finally, within the provinces, the traditional jurisdiction of the local population over tribal territories was maintained within the administrative structure.⁸⁹ This structure did not change to any significant degree after its inception in 1821 until the independence of Sudan in 1956.

⁸⁶ Abd el-Fattah I.S. Baddour, *Sudanese-Egyptian Relations: a chronological and analytical study* (Hague: Martinus Nijhoff, 1960), 39.

⁸⁷ Alive Moore-Harell, *Gordon and the Sudan: Prologue to the Mahdiyya 1877-1880* (London: Frank Cass, 2001), 45.

⁸⁸ Ibid.

⁸⁹ Muddathir’ Abd Al-Rahim, *Imperialism and Nationalism in the Sudan: A study in constitutional and political development 1899-1956* (New York: Oxford University Press, 1969), 16.

In the postcolonial state, the political elites have developed close relationships with the population that they rule, creating a system of “deeply personalized political relations.”⁹⁰ Patrick Chabal and Jean-Pascal Daloz believe that this system of personal politics can be understood in terms of a patrimonial relationship that is derived from the support by segments of the population to the established system. While the various segments might not support the system wholeheartedly, they recognize that those who support the system, in turn, receive benefits from the state. In South Sudan, political elites tend to be from the Dinka tribal groups (the largest tribe in South Sudan), which has led to the perception by other tribes that the Dinka will be given preferential treatment in the distribution of benefits and services from the government. Mbembe believes that the reason this connection is accepted is because of its roots in tradition, whereby the local population conceives its place within the society in relation to the system of rewards and punishment received from the state.⁹¹ Unlike the Dinka, the Murle tribal groups in South Sudan traditionally have been excluded from government attention and benefits, and yet the Murle do not rebel against the government. This is due to an understanding that such action would lead to a heavy-handed response by the Southern Sudanese military. Therefore, the relationship between the population and the government is not solely based on the provision of benefits, but equally on an understanding that acting against the state could lead to violent responses or exclusion from the distribution of benefits.

While personal politics is used in South Sudan on a day-to-day basis, the institutions described in the constitution are designed to allow all citizens participate in the state institutions. Mbembe believes that this is because the realities of African politics

⁹⁰ Patrick Chabal and Jean-Pascal Daloz, *Africa Works: Disorder as Political Instrument*. (Oxford: James Currey, 1999), 16.

⁹¹ Achille Mbembe, *On the Postcolony* (Berkeley: University of California Press, 2001), 36.

differ greatly from the ‘system’ of institutionalised politics that can be found in a country’s constitution. In particular, the ‘real’ systems of governance have always depended on indigenous social groups, giving rise to the ‘rootedness’ of African politics.⁹² Mbembe suggests that the system has not changed significantly due to the entrenched nature of the local relationship with political leaders. Mbembe’s observations about postcolonial governance are therefore critical of academics who focus on observing African politics solely within the framework of the state. He argues that in order to explain the political realities within Africa we must look at “the actual forms of power, its manifestations, and the various techniques that it uses to enhance its value, distribute the products of labor, and either ensure abundance or manage poverty and scarcity.”⁹³ The power that allows the state to accomplish its tasks is given legitimacy by long-established relations of subjection which were established before colonization, and the way in which wealth was then distributed. This system is essentially a fusion of ‘customary traditions’ as well as ‘modern’ governance that evolved into postcolonial systems of governance. The current political systems in place in African states are due to the intertwining of violence, tradition, and benefits to which the population has become accustomed. Since this system allows tribal groups to persist and these groups are based on a particular location, the proximity of tribes can lead to conflict, although it is by no means inevitable.

3.4 The Parable of the Tribe

While the structure of the political system within a country must be observed in order to understand the reasons for the persistence of tribal politics in Africa, Mbembe

⁹² Mbembe, *On the Postcolony*, 40.

⁹³ *Ibid.*, 24.

demonstrates that local factors must also be taken into account. In many cases, tribal groups co-exist peacefully. When a tribe – like many other groups – is not threatened, social barriers are de-emphasized, allowing for fluidity and exchange between groups. This can increase interaction between tribes and even lead to movement between them through marriage. However, when there is an external threat, groups begin to doubt each other and trust is lost. In the 1960s, Max Gluckman argued that at times of conflict – often caused in some way by the structure of power within the state – sub-groups within the state tend to emphasize the importance of rituals.⁹⁴ This sentiment has been echoed by many academics who study group politics.

Fredrik Barth, who examined the boundaries that are established between different groups, emphasized that the distinct cultural features of groups help maintain the boundaries between them.⁹⁵ The group can only continue to exist if the culture remains differentiable from that of other groups in the area. In the presence of potential violence, individuals return to tribes for protection and security from outside sources. In situations where violence is a constant threat, it becomes “a powerful force for the ‘re-traditionalization’ of society.”⁹⁶ In order to ensure cohesion within the group, the tribe’s characteristics are emphasized, creating a rallying point from external threats. The importance of culture and its use as a feature to distinguish between different tribes becomes increasingly important at times of conflict. As in the case of other group conflicts, when different tribal groups are threatened they begin to solidify those aspects that make them distinct. This leads to ‘othering’ all tribes that are in close proximity, even if previous relations were peaceful, as they can pose a potential threat.

⁹⁴ Gluckman, *Order and Rebellion in Tribal Africa*, 51.

⁹⁵ Barth, *Ethnic Groups and Boundaries*, 38.

⁹⁶ Chabal and Daloz, *Africa Works*, 81.

The parable of the tribe explores the importance of the defense of culture through a scenario that can be adapted to many different cyclical tribal conflicts, such as those in Jonglei State in South Sudan. It postulates that in a specific region, tribes tend to live in fairly close proximity to each other. While these tribes can co-exist peacefully and interact with each other, it only takes one of the tribes in the region to act aggressively to start a chain of conflict.⁹⁷ Once a tribe acts aggressively, other tribes within its proximity are forced to take action since they could potentially be the victims of an attack. If a tribe refuses to fight the aggressor, then according to the parable of the tribe, it has four other options: “(1) withdraw from the region, (2) allow itself to be destroyed, (3) surrender to the aggressor and become a tributary vassal tribe, or (4) be absorbed culturally and politically into the aggressor tribe.”⁹⁸ In the parable, the only way a tribe can remain in its original state is if it fights the aggressor tribe and wins.

The parable of the tribe demonstrates not only that tribal conflict erupts because of the close proximity of groups, but also because the alternatives to fighting are incompatible with the core and peripheral characteristics present in ‘tribes’. The first option would result in a loss of tribal territory and being forced to move to a new location. This would not be a favorable option due to the importance of territory to tribal identity. The second option, the destruction of a tribe, occurs when the tribe refuses to withdraw from the territory it inhabits and refuses to fight for its territory.⁹⁹ The third option allows a tribe to stay intact and remain in its geographic location, but being forced into a subservient relationship with another tribe would be demeaning. In the final option

⁹⁷ Manus I. Midlarsky, “Identity and International Conflict,” in *Handbook of War Studies II*, ed. Manus I. Midlarsky (Ann Arbor: University of Michigan Press, 2000), 29.

⁹⁸ Ibid.

⁹⁹ Otto F. von Feigenblatt, “The Parable of the Tribes: Identity and Conflict,” *Journal of Alternative Perspectives in the Social Sciences* 4, no.3 (2012): 663-664.

of absorption, the tribe as a group is lost and the most crucial characteristic – the tribe’s identity – is eliminated. Since tribal identity and culture is the most important core characteristic, fleeing is preferable because it would only involve the loss of the peripheral characteristic of territory. If both the core and peripheral characteristics cannot be protected, then core characteristics take priority. However, if a tribe wishes to remain culturally and territorially intact, then it has no choice but to fight the threats. If the tribes in the region choose to fight, the conflict will continue until there is only one tribe left. In this scenario, attacks and counterattacks would lead to a cyclical conflict, due to the low likelihood of the outright victory of one tribe over the others.

