

Researching livelihoods and  
services affected by conflict

**Trajectories of  
International  
Engagement with State  
and Local Actors:  
Evidence from South Sudan**



Working Paper 46

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# About us

Secure Livelihoods Research Consortium (SLRC) aims to generate a stronger evidence base on how people make a living, educate their children, deal with illness and access other basic services in conflict-affected situations (CAS). Providing better access to basic services, social protection and support to livelihoods matters for the human welfare of people affected by conflict, the achievement of development targets such as the Millennium Development Goals (MDGs) and international efforts at peace- and state-building.

At the centre of SLRC's research are three core themes, developed over the course of an intensive one-year inception phase:

- State legitimacy: experiences, perceptions and expectations of the state and local governance in conflict-affected situations
- State capacity: building effective states that deliver services and social protection in conflict-affected situations
- Livelihood trajectories and economic activity under conflict

The Overseas Development Institute (ODI) is the lead organisation. SLRC partners include the Centre for Poverty Analysis (CEPA) in Sri Lanka, Feinstein International Center (FIC, Tufts University), the Afghanistan Research and Evaluation Unit (AREU), the Sustainable Development Policy Institute (SDPI) in Pakistan, Disaster Studies of Wageningen University (WUR) in the Netherlands, the Nepal Centre for Contemporary Research (NCCR), and the Food and Agriculture Organization (FAO).

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SLRC Working Papers present information, analysis and key policy recommendations on issues relating to livelihoods, basic services and social protection in conflict affected situations.

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# Abbreviations and acronyms

AU	African Union
CANS	Civil Authority of the New Sudan
CAP	Consolidated Appeals Process
CMA	Civil/Military Administration
CPA	Comprehensive Peace Agreement
FEWS NET	Famine Early Warning Systems Network
FTS	Financial Tracking Service
GoS	Government of Sudan
GoSS	Government of South Sudan
GRSS	Government of the Republic of South Sudan
HRP	Humanitarian Response Plan
HRW	Human Rights Watch
IDPs	Internally Displaced Persons
IGAD	Intergovernmental Authority on Development
INGO	International Non-Governmental Organisations
IPC	Integrated Phase Classification
JAM	Joint Assessment Mission
JP	Joint Programme
MDTF	Multi-Donor Trust Fund
MSF	Medecins sans Frontieres
MT	Metric Tons
NGO	Non-Governmental Organisation
NIF	National Islamic Front
ODA	Official Development Assistance
ODI	Overseas Development Institute
OECD	Organisation for Economic Co-operation and Development
OECD-DAC	OECD-Development Assistance Committee
OLS	Operation Lifeline Sudan
POC	Protection Of Civilians
PSGs	Peacebuilding and State-building Goals
RSS	Republic of South Sudan
SLRC	Sustainable Livelihoods Research Consortium
SPLA	Sudan People's Liberation Army
SPLM	Sudan People's Liberation Movement
SPLM/A	Sudan People's Liberation Movement/Army
SPLM/A-IO	SPLM/A-In Opposition
SPLM-IO	SPLM-In Opposition
SRRA	Sudan Relief and Rehabilitation Association
SRRC	Sudan Relief and Rehabilitation Commission
SSDM	South Sudan Democratic Movement
SSP	South Sudanese Pound
SSRRC	South Sudan Relief and Rehabilitation Commission
UN	United Nations
UNMISS	United Nations Mission South Sudan
US	United States
USAID	US Agency for International Development
VISTAS	Viable Support to Transition and Stability

# 1 Introduction and research questions

South Sudan emerged from nearly half a century of conflict in 2005 and became an independent state in 2011. Much of the first part of the armed struggle against Northern domination (1956–1972) took place in relative isolation, and direct international action was mostly limited to supporting the various peace negotiations during that period. There was some external engagement in the delivery of basic services and humanitarian assistance during this era, but not in state-building (Poggo 2001). The international community was very engaged in the response to the second phase of the civil war (1983–2005), including a large-scale humanitarian operation, advocacy to the belligerents for a peace agreement, and active use of aid to legitimize non-state actors and to build the capacity of a post-war administration in the south that eventually became the national government of South Sudan.

In the aftermath of the Comprehensive Peace Agreement (CPA) in 2005, optimism abounded that investment in ‘state-building’ would produce numerous benefits, including peace, stability, growth, and opportunity for investment and profit-making from natural resources and other business opportunities (South Sudan Development Plan 2011–2013). In 2011, the g7+, a consortium of conflict-affected countries including the newly independent South Sudan, and its international partners, launched the ‘New Deal for engagement in fragile states,’ the central objectives of which were five ‘peacebuilding and state-building goals’ (PSGs).<sup>1</sup> To some degree, support for state-building by the international community has been framed, both in the New Deal and other policy forums such as the Organisation for Economic Co-operation and Development (OECD) and World Bank, in terms of social services and livelihoods support (International Dialogue on Peacebuilding and State-building 2011; OECD 2015). This narrative ran through the discourse of donors, international agencies, and the Government of the Republic of South Sudan (GRSS) itself.<sup>2</sup> Even profit-motivated foreign investors saw fit to pay lip service to service provision – for example through both the promise and – to a limited extent – the construction of schools and health facilities in areas of oil extraction (CordAid 2014).<sup>3</sup>

Thus, much of the content of, and rationale for, international engagement with South Sudan over time has been about service delivery as well as improving the capacity of the state (or what was effectively being treated as a state in certain areas during the civil war) and local actors to deliver basic services. These services included healthcare, education and access to water, social protection, and livelihoods support. There is also – particularly now – international engagement to provide services under a humanitarian mandate in a conflict situation, and to provide or build capacity for the provision of services in a post-conflict situation. It is unclear to what extent these different ‘modes’ of international engagement align with fluctuating dynamics on the ground in conflict-affected and fragile contexts.

South Sudan’s statistics on social services are incomplete due to the extreme challenges of data collection in much of the country, given the lack of road, transport and communications networks. The available data reveal that access to, and impacts of, services remain among the lowest on record worldwide, though recent attempts to extend social services to the (mostly rural) population of South Sudan have had some (geographically uneven) success. At the time of the CPA, the infant mortality rate

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<sup>1</sup> See the original New Deal document at: [http://www.pbsbdialogue.org/media/filer\\_public/07/69/07692de0-3557-494e-918e-18df00e9ef73/the\\_new\\_deal.pdf](http://www.pbsbdialogue.org/media/filer_public/07/69/07692de0-3557-494e-918e-18df00e9ef73/the_new_deal.pdf)

<sup>2</sup> See speech on government and service delivery by Dr. Garang at: <https://www.youtube.com/watch?v=7F4GPSZP0Fc>

<sup>3</sup> The term ‘state,’ written thus, refers collectively to the institutions of national governance, while the capitalized ‘State’ is used as part of a proper noun denoting specific sub-national political entities within South Sudan, e.g. Jonglei State. In addition, it should be noted that this paper was researched and written prior to the declaration by President Salva Kiir in December 2015 of 28 states replacing the previous ten. This paper, therefore, refers to the previous ten states, including the former Jonglei State, which encompassed what is now five States including a much smaller area referred to as Jonglei. Finally, while the acronym for the South Sudanese government has been written differently in various sources over the years, including our own publications, we refer to it here as the Government of the Republic of South Sudan, or GRSS.

in Southern Sudan was 170 per 1,000 live births (Brenthurst Foundation 2010), though the latest estimates show this had dropped to 64 by 2013 (World Bank 2015). This figure still puts South Sudan close to the bottom of global rankings and does not account for probable increases in the rate during the 2014–15 conflict. Likewise, maternal mortality rates are shocking – reportedly the highest in the world, though statistics have not been updated since 2006 (Mugo *et al.* 2015). As of 2007, South Sudan had a literacy rate of 24 per cent—one of the lowest in the world, and a far lower rate for women than for men. Global databases have few updates to this estimate. South Sudan’s rate of enrollment in primary education is the second lowest out of 123 countries, again with tremendous unevenness between boys’ and girls’ enrollment and completion rates (UNESCO 2011). Access to safe water, sanitation, and other basic social services is equally minimal, although access did improve in the post-CPA era, albeit slowly (Bennett *et al.* 2010).

Given these circumstances, and the intense push by donors for rapid development in the aftermath of the long armed struggle, it can well be understood that a 2008 report noted that ‘service delivery must be understood as a strategic as well as a practical contribution to peace’ (Pantuliano *et al.* 2008: 4). Adequate service delivery is also an incentive to prevent massive and rapid urbanization of the population. The GRSS, however, had many competing priorities, of which service provision was just one. The urgent need for security and the extension of law and order to rural areas often trumped other services.<sup>4</sup> The extent to which intended populations did or did not receive services has varied in unexpected ways over time and location, as has the nature of international engagement to either provide these services directly or build the capacity of state and local actors to do so. The results suggest that significant donor investment in service delivery did not contribute unambiguously to state-building. With the resumption of large-scale violent conflict in December 2013, the service delivery/state-building relationship took yet another twist, as international actors ramped up direct delivery in the form of humanitarian assistance, and in many cases, pulled back from their direct engagement in state-building.

This paper poses the basic questions:

- How have international actors engaged with the South Sudanese state and local actors in order to improve access to basic services, and to build state capacity to deliver those services as well as social protection and livelihoods support?
- What have been the impacts of such engagement on service delivery, and more broadly?
- What can the policymakers and practitioners of international aid learn from the history of international engagement with South Sudan prior to and during the current conflict?

The paper traces shifts in international engagement and the implications of these shifts for understanding the trends in service provision specifically, and recovery and development more generally, in South Sudan. This analysis is intended to offer some direction for the future of international engagement in fragile and conflict-affected states around the objectives of service delivery and state-building. The paper traces trends from the civil war through the post-CPA and Independence era to the renewed violent conflict of late 2013 through 2015, to explore whether there is any strong link at the ground level between service provision (including basic services such as health, education and water, as well as livelihoods support and social protection) and state-building.

The ‘state’ is understood here as ‘the basic institutional and ideological structure of a political community’ (Gilley 2006: 501). This is distinct from – though often confused with – ‘government,’ i.e. the occupants of political office at a given time. We define ‘international engagement’ as the involvement of external groups and institutions including (mostly Western) donor governments, regional

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<sup>4</sup> The SLRC research did not conceptualize security as a basic service, but we found in interviews, particularly in northern Jonglei, that many people named security as the foremost ‘service’ they demanded of the state, putting other services such as education, health, sanitation, etc. lower on their lists of priorities.



bodies (such as East Africa's Intergovernmental Authority on Development, or IGAD), the United Nations (UN), International Non-Governmental Organisations (INGOs) and other international agencies, with state institutions, and local, civil society and citizens' groups, in South Sudan (and Southern Sudan prior to independence). For the purposes of this paper, the analysis is limited to these groups and to the impacts on service provision and livelihoods recovery. 'International engagement' is obviously a much broader question encompassing the private sector, many other non-Western actors such as China, and others whose engagement we have neither the space nor data to examine here to any justice.

To get a more nuanced understanding of these phenomena, this paper analyses interviews from different stakeholders at different times across three years of Sustainable Livelihoods Research Consortium (SLRC) fieldwork, largely from the perspective of people in Jonglei State. The key theme is international engagement, but with emphasis varying from a) state-building, b) service delivery (broadly speaking, including livelihoods support), and c) other forms of engagement, such as peace-building, that indirectly support service delivery and recovery. We review the impacts, including the unintended consequences of these engagements, to draw conclusions about the nature of international engagement. This paper focuses its analysis of international actors on donors and aid agencies. There are many other important actors and issues, such as the diplomatic and military involvement of IGAD countries, oil and infrastructure investment by countries such as China, and others, but those are largely beyond the scope of SLRC fieldwork.

## 2 Methods

In order to explore the links between the multiple phenomena implied in the question, this paper analyses interviews from various stakeholders in different places and times with a view to state-building and service delivery (broadly speaking, including livelihoods support). In addition, it makes reference to other stated objectives of international engagement.

