



WARTIME TRADE
AND THE RESHAPING
OF POWER IN
SOUTH SUDAN
LEARNING FROM
THE MARKET OF
MAYEN RUAL

Paramount Chief
Morise Ngur Ater Wol
BOUYAR COUNTY
JUBA STATE

SOUTH SUDAN CUSTOMARY AUTHORITIES PROJECT

Wartime Trade and the Reshaping of Power in South Sudan

Learning from the market of Mayen Rual

NAOMI PENDLE AND
CHIRRILO MADUT ANEI



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SOUTH SUDAN CUSTOMARY AUTHORITIES PROJECT

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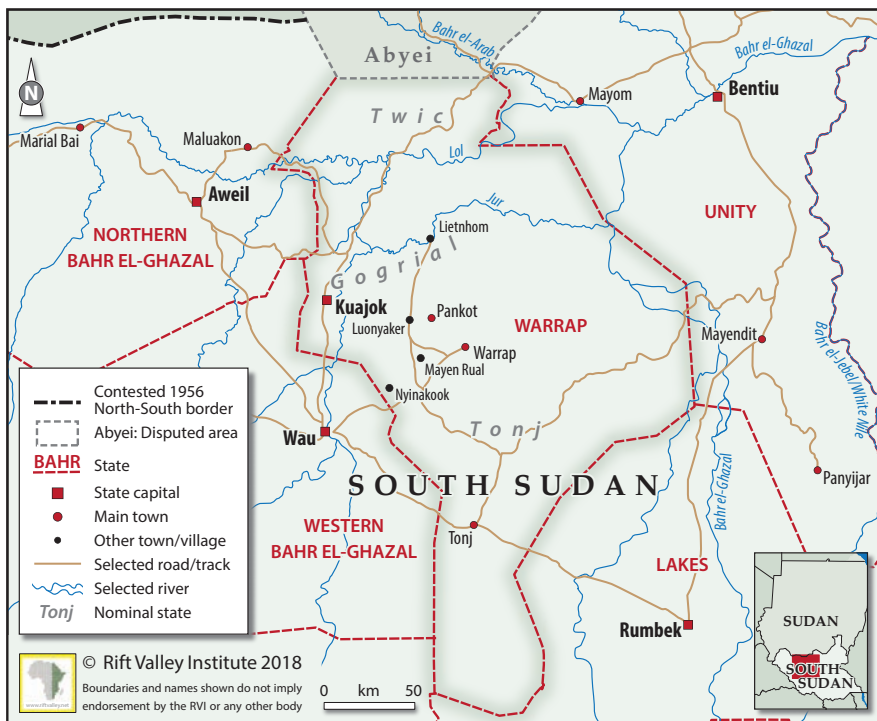
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South Sudan states are according to the Comprehensive Peace Agreement (2005)
 Nominal states are according to 2 October 2015 decree

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Map 1. (above) South Sudan
 Map 2. (below) Former Warrap state

Summary

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During war, geographies of economic and political power are often recast by shifting patterns of trade and population movements. This can present an opportunity for local leaders to reshape legal and moral logics to attract trade and people to areas under their control. But these shifts can also create ambiguities and tensions that extend into times of peace. This paper explores these dynamics by looking at the capture and co-opting of wartime trade in the village of Mayen Rual and the contemporary conflict in the village of Nyinakook—both located in the Boyar Chiefdom of the Apuk Dinka in Gogrial, South Sudan.

In Mayen Rual, Chief Morris Ngor—an educated former member of the Anyanya I rebellion—was able to take advantage of wartime conditions created by the Sudanese People’s Liberation Army (SPLA) rebellion in the 1980s and 1990s. Mayen Rual was in an area controlled by the SPLA rebels, and Chief Morris’s personal links within the senior levels of the SPLA, as well as his governance strategy, allowed him to develop a thriving market servicing the area, which displaced other trading centres in rebel and government controlled areas.

Chief Morris developed a culture of governance and administration that was more akin to forms of urban governance in Southern Sudan’s towns. Traders from different ethnic groups and communities operated in this new town-like space under his trusted authority. Chief Morris was also able to manage relations between traders and the SPLA by instituting a reliable system of tax paid to the rebels, which defused tensions that had previously resulted from frequent SPLA looting of the market. Mayen Rual came to be seen as a key multi-community space in Southern Sudan and Chief Morris its preeminent power broker.

After the 2005 Comprehensive Peace Agreement (CPA) things changed. With the SPLA now in control of all of Southern Sudan, traders returned to larger towns such as Wau. The creation of new states, which attracted government institutions and NGO offices to their capitals, also served as competition to wartime centres of commerce.

The market in Mayen Rual declined, which led to a shift away from Chief Morris’ pioneering support for inclusive land rights

and notions of community, which had contributed to harmonious relations between Apuk, Aguok and Kuac Dinka. Since the CPA, episodic conflicts have developed between the groups, conflicts framed in the language of exclusive rural land rights and bounded community belonging.

One such conflict has developed around Nyinakook on the border of Gogrial and Wau States over disputed claims to land ownership. In this case, Chief Morris has asserted the rights of people in Boyar to exclusive ownership of land in Nyinakook. In making these claims, Chief Morris hoped he would receive support from senior members of the SPLA. However, in the post-CPA period he has struggled to assert himself politically on the national stage. The elite politics of the centre has neglected the strategic significance of securing favour with long-serving Dinka chiefs. Armed action has become one of the few ways that chiefs can make their local concerns relevant to the military and political leaders at the centre.