While the parable of the tribe provides some insights into the reasons for cyclical tribal conflict, it is incomplete as an analytical tool because it only accounts for five options. The parable assumes that there is no potential for cooperation after conflict begins. However, most conflicts do not end in total victory when groups choose to fight, but lead to negotiations and compromise. As will be discussed in the next chapter, the history of cattle raiding in Jonglei demonstrates that there is an established tradition of mediation when conflict occurs. However, the current breakout of tribal conflict in Jonglei closely resembles the cyclical pattern described in the parable of the tribes, since there has been a steady string of attacks and counterattacks since 2009.¹⁰⁰

Thus far, breaks between the attacks have been caused by outside actors involving themselves in Jonglei. The parable of the tribe, based in realist and neorealist discourse, assumes that no outside actor can or is willing to interfere in the conflict.¹⁰¹ However, intervention from international, government, and non-governmental actors often occurs

¹⁰⁰ Leff, “My Neighbour, My Enemy: Inter-tribal violence in Jonglei,” 1.

¹⁰¹ Feigenblatt, “The Parable of the Tribes: Identity and Conflict,” 665.

when a group conflict breaks out. In Jonglei, once outside groups have left the state or particular region, fighting re-occurs until another outside intervention. Since 2012, the cycle of conflict has stalled due to the presence of SPLA forces in Jonglei. While the SPLA's primary focus is ending the rebellion by David Yau Yau, its proximity has caused a reduction in the number of clashes.

3.5 Conclusion

The current conflict in Jonglei State is a clear example of a tribal conflict, not only in its definition, but the way in which it is carried out. The Dinka, Lou-Nuer, and Murle have valued not only the core characteristics of culture, tradition, and identity, but also the peripheral characteristics of location. In order to distinguish itself, each tribe has emphasized its territorial location, attacking and defending its territory from other groups. While location is a peripheral trait, by emphasizing its importance, the tribes in Jonglei have ruled out every other alternative in the parable of the tribe other than to fight and win.

With the concepts defined, the next section will analyze the tradition of cattle raiding historically. As was discussed in the introduction to the thesis, the interactions between tribes in Jonglei changed during the Second Sudanese Civil War, leading to a lack of trust and cyclical violence. If this trust cannot be re-established, then the cyclical nature of the conflict described in the parable of the tribes will occur until there is either an outright victory or outside intervention. An interesting point is that the conflict in Jonglei re-occurs once outside actors withdraw from the area or when the forces that are in the area are no longer considered a threat. This implies that the initiative for ending the

conflict must occur at the local level. Such local level cooperation existed between the Dinka, Lou-Nuer, and Murle previously - a relationship that the next chapter will explore.

Chapter 4: A Socio-Cultural Analysis of Cattle Raiding in Jonglei State

4.1 Introduction

To explain the changes that have occurred in the practice of cattle raiding between the Dinka, Lou-Nuer, and Murle in Jonglei state in South Sudan, this chapter will provide a socio-cultural anthropological analysis of the significance of the tradition of cattle raiding for each of the tribes. Emphasis will be placed on the beliefs, laws, and customs of each tribe concerning cattle raiding, while the roles of different age groups within the tribal structure will demonstrate the distinct status and responsibility that each group possessed. Although the literature on post-conflict reconstruction emphasizes the implementation of local traditions and solutions, not enough interdisciplinary work with socio-cultural anthropology has been conducted to understand traditional conflict and peace-making traditions.¹⁰² By using a cross-disciplinary analysis, I will identify the difference between the past and current structures of raids to better determine a course of action that could be taken by the tribes in Jonglei to address cattle raiding violence. The reasons why, in the past, raids between tribes occurred but did not result in large scale violence, will be explained through a focus on the importance of cattle to the tribes, the practice as a rite of passage, and the role of elders in the raids. The persistence of cattle raiding indicates that the motives for the raids are still strong. Historically, however, the way in which the raids were conducted reduced the likelihood of conflict. Furthermore, if conflict did erupt, tribal elders would step in and mediate the process. Elder influence occurred through an emphasis on traditional codes of conduct, facilitating the raids, and

¹⁰² Roger MacGinty, "Indigenous Peace-Making Versus the Liberal Peace," *Cooperation and Conflict: Journal of the Nordic International Studies Association* 43, no. 2 (2008): 146.

mediating conflict if it occurred. Historically, tribal elders were able to ensure that youth were able to participate in this crucial rite of passage without it leading to tribal warfare.

4.2 Importance of Cattle

Historically, cattle were the currency of Jonglei State. Even today, cattle represent a consistent currency with a known and reliable value among the different communities. In Dinka, Lou-Nuer, and Murle societies, an individual demonstrates wealth by possessing many cattle, while a lack of cattle demonstrates poverty.¹⁰³ Due to the cattle economy that exists in Jonglei state, cattle effectively are a replacement for money. Even if an individual has a fair amount of money, without cattle he is considered to be poor. This proved problematic as young men began to leave villages to find work, and returned with state currency. Although money could be converted to cattle, purchased cattle are not considered to be worth the same as cattle that are acquired through inheritance, bridewealth, bloodwealth, gifts, or raids. These cattle represent more than wealth; they are indicators of the links between different individuals.¹⁰⁴

As late as the 1930s, no member of the Nuer tribe would give up cattle for money, as it would be the equivalent of giving up the ties that were created when the cattle were acquired.¹⁰⁵ Cattle that are bought have not been taken care of by the individual receiving them, which means that that individual is not acquiring its full wealth. Cattle can provide milk and calves, which are in themselves valuable. Cattle that are received through inheritance, bridewealth, bloodwealth, or gifts have provided this wealth to the previous

¹⁰³ B.A. Lewis, *The Murle: Red Chiefs and Black Commoners* (New York: Oxford University Press, 1972), 30.

¹⁰⁴ E.E. Evans-Pritchard, *The Nuer: A Description of the Modes of Livelihood and Political Institutions of a Nilotic People* (Oxford: Oxford University Press, 1960), 19.

¹⁰⁵ Sharon E. Hutchinson, *Nuer Dilemmas: Coping with Money, War, and the State* (Berkeley: University of California Press, 1996), 59.

owner, which creates a bond through the cattle. This is reflected in Dinka culture, whereby the cattle that are acquired through descent (or these cattle's offspring) are highly valued and protected as this continues the bond with the owner's ancestors.¹⁰⁶

Cattle represent value not only in monetary terms, but also in a personal form. The Nuer believed that cattle represented an extension of an individual's persona.¹⁰⁷ Therefore, if cattle are given away, a part of the owner which is connected to those cattle is also given away. Cattle could be given to create a friendship or alliances between different tribes or even within the tribe, and cattle are also given as bridewealth to the family of a girl in order for her family to approve the marriage. They could also be given to an individual or group as bloodwealth to end a feud and gain peace between the parties. Therefore, with an abundance of cattle, an individual can provide for his family through trade, bridewealth and bloodwealth. Furthermore, as there was (and arguably still is) no market in which cattle could be sold for cash, the continued existence of a cattle economy in Jonglei is encouraged.

In Murle society, cattle shaped the lives of tribe members, since they "live off their cattle, but they also live with them."¹⁰⁸ The Dinka, Lou-Nuer and Murle's lifestyle was dictated by cattle. This led to semi-nomadic lives for the Murle and Nuer, usually between two traditional residences. The Dinka residences were more established; as a result, youths had to herd the cattle to separate camps in the dry season. In each tradition, there is a belief that if the cattle are taken care of, then the cattle will provide for all the needs of an individual. The Dinka believe that cattle provide all worldly needs to them. This is exemplified in the belief that if the Dinka dedicate their life to cattle, and only

¹⁰⁶ Francis Deng, *The Dinka of the Sudan* (New York: Holt, Rinehart and Winston, 1972), 106.

¹⁰⁷ Hutchinson, *Nuer Dilemmas*, 60.