South Sudan is a diverse country. To the extent possible, given this diversity, this paper analyses trends at the national level but many of the empirical examples are drawn from fieldwork primarily in Jonglei State and among populations displaced from Jonglei, with some comparison to nearby areas. Figures for some of the trends described below are difficult to assemble, even at the national level (especially prior to independence, when the South was still formally part of Sudan, and even more so for Southern Sudan prior to 2005), and they are nearly impossible to assemble at the state level. Most of the quantitative data is at the national level – and there are significant gaps in that data. In terms of time frame, this paper focuses on the period from Independence to the middle of 2015, but begins by reviewing some key elements of South Sudan's history.

Over the course of the past three years, we have conducted more than 400 interviews in South Sudan. The majority of these (approximately 300) were with respondents in and/or from Jonglei: Nuer-speaking people in northern Jonglei, Murle-speaking people displaced from Pibor County in southeastern Jonglei, and Dinka-speaking people displaced into Lakes State from western Jonglei (Bor and other Dinka-speaking areas of Twic East and Duk Counties). Interviews were also conducted with conflict-affected Nuer-speaking people in Unity State in October 2014, and with people outside the areas most directly affected by the conflict but nonetheless dealing with the knock-on effects of the conflict in Eastern Equatoria State in June 2015. The remaining interviews were conducted with GRSS policy makers, international donors and agency staff in Juba.

Three broad areas of inquiry drive the SLRC fieldwork across all countries in the consortium.

- 1 Internal state-building processes.** How do people's perceptions, expectations and experiences of the state in conflict-affected situations affect state legitimacy, state ability to provide social protection and services, and under what circumstances does this lead to state-building?
- 2 International engagement with the state.** How do international actors interact with the state and attempt to build the capacity of state institutions to deliver social protection and basic services?
- 3 Livelihoods and response.** What do livelihood trajectories in fragile and conflict-affected situations tell us about how governments and aid agencies can more effectively support people to make a secure living?

Earlier outputs from the South Sudan team have primarily addressed research questions 1 and 3. This paper addresses research question 2. Over the past four years, a team of five researchers (working with different interpreters and research assistants) has carried out fieldwork on five separate occasions, in the various locations listed above. For all fieldwork, notes were written longhand and transcribed onto computers by the researchers, along with available information regarding sex, marital status, education status, length of displacement, and other factors of South Sudanese respondents.

Typed interview notes were uploaded and analysed with Dedoose qualitative data analysis software. Three members of the research team used the software to code and analyse interviews, enabling the team to identify patterns and themes emerging from the various data sets. These data sets and the publications emerging from them were re-analysed in the process of writing this paper.

The outline of the paper is as follows. A brief review of the recent history of South Sudan is presented in the next section, highlighting key events and trends with regard to international engagement. Section 4 begins by summarizing various 'narratives' on international engagement that grow out of interviews with international donors and agencies, representatives of the GRSS, and members of the communities visited, as well as from the historical record. Section 5 summarizes the available data on different modalities of international engagement - to the extent that such data exist and can be amalgamated into trends. Section 6 analyses the outcomes of these trends, and particularly analyses shifts since the renewal of widespread conflict in late 2013. The final section considers the implications for both state-building and service delivery.

## 3 South Sudan: History of conflict and international engagement

The history of what is now South Sudan can be broadly broken into several different eras: colonial, post-independence and first civil war, the inter-war years (1972 to 1983), the second civil war and the era of Operation Lifeline Sudan (OLS) engagement (1983 to 2005), the post-CPA era (2005 to 2011), and the post-independence era (2011 to the present). Most of the analysis in Section 4 is focused on the post-December 2013 era.

This section limits its analysis almost entirely to the period from the second civil war and later, in order to focus on the periods most relevant to our study and the observations of our interviewees. That said, on the topic of international engagement in South Sudan, it is worth noting that the borders of Sudan – and eventually South Sudan – themselves were the product of external forces. The Anglo-Egyptian Condominium government (1898–1956) was a circumstance of international power coming to bear – in the form of a colonial state – on the governance of what, after independence, became Sudan; as such, its borders were negotiated not by Sudanese, but by European colonial powers (Johnson 2010).

### 3.1 The second civil war

Fighting between northern and southern Sudan began almost simultaneously with independence of the state from colonial rule. But it was the second iteration of that civil war in the 1980s that laid the groundwork for today's ongoing conflict. The 'Anyanya' rebellion dominated both the battlefield and the Southern political space in the 1960s, leading to the Addis Ababa agreement in 1973. However, the agreement broke down within a few years of its signing, and support to the Anyanya insurgents increased. Southern soldiers mutinied in 1983 (Rolandsen 2005), and John Garang de Mabior, a high-ranking member of the Sudan Armed Forces, joined the revolt and became the leader of the newly emerging Sudan People's Liberation Movement/Army (SPLM/A).

The SPLM/A was, at the beginning, more a socialist than an independence movement. Throughout the civil war, Garang called for a transformed Sudan, not for an independent South. Rolandsen (2005) suggests that Garang called for a united Sudan strategically, as the demand for separation would have hampered international support to the SPLM/A – though others disagree (Jok 2011). That support was already caught in the tangled web of Cold War political alliances. Initially, the Derg military government of Ethiopia supported the SPLM/A and the latter established military bases in western Ethiopia. In 1991, as the Soviet Union broke up and was no longer able to support smaller Communist regimes in the Global South, the Derg was overthrown and the SPLM/A lost their support and its military bases in Ethiopia. In the same year, several senior SPLM/A leaders, including Riek Machar, split from the SPLM mainstream and announced the creation of the SPLM/A-Nasir faction. With the SPLM/A factions engaging in furious fratricidal fighting – including the infamous Bor massacre of 1991 – the intra-Southern armed conflict partly developed along ethnic lines into a violent conflict involving Nuer and Dinka armed groups. (Bradbury *et al.* 2006). Due to the intra-southern warfare many people were killed and the SPLM/A lost much territory, tributes and relief (Rolandsen 2005). The SPLM/A eventually reunited – rather slowly and painfully – in the 2000s with the 'Juba Agreement', which was actually a series of agreements incorporating Machar and various other Khartoum-supported militias back into the SPLM/A.

During the civil war the SPLM/A attempted to establish alternative governmental and administrative structures in the areas under its control. In the 1980s the SPLM/A introduced a 'Civil/Military Administration' (CMA) including a humanitarian wing, the Sudan Relief and Rehabilitation Association (SRRA), whose function was depicted as to 'coordinate and facilitate relief and rehabilitation' (Chol

1996: 6) with external actors. In 1996 the SPLM/A introduced the Civil Authority of the New Sudan (CANS) on which the current government structures are established.

### 3.2 The OLS era

The second civil war brought untold suffering to the civilian population of Southern Sudan – and to Internally Displaced Persons (IDPs) who had fled to the North (Kordofan, Darfur and Khartoum). In the politically charged atmosphere of the conflict, and in response to the 1989 famine in Bahr el-Ghazal, the UN launched OLS – a large-scale humanitarian operation that was based on a tripartite agreement between the UN and the two main warring parties, the Government of Sudan (GoS) and the SPLA. Such an operation was unprecedented at the time – it was the first humanitarian operation to negotiate with parties to a conflict for access to provide relief within the conflict zone, rather than only around its edges.<sup>5</sup> 1989 was a critical year in Sudan for other reasons: following a peace agreement between Khartoum and the SPLM, a coup in Khartoum overthrew the relatively new governing coalition under Sadiq al-Mahdi and installed Omar al-Bashir and the Islamist National Islamic Front (NIF) in power (Fluehr-Lobban and Lobban 2001). Despite – and in some ways, perhaps because of – this rapid shift toward increasingly conservative political Islam in Khartoum, relief operations began in earnest, and OLS began distributing food in famine-affected areas. During the following years the OLS gradually broadened its engagement and provided services including health, education and veterinary services, though its reach and impact were never as far or as deep as many involved in the operation had hoped (Duffield *et al.* 2000).

The process of humanitarian access that lay at the heart of OLS was based on the negotiated agreement among the parties. Eventually formalized as the ‘Ground Rules’, this agreement covered territory held by the GoS and the SPLA, and eventually some of the other rebel movements in the south as well. The Ground Rules, and OLS itself, were a product of international pressure on the GoS and the SPLM/A, and were controversial at the time, both within and outside the country. In retrospect, it is clear that the Ground Rules would not have been negotiated in the absence of international pressure on both parties. A second devastating famine hit Bahr el-Ghazal in 1998. Over the ensuing years, the SPLM/A relied on external actors to provide services and encouraged them to engage in service delivery and development. However, the services provided were ‘completely inadequate in relation to needs’ (Duffield *et al.* 2000: 206) – leading to contradictory narratives about the role of aid during the civil war: one that it was leading to ‘dependency,’ the other that it was inadequate and unreliable – always too little and too late.

A number of observers have suggested that the engagement of international actors and the signing of the Ground Rules fostered greater recognition for the SPLM/A and its popular legitimacy in the areas under its control (Washburne 2010; Duffield *et al.* 2000; Macrae *et al.* 1997). By the late 1990s and early 2000s, the SPLM/A was beginning to be viewed by many external actors, as well as some South Sudanese, as a quasi-state actor with regard to questions of authority and legitimacy. This was almost certainly an unwritten objective of some of the donors, owing at least in part to fears about militant Islam and the perceived need to weaken Khartoum and combat its support to known terrorists (among others, Osama bin Laden). It came to be accepted by much of the rest of the international community (though of course not by the GoS).

In late 1999, the United States (US) enacted legislation that authorized all US food aid to Southern Sudan to be channeled, not through Operation Lifeline Sudan, but directly to the Sudan Relief and Rehabilitation Commission (SRRC) – the humanitarian organ of the SPLM. Humanitarian agencies heatedly objected, arguing that the US plan would undermine the impartial distribution of humanitarian

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<sup>5</sup> For much further review and discussion of OLS and its impacts, see Daniel Maxwell, Martina Santschi and Rachel Gordon (2014) ‘Looking back to look ahead? Reviewing key lessons from Operation Lifeline Sudan and past humanitarian operations in South Sudan.’ Working Paper No. 24. London: Secure Livelihoods Research Consortium.

aid to civilians in both GoS- and SPLA-held areas. Ultimately, the Clinton administration did not implement the provisions on the ground in Southern Sudan (Maxwell *et al.* 2014). Shortly thereafter, the SPLM required all external agencies working in areas under their control to sign a Memorandum of Understanding, effectively endorsing SPLM objectives as their own. Many agencies refused to sign, and were banned from operating in SPLA-controlled territory for a period of time. During the latter years of the civil war, other forms of donor support went into capacity building for the SPLM/A's institutions, which also boosted perceptions of the SPLM/A as the sovereign authority in Southern Sudan (Maxwell *et al.* 2014).

### 3.3 The CPA to Independence

As the war and humanitarian crisis dragged into the 2000s, international pressure, led by the United States, came to bear on the government in Khartoum as well as the SPLM/A and other armed factions. US involvement, which was particularly strong, was driven by a curious mix of domestic political agendas including the post-9/11 security apparatus, oil companies hoping for increased access to (Southern) Sudanese oil reserves, and American evangelical Christians concerned about the plight of Southern Sudanese Christians under the Islamic regime (see Section 4) (Huliaras 2006). An IGAD-sponsored peace process led to the signing of the Machakos Protocol in 2002, as well as subsequent agreements between the SPLM/A and the GoS delineating governance, power-sharing, economic and security arrangements. These agreements would underlie the CPA that was ultimately signed in January 2005 in Naivasha, Kenya. Despite the protracted negotiations and numerous agreements, however, the CPA as implemented was essentially a political, economic, and security agreement between the elites of the GoS and SPLM/A, inherently flawed, with many issues unaddressed and many aspects of the agreement unimplemented (de Waal 2007; Rolandsen 2010).