1. Introduction

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In the 1990s, the village of Mayen Rual was one of two key commercial centres in the Bahr el-Ghazal region of Southern Sudan controlled by the rebel Sudan People's Liberation Army (SPLA).¹ During the war, the local chief—Chief Morris Ngor—employed various strategies to build Mayen Rual up as a regional trading centre. Firstly, he used his own moral authority and strong elite relationships within the SPLA—acquired through his service in the earlier Anyanya rebellion. Secondly, he opted to govern the new market as a space where traders and residents from different regions could freely operate. His chief's court upheld rules akin to urban laws—thereby reshaping notions of community—that allowed non-community members rights to property. This made his governance of the rural wartime market akin to urban practices, where notions of identity and rights to ownership had already evolved.

In 2005, the signing of the Comprehensive Peace Agreement (CPA) between the SPLA and the Government of Sudan further changed trade and movement, reshaping political and economic power. As a result, Mayen Rual declined as a market. This raised questions about the permanence of an urban-like space—created during wartime—in which all traders had freedom, and where ideas of belonging had become more inclusive. In Mayen Rual, the renegotiation of the politics of space for the wartime market has left a legacy of ambiguity and tension.

After the CPA, Chief Morris also had to navigate the shifting dynamics of his personal networks within the SPLA. The post-CPA context brought changes in the value of, and increased competition over, land.² The new era of peace also brought increased opportunities for investments, including in large farms by SPLA leaders. The accompanying demands for, and commodification of, land added a further complex dimension in the relationship between chiefs and the SPLA leadership.

This legacy is seen in the village of Nyinakook, which offers a contemporary example of conflict over land. Nyinakook sits on the border between the Boyar Chiefdom and neighbouring Wau State. As with Mayen Rual, Chief Morris used his connections with the highest levels of the SPLA to enforce claims over land. He has

1 The other was War Awaar, situated closer to the northern border with Sudan. Anai Mangong Anai, 'Warrap State Peace and Reconciliation Conference—Mayen Rual', *PACT*, Report of Warrap State Peace and Reconciliation Conference, Mayen Rual, Southern Sudan, 17 June 2005.

2 Cherry Leonardi and Martina Santschi, 'Dividing Communities in South Sudan and Northern Uganda: Boundary disputes and land governance', London: Rift Valley Institute, 2016.

based these claims on his interpretation of maps that he believes exist, originally drawn by the Condominium government in the mid-twentieth century. In this instance, he advocates exclusive land rights limited to those who belong to the Boyar Chiefdom. This allows Chief Morris to justify a larger territory for his chiefdom. In practice, the chief's relationships in the SPLA have proved unreliable and unpredictable as the power of the SPLA elites has shifted.

The analysis in this paper draws heavily on interviews with Chief Morris and elders and sub-chiefs from Boyar carried out in 2017.³ These interviewees were aware of the contemporary political significance of the histories they told at a time when a major conflict was taking place between the Apuk and the neighbouring communities in Wau County, and also with the Aguok and Kuac Dinka. Chief Morris played a key role in the mobilization and control of the armed Apuk men.

³ All of the interviews were conducted in Dinka and translated into English. They took place in Mayen Rual during July 2017.

2. The making of Mayen Rual

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The Sudanese civil wars of the 1980s and 1990s were central to the development of Mayen Rual as a wartime market. From the 1980s, access to Wau—a major town in Bahr el-Ghazal, then under the control of the Sudan Armed Forces (SAF)—was limited. As most of the rural home areas were under SPLA control, this meant that when travelling to Wau people were vulnerable to the dangers of moving across a frontline.

In the mid-1990s, the rebellion of Kerubino Kuanyin Bol—a founding member of the SPLA who later split from its leader, John Garang—pushed many people out of the remaining urban centres and trading places in Gogrial. By the mid-1990s, Kerubino had returned to his home area in Twic, to the north of Gogrial, to launch his anti-SPLA offensive. In the mid-1990s, he established his base in the administrative centre of Gogrial and conducted raids from this garrison town into the surrounding rural areas. Kerubino's anti-SPLA offensives and the displacement they caused contributed significantly to the famine that hit Bahr el-Ghazal in 1998.

At the time, many people fled from Gogrial and the neighbouring areas of Kuajok and Twic. People from Gogrial and Kuajok went east across the Jur river, which curves around from Wau to the north-east before feeding into larger river systems that later join the Nile. Most people from Twic moved east but remained north of the river. Those from Gogrial and Kuajok hoped that the river would act as a natural protective barrier from Kerubino's forces. Dinka Kuac from Kuajok, Dinka Aguok from Gogrial and even some Dinka Awan—the home areas of the current president of South Sudan, Salva Kiir Mayardit—all went to the east. Those who fled included rural residents and traders from urban centres such as Gogrial. Many people gravitated to other commercial centres, such as Pankot—the main commercial centre across the Jur River.⁴ Pankot, located in the administrative area of Tonj, already hosted an important rural market where people had long gone to buy and sell cattle.⁵

With the SAF and Kerubino controlling the established urban centres, the dangers of traveling to these towns took a new and extreme form. Although people sought to escape the new

4 Interview with trader, Mayen Rual, 12 July 2017; interview with trader, Mayen Rual, 28 July 2017.

5 Interview with trader in Mayen Rual in the 1990s, Mayen Rual, 29 July 2017; interview with elder from Paluaal clan, Mayen Rual, 15 July 2017.

militarized authorities in the towns, they did not want to abandon town life itself. Many people who fled from SAF and Kerubino-controlled towns did not seek rural settlement. Instead, they moved to the market town of Pankot, which was SPLA-controlled.

In South Sudan, there are different laws, norms and public authorities that govern those who live in rural areas and those who live in towns, particularly with respect to land.⁶ Since the Condominium government in the early twentieth century, chiefs' courts have overseen land rights in rural areas and have upheld ancestral or communal ownership of land. Wealthy individuals have long tried to enforce exclusive rights in some rural areas—a phenomenon that appears to have increased during the last decade. However, during the twentieth century rural land was generally linked to the community and families of the chiefdom. Newcomers were only able to settle on land if they were welcomed or assimilated by previous or existing occupants.