¹⁰⁸ Lewis, *The Murle*, 31

sacrifice them on special occasions, the cattle will “protect the Dinka against the forces of illness and death.”¹⁰⁹ In each of the tribes, cattle are not killed on a regular basis for food. Only on occasions when a special guest must be honored or for a special feast are cattle killed for food.¹¹⁰ In each of the tribes, cattle played a crucial role in intra-communal relationships.

For the Nuer, cattle were exchanged in order to create enduring bonds between individuals.¹¹¹ Similar traditions were practiced by the Murle and Dinka. Bridewealth is a tradition practiced in each tribe, and involves the gift of cattle to a women’s father for marriage. However, one of the more relevant uses of cattle, in terms of ending cycles of conflict, arises from the tradition of bloodwealth. Within each tribal tradition, it was customary to re-pay the family of an individual killed in conflict – or raids – with cattle.¹¹² The hope was that the compensation would obviate the need to retaliate and feuds between tribes could be avoided. On occasions grudges are held and revenge raids are carried out to allow for the opportunity to inflict similar damage on the group that committed the original crime. It is acceptable in the Dinka culture to provoke violence in order to avenge a relative. This results in a cycle of raids, particularly when the raids occur between different tribes. However, bloodwealth is considered effective in at least eliminating immediate raids. The Dinka, Lou-Nuer, and Murle each use cattle to resolve all forms of conflict. While bridewealth is still a crucial part of tribal life in Jonglei at present, individuals who inflict harm during raids have not continued the tradition of

¹⁰⁹ Deng, *The Dinka of the Sudan*, 2.

¹¹⁰ Ibid.

¹¹¹ Hutchinson, *Nuer Dilemmas*, 59.

¹¹² Deng, *The Dinka of the Sudan*, 77.

bloodwealth. This is partly due to the lack of accountability in current raids - but without bloodwealth compensation, the likelihood of retaliation is much higher.

4.3 Traditional Approaches to War and Peace

The literature on post-conflict reconstruction has begun to identify key areas within social anthropology that must be researched in order to understand local approaches to war and peacemaking. These approaches fall into four broad categories: the rituals involved in warfare and during peacemaking; the structures and systems of government involved in war and peace; the methods by which groups communicate across cultures and what norms govern these exchanges; and the forms of compensation used as part of the peacemaking process.¹¹³ A conflict arising from cattle raids, and the peace that is negotiated afterwards, can be discussed in terms of these four categories. As previously described, compensation in the Dinka, Lou-Nuer, and Murle tribes traditionally took the form of bloodwealth, and any conflict that occurred was resolved through an exchange of cattle. The other categories will be covered in the following sections.

4.4 Youth Initiation

The connection between youth and cattle is one of the primary reasons for conflicts attributed to raiding. Youth are given the responsibility for caring for the cattle and guarding them. Within Dinka tribes, this forces youth to leave, during the dry season, for separate cattle camps away from their community so that cattle can have access to water and grazing lands. In each of the three tribes, youth are ‘initiated’ as groups. This group initiation is an important aspect of the warrior culture that existed due to constant threats from other tribes. Known as age-sets, groups of young men would move through

¹¹³ MacGinty, “Indegenous Peace-Making Versus the Liberal Peace,” 147.

traditional ‘life milestones’ as they aged. At each progressive level, they would be given more responsibility for the affairs of the community.

The initiation for the Dinka begins with a ceremonial operation in which 7-10 deep cuts are made across the forehead of each member of the age-set.¹¹⁴ This process allows a boy to become a man, and be given responsibilities within the community. A symbol of the responsibility that the young man will have to shoulder is demonstrated in his receipt of spears. While in their communities, the young men help with agricultural work and various construction projects. However, Dinka youth spend much of their time herding cattle. Not only does this involve youth leaving for cattle camps to find pastures, but this also allows youth to be out of the control of tribal elders.¹¹⁵ Although the youth fulfill their duties in caring for the cattle, the distance from their tribe gives the youth the freedom to act on impulse, which can include raiding cattle. Not only is this due to lack of supervision, but the nomadic nature of the cattle camps often brings Dinka youth close to other groups.

In Murle tribes, different age-sets determine both the position of an individual within the tribe, as well as the specific duties that individuals are expected to perform in their daily lives. Groups of young men proceed from youths to warriors through an initiation process, and then as they age they gradually proceed to junior-elder and then elder status.¹¹⁶ This form of organization was designed to gear the entire Murle tribe to a structure that was based on defense or attack. The progress from youth to warriorhood is particularly important, as “warriors form a standing guard for the protection of the

¹¹⁴ Deng, *The Dinka of the Sudan*, 70.

¹¹⁵ *Ibid.*, 84.

¹¹⁶ Lewis, *The Murle*, 84.

country, and have the duty of herding cattle.”¹¹⁷ The initiation process, although abandoned under Anglo-Egyptian rule, required an initiated warrior to kill a man in ‘war’ against a neighboring tribe. This led to campaigns being carried out at the end of the rainy season on a regular basis, causing regular conflict between tribes. The tribal elders would make the decisions about the campaign’s target as well as how it would be carried out.¹¹⁸ Although this specific initiation requirement to kill another man is no longer practiced, the structure of and relation between the different age-sets has persisted.

The Nuer age-set system is slightly different from the systems of the Dinka and Murle as there are only two different groupings: boyhood and manhood.¹¹⁹ Groups are initiated from boyhood to manhood by making 6 cuts across the forehead.¹²⁰ However, within these groupings there are junior and senior sets, resulting in a separation of responsibilities within the two groupings. One position in the Murle tribe that accompanied the initiation process was the *nya-kagen* or ‘captain’ of a particular age-set.¹²¹ This individual was the leader of his age-set and ensured that the group followed the instructions of tribal elders by disciplining those that did not. This position was initially thought to no longer be useful once the initiation process ended and warfare between groups was reduced under the Anglo-Egyptian Condominium. However, these captains were very effective in ensuring order within their age groups, and without them it became more difficult to get the warriors to participate in ‘unpopular tasks’ such as road building.¹²² This position could be reintroduced to facilitate communication between

¹¹⁷ Ibid., 84.

¹¹⁸ Ibid., 87.

¹¹⁹ Evans-Pritchard, *The Nuer*, 7.

¹²⁰ Ibid., 249.

¹²¹ Lewis, *The Murle*, 87.

¹²² Ibid., 87.

the youth and elders within the different tribes. Although unique to the Murle, the captain represents an important youth leadership position that could also play a positive role if introduced into the Dinka and Nuer tribes.

4.5 Structure of the Rule of Law Within Tribes

The structures to resolve the external conflicts of cattle raids are based on traditions of conflict resolution at the local tribal level. There are similarities within the Dinka, Lou-Nuer and Murle traditions which directly influence to the way in which these tribal groups interact with each other. One of these commonalities is that within tribes conflicts are resolved with cattle, since “they have to be paid in compensation or atonement.”¹²³ The involvement of tribal elders is another important commonality within each individual tribal system. Although the tradition described bellow is found within the Murle structure of law, the way in which the community, elders, and cattle are used in the process are very similar to the structure found in the Dinka and Lou-Nuer systems. The only strong difference in the process is the role of the chief, in that the Dinka and Nuer do not ‘curse’ the guilty if they do not respect the sentencing.

Traditional Murle law is similar to case law. Each case is influenced by the precedents set by similar cases that are orally transmitted from each generation to the next.¹²⁴ In particular, the *Gayoi* or spokesman is an individual who knows the tribal laws and has the ability to effectively convey a knowledge – often in a theatrical fashion – of the “details of the law... thus preserving tribal traditions and providing a check on the abuse of power by the chiefs.”¹²⁵ This was often a hereditary position, as the relevant oral history would be passed down from father to son. Within the Murle tribe, the elders

¹²³ Lewis, *The Murle*, 30.

¹²⁴ *Ibid.*, 72.