The stated purpose of the CPA was to bring together northern and southern interests into a government of national unity, providing for greater southern representation (through the SPLM) in Khartoum as well as an eventual referendum on secession for the South. Many of the hopes for unity rested on Dr. John Garang, leader of the SPLM/A and one of the few southern figures who promoted national unity (Johnson 2011). After Garang was killed in a helicopter crash in July 2005, his deputy, Salva Kiir Mayardit took over his position as First Vice President of Government of National Unity (established by the CPA), President of the nascent Government of Southern Sudan, and leader of the SPLM/A. Kiir made no secret of his aspiration toward southern independence, and established a 'big tent' approach to incorporating the numerous rival armed factions and actors of the South into the SPLM government and the SPLA army, granting amnesty and military positions to many, and mounting (sometimes violent) disarmament campaigns against the rest (Arnold and LeRiche 2012).

An estimated 2.5 million refugees and IDPs returned to Southern Sudan after the CPA, mainly from Northern Sudan and neighbouring countries in the region, though also from all over the world (Bennett *et al.* 2010). Neither the new regional government in the south, nor its international partners, was prepared to handle the scale of return and resettlement needs alongside the other overwhelming recovery and state-building needs of the post-CPA period. Donor assistance during this period was broad, encompassing aid to nearly all government sectors,<sup>6</sup> but often not able to respond effectively to many people's basic needs. At the same time it perpetuated high expectations for the potential of aid and basic service delivery to create peace and stability (*ibid.*).

The South Sudan National Development Plan in 2011 contained detailed goals for the delivery of basic services, through the planned devolution of responsibility to state and local governments despite the noted lack of funding and capacity at those levels. This raised questions about the realism of those objectives (SSDP 2011). Even donors such as the World Bank and major INGOs and observers fairly

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<sup>6</sup> See 'Statistical Yearbook for Southern Sudan 2010' Juba: Southern Sudan Centre for Census, Statistics and Evaluation.

quickly noted that much of the agenda was donor-driven (Barber 2011, World Bank 2013; Larsen, Ajak, and Pritchett 2013).

The CPA was an agreement between Sudan's two most powerful security actors – the SPLM/A and the GoS – the negotiation and implementation of which left out the numerous other armed factions involved in the war (Thomas 2015). It provided a six-year time period in which to try to resolve not only the numerous outstanding security challenges but also governance, democratic processes, rule of law, and service delivery, ultimately to support national unity (north and south). These issues tended to be approached by donors as technical problem-solving exercises, yet even before independence it was noted that 'transitioning from war to peace is not a technical exercise but a highly political process; a sophisticated and nuanced analysis of power relations, causes of vulnerability, drivers of conflict and resilience indicators was largely missing' (Bennett *et al.* 2010: 128).

### **3.4 Post-Independence to the present**

Almost no one was surprised when the CPA-mandated – and donor-enabled – referendum on self-determination for the South resulted overwhelmingly in a 2009 vote for independence, which was formally declared on 9 July 2011. Few of the outstanding and complex governance and security issues in the CPA had been resolved during the interim CPA period, however, and independence only threw them into sharper relief.

The ongoing incorporation of Southern militias into the SPLA created an ever more complex and expanded security sector. However, a variety of localized conflicts persisted across the new country, defying government and donor intervention (Copeland 2015). Border demarcation and the sharing of oil revenue had not been fully agreed with the North at the time of independence. This prompted ongoing antagonism culminating in military skirmishes in disputed – and oil-rich – areas including Abyei and Heglig/Panthou both before and after independence, as well as the economically disastrous shutdown of South Sudan's oil production in 2012.

Even as international actors dodged some of the tougher political questions, the mechanisms put in place to manage financial flows following the CPA were inadequate to address the challenge of Southern Sudan's massive and complex humanitarian and development needs (Pantuliano 2009). In other words, there were difficulties on both the political and the technical side of international engagement, as will be discussed further in the next section. Deadly conflict continued internally as well, particularly in restive Jonglei, South Sudan's largest and least-developed state, where – as noted above – much of the SLRC fieldwork has been focused.

As Edward Thomas notes in his recent study of South Sudan's independence through the prism of Jonglei: 'The remoteness of Jonglei's hinterland from unlistening centres of power gave many of its communities a different experience of wars, states and markets to that of the rest of the flood plains and the remainder of South Sudan' (Thomas 2015, 178). As Thomas notes, that different experience fueled many of the mutinies and insurgencies that defined the national struggle for independence. It also gave rise to grievances and armed conflicts with perhaps only tenuous connections to those on the national stage.

Most of Jonglei's various armed groups were only loosely organized along kinship lines rather than politically aligned to any authority. The CPA did not provide a framework for their incorporation into national security forces; nor did it resolve ongoing internal strife among the state's various ethnic groups and clans. Internal conflict among factions of Dinka, Nuer, Murle and other local groups were exacerbated by uneven – and deadly – disarmament efforts by the SPLA in the years following the CPA. Thousands of people were reported killed and hundreds of thousands of cattle raided in the state in the years surrounding independence (Thomas 2015; Johnson 2011).

Jonglei also serves as a microcosm of the ethnic framing of political conflict that has characterized much of South Sudan's internal discord since the early days of the second civil war (Hutchinson 1991;



Johnson 2011; Rolandsen *et al.* 2015). The different factions of President Salva Kiir and Vice President Riek Machar (Dinka and Nuer respectively) have often been noted in discussion of the SPLM party infighting. This conflict escalated in mid-late 2013 and ultimately led to violent confrontation in Juba in December 2013. Rightly or wrongly, few observers were surprised that Jonglei was the destination from which Machar launched the 'rebellion' that followed. The effects on much of Jonglei have been severe: already isolated at the periphery of South Sudan's efforts at political and social progress, the new civil war cut off most of Jonglei's population altogether. Bor changed hands several times during the first few weeks of conflict alone (Rolandsen *et al.* 2015), while clashes there and to the north and east have displaced hundreds of thousands. As of July 2014, there were 139,000 IDPs in Lakes State, many of whom were Dinka who had fled across the Nile from Bor and other western Jonglei counties. There were also approximately 406,000 – mostly Nuer – IDPs in remote parts of Jonglei (IDMC 2014) and another 226,000 who had fled to the Gambella region of Ethiopia (UNHCR 2015).<sup>7</sup>

In response to the human and political effects of the crisis across the region, the regional partners in IGAD have encouraged and hosted peace talks in Addis Ababa between the GRSS and the forces roughly aligned under the flag of Machar's 'SPLM/A In-Opposition' (SPLM/A-IO). These efforts have been complicated by Uganda's military involvement in the conflict on behalf of the GRSS as well as Sudan's alleged support of the SPLM-IO. The IGAD process has also been criticized by South Sudanese civil society and outside observers for focusing too narrowly on the demands of the warring factions, to the exclusion of other stakeholders. It also lacked acknowledgment of the structural failures within the SPLM and GRSS – and its donor relationships – that led to the crisis (de Waal 2014). After at least seven failed agreements over 18 months, a deal signed in August 2015 showed tenuous, conflicting, but nonetheless promising signs at the time of writing this paper.

After nearly two years of war, however, the relationship between the GRSS and its international donors has soured, significantly slowing external engagement with the state-building project. The GRSS' ability to provide effective security or maintain a monopoly on violence is challenged in nearly every state in the country. It remains dependent on diminishing aid inflows from increasingly disgruntled donors for provision of all other basic services (UNSG 2015). War and corruption have drained national financial systems, and decreasing global oil prices undermine prospects of any economic resurgence (de Waal 2014). In response to increasing constraints and criticism, the GRSS has taken a tough stance against its international partners, enacting restrictive security and Non-Governmental Organisation (NGO) legislation that observers fear will encourage further crackdowns on any internal or external voices of dissent and impunity for power-holders (South Sudan Humanitarian Project 2015).

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<sup>7</sup> However, the burgeoning national conflict seems to have led to the resolution of the last major remaining pre-2013 armed rebellion against the GRSS, that of South Sudan Democratic Movement (SSDM)/Cobra Faction leader David Yau-Yau. A peace agreement between Yau-Yau and the GRSS in May 2014 and between Murle and Nuer chiefs in Pibor and Akobo counties established the Greater Pibor Administrative Area and largely ended three years of escalating violence. That said, the sustainability of peace in this volatile region is dependent upon many factors related to the country's larger conflict and development trajectories, and is by no means guaranteed (Todisco 2015).



## 4 Trends of International Engagement: 1990s-2015

The nature of international engagement with South Sudan has varied as the external actors, internal conditions, and local and global politics have evolved over the past two decades of conflict and response. Those trends have shifted since the early years of conflict in the region, and in some cases shifted back again. All of these shifts have been accompanied – and frequently justified – by shifts in the reasoning offered by donors for assistance and international engagement (von Habsburg-Lothringen 2012). As international engagement of many kinds has come from a range of actors – major donors, trade partners, regional powers and neighbours, and diaspora – stories justifying these different kinds of involvement can be broken down by different time periods. This section identifies these different narratives or ‘stories’ according to different eras, and attempts to match them to existing data on the different modes of international engagement – to the extent that such data exist and can be reconstructed.

Two different stories framed international engagement – particularly that of major donor countries – during the civil war, beginning in the late 1980s up to the CPA. The first of these revolved around the revulsion with the level of human suffering caused by the war, and the humanitarian imperative to take action. Broadly speaking, this is what led to the establishment of OLS, which in turn saw a major effort to provide humanitarian assistance both to people who had fled the conflict zone (either to neighbouring countries or the areas – primarily in the North – that were not directly affected by the conflict) and to people caught in the conflict zone itself. Hence OLS had both a ‘northern’ and a ‘southern’ area of operation, and large-scale refugee operations were managed in Kenya and Uganda. Although international actors have been criticized for only ‘belatedly’ taking action in late 1988, when famine in Bahr el Ghazal was well underway, their action changed the course of both the conflict in Sudan and the future of humanitarian action around the world (de Waal 2002).

The second ‘story’ about international engagement in the war was the framing of conflict as a war for religious and political freedom between southern Sudanese Christians and their Muslim aggressors in Khartoum. The facts behind this story are contested – Hutchinson and others have written that the conversion of tens of thousands of Nuer and Dinka civilians took place only in the mid-late 1980s, following decades of Christianity being more or less confined to a small urban and educated elite (Hutchinson 2001; Nikkel 1997). For the most part, that transformation was independent and voluntary. However, it was also recognized for its strategic, ‘galvanizing potential’ against the assertively Islamist government in Khartoum (Hutchinson 2001: 317), and probably also among potential Western supporters. This perspective, along with the fact that Osama bin Laden was known to have spent time in Sudan and received support from Khartoum, greatly informed US policy under the George W. Bush administration. Linking South Sudan’s cause with the post-9/11 ‘war on terror’ and playing into public and government sentiment in the US around Islamophobia, it thus explains, to a certain extent, the administration’s devotion to the cause of South Sudan. This perspective, much more than the humanitarian imperative, led to greater recognition of the SPLM, as well as to the CPA and Southern referendum on independence (Huliaras 2006).

After the CPA, the emphasis of aid shifted to the return of the millions of people who had fled the war – either to refugee camps primarily in Kenya and Uganda, or to internally displaced settlements, mostly in Khartoum. So the narrative shifted to one of return, resettlement and reconstruction in the aftermath of the long war (Pantuliano *et al.* 2008). This was accompanied by the widespread expectation – on the part of both ordinary South Sudanese and their international development partners – of a ‘peace dividend’: an economic boom resulting from the cessation of hostilities, and the use of public funds for service provision and economic recovery rather than for fighting. With the increase of revenue from oil,

Independence was met with practically unbridled optimism on the part of the international community (Khadiagala 2015).

