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MAKING MARKETS: SOUTH SUDAN'S WAR ECONOMY IN THE 21ST CENTURY

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ABSTRACT

From 2005-13, relations between competing elite actors in South Sudan were organized through a political marketplace in which payments derived from oil rents were used to purchase the loyalty of armed men. During the same period, marketization, urbanization, and the politics of state-building remade South Sudan's underlying political economy. With the outbreak of civil war in 2013 and the collapse of the country's oil revenues, it was this transformed political economy that enabled the state to maintain its grip on power, as the government distributed positions and licenses to local actors, who then used such prestations to tax, raid, and otherwise immiserate the populations under their control. A shift from a political economy predicated on the distribution of oil revenues to one based on the apportionment of positions and licenses has intensified inequality in South Sudan and enabled continued elite domination. Said otherwise: it is the emergence of a market economy that has facilitated the continued existence of a political marketplace, following the collapse of oil revenues in South Sudan. It is the market that has made the market. While this form of elite domination is likely to be durable, it will not be peaceful.

ABOUT

Carbon Compacts, Decarbonization, and Peace in Fragile States in Africa and the Middle East Project

The Carbon Compacts, Decarbonization, and Peace in Fragile States in Africa and the Middle East project was a 21-month research project led by the World Peace Foundation at Tufts University and funded by the United States Institute for Peace. Our goal within the project was to analyze how traumatic decarbonization—a rapid loss of oil rents—would affect peace processes and political settlements in fragile oil-producing states in Africa and the Middle East. Under this project, a series of cross-cutting analyses and case studies (Iraq, Nigeria, South Sudan, Sudan, and Venezuela/Ecuador) were produced and are available at The World Peace Foundation website (<https://sites.tufts.edu/wpf/carbon-compact-decarbonization-and-peace-in-fragile-states-in-africa-and-the-middle-east/>).

World Peace Foundation

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Author

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Photo: [Generals of South Sudan's army celebrate during official independence day ceremonies](#), Steve Evans | FLICKR (CC BY-NC-ND 2.0)

INTRODUCTION

The second civil war in Sudan (1983-2005) saw the emergence of a military class that used external resources, such as humanitarian aid, as well as money and weapons from foreign governments, to build up relatively autonomous powerbases in the south of the country. It was this class that took control of the southern Sudanese state in 2005, following the signing of the Comprehensive Peace Agreement (CPA), which heralded the end of the second civil war. During the CPA period (2005-11), this class, via the instruments of the state, took control of oil revenues and donor funds, and used them within a political marketplace in which financial payments secured the loyalty of military commanders. A collapse in oil rents in 2012 caused a crisis in this system. This paper will argue that during the current civil war (2013-21), the South Sudanese state has survived by shifting from a political marketplace structured around oil rents to a system in which positions and licenses are disbursed to local actors who then generate income from the populations under their control thanks to these licenses, including through practices of taxation and raiding. This shift has been enabled by changes that occurred in the CPA period and during the current civil war, as marketization restructured South Sudan's political economy, creating the ground for a relatively stable elite coalition centered on an unfolding process of class formation. Thus, this paper will argue, the political and military elite of the CPA period—the high-water mark of South Sudan's oil bonanza—has largely continued to dominate politics in South Sudan, as a *class*, because of a shift in the political economy of the country.¹ This shift has resulted in further elite control of forms of domination and exploitation. Struggles over the disbursement of the positions which allow for these forms of domination have largely supplanted a political marketplace predicated on oil as the arena for elite competition.

Such a change in the country's political economy, as this paper will go on to argue, allows us to understand the durability of the South Sudanese state, despite frequent declarations of its impending demise and the collapse of the country's economy. For instance, on Monday 9 July 2012, just a year after South Sudan seceded from Sudan, the British *Guardian* announced that the world's newest nation faced 'economic disaster.'² The South Sudanese government's decision to turn off oil production in January of that year, due to an argument with Sudan over transit fees, had sent inflation spiraling and foreign currency reserves plummeting.³ Warnings of the country's imminent economic collapse have become a routine part of the reporting on the South Sudanese civil war.⁴ These warnings are not without foundation. From 2014-17, the World Bank estimated that GDP per capita dropped from \$1,111 to less than \$200.⁵ In 2020, market prices for basic foodstuffs increased by as much as 300% due to flooding, Covid-19-related restrictions, inflation, and conflict, while projected earnings from crude oil amounted to only \$30 million a month, due to price collapses in the international oil market and reduced production within the country—in 2011, in comparison, South Sudan earned \$900 million a month from crude.⁶

1 The actual component parts of this elite class have shifted over time, as this paper will make clear: the fact of its domination as a class, however, has not shifted.

2 Tran, 2020

3 The most comprehensive account of the decision-making process behind the oil-production shut-off decision is de Waal, 2014, pp. 361-365.

4 Inter alia: Kuol, 2018; Peralta, 2017.

5 World Bank, South Sudan Overview, 13 October 2020. Site: <https://www.worldbank.org/en/country/southsudan/overview> | Accessed 12/12/2020.