In contrast, towns are often described as belonging to the government and as being subject to private land tenure systems. Land can be leased, bought and sold, surveyed and registered. Therefore, people in these urban centres have acquired rights to land based on monetary payment, as opposed to any sectional or family identity that can be used to exclude the full rights of outsiders. In short, people can access land and property not through community membership but instead through money. In times of war, for people who have been removed from or have fled their own community land, the logic of urban tenure makes land more accessible. As in rural areas, urban land tenure practices have, in recent years, been contested. Land in urban centres has been claimed, for example, based on community or ethnic identity.⁷ Yet, even in these identity-based land claims, in urban centres the potential for private ownership is also assumed.

In the 1990s, for those fleeing their rural home areas, towns offered greater potential to negotiate belonging. As towns did not belong to a particular community, inward migrants could also claim a right to these spaces. The pull of towns was especially acute for those who already had knowledge of the ways of town life. In the 1990s, it was in these urban hubs that people believed they would be more likely to access food, either through trade or humanitarian distributions. For many of these reasons, when the war with Kerubino started, people swarmed to Pankot.

However, several factors discouraged the growth of Pankot as a major new market. First, the land in the town often became wet

⁶ Leonardi, *Dealing with Government*.

⁷ Naseem Badiey, *The state of post-conflict reconstruction: land, urban development and state-building in Juba, Southern Sudan*, Woodbridge, Suffolk: James Currey, 2014.

and as the market grew, more and more of it was built on swampy soil.⁸ Second, the local authorities failed to effectively manage the influx of people from different places and guarantee that the market was run according to town laws. Traders found that long-term residents and people from the local community were being treated favourably by the courts. New residents discovered that they did not experience the equality of treatment usually associated with town life. Small misunderstandings between traders often got out of hand and were interpreted as conflicts between the wider communities of Gogrial and Tonj.

Before the Sudanese civil wars, people from Gogrial had focused their trade in the long-established urban centre of Gogrial and consequently had not built firm relationships in Pankot. Pankot had been associated more exclusively with people from Tonj. When traders from Gogrial and Tonj met in Pankot, there was competition over customers and rights to trade. Furthermore, many of them were not experienced businesspeople and did not know the informal rules under which more practiced traders operated. This caused misunderstandings.⁹

Third, there was antagonism between traders about their relations with the SPLA. Individual SPLA soldiers looted the market on an intermittent basis and some traders tried to prevent this. However, if the soldiers were from Gogrial or Tonj, traders from their home areas would often defend their rights to resources and fighting between traders frequently erupted. This was not framed as conflict between the SPLA and traders, but instead was understood in terms of antagonism between Tonj and Gogrial.¹⁰ These intercommunal tensions consequently encouraged people from Gogrial to move back west towards their homelands.¹¹

Boyar is a chiefdom to the west of Pankot and to the east of the Jur River in the administrative area of the Apuk Dinka of Gogrial. There was no large market in Boyar but its location made it attractive to those fleeing fighting to the west and the tensions in Tonj to the east. Among the Apuk Dinka, the most significant rural market had been at Luonyaker in the chiefdom neighbouring Boyar. Luonyaker had hosted a missionary school since the Condominium period and was the homeland of the paramount chiefs of the Apuk. In the 1990s, Luonyaker also became a hub for the humanitarian relief effort in the area.¹² Chief Giir Thiik—the paramount chief of the Apuk from Luonyaker—however, had insisted that he did not want a market in Luonyaker as it was likely to attract attacks from the SAF and their proxy militia forces. When

8 Interview with trader, Mayen Rual, 28 July 2017.

9 Interview with sub-chief, Mayen Rual, 15 July 2017.

10 Interview with sub-chief, Mayen Rual, 15 July 2017.

11 Interview with trader, Mayen Rual, 12 July 2017; interview with sub-chief, Mayen Rual, 15 July 2017.

12 Interview with elder from Paluaal clan, Mayen Rual, 15 July 2017.

Giir Thiik died and his son took over the chieftaincy, he maintained this policy.¹³

In contrast to the chiefs of Luonyaker, Chief Morris Ngor of Boyar welcomed people to Boyar, including traders. Initially, the place where newcomers settled was Lietdit Nhom—an area on the edge of the slightly drier, sandier land contrasting with the wetter lands of Tonj—which had the right physical conditions to host a large market.¹⁴ As a sign of welcome, Chief Morris provided a bull to celebrate the market's opening. The bull that was slaughtered was of Mayen (brown) colour and was killed under a Rual tree—from which Mayen Rual takes its name.¹⁵

Mayen Rual became so important for the population at that time, that humanitarian food security assessments took into account whether people could access this trading hub.¹⁶ People from Aguok, Kuac, Awan and Twic were all given plots to build on, from where they traded.¹⁷ Initially, traders made tukals for their shops, but as Mayen Rual expanded, brick-built shops started to emerge. The town grew quickly and people from Pankot even started to come there to trade.¹⁸ They travelled from as far away as Rumbek, Abyei and Wau to buy and sell goods.¹⁹ The market expanded until it was the largest rural trading centre in the region's SPLA-controlled areas.²⁰

For the people of Mayen Rual, the market brought new opportunities and access to imported goods. Significant food supplies were now available on their doorstep. There was potential to trade and to work, creating the possibility of gaining a monetary income. For the local authorities, with the market came political power, along with the economic benefits of increased local revenue through taxation and fines.