In order to respond to these widespread expectations of dividends, the international community enthusiastically embraced the application of ‘state-building’. The new country was regarded in many corners of the donor community as something of a blank slate, with an opportunity to forge new institutional paths and redress its history of oppression and exploitation (Hemmer and Grinstead 2015). This was the view expounded by President Salva Kiir himself – in his Martyrs Day (July 30th) speech shortly after independence in 2011, he proclaimed: ‘The Republic of South Sudan is like a white paper - *tabula rasa!* We will think, plan and implement!’ (Okuk 2011).

The New Deal, outlined above, views conflict and fragility as the result of state weakness, which can be overcome – with external support – by strengthening and increasing the reach of institutions of the state and civil society, and the delivery of basic services. The corollary belief is that increasing citizen wellbeing through highly ‘visible’ state mechanisms, such as service delivery, creates a ‘virtuous circle’ out of which the state gains legitimacy in the eyes of its constituents (Fritz and Rocha Menocal 2007). The popularity of this paradigm has soared over the past decade. This is largely born out of donor concern over the internal consequences of fragility for those countries’ citizens as well as their external security implications in the wake of 9/11 and the ‘War on Terror’ (Engberg-Pedersen *et al.* 2008; Ingram 2010).

South Sudan’s independence was regarded as a timely opportunity to ‘field test’ the principles of the New Deal, and the state-building paradigm more generally. The application of state-building support to South Sudan between the CPA and the outbreak of civil war in December 2013 was intense and immediate. An amount well in excess of 600 million US dollars (USD) was immediately pledged to assistance and recovery at the time of the CPA. From the time of independence in 2011, donors committed between USD 700 and USD 900 million per year to support basic services such as water, health, sanitation, and education (OECD 2015;<sup>8</sup> GHA 2012), out of total official development assistance (ODA) ranging between USD 1.5 and USD 2 billion to South Sudan in 2012 and 2013. Guided by the new (at the time) Principles of Good International Engagement in Fragile States, ‘[a] mass of aid coordination mechanisms [were] tested, including the Joint Assessment Mission (JAM) process, the Multi-Donor Trust Funds and the Joint Donor Team in Juba’ (Pantuliano 2009: 1).

Growing out of the JAM, the Multi-Donor Trust Fund (MDTF) ‘was established as the primary channel to co-mingle national investment and international assistance for CPA implementation. National resources were to be the primary source of funding for achieving the CPA aspirations’ (Fafo 2013). In a 2013 independent evaluation, the MDTF was described as a theoretically good but unwieldy and overly-optimistic set of goals; it set the stage for the coordination and integration of international and GRSS planning and funding mechanisms, and to some extent for national ownership of post-CPA development, but neither the GRSS nor donors followed through (*ibid.*). Others have criticized it for shortcomings common to many of the ‘post’-conflict funding and decision-making mechanisms, namely the lack of South Sudanese perspectives and organizations represented in the process or operational decisions of the fund (Bennett *et al.* 2010). When the MDTF was formally closed in mid-2013, it had spent USD 728 million on 21 projects in five Strategic Priority Areas in its seven years of existence. However, many of the projects failed to meet their objectives, largely due to operational constraints and inefficiencies as well as poor coordination and underfunding (*ibid.*). Many donors fairly quickly began to bypass the MDTF and other joint aid mechanisms in favour of bilateral agreements; other actors, such as the US, had not been part of the MDTF in the first place. Other coordination mechanisms, such as

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<sup>8</sup> Figures downloaded from stats.oecd.org. OECD-Development Assistance Committee (OECD-DAC) totals were: \$390.8 million in 2011, \$736.5 million in 2012, and \$890.3 million in 2013.

the UN's Joint Programme (JP) for the implementation of the Millennium Development Goals, suffered from similar challenges, poor coordination, and disappointing outcomes (Munroe 2012).

The GRSS's Fragility Assessment published in December 2012, however, seems to have considered those hundreds of millions of dollars per year to be money well spent, concluding, 'the Republic of South Sudan (RSS) has made sufficient progress on all five PSGs, since the CPA interim period and independence in July 2011 to move beyond the crisis stage of the fragility spectrum' (GRSS 2012). Thus it would seem that the assessment did not recognize the tensions and critical aspects that were, by then, already evident to some observers (see OECD's 2010 multi-donor evaluation, as one example).

#### **4.1 State-building through capacity building**

An important piece of the state-building story told in the post-CPA and especially post-Independence era concerns 'capacity building.' This story emphasized the (very real) lack of capacity of South Sudan's institutions and human resources, and the perceived need to build it through aid programmes. This approach blended well with the technocratic approach to state-building and aid to fragile states. – Indeed, donors began formally supporting capacity-building efforts immediately following the signing of the CPA for both the nascent Government of South Sudan (GoSS) and for civil society (Nzapayeke and N'Guessan 2006; World Bank 2014: xi). While 'capacity' could mean many things – including financial and technological resources, infrastructure, skills and experience – most capacity-building efforts centred on human resource development and training of various ministry staff. Focusing particularly on GRSS staff based in Juba, this development ignored both physical infrastructure and physically peripheral areas (Bennett *et al.* 2010).

The commonly heard story in Juba was that nearly all kinds of capacity-building engagement came to a stop – or at least significantly declined – with the renewal of widespread conflict after December 2013. The fighting and the displacement it caused led to a renewed large-scale humanitarian emergency, and reversed the balance of resources between humanitarian assistance and development or state-building engagement (Maxwell and Santschi, 2014).

#### **4.2 Peacebuilding as state-building**

There is confusion over the distinction between 'state-building' and 'peacebuilding' – the two are often spoken of interchangeably, or peacebuilding initiatives incorporated under the umbrella of 'state-building' policy and funding. However, there is little hard evidence of international involvement in peacebuilding in any but the most urgent conflict contexts, such as the December 2013 crisis and its aftermath. That involvement generally takes the form of pressure as well as financial support, from European and US donors as well as IGAD and African Union countries, through to high-level talks between elite political actors (Johnson 2011; Jok 2015). One large effort supported conflict mitigation and stabilization at the local level in Jonglei and other conflict-affected areas (though not necessarily reconciliation efforts). Von Hapsburg-Lothringen (2014) surmises that donor reluctance to fund peacebuilding efforts more substantively partly stems from the inherent messiness of 'reconciliation' and related concepts, noting that '[i]f we seek reconciliation as an end point then we need to be conceptually and methodologically clear on how we know when we have arrived' (swisspeace 2014: 3). He argues that lasting peacebuilding and reconciliation processes are much slower and more drawn-out than many international – and elite national – actors have been willing to entertain. They involve mechanisms for truth-telling, airing and addressing of grievances, discussion of various histories, and building of common vision. These do not fit neatly into donor evaluation frameworks, which presents a serious disincentive to engaging in such efforts (*ibid.*).

According to respondents in international agencies as well as church representatives and others familiar with the events, there has also been discreet international engagement in peacebuilding on an opportunistic basis over several decades. These efforts have taken the form of financial and logistical support to some of the numerous local peace processes that have taken place around the country in

response to local raiding and other conflicts (see Bradbury *et al.* 2006 for further discussion and probably the most comprehensive list available of such processes and their conveners, and Ashworth 2014 for an in-depth discussion of the role of the church during the period up to the CPA). Such processes, which have come to be called 'people-to-people' peace processes in South Sudan, are perhaps best represented by the Wunlit inter-communal peace conference(s) between the Dinka and Nuer of the west bank of the Nile that took place in 1999. These processes were more defined by civil society and the church (mostly what is now known as the South Sudan Council of Churches) rather than the state or international actors – and including broad participation across the communities in dialogue (Bradbury *et al.* 2006). Hence, it is difficult to quantify international engagement, though after the notable success of Wunlit, international actors and agencies such as Pact, US Agency for International Development (USAID), Christian Aid, Oxfam, and various UN agencies became keen to implement the model elsewhere (Santschi 2014).

If one were to summarize these stories in terms of the extent of engagement, at face value the trend over time would be one of large-scale humanitarian assistance to South Sudan. Some of this assistance specifically bolstered the position and legitimacy of the SPLM during the latter years of the civil war (mid 1990s onwards, perhaps logically peaking at the time of the second Bahr al-Ghazal famine). Humanitarian assistance began to decline and was replaced by assistance for return and resettlement in the immediate post-CPA years, ultimately replaced by state-building, capacity-building and development assistance in the independence era. Then, according to this general storyline, this all dramatically reversed after December 2013, with a freeze on state-building aid and a large increase in humanitarian funding. In this way the post-CPA tendency of international engagement to be state-centric reverted to the state-avoiding practices of the humanitarian status quo of a previous era.

## 5 Data, but what information?

This section details the available funding data that shed light on the general storyline sketched above. It lays out certain figures and outlines the trends and questions they represent, first at the macro level, and then at the level of a particular sector (food assistance) and particular location (Jonglei).

As Table 1 highlights, there are numerous gaps and a widespread lack of availability of aid data on some macro-indicators for South Sudan.<sup>9</sup> Donor-reporting mechanisms such as the OECD-Development Assistance Committee (OECD-DAC) did not make internal geographical distinctions sufficient to disaggregate aid totals going to the Southern region during the years prior to its independence from Sudan (others, such as Consolidated Appeals Process (CAP) appeals, often – but not always – made those distinctions). Overall, the available data are often vague, and raise more questions than they answer. For example, many of the ‘long descriptions’ of programmes listed in the OECD Creditor Reporting System are variations on ‘support to poverty reduction’ or ‘activities for the improvement of health and education opportunities’. In other words, even the detailed descriptions neither specify what activities were actually carried out with the reported funding, nor by whom. Furthermore, there are inconsistencies in the data available, both internally – between OECD datasets, and within the same datasets and reports – and externally, between aid totals reported by OECD-DAC, the Financial Tracking Service (FTS), CAP/Humanitarian Response Plans (HRP)<sup>10</sup> appeals, GRSS Budget Books and reports, and individual donor data sets such as those available from the United States’ database at [USAspending.gov](http://USAspending.gov). Probably the strongest conclusion that can be drawn from all the aid data analysed for this report is that very little about the actual destinations and use of either aid funding or GRSS spending can be conclusively determined, much less explained, by the publicly available data.

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<sup>9</sup> The Statistical Yearbook for Southern Sudan 2010 details aid support figures to the various government sectors for the years 2006–2010, potentially helping to fill this gap. However, those figures, their origins and the definitions of the sectoral categories are unexplained in the publication; moreover, they differ from the other GRSS figures for some of those same years taken from other publications (see Table 1). Thus we chose not to include them in the analysis here.

<sup>10</sup> HRPs replaced the CAP in 2014.

**Table 1: South Sudan Official Development Assistance (in USD million)**

Year	2007	2008	2009	2010	2011	2012	2013	2014	2015**
Total assistance (GRSS Fig.)	398	696	885	1,280	1,394		1,636		
<b>Total ODA (DAC)</b>					<b>629</b>	<b>1,507</b>	<b>1,923</b>	<b>2,063</b>	
Development Assistance (DAC)					497	883	1,340	624	
Humanitarian Assistance (DAC)					132	624	583	1,439	
Humanitarian Aid (FTS)					478	867	920	1,888	1,306
Humanitarian Need (revised, from CAP and HRP appeals)	628*	639	479	515*	621	763	1,155	1,802	1,632
Actual Contributions (CAP/HRP)		377	198		327		685	749	1,154

\*Original figures; revised figures not available

\*\* January-June only

Sources: OECD DAC – data not disaggregated for the South prior to 2011; World Bank Interim Strategy Document for South Sudan 2013-2014; UN Consolidated Appeals and Humanitarian Response Plans for Sudan/South Sudan (2007-2015); UN-OCHA Financial Tracking Service (FTS)

While a very detailed accounting of this aid spending is probably impossible, and certainly beyond the scope of this paper, there are broad trends illustrated by digging further into the OECD-DAC data. Commitments in the ‘social infrastructure and services’ category totaled USD 736.4 million in 2012 and USD 896.3 million in 2013, but were down to USD 375.01 million in 2014 (though it must be noted that 2014 data appear incomplete at the time of writing<sup>11</sup>). The humanitarian aid spending reported in the same database for the same period fluctuated from USD 624.34 million in 2012 to USD 583.06 million in 2013, and then to nearly USD 1.5 billion in 2014. Spending reported by the United States in its own public database showed a rise in overall aid from USD 608.93 million in 2013 to USD 932.39 million in 2014, with humanitarian aid increasing from USD 271.8 million to USD 756.18 million in those two years. The shifts in levels and types of aid, in other words, have been rapid and dramatic, though the reported figures cover such broad categories as to be fairly inscrutable, and the consistency of information between sources is difficult to determine or flesh out.

