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When Peace is the Exception: Shifting the Donor Narrative in South Sudan

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The crisis in South Sudan calls for a critical reflection on past and forthcoming aid practices in the country, and on the assumptions and ambitions that underpin them. On the whole, donor engagement in South Sudan has been based on a flawed situational framing, informing a dominant theory of change that disregarded key elite interests, misjudged the main conflict driver, promoted a culture of appeasement, and obscured symptoms of a deeply rooted crisis of governance. As this crisis pushed itself to the fore in mid-December 2013, the old narrative of development and partnership has become untenable. Donors should prepare and plan for working in an environment where armed conflict is cyclical and where periods of relative calm offer limited options for longer-term development schemes or sustainable reform, narrowing the scope for constructive engagement and enhancing the risks involved.

Introduction[1]

Ever since being granted far-reaching autonomy from Sudan, South Sudan has been a major recipient of donor funding and a key testing ground for international policies in fragile and conflict-affected environments. Upon the signing of the 2005 Comprehensive Peace Agreement (CPA), the donor community embarked on a mission to help South Sudan end decades of violence. When it acquired independence in July 2011, donors vowed to assist the nascent government in opening a new chapter for the world's youngest state.

Today, South Sudan is in crisis. An alleged coup attempt in December 2013 triggered a civil war that split the country's ruling party, put the security services in disarray and fragmented communities along ethnic and geographic lines, with devastating humanitarian consequences and instilling fears of a protracted armed conflict. A regionally led diplomatic push for a

1 The analysis presented in this policy brief benefited from interviews with a wide variety of stakeholders, conducted in Juba, Addis Ababa and various western European capitals between September 2014 and February 2015. It also partly draws and builds on elements of a report produced for the Norwegian Peacebuilding Resource Centre (NOREF) in 2012: see Hemmer, Jort. 'South Sudan's Emergency State', NOREF, September 2012. Megan Price, Lauren Hutton, Lotje de Vries, Erwin van Veen and Mariska van Beijnum provided very helpful comments on earlier drafts. The sole responsibility for the brief's content lies with the authors.

peace deal between the main protagonists has thus far failed to produce significant results, as have more low-key attempts at elite reconciliation. Having invested massively in South Sudan's pre- and post-independence years, donors are now forced to review past approaches and decide on an appropriate way forward in terms of their engagement. This brief offers an assessment of various policy dilemmas and considerations that come into play in the process, and puts into context a number of pertinent lessons to be learned.

War is over, right? Diverging agendas around the 2005 peace agreement

One of the basic paradigms of donor engagement in South Sudan after the inking of the CPA in 2005 was that the region represented a post-conflict environment, as the agreement was seen as having addressed the roots of North-South animosity, the perceived key cause of violence. Furthermore, South Sudan was taken to have emerged from the war with Sudan as a relatively unified and cohesive polity, with communities that had overcome differences in their joint struggle against an oppressive Khartoum regime and a shared longing for determining their own fate. A third key assumption underpinning donor activity in South Sudan since 2005 was that the region's excessive lack of development was a major driver of conflict, a logic implying that a failure to deliver a 'peace dividend' in the early years after the establishment of the CPA would risk further hostilities.

This situational framing informed a donor approach that prioritised statebuilding, which translated into a predominantly technical exercise aiming to enhance the capacity of central state institutions. Subsequent efforts were focused mostly on the capital city of Juba, as it was expected that if only the new government seated there was sufficiently empowered and equipped, the benefits of peace would eventually trickle down to the rest of the region. In this dominant theory of change, there were few problems or fallbacks that more development could not overcome.[2]

For South Sudan's leaders, however, the signing of the CPA in 2005 did not necessarily signal the beginning of a period in which they could capitalise on the quiet of peacetime and kick-start development. During the decades-long war with Sudan's Khartoum government, Southern Sudanese elites had been embroiled in extensive and vicious infighting among themselves, fragmenting society as well as the political and military establishment.[3] These deep divisions posed a serious threat to its domestic stability and needed to be addressed if South Sudan were to get to and through the 2011 self-determination referendum successfully. Moreover, a long history of broken promises further suggested that resumed fighting with Sudan was far from unlikely. If things were to take a turn for the worst, South Sudan needed to be prepared for a credible military response. These twin objectives necessitated a compact between South Sudan's main elite groups and served as the common denominators facilitating rapprochement.