¹²⁵ *Ibid.*,

traditionally settled disputes, while the drumchief would only decide on “important cases.”¹²⁶ The drumchief was a member of the Bulanec clan; he was the hereditary chief of the Murle tribe whose right to rule was symbolically represented by his possession of the sacred drum.¹²⁷ There was no specific set of cases that the drumchief would be required to hear because there was no division between civil and criminal law. However, the cases that were heard by the drumchief tended to involve conflicts over inheritance.¹²⁸ The importance of inheritance is drawn directly from the importance placed on cattle ownership.

The drumchief was included in important cases because he had the ability to curse an individual who did not abide by the ruling on a particular case.¹²⁹ Although the emphasis on cursing an individual has diminished, the importance of the practice was that it led to shaming the guilty person, excluding them from the community, and often causing the individual to leave for exile. However, even in cases when the drumchief would rule on disputes, the council of elders effectively decided the cases.¹³⁰ Once an individual was found guilty, the elders (including the chief if he was presiding over a case) then decided on a sentence. In the majority of the sentences, cattle were the form of payment between parties. The payment differed in terms of the specific types of cattle that were paid. Depending on the crime, the payment could be made in bulls, cows, heifers, and oxen in differing numbers and combinations. If the guilty individual could not produce the number of cattle agreed upon in a settlement, either they would have to

¹²⁶ Ibid.,

¹²⁷ Orent, “Ethnology: The Murle: Red Chiefs and Black Commoners. B. A. Lewis,” 383.

¹²⁸ Lewis, *The Murle*, 72.

¹²⁹ Ibid., 73.

¹³⁰ Ibid., 72.

pay the cattle once a daughter was married, or another family member would have to supply the cattle.¹³¹

The Murle system of law was very effective since it had a long history of being perceived by the population as just. Most of the cases that were heard were public trials, which encouraged a fair decision-making process. In cases where the drumchief would decide on the settlement, the process took approximately three days, allowing for a sufficient amount of time for the case to be properly presented. However, for cases of a more minor nature, the elders would hold a private meeting at the village club (the social gathering place of a village characterized by a large tree and dancing area) and resolve the dispute quickly.¹³² Elders did not have the same duties that other tribe members had, and therefore spent most of their days at the club “talking, arguing, settling disputes, and smoking.”¹³³ Elders took pride in ensuring the continued reputation of just rulings. Furthermore, the respect given by the community to the elders ensured that imposed settlements were carried out.

4.6 Cattle Raids

The reason why raiding has played an important part in the cultural lives of the Dinka, Lou-Nuer and Murle is because raids allowed individuals, particularly young men, to acquire cattle and prestige. The Nuer celebrate a successful raid on neighboring tribes, and respect is accorded to the individual who stole the cattle.¹³⁴ Although culturally accepted, raiding was (and is) ‘illegal’, and the perpetrator would be punished if caught in the act. In Murle society, if a man is caught stealing the property of another, it is

¹³¹ Ibid., 75.

¹³² Ibid., 72.

¹³³ Ibid., 38.

¹³⁴ Evans-Pritchard, *The Nuer*, 49.

considered justifiable homicide if the thief is killed.¹³⁵ Historically, deaths of this kind would have been the result of being beaten (with a stick or by hand as spears or steel weapons cannot be used). However, the circumstance that allows killing a thief to be justified is based on the potential need for the owner to defend himself against the thief.¹³⁶ Since cattle raiding was conducted mostly at night, it was difficult for the defenders (if they knew a raid was occurring) to distinguish whether a member of the same tribal group, or an individual from a rival tribe, was conducting the raid. For this reason, raids did not result in many deaths.

In raids, only the attacker knew what group he was targeting. Therefore, if the attacker became violent, then it was more likely that he was from a different tribal group than the person he was stealing from. By the same token, if the raider did not use violence in the raid, he would most likely not be killed if caught stealing. The inability to identify who was raiding the cattle was crucial in the reaction the victims of the theft. The Lou-Nuer were not allowed to break a code of ethics, concerning fellow Nuer, that included killing.¹³⁷ If this code were broken, then a blood curse would fall upon the offending individual until bloodwealth was paid. If the Nuer raided the Dinka and Murle and stole cattle or even killed, the Nuer would not suffer a blood curse. For this reason, raids were more likely to be carried out on another tribal group.

Cattle raids by the Murle initially complemented the larger organized campaigns used in initiation. As the initiation process was abandoned, raids became one of the few ways in which young men could prove their bravery. In some cases, raids were carried out in small parties of 10-20 men, at night, which would allow for many cattle to be taken

¹³⁵ Lewis, *The Murle*, 78.

¹³⁶ *Ibid.*, 78.

¹³⁷ Hutchinson, *Nuer Dilemmas*, 59.

at once.¹³⁸ These raids had two key aims: to steal cattle and to conduct the raid covertly. Individuals who were able to steal many cattle without being caught were considered to be expert night fighters.¹³⁹ However, the most frequent raids were conducted by ‘best friends’ on Nuer and Dinka cattle camps at night. The system of best friends in the Murle tradition was based on the age-set system. Each young male would have a best friend within his age-set and they would help each other throughout their initiation and life. The best friend system was based on the emphasis placed on fighting an enemy. During a conflict, best friends would fight alongside each other. If one died, the other would seek retribution.¹⁴⁰

The importance of conducting a raid covertly is not a feature of current cattle raids. Present raids have focused solely on stealing large numbers of cattle from a rival tribal group. Large groups now conduct raids in order to ensure that more cattle will be taken. The increased number of raiders also provides a greater assurance of protection if attacked. However, the larger the group raiding, the more likely it will be violently confronted because a larger group of attackers will be perceived as a major threat to the tribe being raided. Therefore, if raids conducted covertly and in small groups could be reintroduced, the likelihood of violent confrontations might decrease.

4.7 Resolution of Conflict

In an ideal raid, young men will sneak onto a rival tribe’s territory, steal cattle, and return to their village without being caught. However, in certain cases, youth are caught in the act of cattle raiding, often resulting in a conflict. If either the raider or the target of the theft is killed in the confrontation over cattle, this is considered a

¹³⁸ Lewis, *The Murle*, 89.

¹³⁹ *Ibid.*, 89.

¹⁴⁰ *Ibid.*, 91.

provocation by the tribe of the deceased. This leads to a larger tribal conflict in which all generations of warriors (excluding chiefs and elders) take up arms and attack the opposing tribe.¹⁴¹ Due to tribal cultural traditions, conflict between the two groups is expected to occur, and in some cases elders even participate in planning the retaliation.

However, once retaliation has been carried out, the “role of chiefs and elders as peacemakers is then invoked to negotiate or mediate reconciliation.”¹⁴² Both the Dinka and the Murle have a tradition of chiefs as the leaders of tribes. For the Lou-Nuer, the position of chief was adopted during the period of the Anglo-Egyptian Condominium.¹⁴³ Before this period, the Nuer were quite egalitarian, since tribal elders would make a collective decision. As noted above, particularly with respect to the rule of law, elders play a crucial role and have *de facto* control over rulings in all three of the tribes. Elders play an important role in the internal decision making structure of their tribe, and play a similar role in the external affairs of the tribe. Although final agreements were formally reached between chiefs, tribal elders would have already negotiated and come up with a decision. Cattle were given as bloodwealth to the relatives of the deceased, and cattle that might have been slain in the conflict were replaced.

In the Murle and Nuer tribes, elders well informed about the raids conducted by tribal youths, since these youths were an integral part of the community. This allowed elders to guide the process of cattle raiding, ensuring that the youth did not use violent methods. If conflict arose as a result of a raid, the elders resolved it before the conflict spiraled. Dinka elders were often less aware of raids, since they occurred while youth

¹⁴¹ Francis Deng, *Talking It Out: Stories of Negotiating Human Relations* (New York: Kegan Paul, 2006), 30.

¹⁴² *Ibid.*, 31.

¹⁴³ Hutchinson, *Nuer Dilemmas*, 112.

were away in cattle camps. For this reason, Dinka elders were not involved in facilitating raids; however, if a conflict began to escalate, they were brought in to resolve it.