Traders in the market in Mayen Rual still relied on movement to and from SAF-controlled urban centres. To get money for use in the market, people drove their cattle and goats to sell at auction in Wau and Abyei.²¹ They used their earnings to buy commodities that they brought back to sell in Mayen Rual.²² Other traders walked long distances, carrying goods to Mayen Rual on their heads.²³ They often recall how dangerous these journeys were, and how they intentionally planned their routes to avoid the attention of SPLA soldiers. If hungry soldiers found traders moving livestock, sometimes they would demand cattle from them to slaughter and eat. Other soldiers asked for a portion of the profits made from the sale of cattle in Wau.²⁴ Some traders describe how they voluntarily made this predictable tax-like payment to ensure safe passage: 'On

13 Interview with elder from Paluaal clan, Mayen Rual, 15 July 2017.

14 Interview with sub-chief, Mayen Rual, 15 July 2017.

15 Interview with trader in Mayen Rual in the 1990s, Mayen Rual, 29 July 2017.

16 FEWS NET, 'Southern Sudan Food Security Update—November 2000', 15 November 2000.

17 Interview with sub-chief, Mayen Rual, 15 July 2017.

18 Interview with trader, Mayen Rual, 12 July 2017.

19 Interview with trader in Mayen Rual in the 1990s, Mayen Rual, 29 July 2017.

20 Interview with Chief Morris, Mayen Rual, 31 July 2017.

21 Interview with sub-chief, Mayen Rual, 15 July 2017.

22 Interview with trader in Mayen Rual in the 1990s, Mayen Rual, 29 July 2017.

23 Interview with sub-chief, Mayen Rual, 15 July 2017.

24 Interview with trader in Mayen Rual in the 1990s, Mayen Rual, 29 July 2017.

our way back, we would give some of our goods to the SPLA in order to buy our way. It was all about struggle.²⁵

Wau itself also carried danger for traders moving to and from the rural SPLA-controlled areas around the town. For example, in Wau, SAF soldiers accused some traders of being SPLA soldiers or spies. Such accusations meant almost certain execution and the theft of the cattle that had been brought for sale. In their rural home areas, traders also faced counter accusations from SPLA soldiers, who accused the traders of taking goods and information to SAF soldiers in the towns. As one sub-chief and former trader lamented, 'The SPLA accused us of taking things to the northern [SAF] soldiers in town.'²⁶ For traders, life was hard and dangerous.²⁷

25 Interview with sub-chief, Mayen Rual, 15 July 2017.

26 Interview with sub-chief, Mayen Rual, 15 July 2017.

27 Interview with trader in Mayen Rual in the 1990s, Mayen Rual, 29 July 2017.

3. Governance and Chief Morris

.....

Chief Morris Ngor has been chief of Boyar since the 1970s.²⁸ His reputation is of a good leader, due to his knowledge of both the ways of the Dinka (cieng muonyjaang) and the ways of town life (cieeng geu).²⁹ In 1943, as soon as he was old enough, Morris Ngor was sent to a missionary school in the nearby urban centre of Luonyaker.³⁰ In 1947, he was taken to school in Kuajok and later to the British school in Tonj. By going to school, Morris Ngor learnt the language of government and the ways of town life. In later years, the pupils that attended these schools went on to become the politico-military elites of the SPLA and South Sudan, including Lual Diing, Salva Kiir Mayardit, Salva Mathok, Kerubino Kuanyin and Nhial Deng Nhial. Chief Morris therefore has access to this cadre of political and military power due to relationships forged in his early years.

Morris Ngor's schooling was interrupted by the southern mutinies in the 1950s and then the Anyanya rebellion against the Sudanese government beginning in 1955. As Sudan's independence approached, there was increasing concern in Southern Sudan about the new political arrangements. In the early 1950s, Nyang Dhieu, who was the most senior army officer from Bahr el-Ghazal in the Sudan army's Equatoria Corps, defected from the emerging Sudanese government.³¹ Fearing that Southern Sudanese schools were a breeding ground for rebels, many were closed for extended periods. The first time this happened Morris Ngor and his classmates simply went home. But in 1955, when Southerners again began to defect from the Sudanese army—going to the bush to launch a rebellion—many schoolboys joined them and became part of the rebellions that led to the formation of the Anyanya I.³² Morris Ngor participated as a soldier in the Anyanya and later became a spy for its leader, William Deng. During these years, Morris Ngor served alongside soldiers who in later decades went on to lead the SPLA and the post-CPA government of Southern Sudan.

Morris Ngor's service in the Anyanya ended in 1973 when Sudanese government soldiers killed his father.³³ Morris Ngor was then appointed chief and took over his father's responsibilities. He did not see this new local role as discrete from his support for the

28 Chief Morris Ngor is the son of Ater Wol of Boyar—a sub-chief during the Anglo–Egyptian Condominium government—under Paramount Chief Giir Thiik.

29 Interview with trader, Mayen Rual, 28 July 2017.

30 Interview with Chief Morris, Mayen Rual, 31 July 2017.

31 Kuyok Abol Kuyok, *South Sudan: the notable firsts*, Bloomington, Indiana: AuthorHouse, 2015.

32 Interview with Chief Morris, Mayen Rual, 31 July 2017.

33 Interview with Chief Morris, Mayen Rual, 31 July 2017.

nationalist movement for Southern Sudanese independence. He maintains that throughout his time as chief, in continuity with his time as an Anyanya soldier, he ‘participated in the movement until we got our independence’.³⁴

Chief Morris discusses his contribution to the Anyanya, the SPLA and South Sudan’s independence as a justification for both his authority and his demands on central government.³⁵ His service in the Anyanya allows him to claim legitimacy as a chief based on this participation in the liberation struggle. He uses this moral legitimacy not only to govern his people, but also to shape his vertical relationships with the SPLA and the government of South Sudan—claiming that his contribution to liberation means that these national governing authorities have a responsibility to listen to him.