Another question is the amount of funding actually reaching states, and beyond state capitals to places like rural Jonglei, and what that money was being spent on. Thomas (2015) reports that the GRSS

<sup>11</sup> January 2016

official figures on transfers from Juba to state government coffers were between 11 and 20 per cent of all Southern Sudan expenditures between 2006 and 2011, with an average of just over 20 per cent, though other reports place the figure even lower. GRSS' official Budget Books (somewhat vaguely) note the following budgeted funds for Jonglei in the years since independence, as shown in Table 2.

These figures make it clear that the majority of funds go to salaries and, to a lesser extent, operating costs, which include staff training, travel, repairs and maintenance, utilities and communications, supplies, and other miscellaneous expenses, according to GRSS Budget Books.<sup>12</sup> According to Thomas (2015), 90 per cent of funds transmitted to the states from Juba stayed in state capitals. In Jonglei specifically, according to a senior county official he interviewed, counties receive only payroll funds, and no operating costs.<sup>13</sup>

More importantly, the figures quoted above and those underlying them in GRSS publications raise quite a few questions. First, and perhaps most fundamentally, is the question of veracity. There are fairly consistent figures on transfers to the state level across the pre- and post-December 2013 periods, despite the obvious disruption of conflict and the GRSS' loss of territorial control over much of the state during 2014 and 2015. Budget figures are similar for Upper Nile and Unity States, the other two most conflict-affected and largely SPLM-IO-controlled states. Yet the official budgets suggest that GRSS continued to send consistent salary, operational, and (limited) capital funds to those states at pre-conflict levels even after the conflict began and those three states were occupied by the SPLM/A-IO.

**Table 2: Jonglei State budget transfers from GRSS/Juba (approved) (SSP)\***

Year	# personnel	Salary transfers	Operating transfers	Capital transfers	Transfers to service delivery units**	Total
2012-13	13,927	144,063,593	60,330,592	13,905,412	--	218,299,597
2013-14	13,381	153,714,977	116,436,756	31,432,551	10,490,148	312,074,432
2014-15	14,214	177,893,987	120,590,441	24,708,951	12,525,440	335,718,819
2015-16	13,627	145,158,392	111,682,300	21,474,674	12,703,762	291,019,128

\*The exchange rate of the South Sudanese Pound (SSP) to the US dollar was fixed at 2.95 SSP to 1 USD throughout this period.

\*\*Definition unclear.

Following December 2013, there has been a notable shift back to emergency response – and away from development funding, capacity-building and state-building – on a scale much larger than during the OLS period. Table 1 highlights the dramatic increase in assessed humanitarian needs as described by the UN's CAP and HRP from 2013 onward. The significant increase in contributions is also shown (though the aid appeals have remained underfunded since the crisis began and are only becoming more so as it drags on) (Oxfam 2014; Osborne 2014; GHA 2015). Moreover, it highlights the near reversal of funding priorities between development and humanitarian aid, as reported to the OECD-DAC.<sup>14</sup>

<sup>12</sup> Available at <http://www.grss-mof.org/>

<sup>13</sup> That said, it should be noted that Jonglei along with Upper Nile were almost certainly the least supported states in terms of GoSS revenue reaching the peripheries; other areas of the country fared better, according to aid representatives we interviewed who are familiar with other states' financial processes.

<sup>14</sup> The process of searching for and sifting through available aid data for this paper was instructive. The team spent over a month trying to assemble data for Table 1, but the figures were often unavailable or contradictory. Many interviews with key informants ended with the



There is widespread concern among many donor and INGO representatives, as well as respondents from within the GRSS, that the perceived gains from aid made over the post-independence era will be reversed based on the renewed conflict and accompanying shifts in funding priorities. There is not, however, a concerted corollary effort to retain funding in less-crisis-affected areas (IASC 2014; South Sudan Humanitarian Project 2015). The humanitarian needs have been so great since December 2013 that humanitarian aid easily overshadows – in funding terms – other forms of engagement or programming. Yet declining engagement in non-conflict areas of the country by aid agencies since late 2013 highlights the issue of flagging donor commitments to long-term programming and nuanced contextual analysis as promised by the New Deal. And indeed the increase in humanitarian assistance has also seen a retreat from direct funding engagement with, and through, state institutions across the board.

While the ‘big picture’ that emerges from OECD-DAC aid data is one of a breakdown of a relatively stable ‘development’ context and a return to humanitarian emergency in the immediate aftermath of December 2013, other data tell a somewhat different story. This narrative is corroborated by the interview data from widely varying constituencies including donors, agencies, and a number of South Sudanese respondents interviewed between 2011 and 2015.

Figure 1 shows the way in which aggregate humanitarian conditions were assessed in South Sudan, beginning in 2008, noting the average Integrated Phase Classification (IPC) Humanitarian Phase Classifications were logged by Famine Early Warning Systems Network (FEWS NET) over time since 2008.<sup>15</sup> For most of the time depicted, the phases recorded for South Sudan varied between 1 (food secure) and 3 (crisis), with some areas of the country falling into phase 4 (emergency) in the ‘hungry season’. Ironically, this was especially seen right at the time of independence in 2011; and again after the current conflict began in the hungry seasons of 2014 and 2015. Note that no data were available for some time periods early in the current conflict. Figure 1 depicts a generally worsening situation countrywide, with greater variance over recent periods as well. But at the national level, it does not depict a totally different situation in 2014-15 than in earlier periods. Of course, Figure 1 depicts only averages and variances for food security status it doesn’t capture the level of displacement or other variables.

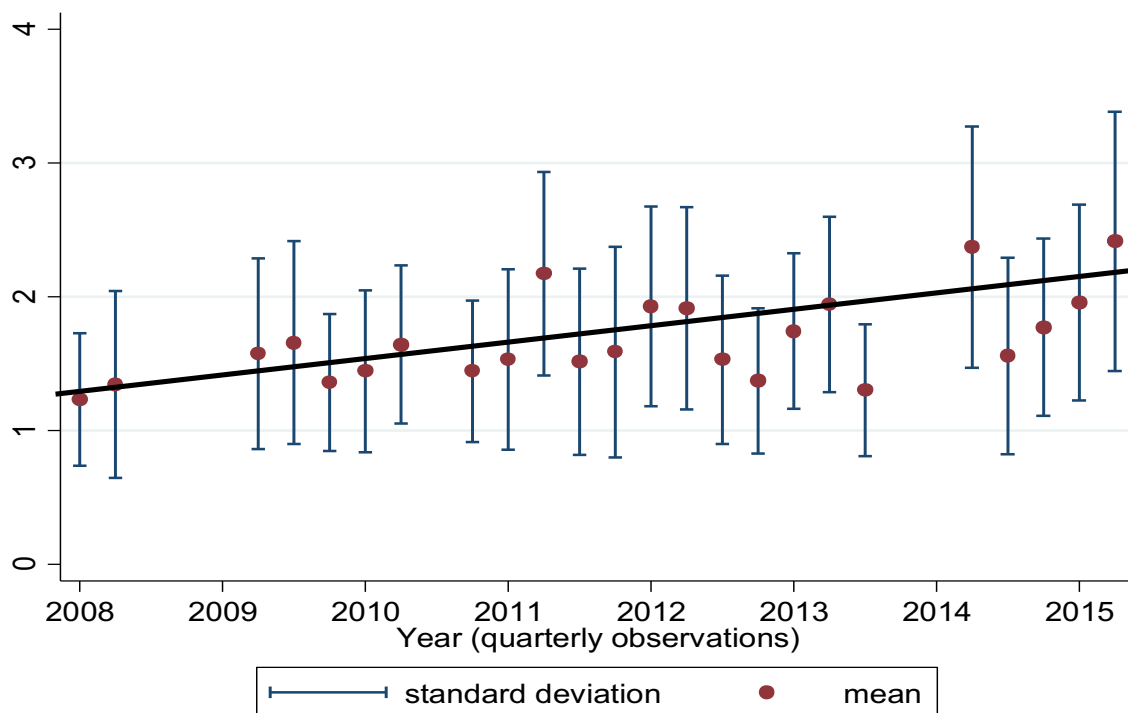
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statement, ‘we don’t have the data, but if you find it, please share it with us’. Development and humanitarian aid figures were calculated for this paper mainly using publicly available data downloaded from the Creditor Reporting System in the OECD statistical database at [www.stats.oecd.org](http://www.stats.oecd.org) – which is broken down by category, and by subtracting all aid in the Humanitarian Aid category from the aid totals for each year. As such, these are somewhat crude figures, as aid totals contain a wide range of funding including trade policy, commodity aid, debt relief, and others. At the same time, the Creditor Reporting System offers probably the most detailed figures that exist to document donor funding, as it notes project descriptions, donors, funding mechanisms, and a host of other information for each individual project.

<sup>15</sup> The Integrated Food Security Phase Classification was developed in Somalia to show food security and overall humanitarian conditions in different livelihood zones. This kind of analysis aggregates data related to food consumption, livelihood status, malnutrition, and mortality. The phases are: 1= food secure; 2 = moderately food insecure; 3 = crisis; 4 = humanitarian emergency and 5 = famine or humanitarian catastrophe. IPC phases are not usually averaged over a national area as we have done here, but this does give some sense of the overall situation in South Sudan over the years from 2008 to 2015. Note that these figures are from FEWS NET, which uses its own version of IPC analysis, so there is some discrepancy between these figures and GRSS figures from the same analyses.



**Figure 1: Mean IPC Phase Classification for South Sudan: 2008–2015**

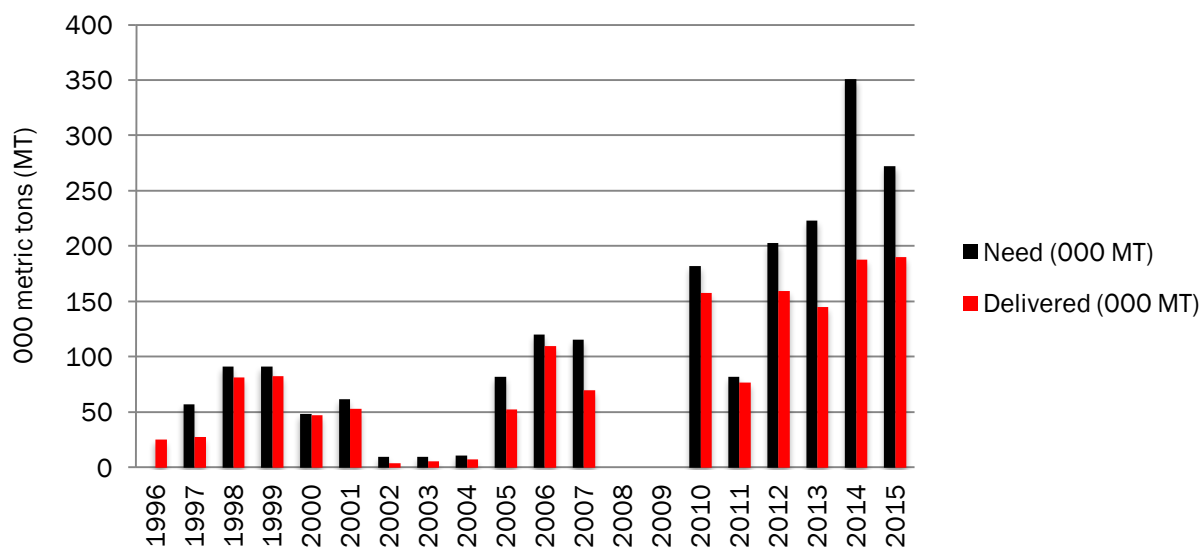


Source: FEWS NET

Figure 2 depicts the levels of assessed need for food assistance and actual amounts provided over the past two decades. With the exception of the year of the second Bahr al-Ghazal famine and its immediate aftermath (1998–99), levels of food assistance were relatively modest during the civil war, but took off after the CPA. Data for South Sudan in 2008 and 2009 were not available. These were years of major resettlement efforts, in which returnees were provided with food rations for a period of resettlement, and were among the years of a high rate of return from internal or external exile. As such, the trends depicted here would probably be confirmed by 2008 and 2009 data. Food aid allocations to South Sudan appear to have stabilized in the range of 150,000 metric tons (MT)/year between 2010 and 2014 (roughly twice the amount of the worst of the famine years in the 1990s); then increased again in response to the outbreak of conflict (figures for 2015 listed here are only for the first half of the year). Note that, despite a steep increase in assessed need, actual allocations of humanitarian food assistance only increased modestly in 2014.<sup>16</sup>

<sup>16</sup> Food aid is by no means the entirety of humanitarian assistance to South Sudan, and indeed in post-CPA years, some US food aid was intended as development assistance. But given road and market infrastructure limitations, much of the food assistance to South Sudan remains in-kind food aid, so looking at totals for food aid is a sort of ‘bellwether’ indicator. The problem is that it is reported in metric tons, not dollars, whereas overall humanitarian assistance and development assistance is reported in dollars. Given that some food aid is delivered by very expensive airdrops, there is no reliable or meaningful way to convert metric tons to dollars. The point here is the increase in food aid after the CPA, again after Independence, and again after December 2013.