4.8 Conclusion: Indigenous solutions to the current conflict

During the escalation of cattle raiding after 2009, no active measures have been taken to resolve the conflicts among the tribes in Jonglei State. Those who have raided cattle have not been punished, creating a perception of impunity from state laws. In order to address the shortfalls of prosecution in regards to cattle raiding, local solutions could be implemented to complement the national legal system. Given the lack of trust among the Dinka, Lou-Nuer and Murle, none of the tribes will implement a solution that is seen to give them a strategic disadvantage. The purpose of this chapter has been to establish the specifics of the tradition of cattle raiding among the Dinka, Lou-Nuer and Murle tribes. A comparative examination of cattle raiding among the Dinka, Lou-Nuer and Murle is absent in the existing relevant literature. Through an analysis of this tradition, I have identified key aspects of cattle raiding that are no longer practiced. I believe that in addition to the current insecurity in Jonglei which has led to an increase in clashes, the removal of these aspects has led to an increase in violence when raids occur. If those parts of the tradition which have been discontinued could be re-introduced, then a local solution could be implemented and used to hold individuals accountable when raiding leads to conflict. Due to the lack of trust among tribes, this solution would have to be implemented across each tribe equally to assure its success.

The most likely solution that could be implemented across the tribes involves utilizing an indigenous approach to peacemaking. In the post-conflict literature,

indigenous peacemaking is defined as “an activity or norm that is locally inspired.”¹⁴⁴ This differs from traditional peacemaking, an approach based on the heritage of the group, and practiced over a long period of time. An indigenous solution to the conflicts resulting from cattle raids can be inspired by traditional practices, but does not need to be traditional. All groups are constantly changing their practices and traditions based on current circumstances. As described by MacGinty, “negotiation and renegotiation of modes of social operation are embedded practices and provide sites for social innovation and exposure to new or externally inspired practices and ideas.”¹⁴⁵ In Jonglei, a solution that is adapted to the current circumstances must be introduced to address the violence from cattle raiding.

In this chapter, I have identified five practices of cattle raiding that were traditionally practiced by tribal groups. These practices can be adapted and implemented locally in each of the tribal groups given the similarities in their approach to cattle raiding. The most important tradition that must be re-established for any indigenous approach to be successful is ensuring that respect for elders is strongly established within the Dinka, Lou-Nuer and Murle tribes. Elders have played a critical role in each of the tribes, particularly by ensuring that the rule of law is followed. If a process of mediation by elders can be reintroduced, trust might develop among the elders of each tribe, leading to open channels of communication in the case of conflict. To help re-establish respect towards elders, a position similar to that of the age-set captain found in the Murle tribe would be beneficial in ensuring that the rules set down by tribal elders are followed. This individual would help facilitate communication between the youth and elders, closing a

¹⁴⁴ MacGinty, “Indegenous Peace-Making Versus the Liberal Peace,” 149.

¹⁴⁵ Ibid.

large generational gap. In regards to the practice of cattle raiding –as it is unlikely to be eliminated – emphasis on the importance of conducting covert raids would reduce the scale of violence. If an individual who stole cattle but did not harm a neighboring tribe was celebrated, cultural pressures might gradually lead to a reduction in violence. In addition, raids conducted in small groups, as reflected in the ‘best-friend’ practice of the Murle tradition, could be conducted more covertly and would represent less of a threat. Finally, the payment of bloodwealth when conflict occurred was the most effective way to end feuds and should be re-introduced. This analysis of the cattle raiding traditions of the Dinka, Lou-Nuer and Murle demonstrates that these five practices have the potential to greatly reduce the violent characteristic of current cattle raids.

Chapter 5: Insecurity

5.1 Introduction

Throughout this thesis, a clear distinction has been made between clashes and violence during cattle raids. In the last chapter, I identified some of the important traditions that reduced the level of violence when clashes occurred. While I believe that the revival of these traditions can reduce violence in Jonglei, current efforts have primarily focused on addressing the issues of insecurity in the State. While there are many sources of insecurity that have caused an increase in clashes, this chapter focuses on three of the most discussed sources of insecurity: bridewealth, environmental changes, and small arms and light weapons. The increase in bridewealth costs in Jonglei has been cited as a reason for the increase in raids. Youth who have few job prospects turn to cattle raiding to obtain a herd large enough to allow them to marry. Environmental changes within Jonglei have also increased the number of clashes between tribes. Migration patterns have shifted, causing herders to travel farther to find grazing lands and water for their cattle. Furthermore, once herders are able to find these crucial resources they are often denied access, which causes conflict. These factors have strongly contributed to insecurity in Jonglei and an increase in clashes. However, historically both factors were also strongly governed by traditional mechanisms that existed within the tribal structure. On the other hand, the proliferation of small arms and light weapons is considered by chiefs and elders to undermine their influence within the governance of the tribes. In attempts to implement the ‘best practices’ in post-conflict reconstruction, international and national actors, with the support of tribal elders, have attempted to disarm the citizens in Jonglei State numerous times since the end of the Second Civil War. However,

disarmament has been unsuccessful, and the proliferation of SALW continues to contribute to insecurity within Jonglei State.

5.2 Bridewealth

The rising cost of dowries in South Sudan is often cited as a major source of insecurity in the country. The effect of bridewealth in Jonglei has similarly led to an increase in the number of clashes, due to the need to acquire more cattle for marriage. In 2004, the bridewealth needed to marry in the Nuer tribe was approximately forty cattle, while 100 cattle had to be paid for by a Dinka.¹⁴⁶ In November 2011, it was estimated that the dowry prices had increased by 44% since the signing of the CPA in 2005.¹⁴⁷ In a region such as Jonglei, where as previously mentioned 90% of the population lives on the equivalent of a dollar a day, this drastic inflation has led to an increase in raids to obtain the cattle needed for marriage.

The Dinka in Jonglei have particularly cited bridewealth inflation as a source of insecurity.¹⁴⁸ This is most likely because Dinka brides require the highest bridewealth of all the tribes in Jonglei. Bridewealth, like any other economic factor, fluctuates depending on the specific circumstances in the region. This allows the price of bridewealth among the different tribes in Jonglei to change irrespective of what the other tribes must pay for bridewealth. Therefore, if one tribe has overinflated the cost of a bride, the other tribes in the region will not necessarily be affected. As the Dinka hold many government posts, wealth among members of the tribe has increased. Given the

¹⁴⁶ Paul Omondi, "Climate change and inter-community conflict over natural resources in Jonglei State, South Sudan," *Boma Development Initiative Briefing* (January 2012), 4.

¹⁴⁷ Marc Sommers and Stephanie Schwartz, "Dowry and Division: Youth and State Building in South Sudan," *United States Institute of Peace Special Report* No. 295 (November 2011), 4.

¹⁴⁸ Omondi, "Climate change and inter-community conflict over natural resources in Jonglei State, South Sudan," 4.

tradition of polygamy in South Sudan, wealthy men are able to marry multiple women, paying high bridewealth prices for each marriage.¹⁴⁹

While successful government officials or businessmen want to pay high bridewealth due to the resulting prestige, most young men cannot afford to compete. Furthermore, in 2008 it was estimated over half the population in Jonglei consisted of men; in addition to the tradition of polygamy, there has been a shortage in the number of marriageable women in Jonglei, which has also increased the price of bridewealth.¹⁵⁰ While young men can seek brides outside of their tribe, e.g., in Uganda and Kenya where the bridewealth needed is significantly lower, this practice is not culturally encouraged. However, it does provide an affordable alternative that, in theory, could reduce the necessity of cattle raiding. In this vein, the Shilluk king has limited the bridewealth price to ten cattle. As the cultural and religious leader of the Shilluk tribe, one of the major tribal groups in South Sudan, the actions of the King are significant. The set price would allow both Shilluk youth, and those from surrounding communities such as the Dinka and Nuer, to marry without the need of raiding for cattle. However, the comparatively lower bridewealth prices could also lead to young men to marry more women, as the cost per bride is reduced, which would require an equivalent numbers of cattle.