As a chief, Morris Ngor’s contributions to the wars for Southern independence took new forms. He explains, ‘The chiefs used to be the logistics to the army during our struggle.’³⁶ During the years of civil war between the SPLA and the Government of Sudan, as a chief in SPLA-controlled areas, Chief Morris collected tax from every married man to help fund the SPLA rebellion.³⁷ He collected the tax in Sudanese Dinars (SDD) to the value that was approximately equivalent to a goat. Chiefs also used to collect between 30 and 50 bulls from each sub-chief. Because chiefs were associated with the SPLA, they were unable to go to SAF-controlled towns such as Wau and Gogrial, where they would likely have been arrested and killed. Whenever Sudanese government soldiers moved from Gogrial to Wau, chiefs also took extra precautions to hide.³⁸

For SPLA leaders, Chief Morris’s education, close historic relations with senior figures in the SPLA and ongoing support for the independence movement made Boyar an attractive location for a large market serving SPLA-controlled areas. Chief Morris was therefore able to persuade the SPLA to allow the growth of Mayen Rual. In addition, especially after the experience in Pankot, he was eager to keep peace between the traders to ensure the stability of the market. He gained a reputation for speaking persuasively and truthfully, and for maintaining good relations with all those who stayed in Boyar. The security that he offered, and the promise of equal protection and rights, encouraged many people to stay in Mayen Rual.³⁹

During these years, Chief Morris presented the market of Mayen Rual as a temporary common space for all the people living in SPLA-controlled areas. He made it clear that the market

34 Interview with Chief Morris, Mayen Rual, 31 July 2017.

35 Interview with Chief Morris, Mayen Rual, 31 July 2017.

36 Interview with Chief Morris, Mayen Rual, 31 July 2017.

37 The Sudanese Dinar (SDD) is no longer legal tender, having been replaced by the Sudanese pound (SDG) in 2007. In 1995, SDD 50 was equivalent to about 1 USD.

38 Interview with Chief Morris, Mayen Rual, 31 July 2017.

39 Interview with trader in Mayen Rual in the 1990s, Mayen Rual, 29 July 2017.

was neither exclusively for the Apuk or Gogrial, but for anyone who wanted to trade.⁴⁰ During the Sudanese civil war, the Dinka of Tonj, Gogrial, Abyei, Kuac and Lou were all displaced. They came together in Boyar. As Chief Morris explains, ‘Since they were our people, we gave them a place to settle.’⁴¹ Those in Apuk and Boyar were persuaded that the others had come to Mayen Rual because their homes were being devastated by war and that hosting these displaced people was part of their contribution to the SPLA war against the Sudanese government.⁴² Chief Morris also managed to enforce equal rights to trade and to own land in Mayen Rual. Through his chiefs’ court, he made the laws of rural Mayen Rual similar to those governing urban property and trade. This encouraged people to come from all SPLA-controlled areas, including Pankot, to establish shops.⁴³

In addition to guaranteeing basic security and harmonious relations between traders, Chief Morris administered the market in a manner similar to governance in urban areas. As transactions needed to be recorded on paper, as well as letter and pass permits for cattle collected, he ensured that members of the market committee be selected on the condition that they had basic literacy and knowledge of English.⁴⁴

A key source of tension in Pankot was the looting of the market by SPLA soldiers. Chief Morris and others in Mayen Rual recognized that the soldiers often looted because they had no other source of food and that this factor was unlikely to disappear.⁴⁵ Therefore, Chief Morris established a police station in the market to maintain order.⁴⁶ He also invited the SPLA to establish a local administrative office and a market committee to levy taxes from the traders, which were collected by the market committee on a monthly basis.⁴⁷ The traders were grateful that the taxes were routine and predictable and this helped to build a good relationship with the SPLA.⁴⁸ Although Chief Morris was not able to completely stop the soldiers’ demand for money, he used his relationships in the SPLA to regulate this demand and control the behaviour of the soldiers. This display of SPLA-backed authority helped prevent a repetition of the tensions that had previously arisen in Pankot.⁴⁹

Chief Morris cemented his authority through the market at Mayen Rual, which effectively displayed his connections with traders and the SPLA. From the 1990s, he became a very powerful leader.⁵⁰ Crucially, Chief Morris’s authority was also backed up by longevity of service and experience. By late 2017, he was among the longest serving chiefs in the Apuk Dinka. The neighbouring

40 Interview with trader in Mayen Rual in the 1990s, Mayen Rual, 29 July 2017.

41 Interview with Chief Morris, Mayen Rual, 31 July 2017.

42 Interview with trader, Mayen Rual, 12 July 2017.

43 Interview with sub-chief, Mayen Rual, 15 July 2017.

44 Interview with trader, Mayen Rual, 28 July 2017.

45 Interview with sub-chief, Mayen Rual, 15 July 2017.

46 Interview with Chief Morris, Mayen Rual, 31 July 2017.

47 Interview with trader, Mayen Rual, 12 July 2017;

interview with trader in Mayen Rual in the 1990s, Mayen Rual, 29 July 2017.

48 Interview with sub-chief, Mayen Rual, 15 July 2017.

49 Interview with trader, Mayen Rual, 12 July 2017.

50 Interview with trader in Mayen Rual in the 1990s, Mayen Rual, 29 July 2017.

chiefdom in Luonyaker had been the home of the paramount chief during the Condominium period and these chiefs had continued to claim premiership among the chiefs of the Apuk.⁵¹ However, three chiefs had come and gone in Luonyaker during Chief Morris' reign in Boyar. In practice, Chief Morris often held more political authority than any of the other Apuk chiefs, including over those with hereditary claims to paramountcy.

The importance of Mayen Rual and Chief Morris was demonstrated in 2005 when the SPLA chose to host a peace meeting there between different communities that had lived under the rule of the SPLA and government of Sudan. The 2005 CPA placed the SPLA in control of Southern Sudan, including areas (such as Wau) that had until then been under Sudanese government control. For the SPLA, it was important to hold local peace meetings in these areas in order to secure control and establish stable relations with communities that had previously been under the control of the Sudanese government. Salva Kiir and other senior SPLA figures attended.⁵²

⁵¹ Interview with trader, Mayen Rual, 12 July 2017.
⁵² Anai, 'Warrap State Peace and Reconciliation Conference'.