**Figure 2: Food Aid Needs and Deliveries to South Sudan: 1996 to 2015 (Jan–Jun 2015 only)**



Sources: WFP FAIS, 2006 Feinstein WFP Report, 1999- 2007 ANAs and EMOPs, 2008 Feinstein WFP Report, 1004-2008 SPRs and 2004 WFP Report, WFP FAIS website, WFP Country Office (personal communication)

This rather different picture of the situation challenges the narrative that stability and opportunity pervaded South Sudan following independence, and instead draws a picture of fairly pervasive hunger and consistently high levels of food aid delivered in response across much of the post-Independence period – with a distinct worsening of that situation after the end of 2013.<sup>17</sup>

<sup>17</sup> It may also be true that the relative stability and access afforded by the post-CPA period allowed improved needs assessment that offered a more accurate reflection of an ongoing dire situation, rather than a truly worsening situation.

## 6 Shifting Perceptions of international engagement with South Sudan

The re-emergence of conflict in 2013 led to several changes in engagement, or at least perceptions of the overall, nation-wide priorities of that engagement. First, there has been an increase in humanitarian assistance over time, and a sharp increase in assessed humanitarian need since the beginning of 2014. However, there has only been a minor worsening of humanitarian conditions, as defined in terms of assessed food security conditions, on average. The available quantitative data don't tell a complete story about development or state-building assistance. Interview data strongly suggest that since large-scale violent conflict re-emerged in December 2013, international support has shifted towards the direct provision of services, particularly to IDPs and conflict-affected citizens, rather than building state and local capacity for service delivery. But data from Figure 2 and Table 1 show that to some degree, there was an ongoing reliance on humanitarian modes of assistance even prior to the outbreak of widespread violent conflict in December 2013. Indeed, given the paucity of quantitative data, it is not clear what has transpired with development assistance since then. Interview data suggest a rapid withdrawal of development programming, or redirection of assistance to humanitarian modalities.

Second, interview data strongly suggest that there has been a return to state-avoiding approaches (or at least approaches that bypass central government) by donors, the UN and INGOs. In some cases, this has resulted in a more direct engagement with local government and traditional authorities; in perhaps more cases, this has resulted in direct service provision by international actors (which is still mediated, to some extent, by local authorities). The rhetoric of state-building and capacity-building was, by mid-2014, remarkably less prominent than it had been up until the return to conflict in December 2013 (Maxwell and Santschi, 2014).

Third, interview data suggest more direct international engagement in terms of peacemaking or attempting to find a resolution to the conflict. Despite a great deal of involvement by international donor countries in the CPA, it has been mostly the regional political grouping, IGAD, along with individual countries (Ethiopia, Kenya, Uganda and even Tanzania) that have been leading the engagement towards resolution of the conflict. (Uganda also had troops on the ground in support of the GRSS.) The African Union launched a commission of inquiry into the events that led to the conflict, and the events immediately following (AUCISS 2015). In addition, as foreshadowed by the 'people-to-people' efforts described above, donors have quietly supported peace talks at the local level. Such talks between Nuer and Murle elders in Jonglei resulted in a peace agreement in early 2014, as well as efforts to strengthen intergroup interactions along conflict lines. Examples of the latter include the Nile trading 'port' of Tayer in Unity State, where the USAID Viable Support to Transition and Stability (VISTAS) programme was planning, in late 2014, to take steps to support the spontaneously developing trade between local Nuer and Dinka from across the river in Jonglei (ICG 2014; Mosel and Henderson 2015);<sup>18</sup> or more recent support to the South Sudan Council of Churches for reconciliation work. The issue of supporting peace talks or other peace processes also raises the question of civilian protection in conflict or in the absence of peace agreements. This has received a lot of attention and advocacy, particularly in terms of the United Nations Mission South Sudan (UNMISS) mandate and budget, but is beyond the scope of this paper.

The research team interviewed people in Uror and Nyirol counties in Northern Jonglei in February 2013, and people displaced from Pibor County in southeastern Jonglei in November 2013. Following the outbreak of conflict in December 2013, the research was briefly suspended, but interviews with GRSS,

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<sup>18</sup> Tayer was since destroyed by SPLA forces in April 2015.

donor and agency staff were conducted in June 2014, and with people displaced into Lakes state from Bor, Duk and Twic East counties in Jonglei in October 2014. The following sections summarize the perspective of respondents from Jonglei on the question of international engagement. They also review changes in the engagement of international actors before and after December 2013, their engagements with areas that experience the direct impacts of the violence, and their shifting alliances with state and local actors.<sup>19</sup>

## 6.1 Service Delivery, state-building and international engagement: A view from Jonglei

Prior to December 2013, there was a limited amount of international engagement even in some of the remotest areas of Jonglei, which was probably the most neglected part of the country at the time. In the two counties visited by the study team in February 2013,<sup>20</sup> there were some 15 INGOs, five UN agencies, and a limited number of internationally funded national (South Sudanese) NGOs at least nominally present. However, little service provision was reaching the community or household level, and most respondents described their access to services primarily in terms of what was lacking – which was, in most cases, nearly everything. Overall the level and quality of service provision was severely limited. Functioning healthcare facilities were only found in three locations between the two counties visited and only reliably at the *Medecins sans Frontieres* (MSF) hospital in Lankien, county headquarters of Nyirol. Few communities had functioning schools. Provision of potable water was somewhat more widely available, but still patchy – and when boreholes broke down, there were rarely any services available to fix them, nor was it clear to many community members who was responsible for repairs.

Many people had some knowledge about which INGOs were coordinating with GRSS on service provision in their county or *payam*, but most expressed frustration about the perceived gaps between international funding to GRSS for service delivery and actual community-level benefits. For the most part, international agencies operating in Jonglei appeared to be channeling their support through state structures, as per the state-building model, which meant that their work was represented by the government ministry in charge of their sector. But actual services rendered were minimal.

Services were mostly provided by NGOs – mostly INGOs, as well as some South Sudanese NGOs. They worked in loose coordination with GRSS – usually overseen by the South Sudan Relief and Rehabilitation Commission (SSRRC). But SSRRC had a limited budget, few vehicles, few staff and, therefore, limited capacity, so the extent of their ‘coordination’ was limited. Most agencies had a good relationship, keeping local SSRRC representatives informed about their activities. No external agency was explicitly attempting to work with SSRRC to build its capacity locally. One agency was working with the offices of the County Commissioners and sometimes this provided some limited capacity-building in the form of equipment and training for rapid response when local conflict broke out. Some international agencies were explicit about their independence from GRSS, operating outside of the cluster or SSRRC systems, and GRSS supply chains.

Local officials’ top priorities, often focused on road construction, with the view that roads were key to development, security and service provision. Whereas, the priority of almost all local people we spoke with was for improved security. International agencies were not engaged in supporting either type of project in Jonglei at the time. Indeed the only new road – a dry season-only route literally hacked out of the bush between Duk Padiet and Yuai—was constructed with manual labour mobilized by county commissioners (Maxwell et al. 2014a).

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<sup>19</sup> These summaries are based on the research reports issued at the time, but the original interviews were re-analysed as well. To avoid repeating the same references over and over, each section contains a single reference to the data from which the summaries are drawn.

<sup>20</sup> Information in this section is summarized from Maxwell et al. 2014, and interviews were conducted in January/February 2013.

The security situation was very poor in Jonglei even in early 2013. Cattle raiding and inter-communal violence was a near-constant phenomenon. Raiding in 2013 – and the post-CPA period generally – was, according to most respondents, very different from earlier times. In the post-CPA period, raiding resulted in widespread destruction, killing, and the abduction of women and children. In earlier times, according to many respondents, it had only been about cattle, and even then, not necessarily all of the cattle. By 2013, it seemed not to matter to the raiders if even some of the livestock was killed in raids – which would have been anathema in earlier times.

There was also widespread dissatisfaction with GRSS about the perceived unevenness of the disarmament of Jonglei – from the first iteration in 2006 to, especially, a second disarmament in 2012. Lou Nuer respondents repeatedly expressed frustration that their guns had been taken away while the Murle had been allowed to keep theirs. The number of raids from Pibor County into Uror County was significantly higher than vice versa. (Although Murle respondents noted to us later that Murle raids tend to be smaller though more frequent; when the Lou raid, they make a few really big raids – as the White Army attack on Pibor may attest (Rolandsen and Breidlid 2013).

The sense of the legitimacy of the South Sudanese state voiced by people in northern Jonglei was not tied to its ability to provide services (in contrast to the state-building narrative). Respondents repeatedly told the team, ‘it is good to have our own country and our own government’ (referring to the liberation struggle as the main source of GRSS legitimacy). But people weren’t necessarily looking to the government at all for service provision. There was high demand for the government to improve security – but few thought this was likely to happen.

In Pibor County, by contrast, there were almost no services provided anywhere in the county in 2013, with the partial exception of Pibor town, where some services were available until facilities were destroyed and the town almost emptied of its inhabitants. What few services there were had been provided by NGOs or the UN. MSF and Merlin ran clinics in Pibor and Boma towns, and scattered interventions elsewhere, but overall, relatively little in the way of other international engagement. Few markets were functioning. Even in Pibor town, respondents reported only two functioning boreholes in the civilian-populated part of the town, and few if any services elsewhere in the county.

Very high levels of food insecurity were noted in emergency assessments at the time, but only limited amounts of humanitarian assistance were being provided – reportedly due to security constraints. What was provided was mostly in the towns, and by November 2013 even this had almost ceased due to access problems. People had fled Pibor town – either to Juba or to the bush where they were inaccessible. In general, the level of access to services in Pibor was much worse than in northern Jonglei. Overall, there was significantly less international engagement with local authorities in Pibor than there was in northern Jonglei. Access to services was hardly any better for Murle IDPs in Juba.

Several NGOs were providing healthcare; other international presence was limited to a handful of NGOs. Under the circumstances, there was little discussion about coordinating with the SSRRC. There was another kind of ‘engagement’ around human rights advocacy – Human Rights Watch (HRW), for instance, issued several reports on the situation in Pibor county, as did other aid or advocacy groups. There was widespread agreement among international actors that the conflict in Pibor was internal – and limited appetite among external actors to try to support its resolution, or bring aid to those caught up in it. There was also a widespread belief that Khartoum was meddling in the conflict. The first demand of everyone interviewed was for a peace settlement (not even ‘security’ *per se* – just a cessation of outright hostilities).