While an increase in government officials is part of the reason why dowry prices have increased, as these officials are willing to pay higher prices, the more direct cause of inflation is parental demands for increased prices. Given the insecurity in Jonglei – both human and economic – “parents naturally see it in their best interest to maximize their

¹⁴⁹ Leff, “My Neighbour, My Enemy: Inter-tribal violence in Jonglei,” 6.

¹⁵⁰ Ibid., 5.

wealth in exchange for marrying off a daughter.”¹⁵¹ A strong reliance on dowries for daughters has had strong negative effects on women in South Sudan. In many cases, their economic importance has led them to be viewed as property.

The economic importance of daughters within the culture of many tribes in South Sudan is not new. However, current trends have led to various limitations on female youth. The importance of dowry wealth has led to women being given little control over their lives. Furthermore, the commodification of women is increasingly regarded as modern day slavery.¹⁵² Marriage in Jonglei is no longer a balanced relationship, and women whose families receives large bridewealth payments do not stand on the same level as their husbands, as they have been ‘bought’ and have no say in the marriage. The increased prices of bridewealth have also led to an increase in domestic violence in South Sudan. Increasing violence by husbands has been reported, but more disturbingly there is a trend of parents using violence to control their daughters; particularly in order to ensure that they do not associate with other men.¹⁵³ Given the constant threat of violence, some young girls have committed suicide to escape absolute control by parents and husbands.

Although it is unlikely that the price of brides will decrease, given the continued insecurity, the conditions of young women must be addressed. Girls are being married off at very young ages; once they hit puberty, their economic potential is the highest. Young women, if married directly after puberty, can have more children than a woman married later in life. The more children a woman has, the higher the economic gains for the husband and father, as he can marry off his daughters in the future for high bridewealth payments. Therefore, the marriage of women in South Sudan has become a cycle

¹⁵¹ Sommers and Stephanie Schwartz, “Dowry and Division: Youth and State Building in South Sudan,” 4.

¹⁵² *Ibid.*, 5.

¹⁵³ *Ibid.*

whereby the payment of high bridewealth prices leads to the eventual receipt of high levels of bridewealth. For the same economic reasons, men are also getting married at a younger age. In the past, men would get married after they had served as cattle guards, in their 20s and 30s, to only three or four wives.¹⁵⁴ Given that bridewealth requirements are quite onerous, young men try to marry early in order to have more children and increase their long-term wealth. Furthermore, young men have also begun to marry more women earlier on in order to have more children.

Bridewealth payments are unlikely to decrease in the near future. Not only is the increased insecurity causing the price to remain high, but there is also no incentive for elites and tribal leaders to attempt to reduce prices. Both the elites within Jonglei State and tribal leaders (chiefs and elders) have an abundance of cattle and many daughters.¹⁵⁵ This means that they can afford to pay high bridewealth for wives, as well as demand high prices for their daughters. Furthermore, it is questionable whether tribal chiefs and elders would even be in a position to reduce the prices of brides. With the breakdown of traditional governance structures, the ability they once had to set bridewealth prices has eroded, making the costs more dependent on economic rather than cultural factors.¹⁵⁶ While this section has focused on negative developments, one generally positive trend is that more young girls are being educated. This is because an educated girl's family can receive more cattle in the form of bridewealth. However, due to the payment of high bridewealth prices by government officials, parental control over daughters, and a lack of

¹⁵⁴ Leff, "My Neighbour, My Enemy: Inter-tribal violence in Jonglei," 6.

¹⁵⁵ Sommers and Stephanie Schwartz, "Dowry and Division: Youth and State Building in South Sudan," 6.

¹⁵⁶ Richmond and Krause-Jackson, "Cows-for-Bride Inflation Spurs Cattle theft Among the Mundari in South Sudan," *Bloomberg News*, July 29, 2011, <http://www.bloomberg.com/news/2011-07-26/cows-for-bride-inflation-spurs-cattle-theft-among-mundari-in-south-sudan.html>.

actions taken by elites to deal with the situation, the current trend in increased bridewealth requirements is likely to continue.

5.3 Environmental Changes

Changes in the environment in Jonglei have had a major effect on the migration patterns of the Dinka, Lou-Nuer, and Murle. There is a strong perception among the population that the amount of grazing land and water has decreased.¹⁵⁷ This has caused the patterns of migration to shift. Whereas previous migrations were well established in Jonglei, allowing a tribe to know when and where other tribes would be migrating through their territory, current trends have led to unpredictability in migration. Essentially, a tribe must travel farther to reach grazing lands and water and, due to the paucity of these supplies, remain on these territories for longer periods of time. This problem has led to an increase in the number of clashes in Jonglei for two reasons. First, tribes must travel for longer periods of time, increasing their chances of being attacked on the road. Second, tribes have been denied access to grazing lands and water located on a rival's territory.

During the dry season from November until March, the Dinka, Lou-Nuer, and Murle must migrate in order to provide grazing lands and water for their herds. Due to the changing environmental conditions, these migrations must often cover long distances, and in some cases travel may last up to four days.¹⁵⁸ This has caused migrating groups to become more susceptible to attacks, even when protected by security forces. In February 2013, there was an attack on the annual migration of local Lou-Nuer in Akobo –

¹⁵⁷ Omondi, "Climate change and inter-community conflict over natural resources in Jonglei State, South Sudan," 6.

¹⁵⁸ Ibid.

reportedly by either the David Yau Yau rebel group or members of the Murle tribe.¹⁵⁹ The attack was one of the largest reported since the end of major clashes in March 2012; 103 civilians were listed as missing or dead, fourteen SPLA officers were killed, and thousands of cattle were stolen. What made this attack unique is that the group was being escorted by the SPLA, underscoring the inability of the security services to protect the civilian population. While migrations have been vulnerable in the past, the presence of the military during the attack underscores the danger posed by longer migrations.

One of the more direct causes of clashes has been the changing relationship between communities which had traditionally shared seasonal pastures. Previously, local peace agreements between neighboring tribes had managed tensions between communities during seasonal migrations.¹⁶⁰ While these treaties tended to be temporary and renegotiated on a regular basis, they were very effective in reducing the number of clashes. However, cattle raids between neighboring communities have increased animosity. This has led to a lack of trust between neighboring tribes, causing traditional agreements to be neglected and not re-negotiated. Therefore, there are conflicting perceptions by tribes in Jonglei as to which agreements are still in place. Tribes have often migrated to traditional pastures only to be denied access. This has led to the use of force in order to access grazing lands, which only increases tensions between tribes.¹⁶¹ As described in Chapter Two, conflicts over grazing agreements can lead to the quick escalation of conflict. In the January 2009 Murle attack on the Lou-Nuer, the primary reason for the clash was a disagreement regarding the right of migration into Murle

¹⁵⁹ “Jonglei: Hundreds feared dead or missing in Akobo county attack,” *Sudan Tribune* (10 February 2013). <http://www.sudantribune.com/spip.php?article45461>

¹⁶⁰ Omondi, “Climate change and inter-community conflict over natural resources in Jonglei State, South Sudan,” 7.

¹⁶¹ *Ibid.*

territory. The Lou-Nuer, who had traditionally negotiated this right, expected that reduced tensions with the Murle would allow for migration. However, the Murle did not believe that the right of grazing had been sufficiently negotiated, leading them to attack the Lou-Nuer when they crossed into Murle territory.

While cycles of conflict occur between each of the tribes in Jonglei, the Lou-Nuer have been involved in most of the major clashes that occurred from 2009 until 2012. Compared to other tribes in Jonglei, the Lou-Nuer have a strategic disadvantage that causes them to repeatedly come into conflict with neighboring tribes.¹⁶² During the dry season from November to April, the Lou-Nuer have to migrate in order to find grazing land for their herds of cattle. To the north are the Jikany-Nuer; both the Dinka and Gawaar-Nuer are located to the west; and in the south are the Murle.¹⁶³ For this reason, tensions between the Lou-Nuer and other tribes tend to be quite high, as the Lou-Nuer often migrate into the territory of other tribes. The insecurity caused by changing environmental factors has increased the number of small-scale clashes. Furthermore, the youth herding the cattle are usually armed, causing the seasonal migration to be perceived as a threat.