As the Sudan People's Liberation Movement/Army (SPLM/A) assumed the roles of a state, it adopted an inclusive 'big tent' policy. Co-option and accommodation were the name of the game: political and civil servant positions were doled out in exchange for loyalty, and scores of militias, many of whom had served as proxy forces for Khartoum during the war, were put on the payroll and integrated into the army. Violent dissent

2 For further reading on the approach donors took in South Sudan following the signing of the CPA, see Bennett, Jon; Sara Pantuliano; Wendy Fenton; Anthony Vaux; Chris Barnett; and Emery Brusset. 'Aiding the Peace: A Multi-donor Evaluation of Support to Conflict Prevention and Peacebuilding Activities in Southern Sudan 2005-2010', ITAD Ltd, UK, December 2010; and Lacher, Wolfram. 'South Sudan: International State Building and its Limits', SWP 24, February 2012.

3 For an authoritative account of these wartime dynamics, see Johnson, Douglas. 'The Root Causes of Sudan's Civil Wars', African Issues, 2 January 2003.

was either crushed outright or eventually rewarded by means of reabsorbing and promoting the key antagonists. Hence, South Sudan's nascent governance and security institutions became fully fledged instruments for patronage to preserve southern unity ahead of the referendum. Abundant oil revenue paid for the bills.

Though violence remained widespread in South Sudan throughout the interim period and during the early years of its independence, this 'big tent' approach went a long way in curtailing internal divisions and quelling potential opposition, and succeeded in maintaining the required degree of inter-elite harmony. The referendum was held as planned and generated an overwhelming vote for secession, and South Sudan broke away from Sudan without major bloodshed. South Sudan's leaders had accomplished their mission. But after six years of governance, they had little to show in terms of development or reform, despite massive donor investments. A consensual model or roadmap for the way forward was lacking and capacity-building efforts had mostly produced changes in form but not in function; South Sudan's state institutions looked stately but hardly performed any of a government's core functions.[4] Billions of dollars had disappeared from its coffers and would remain unaccounted for. Meanwhile, its population had to hold on to the promise of a brighter future under self-rule.

The elite consensus unravelled: back to war

The measure of inter-elite unity displayed between 2005 and 2011 was neither a reliable indicator of how stable relations between different elite factions in South Sudan actually were, nor of how politics would play out in the event that it would become a sovereign state. With the shared objective of independence achieved and the immediate threat of a new war with Sudan diminished, space to question the existing power configuration opened up and long-suppressed grievances and old rivalries started to resurface.

Over the course of 2013, in the wake of a self-initiated oil shutdown in 2012 that led to a major cutback in government revenue, the underlying deficiencies of South Sudan's military patronage system as a governance structure were laid bare.[5] President Salva Kiir, who had played a central role in establishing and maintaining the post-CPA elite consensus, was confronted with a growing and increasingly vocal contestation of his leadership. In July 2013, in an apparent attempt to neutralise key opponents, who accused him of dictatorial tendencies and mismanaging the country's affairs, Kiir dismissed his cabinet, including his Vice-President Riek Machar, and suspended the SPLM's Secretary General on charges of corruption. The move backfired. Kiir's most powerful critics formed an alliance and rallied behind Machar, who in the 1990s had led the main SPLA break-away faction that went on to side with the Khartoum government but who then reconciled with the party in 2002. The SPLM turned into an arena of a fierce power struggle. Tensions mounted as President Kiir used his authority as the SPLM chairperson to resist party reforms that would have threatened the status quo by creating a more level playing field.

On the night of 15 December 2013, fighting between elements of the presidential guards broke out at a military barracks in Juba, which spilled over and led to violent clashes and organised targeted killings in other parts of the city. South Sudan's government (GRSS) holds that Machar and his associates attempted to stage a coup, while the latter group accuses Kiir of a ploy to take out his competition. Machar escaped the capital and launched a rebellion. Eleven other senior

4 Larson, Greg; Peter Biar Ajak; and Lant Pritchett. 'South Sudan's capability trap: Building a state with disruptive innovation', WIDER Working Paper, No. 120, 2013.