Attempts were being made by some international actors to bolster peace talks, or mitigate the worst of the conflict – but mostly from Juba side. UNMISS was present but had limited capacity, and the UN was not seen as an impartial interlocutor. UNMISS was criticized for being too slow to respond to early warnings of impending attack and of biased reporting of human rights violations, though they were also in a difficult position – unable to operate without the permission of the GRSS. The difficulty was made

clear in December 2012, when an UNMISS helicopter was shot down by the SPLA, which believed it to be an enemy plane delivering supplies to the South Sudan Democratic Movement (SSDM)/Cobra Faction of David Yau Yau.

Unlike Northern Jonglei, there was little willingness to give GRSS the benefit of the doubt. There was little sense of being included in the liberation struggle felt among the people of Pibor at the time, and little regard for the government in Juba. Mistrust of the SPLA was especially strongly expressed – particularly around the disarmament and human rights abuses recorded by the HRW report. And there was no sense expressed that the disarmament had favoured Pibor County. It is important to note that there was conflict at various levels: First, there was a rebellion against the state – the SSDM/Cobra Faction of David Yau Yau); there was also significant inter-communal violence (mainly against Dinka Bor and Lou Nuer communities to the west and north, but to some degree also involving Pochalla county and even Eastern Equatoria; and there was some intra-Murle fighting).

Cycles of violent raiding and revenge between the Murle and their neighbours, primarily the Lou Nuer and Dinka Bor, are one of a number of factors that have defined inter-community relations. Relations had worsened in the post-CPA years. Murle respondents characterized this inter-communal violence as an example of their marginalization by the GRSS –and particularly by the state government in Bor.<sup>21</sup>

## **6.2 December 2013 and renewed national-level conflict**

After the emergence of conflict in Juba in December 2013, the fighting quickly spread to Jonglei, much of which was rapidly captured by SPLA units that mutinied and joined the SPLM-IO. The SSDM/Cobra Faction signed a ceasefire deal with the GRSS in January 2014 and a subsequent peace agreement in March 2014, bringing much of the conflict in Pibor to a shaky, but so far sustainable, cessation. Murle and SSDM/Cobra Faction have effectively stayed out of the conflict in Jonglei between the GRSS and SPLM-IO. The level of inter-communal violence between Pibor and Lou Nuer groups to the north has also declined, though relations with Dinka Bor have remained tense.

At the national level, the immediate post-December 2013 era was characterized by rapidly changing engagement – from development assistance to humanitarian action. This was a change both among country donors and the UN, which modified the UNMISS mandate in May 2014 to focus on humanitarian response and protection of civilians. The switch was quick, mostly unforeseen and unplanned, and resulted in a significant redirection of funds. Some respondents noted the extent to which this undermined progress made in other geographic areas not affected by the conflict. International engagement was significantly affected by the loss of long-term perspective, high turnover of humanitarian staff, and the mostly short-term focus of the latter. Although no figures were available about the level of staff turnover, respondents complained about the same issues being discussed over and over again in the NGO Forum and cluster meetings. Interviewees at the national level reported that the flow of resources was significantly redirected towards conflict-affected areas (Jonglei, Upper Nile, and Unity States) at the expense of non-conflict areas (Bahr el-Ghazal, the Equatorias). Donors had pulled a lot of their regular support for development activities and were reconsidering their options.

GRSS support to ongoing service provision also declined in face of the worsening crisis. The budgets of most line-ministries were reduced – though some ministries reportedly worked to protect their service provision budgets. The general perception among donors and INGOs interviewed was that the GRSS would leave service provision up to the NGOs, but require that they work under GRSS auspices. In the early stages of the crisis one international medical agency noted that their case load was going up in non-crisis affected areas simply because GRSS clinics were closing down, or at least not providing any services.

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<sup>21</sup> Information in this section is summarized from Santschi *et al.* 2014, and interviews conducted in November 2013.

Donors were concerned with bringing about an end to the violence, but attaching conditions about reconciliation to the provision of services or humanitarian assistance was not a workable idea. Ground rules were again negotiated under the circumstances of renewed conflict, but there were fears that this would send a message of acceptance of protracted conflict. There is a long history of politicizing humanitarian aid in South Sudan. When the SPLA and the western donors were on good terms, everybody overlooked it (Johnson 2011). In 2014, the attitude of donors towards this practice was very different, and was leading to strained relations. The GRSS was very aware that the SPLM-IO would be trying to utilize humanitarian aid to legitimize its claims to being a sovereign authority – much as SPLA had done during the previous civil war.

Other feared unintended consequences of international engagement included aid dependency (mostly expressed by GRSS officials); over empowerment or exclusion of local government and traditional authorities; and disempowerment of national NGOs. There was also a fear of violating the ‘do no harm’ principle by the delivery of aid itself; armed actors associated with both sides of the conflict tended to attack in the aftermath of aid distributions which led agencies to suspend many planned deliveries of aid, particularly air drops of food aid, throughout 2014 and into 2015.

Several donors had pulled back from direct engagement with the national government, but many suggested to us that there was no reason to disengage from dealing with local government unless those bodies were directly implicated in atrocities. In some areas this led to a redirection of much international engagement away from the national government to state and local government – or reliance on direct delivery of aid and services through non-governmental channels. This certainly happened to a different extent for different donors and it is unclear to what extent this disengagement from the national level to a more local level how it was interpreted by local government actors or community members, as interviews throughout this period have strongly suggested that state, county and *payam* governance are understood as the local arms of national government. From the perspective of international actors, however, there seemed to be a clear distinction.

On the GRSS side, there was widespread denial that the government had anything to do with the conflict in the first place – a claim largely rejected by the African Union (AU) Commission of Inquiry (AUCISS 2015). Second, according to many international actors, there was initially an assumption that some practices that were standard procedure during OLS would continue under the present circumstances – for example, the diversion of resources to the army and backfilling for social service provision. But donors did not tolerate these practices in 2014, which further soured relations between donors and the GRSS.

At the state and local level, functions deteriorated – officials were not paid and were abandoning their posts; soldiers were not being paid and were deserting. These circumstances had been present before the crisis as well, but were less consistent and widespread. Humanitarian actors were skeptical of funneling funds through GRSS in this situation; the government, in turn, felt abandoned by its allies and angry that the humanitarian response was not being channeled through its offices. Virtually all actors were accusing everyone else of being unaccountable. The GRSS accused international agencies of not being accountable to the government; the agencies retorted that the GRSS was not accountable to local communities. Some international observers noted that ‘the country is being run by NGOs’. The Ministry in charge of humanitarian assistance noted that there was little long-term economic benefit to the country from nearly USD 1 billion of humanitarian aid – and wondered if this was a deliberate policy or simply a side-effect.

A new NGO bill had been written and ultimately passed by South Sudan’s parliament in May 2015, and despite further wrangling – and intense international pressure – was signed into law by President Kiir in February 2016. The bill was based on similar laws in Ethiopia and Sudan (!), and was seen by the GRSS as the answer to state-avoiding behaviours of humanitarian agencies and NGOs generally. South Sudanese NGOs were treated the same as INGOs by the proposed law, though many South Sudanese



agencies reported that they were also feeling very marginalized by the intense scale-up of operations by large international agencies. There was little local ownership, and local agencies believed INGOs were deliberately ignoring the advantages of working with local partners because of assumptions that local organizations must be partisan what many described as a subsequent shift toward coordinating with local-level actors such as county commissioners, chiefs, and other local leaders.<sup>22</sup>

There was widespread recognition that the risk of renewed conflict was badly underestimated, and that planning and preparation for potential crises had been somewhat misdirected. Risk management efforts had been focused almost entirely on natural hazards such as flood and drought, not the risk of renewed conflict. Protection of civilians (POC) was also a dire need that was causing tremendous consternation within both the INGO and donor/UN communities. POC sites within UNMISS compounds were increasingly over-filled throughout 2014 and 2015, and their maintenance and security ever more problematic. This was an incredibly challenging situation which some non-UN international actors described as overshadowing most other protection issues (Niland *et al.* 2015). At a different level, East Africa's IGAD was threatening sanctions, believing this might be the only way to get the warring parties to a negotiated settlement.<sup>23</sup>

In some contrast to those from Pibor country and northern Jonglei – who have long been more or less on the periphery – people displaced from western Jonglei, who fled across the Nile to Mingkaman after December 2013, recounted a different range of experiences with international engagement in their home areas prior to the outbreak of the crisis. Those from Bor (both the town and the rural areas of Bor county) had generally very good access to services in Bor town, provided by both NGOs and some government services. Some actually expressed frustration at the comparatively poor access to services in Mingkaman, particularly those from Bor town who had been moved to the then-new IDP sites outside of the original settlement at Mingkaman where healthcare facilities and other services were concentrated. For those who were living further afield in Duk and Twic East counties before the crisis, however, access to services was quite a bit sparser in their home areas, compared to Mingkaman with nearly 35 NGOs in operation in October 2014.

Among those who lived in Mingkaman prior to the crisis, there was a sentiment that 'life was a lot worse before' the IDPs came. People cultivated but lacked access to facilities such as a grinding machine for grains, as well as many services such as veterinary care for their cattle and healthcare for themselves. Before the arrival of the IDPs, there were few boreholes for drinking water, leading many people to fetch water from the river, poor primary education facilities, and no clinic – people reported having crossed the river to Bor to access healthcare. All these facilities came to Mingkaman with the IDP crisis.<sup>24</sup>

The 'official' storyline in October 2014 among IDPs from Jonglei was that Jonglei remained unstable and people were stuck in Mingkaman, but in fact, that was not entirely the case. Already in October 2014, many people were crossing back and forth at least occasionally, if not regularly, between Mingkaman and Bor, and some traveling north from Bor to other areas in Jonglei to tend to their homes, plant crops, and carry out business. In many cases, only the men of the household would return home to take care of the compound, do business, and assess the security situation, while the women stayed behind in Mingkaman. That said, during a brief visit to Bor during the same period, the team saw not only many more people (in general) than we had been led to expect, but also many more women. The situation outside of Bor town was less clear.

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<sup>22</sup> 'Black market' money exchange was not a new practice in 2014, but according to respondents it became more common as the gap between the official and 'street' exchange rates widened over the course of 2014 and 2015, until the currency was floated and subsequently somewhat stabilized – significantly higher than the previous official rate – in December 2015. At the time of writing, the official exchange rate fluctuated between 17 and 19 SSP to 1 USD, as opposed to 3 SSP to 1 USD previously.

<sup>23</sup> Information in this section is summarized from Maxwell and Santschi, 2014, and interviews conducted in June 2014.

<sup>24</sup> Information in this section is summarized from Maxwell *et al.* 2015, and interviews conducted in October 2014.



It is not clear how access to services played into people's decisions about livelihood choices or local perspectives on the state and its obligations in places like Mingkaman. However, the rapid increase in services in some areas after December 2013 was but one of many seemingly perverse effects of the shifting modes of international engagement during the violence. A similar perverse effect had been noted in northern Jonglei in 2013: people lamented the collapse of the community animal health worker network that had been rigorously maintained by OLS during the civil war, but which had fallen apart in the post-CPA era. The expectation in Mingkaman in 2014 was that the local improvements in infrastructure such as roads and access to healthcare and other services would significantly decline if the IDPs were able to return to Jonglei.

There were similar sentiments expressed on the INGO side at both the local and national levels, describing the dilemma of immediate aid delivery versus a more 'capacity-building' mode of intervention in which most international actors worked through, or in partnership with, GRSS ministries or national NGOs. It should be noted that some international agencies reported continuing to work with their partners – both governmental and non-governmental - but overall, both the GRSS and national NGOs reported being increasingly marginalized by international actors.