4. Mayen Rual after the 2005 CPA

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After the signing of the CPA, which led to a renewed sense of stability in Southern Sudan, many people living in Mayen Rual began to go home.⁵³ The traders left to return to the newly accessible and long-established larger urban trading centres such as Juba and Wau.⁵⁴ The market in Mayen Rual declined.⁵⁵

The signing of the CPA also created a new government in Southern Sudan and promised a referendum on independence. It was a new era with international funding of development projects, and money made available from government salaries and spending. In this new era, Warrap State was created and Kuajok was allocated as the state capital. This new administrative centre attracted government employees, NGOs and people returning to the area from Khartoum. These people and the corresponding influx of money meant a large market quickly grew in Kuajok, pulling people away from Mayen Rual.⁵⁶ In 2017, Chief Morris remarked that traders follow people with wealth, so they have moved to Kuajok.⁵⁷

As traders left, the significance of the Mayen Rual market started to decline. The residents of Mayen Rual did not know how to build the business networks they needed to supply foreign goods.⁵⁸ The demand for goods also declined. After the CPA, Chief Morris sold bulls to give local people the initial capital they needed to start shops in the market but their businesses mostly struggled to survive.⁵⁹

Luonyaker emerged as the dominant market centre in this Apuk Dinka area, including the establishment of a cattle auction there. The earlier fears of chiefs in Luonyaker—that the market would attract armed raids—were alleviated by new promises of peace after the CPA.⁶⁰ Based on the wartime experiences of Mayen Rual, it was also now clear that markets brought with them economic and political power. Many of the more powerful people of the Apuk Dinka (including local government commissioners) have closer connections with Luonyaker than Boyar and were active in reasserting the significance of the former.⁶¹ The new murrum road from Wau to Lietnhom (the county capital of Gogrial East) passes through Luonyaker, not Mayen Rual. Local people shifted their trade to Luonyaker. The cattle auction in Mayen Rual was now predominantly used by people from Tonj.⁶²

53 Interview with trader in Mayen Rual in the 1990s, Mayen Rual, 29 July 2017.

54 Interview with sub-chief, Mayen Rual, 15 July 2017.

55 Interview with trader, Mayen Rual, 28 July 2017.

56 Interview with trader in Mayen Rual in the 1990s, Mayen Rual, 29 July 2017; interview with Chief Morris, Mayen Rual, 31 July 2017.

57 Interview with Chief Morris, Mayen Rual, 31 July 2017.

58 Interview with Chief Morris, Mayen Rual, 31 July 2017.

59 Interview with Chief Morris, Mayen Rual, 31 July 2017.

60 Interview with elder from Paluaal clan, Mayen Rual, 15 July 2017.

61 Interview with elder from Paluaal clan, Mayen Rual, 15 July 2017.

62 Interview with trader in Mayen Rual in the 1990s, Mayen Rual, 29 July 2017.

5. Current conflicts over land

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As the market in Mayen Rual declined, Chief Morris began to turn away from his previous support for more inclusive land rights and notions of community. In the 1990s, relations between the Apuk Dinka, Aguok Dinka and Kuac Dinka were shaped by their common use of Mayen Rual and the growth of a sense of belonging to Mayen Rual from within these communities. In contrast, in the decade after the CPA, relationships between these communities have been characterized by episodic violent conflict. Tensions arose in 2005 and there was significant armed violence from 2007–2008, which reoccurred in 2016 and 2017. The most recent wave of fighting exhibits new patterns of violence that disregard the relationships shaped in Mayen Rual in the 1990s. In particular, violence now includes the targeting of women and children, and the burning of homes and farms. Chief Morris claims that 16 people died from starvation in Boyar in 2017 because of lost crops and displacement.⁶³

In these recent conflicts, those who have mobilized men and youth frame their discourse around exclusive rights to land, resources and accompanying ideas of community belonging. Since the CPA in 2005, land has become an increasing focus for conflict in South Sudan. The new constitution and the Land Act of 2009 shifted notions of land rights and changed its value in conjunction with the growing economic opportunities provided by land ownership.⁶⁴ In 2005, the ten states of South Sudan were also created. As part of this, the creation of Warrap State brought with it a new governor and new configurations of political power. Politicians from the Apuk and Aguok have made claims and counter claims over their rights to land and resources. Some assert the authority to exclude other communities from use of land in order to utilize new legislation that enables them to claim legally binding rights over the land.⁶⁵ In Warrap State, the rich grazing land to the east of the Apuk is a contested resource, as is the boundary between the Apuk and Aguok.

In Gogrial, conflicts over local boundaries are rooted in the existence of different border paradigms and attempts to resolve them—often violently. Governments have repeatedly mapped administrative units onto Dinka territorial sections but these linear

63 Interview with Chief Morris, Mayen Rual, 31 July 2017.

64 Leonardi and Santschi, 'Dividing Communities'.

65 Interview with trader, Mayen Rual, 12 July 2017.

borders do not correlate to indigenous logics of territory. Over the last hundred years, however, there has been a gradual intermeshing of the ideas of government with these indigenous logics of territory, which has often caused tensions.⁶⁶

As the story of Mayen Rual highlights, even in rural areas ideas of community relationships to land and related land rights have shifted over time. Chief Morris intentionally gave Aguok and Kuac equal rights to land in Mayen Rual in order for rural Mayen Rual to become a town-like market and to attract business. However, this has produced ambiguities, such as whether Mayen Rual would retain its town-like land laws when the war was over or in the event that the market declined. It was also unclear whether Chief Morris' inclusive approach to land and community belonging applied throughout Boyar or only pertained to the market area.