5 De Waal, Alex. 'When Kleptocracy Becomes Insolvent: Brute Causes of the Civil War in South Sudan', African Affairs, July 2014.

SPLM members, all perceived as being critical of the president and backing party reform to enable a change of leadership, were arrested and jailed. Their release came months later, and only after a sustained campaign of diplomatic pressure.

The country's ruling party had collapsed and its patchwork security services crumbled after key military leaders defected, reflecting a pattern reminiscent of wartime rifts and loyalties. A simple government versus rebel narrative fails to do justice to the subsequent reality on the ground, where it is estimated that over two dozen armed entities are now operating, some with dubious allegiance to either side.[6] Communities fragmented along ethnic and geographic lines and mass killings took place, particularly between Dinka and Nuer groups, the largest and the second-largest tribes to which Kiir and Machar belong respectively. Tens of thousands of people lost their lives and millions were forced to flee their homes. South Sudan's elite compact had broken down and the country spiralled into full fledged civil war.[7]

No business as usual: early donor responses to the crisis

As South Sudan plunged into massive armed violence, donors were quick to agree that there could be no business as usual and that they had to refocus their assistance.[8] In the early stages of the crisis, channelling funds through government systems or efforts to strengthen the security sector were mostly scaled down or put on hold. Spending on humanitarian relief increased significantly, both to address urgent needs as well as to enhance food security and promote 'resilience'. Donors also agreed to continue working on basic service delivery and to start exploring opportunities to help get nascent reconciliation and community dialogue initiatives off the ground. In addition, donors pledged to step up their support for human rights organisations, other civil society groups and media professionals. These efforts were made purportedly to further justice and accountability against the background of shrinking political space in South Sudan – a trend that predates the current crisis but which has accelerated with the outbreak of war.

While donors started to deliberate and invest in appropriate 'interim' arrangements, they placed their hopes on a quick result in Addis Ababa, where the Intergovernmental Authority on Development (IGAD) had taken the lead in establishing a forum to facilitate a negotiated solution to the crisis. That hope soon proved ill-founded. The government and the armed opposition continued to try their luck on the battlefield throughout the IGAD-brokered talks, either to achieve an all-out military victory or to improve their negotiating position. The credibility and effectiveness of the mediation was further hampered by divisions between and partisan

6 Among these are the Ugandan army, which maintains a deployment in country at the request of President Kiir, and Sudanese rebel groups from Darfur, South Kordofan and Blue Nile, who also back the Juba government. In addition, there are a host of ethnically based, armed self-defence groups loosely aligned to either of the two main warring factions but not firmly integrated into their command and control structures. For most of these groups it is doubtful if they would fight beyond their communal areas. See for instance Copnall, James. 'Ethnic militias and the shrinking state: South Sudan's dangerous path', African Arguments, 21 August 2014.

7 Recommended reading on the background to and dynamics of the current crisis includes De Waal, Alex, 2014, *op cit.*; International Crisis Group (ICG). 'South Sudan: A Civil War by Any Other Name', Africa Report N°217, 10 Apr 2014; Hutton, Lauren. 'South Sudan: From Fragility at Independence to a Crisis of Sovereignty', Clingendael Conflict Research Unit, March 2014; and De Vries, Lotje and Peter Hakim, Justin. 'Un mode de gouvernement mis en échec: dynamiques de conflict au Soudan du Sud, au-delà de la crise politique et humanitaire', Politique africaine 135: 159-175. 2014. The Sudd Institute has also reported extensively on the various dimensions of the crisis: see http://www.suddinstitute.org/.

8 To this end, donors developed a common set of principles to guide and help prioritize their operations in this new situation of open conflict. These principles were, *inter alia*, published by the South Sudanese newspaper The New Times on 11 August 2014: 'International Development Partners Principles for Operating in South Sudan in the Current Context'.

behaviour by key neighbours, confusion around the preferred composition of the negotiation table, and the regional body's institutional, organisational and strategic weakness.[9]

Early expectations that the Addis process would lay the groundwork for a comprehensive political settlement were eventually *de facto* scaled down to a less ambitious agenda of enabling the emergence of a new elite power-sharing arrangement. Despite some careful progress to that end, partly due to parallel efforts to reconcile the SPLM leadership, talks were postponed indefinitely in early March 2015 when, after months of stalling, a last-ditch attempt to secure a deal failed. Since then, the IGAD process has slid into a "semi-permanent coma".[10]