The descriptions above of changes in Mingkaman suggest the differences in service access not only between the pre-conflict and conflict periods – perhaps most of all in terms of intensity of international engagement at the community level – but also between conflict-affected areas and those less affected by conflict (in terms of actual fighting). Another difference emerges between accessible and inaccessible areas, perhaps even more than conflict- and non-conflict-affected. While it was not possible for SLRC to carry out a truly comparative review of access to services in these different types of area, Mingkaman seems to provide a fairly extreme case of a conflict-affected area experiencing a rapid scale-up of service provision by international actors as a direct result of the conflict, which was almost certainly dependent on its proximity to transport pathways (in this case, both roads and river).

On the other hand, the nature of international engagement may not have changed significantly in some areas not directly affected by the conflict – in part because there had not been a large amount of it previously, and in part because ongoing programmes continued to function adequately. For example, the development support that was reaching Magwi county in the south, along the Uganda border, came through county and local officials prior to the crisis and was continuing to do so. Locally, however, it seemed that the support was being allowed to fade away as funding cycles – previously expected to be longer-term – came to an end and were not renewed, and resources were being focused elsewhere, mostly to conflict-affected areas.

At the local level in both conflict-affected and other areas, authorities including chiefs, county commissioners and *payam* administrators reported good relations with the international actors working in the area, though some (particularly chiefs) noted frustrations with the perceived lack of responsiveness to specific concerns and requests.

## 7 Conclusions and Implications for State-building and Service Delivery

Several conclusions can tentatively be drawn from this complex story. There is a long history of international engagement with both state and local actors, going back to the previous civil war era, when the SPLM was a non-state actor. The engagement of external donors and agencies helped to lend the SPLM legitimacy as a controlling authority even as the civil war continued, and helped to build an administration in the South after the civil war ended.

Upon investigation, the apparently straightforward notion of declining humanitarian aid and increasing developmental or state-building aid in the post-CPA and independence eras is not so simple or straightforward after all. Humanitarian assistance, far from declining, was actually increasing even before the re-emergence of widespread conflict in December 2013. The increase in both food aid and other humanitarian assistance was largely justified by worsening humanitarian conditions (as depicted, on average, in Figure 1). But this increase in humanitarian assistance was not consistent with the general storyline of the post-CPA and post-independence narratives from both donors and GRSS. Although undertaken in coordination with state oversight (primarily in the form of the SSRRC), with a few exceptions this form of assistance did not particularly prioritize capacity-building or state-building even prior to December 2013. In any case, much of both humanitarian and development assistance came from the same donors and even the same agencies.

After December 2013, there was a distinct switch in the funding priorities of donors, away from development assistance and towards an even higher level of humanitarian assistance. There was also a distinct pulling away from the apparatus of the state – predominantly out of a concern for the principles of independence and neutrality – and to distance humanitarian assistance from the atrocities allegedly committed by either side of the renewed conflict. The post-2013 conflict saw an attempt by the SPLM/A-IO to exert greater control over humanitarian aid in the areas they occupied, to legitimize their claims as a controlling authority – much in the same way that the SPLA did during the previous civil war. International actors were much more wary of identifying closely with either of the belligerents in the post-2013 conflict. They made clearer attempts to remain neutral in a more classical humanitarian sense than had been the case prior to the CPA. This mode of operation seems to have been unexpected by the parties to the conflict, and not appreciated by either. Both sides of the conflict believed themselves to be the legitimate controlling authority, and both sought to control the flow of humanitarian assistance, therefore, rejecting the notion of independent humanitarian aid.

This conundrum is emblematic of the difficult dilemmas facing international actors on service provision both before and after the beginning of the crisis. However, prevailing views on the best way to address that dilemma seemed to have shifted. Prior to late 2013, even with regard to the external assistance that was explicitly for development and state-building purposes and being funneled through GRSS, there was concern that not very much of it was reaching communities outside Juba, state capitals and larger towns – with particularly little reaching peripheral places like Jonglei. With the onset of renewed conflict after December 2013, the emphasis on immediate delivery of services largely bypassed central state mechanisms, and the previous emphasis on capacity-building was mainly dropped.

An apparent and unintentional opposite of a ‘peace dividend’ seems to have appeared, at least in some areas, both prior to and during the current conflict. That is, the provision of services to populations appeared to actually improve during episodes of conflict for some population groups at some places and times. But this is not a universal phenomenon, nor is it indicative of sustainable access to services – there was also a widespread sentiment among respondents that such upswings in access were obviously temporary and could not be depended upon.

In the post-CPA era, and particularly from independence up to December 2013, there was significant external engagement with the central institutions of the South Sudanese state around the provision of services. In retrospect, perhaps national efforts should have prioritized political constraints (in particular, conflict management, good governance, and improving local security) while not ignoring the technical constraints. And despite efforts, there is little evidence that local service delivery improved very much – especially in peripheral places like Jonglei, though admittedly the time period on which to judge such improvement is extremely short, whether taken from independence or further back to the CPA. Indeed it is very difficult to trace the funding flows to assess whether there was even an effort to ensure that some of this trickled down to local levels.

In Jonglei in particular remnants of the conflict, both locally and to some degree nationally, continued after the CPA. This made security the top concern of people interviewed in 2013, even before the outbreak of the current conflict. There was little in the way of a ‘peace dividend’ in Jonglei. But despite the insecurity and the lack of services, some people still had a positive perception of the state. This tended to upend the hypothesis about state-building and service delivery. Not only do the data not confirm the link that service delivery influenced people’s perception of the state and state legitimacy, they also strongly suggest that people had a positive view despite the lack of services. (See Santschi and Moro *et al.* 2016 for a more in-depth exploration of the issue of state legitimacy in South Sudan).

People’s perception of the legitimacy of the state was informed mostly by the memories of the liberation struggle rather than by service provision or other tangible evidence of improvements in newly independent South Sudan. Little of the functional apparatus of a contemporary state was being built in rural South Sudan, and particularly not in Jonglei. Funding allocations were minimal, and even those noted in official budgets are suspect. The tendency among donors and international agencies was to focus on working through the GRSS, and the rhetoric was about building state capacity. The conception of capacity was itself fairly narrowly focused on staff competency, technical systems and resources, with too little attention given to other key aspects of capacity, such as the ‘relationships and facilitating conditions necessary to act effectively to achieve some intended purpose’ (Brinkerhoff 2010: 66). And the emphasis on ‘state’ capacity was far too centralized. Other international actors, such as oil companies and trade partners, whose activities were largely beyond the scope of this study, were more interested in profit-making than in state capacity.

The drop in development assistance following the re-emergence of widespread conflict in December 2013 also included areas of the country that were not (at the time) affected by the conflict. However, by 2015, the conflict had increasingly spread to those areas. Whether there is a link between the withdrawal of aid and the spread of the conflict is a question yet to be answered. However, the linear relationship between service delivery and state legitimacy posited by the New Deal does not seem to hold up under empirical investigation in South Sudan. Before the outbreak of widespread violent conflict in December 2013, the legitimacy of the state seemed to be shaped by people’s understanding of the liberation struggle in South Sudan by the SPLA. This was positive in some cases (northern Jonglei) and negative in others (particularly in Pibor county). The observation that state-managed service provision was limited in the former and virtually non-existent in the latter seemed not to be a major factor.<sup>25</sup> As more areas entered into conflict throughout 2015, and as internationally-brokered peace deals broke down – and indeed as elements of both the GRSS and the SPLM/A-IO splintered even more – it was clear that a new model of international engagement was needed in a fragile state such as South Sudan. While such a model has yet to fully emerge, this analysis suggests several questions that need to be addressed to develop the elements of a new approach.

First, it isn’t clear whether the international community was barking up the wrong tree, or up the right tree but with the wrong ideas and methods? South Sudan seemed to pass the self-administered, but

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<sup>25</sup> See Santschi and Moro *et al.* 2016 for a more detailed discussion of sources of political legitimacy in South Sudan.

internationally overseen fragility assessment just five months before falling back into explosive conflict. Was this purely a case of poor analysis and wishful thinking or was it one of misplaced priorities, or both? It is clear in retrospect that relatively more attention was put into technical solutions to problems at the expense of more political approaches. Even where conflict resolution was an objective of international engagement, it was often conceived of in very technical terms (for example, natural resource competition) rather than as political in nature. But it is not at all clear that the GRSS would have welcomed a more political approach, even when relations with donors, foreign governments and international agencies were relatively good. This is perhaps the central conundrum of the South Sudan case.

Thus it could be argued that the problem wasn't with the aims and objectives of international engagement with the state – that state-building made sense as an endeavour but simply wasn't done well enough. The Jonglei evidence suggests that capacity wasn't being built at local level and that aid wasn't effectively contributing to service delivery – that is, in a post-conflict situation, the expected 'peace dividend' did not result. Had international actors engaged with county authorities to build roads, ensure the health facilities had drugs and paid staff and that schools were open – and especially to provide for better security – then state-building might have been a more than rhetorical exercise. This again raises the issue of how funding provided for state-building purposes – whether channeled through the GRSS, or via international agencies – was being spent, and perhaps a re-thinking of modes of engagement. Perhaps more local, more flexible, more responsive funding to local priorities, more devolved authority to spend and spend quickly, might have made for a different outcome.

Alternatively, it could be argued that the problem was with the whole way in which state-building was conceptualized in South Sudan and what that meant for how and where aid money was spent. Perhaps international engagement needed to be more modest and recognize more clearly that state-building is both long term and slow, and largely not something that can be done by outsiders.

Some of the distinction between 'humanitarian' and 'development' assistance is not helpful in situations like South Sudan. Humanitarian assistance still carries assumptions about working around rather than through the state apparatus, especially when the government of the day is a party to the conflict that is driving the humanitarian crisis. But even before the outbreak of large-scale violent conflict in late 2013, the distinctions between 'humanitarian' and 'development' were questionable. Different funding mechanisms are required that are more flexible than the traditional and seemingly fixed 'development' and 'humanitarian' windows. Note that even new funding for 'resilience' doesn't really fit this need, as in most of the cases where this is being experimented with, engagement with the state is a given and there are administratively strong national bureaucracies in place. This is a highly relevant question in light of current policy discussions about the 'localization' of humanitarian response (WHS 2015).

In retrospect, it seems that all of these questions should have been an early priority in 'New Deal' type engagements. In South Sudan, many of these questions were put on a back burner until renewed conflict arose, and until a much more state-avoiding international engagement took hold – at which point trying to sort out issues of state sovereignty versus the independence of civil society served mainly to polarize the situation even further.

Given what we know about the likelihood of fragile countries' relapse back into conflict, our evidence from South Sudan provides some lessons for thinking about international engagement looking forward. International engagement in South Sudan has brought to the fore many of the deepest challenges and inconsistencies about aid to fragile and conflict-affected states. It is clear that there is no magic bullet that could have easily headed off the current conflict. Responsibility for the current situation rests primarily with domestic politics; states can only be built from the inside. Aid can, however, contribute to political divisions and perceptions of marginalization, particularly when based more on optimism than

realism, and administered without in-depth and ongoing contextual and conflict analysis as well as thorough accounting procedures.

Aid doesn't provide a technocratic solution to political problems – delivering services won't solve conflicts or resolve dysfunctional politics. Where the problem is daily conflict and insecurity – such as Jonglei in 2013 – few people's priorities will go beyond those fundamental needs. But it's not clear that current aid approaches and modalities, or the international actors involved, are very good at protection or peacebuilding – so the answer isn't necessarily to invest more in those sectors. Perhaps a better approach is to recognize and build the capacity for much greater coordination and flexibility between humanitarian and development modes. Jonglei in 2013 should have been triggering a bigger and better humanitarian response given the crisis levels of suffering, malnutrition, and hunger. There is certainly a need for more flexible funding, and the ability to engage differently in different parts of a country as vast and challenging as South Sudan. But there is also a need for greater patience, better analysis, a more anticipatory approach, and more modest expectations about what international engagement can achieve.

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