5.4 Small Arms and Light Weapons

Many studies have examined the effect of small arms and light weapons proliferation on the conflict in Jonglei. These studies generally agree that SALW are one of the main contributors to the high levels of insecurity in Jonglei State as the Dinka, Lou-Nuer, and Murle are all heavily armed. The proliferation of SALW is blamed for

¹⁶² Rands and LeRiche, "Security Responses in Jonglei State in the Aftermath of Inter-Ethnic Violence," 7.

¹⁶³ International Crisis Group, "Jonglei's Tribal Conflicts: Countering Insecurity in South Sudan," 2.

causing clashes to become more deadly.¹⁶⁴ For this reason several disarmament campaigns have been attempted in Jonglei since the signing of the comprehensive peace treaty in 2005.¹⁶⁵ These campaigns have been carried out on an ad-hoc basis in order to respond to outbreaks of conflict between tribes.¹⁶⁶ Although disarmament seems to have been the preferred method of responding to the conflict in Jonglei, it is widely agreed that it has had no success in reducing conflict. Those campaigns that were the most ‘successful’ only created “a buffer between episodes of violence.”¹⁶⁷ The most recent campaign was conducted in 2012 following the cessation of hostilities between the white army and the Murle.

In contrast to previous campaigns, the SPLA had been able to mobilize a large force, allowing it to conduct a fairly simultaneous disarmament of Dinka, Lou-Nuer and Murle.¹⁶⁸ Previously, disarmament was carried out by a smaller SPLA force, causing different tribes to be disarmed at different times. Until the most recent disarmament, the unequal implementation of disarmament was regarded as a cause of clashes. When one tribe was being disarmed and vulnerable, its neighbours were still armed and conducted raids to take advantage of the defenseless tribe. Although there has not been a major clash since the 2012 disarmament, the attack by the Murle on the Lou-Nuer in February 2013 is partly due to the security vacuum that was created by disarmament.¹⁶⁹ Lou-Nuer civilians were being escorted by the SPLA due to the fact that they had been disarmed, and

¹⁶⁴ Rands and LeRiche, “Security Responses in Jonglei State in the Aftermath of Inter-Ethnic Violence,” 10.

¹⁶⁵ “People’s Perspectives on Peace-making in South Sudan: An initial assessment of insecurity and peacbuilding responses in Jonglei State,” 3.

¹⁶⁶ Leff, “My Neighbour, My Enemy: Inter-tribal violence in Jonglei,” 8.

¹⁶⁷ Ibid.

¹⁶⁸ Ibid.

¹⁶⁹ Rands and LeRiche, “Security Responses in Jonglei State in the Aftermath of Inter-Ethnic Violence,” 11.

therefore had no ability to defend themselves if attacked. In theory, if disarmament of the entire civilian population had been achieved simultaneously, then the presence of the SPLA should have deterred any conflict during migration. However, during the disarmament process, many raiders either hid their weapons or fled while the disarmament was taking place.¹⁷⁰ Therefore, many of the individuals most likely to be involved in the conflict were not disarmed.

Furthermore, any attempts to disarm the population were effectively nullified since it is relatively easy to obtain SALWs. Many weapons are available as a result of the Second Civil War. Even though disarmament programs targeted weapons distributed among the civilian population, many were not collected as stores of weapons were hidden during the campaign. In addition, the SALW collected were not properly stored. They were often stolen due to a lack of security, and used to rearm the local populations in the wake of increasing violence.¹⁷¹ Furthermore, there are many local traders in the area who smuggle arms from neighboring countries such as Ethiopia, and the costs are relatively low due to the large supply. In both the Murle and Lou-Nuer communities, a Kalashnikov assault rifle costs approximately three cattle, and 200-500 rounds of ammunition can be purchased with a single cow.¹⁷²

As in the case of previously discussed source of insecurity, there has been elder involvement in attempts to disarm the population. The proliferation of SALW among youth is viewed as undercutting the authority of tribal leaders. Rand and LeRiche argue that the reason that elders and local chiefs have actively worked with the SPLA to disarm

¹⁷⁰ Leff, "My Neighbour, My Enemy: Inter-tribal violence in Jonglei," 8.

¹⁷¹ Ibid., 4.

¹⁷² Ibid.

the population was re-establish their influence within their tribes.¹⁷³ The ability to re-establish control over youth, which has greatly deteriorated since the end of the Second Civil War, would be a convincing reason to support civilian disarmament. While more research is needed to determine whether or not this is the primary driving factor, there has been strong tribal chief and elder buy-in to the SPLA disarmament campaigns. If disarmament would increase the influence of elders, then independence of youth from the tribal structures would decrease in turn. Youth in Jonglei have been less supportive of disarmament programs; some youth have even left tribal communities to avoid the process. Similar research would need to be conducted to determine whether or not the lack of youth participation in the disarmament campaigns are due to perceived threat to the independence of youth from tribal structures.

5.5 Conclusion

Both bridewealth and environmental changes have strongly contributed to insecurity in Jonglei, and therefore an increase in clashes. However, under traditional governance structures, mechanisms were in place to reduce violence arising from these sources of insecurity. While higher bridewealth prices has led to an increase in raids, tribal chiefs and elders were previously able to regulate the price of dowries. Therefore, bridewealth prices were determined by cultural factors rather than economic considerations. In addition, tribal elders would also decide on the migration patterns taken by the community. This allowed them to negotiate rights to grazing land with neighboring tribes before the start of migration. Therefore, traditional governance structures were able to reduce the causes of clashes due to insecurity.

¹⁷³ Rands and LeRiche, "Security Responses in Jonglei State in the Aftermath of Inter-Ethnic Violence," 10.

The proliferation of SALW in Jonglei State has not only contributed to insecurity, but it has also been cited as decreasing the influence of elders within tribal structures. Unlike the bridewealth and environmental factors, elders strongly support programs that address the proliferation of SALW such as disarmament. However, attempts at disarmament have caused an increase in clashes as certain groups remain armed and attack disarmed communities. The perception among tribal chiefs and elders is that they could regain their position as leaders within the community if they can disarm the youth. While a lack of action by chiefs and elders on the issues of bridewealth and environmental factors have caused an increase in clashes, the attempts to address SALW proliferation have been unsuccessful, and armed youth continue to come into conflict with neighbouring tribes.

Chapter 6: Concluding Thoughts

This thesis has suggested that a new approach should be taken to understand the shift in the practice of cattle raids in Jonglei State. Current attempts to address the increased violence in Jonglei State have primarily focused on implementing programs that target the sources of insecurity. However, as demonstrated in this thesis, insecurity has caused an increase in clashes between tribes. These clashes do not necessarily lead to violence, but they provide an increased opportunity for violence to occur. I have suggested that the breakdown of governance structures, which included the *de facto* rules of cattle raiding and traditional conflict resolution mechanisms, is the primary factor that has led to an increase in violence during cattle raids. However, both causal mechanisms are strongly connected as the factors of insecurity overlap with the role of traditional governance structures. Therefore, while this thesis has built on previous research conducted in Jonglei State, further research is needed to test whether the breakdown of traditional governance structures has directly influenced the scale of violence.

Individual factors of insecurity have not led to an increase in clashes. Rather, the combination of multiple factors of insecurity has caused the increase in clashes. While many factors of insecurity exist in Jonglei State, given that there are currently many threats to human security, the factors of insecurity must be related to lead to increased clashes. In Chapter Five, the factors of bridewealth, environmental changes, and SALW were given as examples of the major causes of insecurity in Jonglei State. The factors of bridewealth and environmental changes, if combined, would most likely not lead to an increase in clashes. However, the rising bridewealth costs, coupled with the proliferation of SALW, would likely lead to clashes. With rising bridewealth costs, youth must find a

way to acquire large numbers of cattle to marry. If youth possess weapons, then they have protection if they raid cattle from neighboring tribes. Therefore, the combination of the possession of SALW and increased bridewealth prices likely leads to an increase in clashes.