There have been periods when local authorities, including chiefs, have enforced the rights of other communities to use their lands and resources—which was the case in Mayen Rual during the war years. People from Boyar describe how those who relocated there in the 1990s were simply wartime visitors to Mayen Rual and that they had assumed these newcomers would leave after the war.⁶⁷ People in Boyar also complain that those they sheltered during wartime are now trying to take land by force.⁶⁸ The growth of the Mayen Rual market changed the economic and legal nature of Boyar, raising questions about what would happen after the war and whose rights should be upheld. Questions about these rights are rendered more complex because people from Aguok and Kuac have had children and buried their dead in Boyar, tying them more closely to the land.

Questions of land and boundaries in Boyar have also become important as an indicator of access to political power. In the post-CPA era, the power held by individuals in the new South Sudanese political arena has shifted. South Sudanese, including chiefs, seek connections in this dynamic political space to secure protection, resources and rights in the state. Political and military powers have been able to creatively interpret laws for their own benefit and effectively grab land. Chiefs such as Chief Morris have sought favour with these national and state political actors to secure land and boundaries, but also to confirm their links to the centre. In Gogrial and Boyar, the appointment of governors has marked shifts in local networks of power and has often been the trigger for violent contestation over land.

66 Cormack, 'Borders are galaxies'.

67 Interview with elder from Paluaal clan, Mayen Rual, 15 July 2017.

68 Interview with Chief Morris, Mayen Rual, 31 July 2017.

6. The conflict in Nyinakook

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Nyinakook—located in Wau County, former Western Bahr el-Ghazal State—is at the centre of an ongoing dispute between Boyar and the neighbouring Dinka of Marial Baai. This dispute further illustrates how shifting ideas of land and community are fueling conflict in this region. The conflict started soon after the CPA and has escalated slowly over the last decade. The tensions gained new vigour after President Salva Kiir’s creation of twenty-eight states in 2015—increasing the number from ten—which renewed ambiguity over state boundaries and communities’ territory. To justify their claims to land ownership in Nyinakook, people in Boyar are currently calling on historical evidence from the first half of the twentieth century, which they believe backs up their own claims. In particular, many interviewees in Boyar refer to maps and evidence from ‘the days of the English’—as one elder stated, ‘[Nyinakook] was given to Chief Giir by the British’—which provides exclusive rights over the land at Nyinakook to the Boyar Chiefdom.⁶⁹

People in Boyar claim that when their chiefdom was first formed, and the borders first demarcated during the Anglo–Egyptian Condominium, the early Sudan government, with the help of Chief Giir Thiik, marked the borders of the Apuk Dinka by burying ashes—long disappeared from detection.⁷⁰ At the time, a Dinka man named Athian Malual Akook is claimed by Chief Morris to have privately owned Nyinakook. People in Boyar say that when the government demarcated territory for the chiefdom of Boyar (and therefore shifted the way that land was bounded), Athian’s family was included in the Apuk chiefdom and in the then sub-chiefdom of Boyar.⁷¹ At this point, Athian’s land was made part of the chiefdom of Boyar. The invoking of these government land demarcations, which took place in the first half of the twentieth century, has played a role in the recent mobilization of people to violence. One elder, when interviewed, said: ‘We know that everybody knows that the land is ours. Even if it kills us, we shall die knowing that it is our land that is killing us.’⁷²

As one trader explains, ‘The records of the land can be found from those who ruled us. So Chief Morris is right that Nyinakook is

69 Interview with elder from Paluaal clan, Mayen Rual, 15 July 2017.

70 Interview with trader, Mayen Rual, 12 July 2017.

71 Interview with trader, Mayen Rual, 12 July 2017.

72 Interview with elder from Paluaal clan, Mayen Rual, 15 July 2017.

our land.⁷³ Another elder claimed that ‘history does not forget’.⁷⁴ The assumption is that if these records and maps could be shared then they would carry such an overwhelming authority that the conflict would be resolved. A trader affirmed this position, stating that, ‘he [Chief Morris] will use papers to get our rights.’⁷⁵

According to its elders, the confusion over who owns the land of Nyinakook originates from Boyar allowing the Condominium government to use the area as a place to settle prisoners who had been paroled from their incarceration in Wau. During the 1950s, there were three elderly prisoners in Wau. The government decided to allow them to leave prison to stay with their families but wanted them to remain near Wau to ensure that they upheld the conditions of their probation.⁷⁶ The homelands of the three prisoners were far away—near Abyei, Gogrial and Rumbek—so the government settled these prisoners and their families in the Dinka Apuk areas of Marial Baai and Tharkueng (parts of Nyinakook). After these prisoners died, their families remained in Nyinakook and have not left.⁷⁷ The long-term residence of these families gave them authority to claim the land as their own.

Nyinakook and Mayen Rual are not only similar because they are in Boyar, but also because they have been used by governments for specific purposes, whether as a war-time market or to house prisoners’ families. The government’s use of these areas has involved reshaping ideas around the rights to property and land, and a suspension of the link it created between community and land in rural areas. However, whether this suspension is temporary or permanent has created space for competing claims.

Although Chief Morris and others in Boyar make legal and moral claims based on historical rights, their championing of these claims is only made possible by their close connections to the SPLA today. Many of those who claim that Nyinakook is part of Wau County lived in areas controlled by the Sudanese government during the war.⁷⁸ For Chief Morris, they therefore lack the necessary moral authority and political connections to further their claim to Nyinakook. Chief Morris’ long-term SPLA loyalty and links gave him hope of SPLA support when they were present in the area during the war years. In the post-CPA era, however, he complains that the SPLA and the Juba government have become distant and difficult to access.