Getting political about development? The donor divide

As it has become increasingly clear that South Sudan's crisis will not allow for a quick fix, donors now have to move on from reshuffling immediate priorities to determining the preferred strategy for the medium and longer term. In that process, the 'no business as usual' notion turns out to be much more difficult to operationalise. Consensus has arisen in some areas. For instance, it is now widely accepted that the CPA interim period was a lost, and largely unrecognized, opportunity to engender reconciliation between and within communities in any systemic way, and that healing the rifts caused by the current and previous episodes of war should be a main policy concern. For a country-wide, comprehensive reconciliation process to take root, a political settlement and elite buy-in are required, but there is general agreement that laying the groundwork for such a process can and should begin now.

However, on the whole, divisions remain between the main donors on the preferred way forward in South Sudan. The extent to which current aid practice should be factored into the political response to the crisis has emerged as a key point of contention. Although too ambiguous to fit a neat binary scheme, donor positions on the issue can be roughly divided into two camps. Some argue that development efforts in South Sudan must continue unabated, although perhaps in a different shape or form, according to what the new circumstances allow. This camp fears that a 'stop and go' policy based on political considerations will be self-defeating in the longer run and ultimately will affect the wrong people, namely the anticipated recipients of development aid.

Other donors take the view that sustained development investments provide the wrong political signal and incentives to a government that will have to change its ways in light of a shaky coup claim, recent atrocities committed by its security forces, its questionable commitment to peace negotiations, and the increasingly authoritarian tendencies it displays at home. Moreover, short of an unlikely scenario in which its leadership seriously commits to reforming existing power structures, South Sudan remains vulnerable to relapses of large-scale violence, they argue, meaning that development investments risk being unsustainable over time or even being lost altogether. This rift between primarily development vis-à-vis more politically oriented actors, both within and between donor capitals, persists and poses a challenge to efforts to maintain a unified position.

9 For reflections on the Addis process, see for instance ICG, 2014, *op cit.*; ICG. 'Restart of South Sudan Talks Critical to Avert End-March War Threat', Statement, 12 March 2015; and Winter, Philip. 'African Solutions To African Problems? Some Thoughts on the IGAD Peace Process for South Sudan', Gurtong (Web), 24 August 2014. African Arguments also published various posts on the process, including a number of assessments by close, albeit anonymous, observers: see http://africanarguments.org/category/making-sense-of-sudan/.

10 Copnall, James. 'South Sudan's peace talks trapped in semi-permanent coma', African Arguments, 9 March 2015.

In trying to safeguard a certain bare minimum in the delivery of basic services, donors from both camps may be tempted to turn to supporting local governance authorities. While this may be an avenue worth exploring, it would be a mistake to assume that only three out of South Sudan's ten states (Upper Nile, Unity and Jonglei) are affected by the crisis, warranting business as usual in other areas. Today's conflict is scarring and transforming the country as a whole, which is something future programming at the local level should recognise and try to accommodate. Sound, continually updated political economy analysis of specific areas of operation will help clarify donors' actual room for manoeuvre. Development and diplomatic actors will then have to work in tandem in building policy and practice, as recent experience in South Sudan has shown that an overly technical, 'development only' approach risks falling out of tune with reality.[11]

Shifting the narrative

Strategic discussions between donors on their current and future engagement in South Sudan take place against the background of a steadily evolving, more fundamental critique on how the aid project in South Sudan has been understood by those who drive it. Although there had been concerns over the SPLM's apparent inability to manage internal competition peacefully, many within the aid community – donors and non-governmental organisations alike – were taken by surprise by the outbreak of violence and by the pace with which South Sudan subsequently descended into war. For all its flaws and remaining challenges, the country had generally been portrayed as having moved beyond the crisis stage, into an era of (re)building and reform. This representation obscured the symptoms of the deeply rooted crisis of governance that eventually pushed itself to the fore in mid-December 2013.