The combinations of factors of insecurity that could lead to an increase in clashes are almost endless. With potential factors of insecurity such as the proliferation of SALW, the economics of bridewealth, environmental effects on grazing lands and migration, as well as factors that were not discussed in detail in this thesis such as political interests in the conflict, the failure of the security sector to respond to conflicts, and the lack of infrastructure, there are many possibilities for an increase in clashes between tribes. Taken alone, the proliferation of arms, the failure of the security sector to respond when clashes occur, and the lack of infrastructure that would allow the deployment of institutional responses to clashes combine to form a tempting combination that could lead to clashes. Due to the increase in the number of factors of insecurity, the factor of unpredictability alone could lead to an increase in clashes. As described in the parable of the tribe, the fear of any potential hostility from surrounding tribes will result in preemptive hostile actions.

When clashes occur, this thesis has demonstrated that the breakdown of traditional governance structures has led to an increase in violence during cattle raids. Previously, tribal elders were able to implement the *de facto* rules of raids, and acted as mediators through established conflict resolution mechanisms when cycles of violence broke out. The stability that resulted from this traditional governance structure contributed to the tradition of cattle raiding remaining relatively non-violent. However,

due to the effects of the Second Sudanese Civil War and the secession of South Sudan, traditional governance structures have broken down. Due to the drastic changes that have occurred in South Sudan, the traditional governance structures described in Chapter Four cannot be re-introduced. Rather, the traditions would have to be adapted to modern tribal life in Jonglei State. Therefore, although tribal elders have tried to regain control of their tribes, the independence of youth from tribal structures has made this very unlikely. Youth would have to be integrated into tribal decision-making processes, as they would most likely not submit to tribal governance if they were excluded.

Throughout this thesis, particularly in Chapter Four, I have identified some important traditions that could be reintroduced to help establish indigenous solutions to address the lack of governance in Jonglei. The most crucial tradition that should be re-introduced is the use of bloodwealth as compensation. As demonstrated in Warrap, Unity, and Lake states, this tradition could be modified, requiring that a set amount of cattle be paid if an individual is convicted of a crime related to cattle raiding. If this indigenous approach is implemented, violence during cattle raids would decrease, as committing crimes would negate any gains made during raids. Due to the importance of cattle as discussed in section 4.2, the potential loss of large numbers of cattle is detrimental due to the importance of cattle in tribal life in Jonglei State.

If the issue of governance in Jonglei is addressed, then cattle raiding could revert back to a relatively non-violent tradition, as mechanisms to address conflict and reduce violence would be in place. However, current practices in post-conflict reconstruction have led to a highly operationalized approach, with a focus on creating formal institutions

that will provide peace and security. This creates an atmosphere in which organic forms of justice and peacemaking have become operationally sidelined.

The operational focus within the field of conflict resolution is derived from the liberal peace approach, which is highly institutionalized. International actors and donors have created a one size fits all checklist that has been applied to different types of post-conflict situations. This IKEA approach to establishing a stable post-conflict state is based on an analysis of the most successful programs and institutions that were implemented in previous efforts.¹⁷⁴ While this approach does address previous mistakes that were made in an effort to improve the overall reconstruction efforts, it does not always address the individual needs of each post-conflict situation.

The liberal peace model has four main strands: victor's, institutional, constitutional, and civil peace.¹⁷⁵ Each of these contributes to re-establishing governance in post-conflict societies; however, the international agenda focuses on the effects of governance, security, and institutions. In order to establish a more operational definition of the liberal peace, it will be understood as:

the concept, condition and practice whereby leading states, international organizations and international financial institutions promote their version of peace through peace-support interventions, control of international financial architecture, support for state sovereignty and the international status quo.¹⁷⁶

The liberal peace approach is not unalterable even though post-conflict operations by international actors seem rigid. It has adapted, changing as the international consensus has evolved. International advocacy groups and non-governmental organizations (NGOs)

¹⁷⁴ "It becomes peace from IKEA; a flat-pack peace made from standardized components." Roger MacGinty, "Indigenous Peace-Making Versus the Liberal Peace," *Cooperation and Conflict: Journal of the Nordic International Studies Association* 43, no. 2 (2008): 145.

¹⁷⁵ Oliver P. Richmond, *A Post-Liberal Peace* (New York: Routledge, 2011) 5.

¹⁷⁶ MacGinty, "Indigenous Peace-Making Versus the Liberal Peace," 143.

have applied pressure to states and international organizations, such as the United Nations, that promoted a unified approach to human rights. Furthermore, various actors in post-conflict reconstruction and state building have embraced the importance of human security.¹⁷⁷ The academic literature has begun to form a consensus on the importance of local involvement in the reconstruction process. It describes local justice and customary laws as complementary to other transitional justice mechanisms such as tribunals and truth and reconciliation commissions.¹⁷⁸ Furthermore, international actors often embrace the inclusion of local programs and approaches, at least rhetorically.¹⁷⁹ For this reason, it is possible that if enough pressure builds up to support formalized hybrid models, they could be included within the liberal peace agenda.

Hybridity, with regards to the concept of peace, refers to a system in which both the international and local approaches to peace building are engaged, with the intended result to be complementary, both approaches making equal gains.¹⁸⁰ The current application of these hybrid programs is not systematic, rather they are applied in an ad-hoc fashion, and only when it is most beneficial for international organizations and donor states. When hybrid approaches are not included as part of the international agenda, the application of an ‘informal hybrid system’ can be observed during post-conflict reconstruction. I would argue that the current system within Jonglei represents an informal hybrid approach because there is still interaction at some level between local and international actors. In Jonglei, reoccurring disarmament campaigns are strongly

¹⁷⁷ Ibid., 145.

¹⁷⁸ Rosalind Shaw and Lars Waldorf, “Localizing Transitional Justice,” in *Localizing Transitional Justice: intervention and priorities after mass violence*, eds. Rosalind Shaw et al. (Stanford: Stanford University Press, 2010), 4.

¹⁷⁹ Ibid., 142

¹⁸⁰ Richmond, *A Post-Liberal Peace*, 17.

avored by the international community and donor countries. In addition, these campaigns are implemented by the national government and receive support from local tribal leaders.

In certain cases, local actors do not feel that international efforts address their needs, and in response implement their own post-conflict reconstruction programs. This involves local actors interacting with (or at least observing) international efforts, evaluating them, and responding to them. While this is not done in conjunction with other international programs or funded by the international community, these local programs often complement institutional approaches to post-conflict reconstruction. The current system is not a formal hybrid system because both local and international approaches do not engage with one another on a systematic level, nor are the gains equal.

In order to address the issue of governance in Jonglei, local actors will have to be active participants in the conflict resolution processes. The inclusion of these actors in the planning stages of conflict resolution would address many of the shortfalls that have been caused by a lack of local support for programs in Jonglei. Furthermore, local actors sometimes have ideas about approaches to conflict resolution that formal institutions might not consider. When asked how to address the conflict between different tribes, Paul Omandi noted that local participants believed that the GOSS would have to take a greater role in implementing programs such as community consultations, peace meetings, mediation between the different tribes, and negotiating new treaties.¹⁸¹ However, it is also possible that these local actors will respond to the vacuum in governance by implementing programs on a local level. Traditional governance structures emerged due

¹⁸¹ Omandi, "Climate change and inter-community conflict over natural resources in Jonglei State, South Sudan," 7.

to the lack of formal governance in Jonglei. While there is now a formal government, there is currently a lack of governance. Therefore, it is possible that indigenous peace processes could be implemented in order to fill the void of governance, complementing the current efforts by the GOSS to address the issue of insecurity. While governance must be addressed to reduce the scale in violence, solutions that address both insecurity and the breakdown of traditional governance structures will have to be introduced in order to provide long-term peace and stability in Jonglei State.

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