Peace has transformed the composition of elite networks and changed the relative importance of Chief Morris to those who now have power in Juba. Chief Morris describes how the now president

73 Interview with trader in Mayen Rual in the 1990s, Mayen Rual, 29 July 2017.

74 Interview with elder from Paluaal clan, Mayen Rual, 15 July 2017.

75 Interview with trader, Mayen Rual, 28 July 2017.

76 Interview with Chief Morris, Mayen Rual, 31 July 2017.

77 Interview with Chief Morris, Mayen Rual, 31 July 2017.

78 In the post-CPA era, Nyinakook *payam* (sub-district) was in Wau County in Western Bahr el-Ghazal State, whereas the lands of Boyar and the Apuk of Gogrial East County were in Warrap State. Telar Deng, ‘Report on the Cross Line Peace Recovery and Reconciliation Conference Between the Sudanic Group (Fertit), The Luo (Jur) and The Dinka of Marial Wau (Marial Bai) Ethnic Communities of Western Bahr el Ghazal State’, Report of the Cross Line Peace Recovery and Reconciliation Conference, Mapel, South Sudan, 14–24 March 2005, Nairobi: PACT, April 2005.

of South Sudan, Salva Kiir, used to be known for regularly touring through the villages and speaking to the people but now 'he no longer comes'.⁷⁹ As Chief Morris explains, Kiir had previously called him in relation to the ownership of Nyinakook: 'He asked me to bring the map of 1956 from London as the evidence over the claims for the land, and we got the map in Britain.'⁸⁰ Chief Morris explicitly acknowledges the need for central government to assert their higher authority over the land dispute about Nyinakook and has even sought a ruling based on his personal relationship with the president himself.⁸¹

A further facet in this ongoing conflict is that the elders of Boyar and the Apuk stake the legitimacy of their claim to Nyinakook on their contribution to the government side during the current South Sudan civil war, which began in December 2013, against the SPLA-in Opposition (SPLA-IO). Chief Morris argues, for example, that the men and youth of Boyar and the Apuk are protecting the president in Juba by their participation in the Mathiang Anyoor (the brown caterpillar)— a Dinka-affiliated militia formed by Paul Malong Awan around 2012–13. As such, the president has a responsibility to listen to their claims.⁸² In other words, rights to SPLA support over claims to land ownership in Nyinakook have been won through contributions made during the current war.

In 2017, however, Chief Morris indicates that he has not been allowed to see the president recently because of the current civil war.⁸³ He fears that the people close to the president are keeping him from Salva Kiir and that if the president cannot hear their grievances and petitions, the conflict over Nyinakook will never be solved.⁸⁴ Chief Morris's struggles to reach to the centre of government highlight a shifting relationship between chiefly authority and the central government for those chiefs who have been closely entwined with SPLA power. In the 1990s and the post-CPA era, Chief Morris made use of his SPLA links for mutual benefit. At present, however, chiefs with these histories feel increasingly alienated.

⁷⁹ Interview with trader, Mayen Rual, 12 July 2017.

⁸⁰ Interview with Chief Morris, Mayen Rual, 31 July 2017.

⁸¹ Interview with Chief Morris, Mayen Rual, 31 July 2017.

⁸² Interview with Chief Morris, Mayen Rual, 31 July 2017.

⁸³ Interview with Chief Morris, Mayen Rual, 31 July 2017.

⁸⁴ Interview with Chief Morris, Mayen Rual, 31 July 2017.

7. Conclusion

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During the wars of the 1990s, Chief Morris was able to attract the economic and political benefits of the sudden growth of the Mayen Rual market. He did this through his connections in the SPLA and his knowledge of the ways of town life. He was able to allow the Mayen Rual market to operate on legal logics akin to those of urban centres that guaranteed equal market-based rights to all traders and residents, irrespective of their community identity. Since the end of the Sudanese civil war and the signing of the 2005 CPA, this commercial centre has faded to a small rural market. The changing nature of violent conflict in South Sudan and the shifting nature of Mayen Rual have created ambiguities over claims to land in Boyar. This situation has been exacerbated by the post-CPA context of new rights in land and new ideas about the value of land. Chief Morris is currently embroiled in a series of violent, norm-changing conflicts that largely revolve around the power to determine rights to land. Nyinakook is an ongoing example of how these arguments can become deadly.

These histories of Mayen Rual and Boyar have much to tell about trade, markets and power during times of war. Wars create opportunities for authorities to establish new political and economic centres. While these new spaces and powers have immediate consequences, even decades later during times of peace, people continue to renegotiate ideas of community and legal rights that were established in times of war. The continuity of legal and moral orders through times of peace and war create ambiguities that elites can use to initiate legal contestations and ignite violent conflicts.

Glossary of acronyms, words and phrases

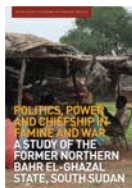
CPA	Comprehensive Peace Agreement
<i>Mathiang Anyoor</i>	Dinka-affiliated militia formed by Paul Malong Awan around 2012–2013
<i>murram</i>	a form of clayey material used for road surfaces in tropical Africa
SAF	Sudanese Armed Forces
SPLA	Sudan People’s Liberation Army
<i>tukal</i>	(<i>Dinka</i>) thatched hut

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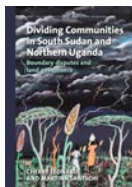
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Carrada Ayaan Dhunkannay: Waa socdaalkii tahriibka ee Somaliland ilaa badda Medhiteerneyanka

Sheekadani waa waraysigii ugu horreeyay ee ku saabsan waayo aragnimadii wiil dhallinyaro ah oo reer Somaliland oo taahriibay. *Also in English.*

During war, geographies of economic and political power are often recast by shifting patterns of trade and population movements. This can present an opportunity for local leaders to reshape legal and moral logics to attract trade and people to areas under their control. But these shifts can also create ambiguities and tensions that extend into times of peace. *Wartime Trade and the Reshaping of Power in South Sudan* explores these dynamics by looking at the capture and co-opting of wartime trade in the village of Mayen Rual and the contemporary conflict in the village of Nyinakook in former Warrap state, South Sudan.

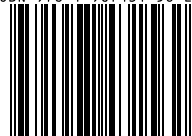


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