Up until the moment the fighting started, the mantra that only development could bring peace, stability and prosperity to South Sudan had continued to dominate the aid paradigm, in defiance of a 2010 multi-donor evaluation that pointed to the lack of evidence for this assumed causality and in the absence of convincing results on the ground.[12] The sustained focus on the capacity and efficacy of formal state structures, particularly those at the centre, ignored the fact that many South Sudanese did not perceive the country's leaders as legitimate bearers of any national agenda or expect them to serve the public interest in the first place. Occurrences of violence in the country were commonly assumed to be 'tribal' or related to cattle rustling rather than symptomatic of more structural problems entwined with toxic national politics.[13] Corruption and human rights abuses by security forces tended to be understood not as deliberate acts or a result of policy, but rather as the hiccups of a young, inexperienced government with weak capacity.

This situational framing promoted a culture of appeasement: no clear boundaries were drawn, little accountability and few results were demanded. The accompanying notion of a 'partnership' between the GRSS and international actors proved remarkably resilient, even as the former persisted in using the country's budget to shore up its bloated and largely dysfunctional civil and security services while donors were left to try and fill the basic services gap, and in spite of the fact that relations between the two rapidly deteriorated after South Sudan's independence.

The question needs to be asked why donors chose to pursue their own narrative of development and partnership, regardless of unequivocal and available evidence to the contrary. Were they genuinely misguided?

11 Pantuliano, Sara. 'Donor-driven technical fixes failed South Sudan: It's time to get political', ODI 9, January 2014.

12 Bennett et al., 2010. *op cit.*

13 Schomerus, Mareike and Allen, Tim. 'Southern Sudan at odds with itself: dynamics of conflict and predicaments of peace', Development Studies Institute, London School of Economics and Political Science, London UK, 2010.

Did at least some wilfully maintain a truth they knew to be fictitious in order to continue the path that had been forged ahead? In case of the latter, what then were the calculations and politics that played into such an engagement strategy? Whatever the reasons, they apparently stood firm even in the face of impending catastrophe. With the country now in tatters, an honest examination of past mistakes and the logic that underpinned them is required to avoid recurrence in the future.

No state of exception: preparing for the longer run

Clearly, efforts to steer the warring factions away from the path of war and towards reconciliation should continue and be encouraged. However, there is little prospect of an effective and durable negotiated solution to the crisis being reached soon. If anything, ongoing peace initiatives are likely to produce a new elite power-sharing deal. Such a deal may help to halt major military operations, but will probably not change the logic of South Sudan's patronage system or pave the way for a more inclusive, legitimate political dispensation. State structures can thus be expected to continue to serve the prime objective of consolidating an elite settlement rather than to benefit the population as a whole, while taking up arms will remain a default tactic for those seeking to forge political change or settle differences.

This means that South Sudan is likely to keep working with a 'war budget', with massive spending on security and salaries and little to no funding allocated to development, which will thus remain the near-exclusive domain of external actors. Hence the donor community will have to decide whether it is willing to sustain a division of labour in which it is effectively expected to foot the basic services bill. It also means that even in 'peace time', meaningful governance reform is likely to be forestalled, while the space to professionalise and downsize the security apparatus – typically pursued through Security Sector Reform (SSR) and Disarmament, Demobilization and Reintegration (DDR) programming – will remain similarly limited, given the ongoing pivotal role of both sectors as employers and facilitators of political patronage.[14]

The above aims to illustrate that many of the key challenges and dilemmas donors are presently faced with are unlikely to be confined to the existing situation of open conflict. South Sudan's state of crisis, sadly, may not represent a state of exception. Donors should prepare and plan for working in an environment where armed conflict is cyclical and where periods of relative calm offer limited options for longer-term development schemes or sustainable reform, narrowing the scope for constructive engagement and enhancing the risks involved.

14 For thoughts on security (and justice) building blocks that could be put in place now to support a future peace, see Copeland, Casie. 'Dancing in the Dark: Divergent approaches to improving security and justice in South Sudan', Clingendael Conflict Research Unit, June 2015.

About the Conflict Research Unit

The Netherlands Institute of International Relations 'Clingendael' is a think tank and diplomatic academy on international affairs. The Conflict Research Unit (CRU) is a specialized team within the Institute, conducting applied, policy-oriented research and developing practical tools that assist national and multilateral governmental and non-governmental organizations in their engagement in fragile and conflict-affected situations.

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