6 Sources: interviews with traders in Central Equatoria, Jonglei, Northern Bahr el Ghazal, and Upper Nile states, January-December 2020; Voice of America, 'Sudan, South Sudan Address Economic Crises,' 11 September

The overlapping series of economic crises faced by South Sudan over the past nine years have challenged its government: the collapse in oil prices and rampant inflation have made the maintenance of even the minimal bureaucratic functionality characteristic of the South Sudanese state impossible.⁷ These economic challenges are especially acute as the regime of South Sudanese President Salva Kiir has been—not incorrectly—characterized as dependent on using oil funds to purchase the loyalty of armed actors.⁸ Without oil funds, international observers feared, South Sudan would implode, becoming a series of disaggregated territories controlled by warlords no longer beholden to an impoverished regime in Juba.⁹ In meetings the author of this paper had from 2014-20, in capitals across the world, diplomats expressed the fear that South Sudan could become “another Somalia.”¹⁰

Yet doomsday predictions for Kiir’s regime have not come to pass. While South Sudan’s economy has slouched from disaster to disaster, the government has achieved a comprehensive military victory over the principal opposition group in the country, the Sudan People’s Liberation Army in Opposition (SPLA-IO), while also entrenching its power at every level of state and local administration.¹¹ The center has held. Given the absence of reliable sources of external financing for the government, and the collapse of the international oil market, Kiir’s regime appears to be Wile E. Coyote, perpetually running on air, always just about to fall to its doom.

How then has the South Sudanese government survived—and prospered, relative to its opponents—while far from safe ground? How does a political marketplace function under conditions of forced austerity?¹² This question is of more than academic interest, for if South Sudan’s oil-less future is fast arriving, it is crucial to understand how a political economy that from 2005-12 was predicated on the easy availability of oil revenues will transition to a post-oil economy, and whether such a transition will be traumatic.¹³ Indeed, South Sudan is an exemplary case study in this regard, because in some respects it is *already* post-oil. In order to fund arms purchases and

2020, Site: <https://www.voanews.com/africa/south-sudan-focus/south-sudan-sudan-address-economic-crises>, accessed 12/12/2020; Thomas, 2019.

- 7 Across the country, for instance, in 2020, state and local government officials report they have not been paid for five months. Interviews: Government officials, Northern Bahr el Ghazal, Unity, Upper Nile, and Western Bahr el Ghazal states, September 2020.
- 8 For a full exploration of this logic of South Sudanese sovereign authority, see de Waal et. al, 2019.
- 9 Interviews with international experts, Juba, Nairobi, Addis Ababa, London, New York, 2014-20.
- 10 Based on my experience briefing government and NGO officials in Juba, Nairobi, Addis Ababa, London, Washington, DC, Paris, Oslo, and Brussels from 2014-20. It should be noted that such a comparison to Somalia, is not designed to be a granular or precise, but is rather an indication of fear and exasperation for the diplomats invoking such an analogy.
- 11 See Craze, 2020, pp. 102-108; Craze, 2021, pp. 3-7.
- 12 The political marketplace in the South Sudanese context refers to a framework for understanding political turbulence in which members of the elite compete for power, profit, and position within a market framework in which the possibilities of rents and material support determine the potential alliances between different actors. In the CPA period, '[T]he political production function of the GoSS [Government of Southern Sudan] and SPLM/A was, at its core, to turn oil revenues into political payoffs.' (de Waal et. al, 2019, p.6) Also see Spatz and de Waal, 2018.
- 13 South Sudan’s creaking oil industry was already in sharp decline by the time the country seceded from Sudan—in Unity state, Nile blend crude from Block 1 reached peak production in 2004 (Patey, 2017, p. 10), while the Dar blend from Blocks 3 and 7 that now makes up the majority of South Sudan’s oil production is of low quality, and it too reached a production peak, in 2010 (ibid). There are further unexploited reserves in South Sudan, particularly in Jonglei state, but it is unlikely that the international oil market will recover sufficiently, to make this relatively low-grade oil worth extracting, suggesting that South Sudan’s decline as an oil producer is likely to be inexorable. Phone interview, oil industry representative, February 2021.

retain the loyalty of South Sudan's political and military elite, Kiir's regime has, since 2015 at the latest, pre-sold some of the country's future oil-revenue in the form of resource-backed loans and pre-sold allocations of crude.¹⁴ Thus, while payments to elites in Juba are still largely derived from oil-income, in some respects South Sudan's contemporary political economy is one that is already largely organized—as this paper shall show—as a post-oil economy, and insights into its present functioning may thus serve as a reliable guide to its future.

The Bull Market: Southern Sudan during the period of the Comprehensive Peace Agreement

This section will set out how the financial transformations of the CPA period, from 2005-11, sharpened the logic of a political economy that was established during the second civil war, and that was predicated on elite manipulation of external resources (extraversion) and predation—via raiding and looting, amongst other forms—upon the South Sudanese population. At the war's end in 2005, the elite leadership of the Sudan People's Liberation Movement/Army (SPLM/A) came to power and used oil revenues and donor funds to buy off potential military opponents as part of an oil-bonanza-fueled political marketplace. This marketplace saw rapidly inflated prices for the loyalty of armed actors; it imploded following the oil-shutdown of 2012. However, during the CPA period, a more substantial shift in the political economy occurred, underneath such elite competition. It is this shift that will prove more durable than a political marketplace predicated on oil-rents and will also provide the ground for future intra-elite competition. This shift was the development of an increasingly market-based political economy, and the forms of rent and license that derive from such an economy, and the displacement and violence needed to bring such an economy about.¹⁵

This substantive shift is difficult to see due to the immensity of the financial transformation that occurred during the period that followed the signing of the CPA, which brought an end to the twenty-two year long second Sudanese civil war between the government in Khartoum and the Sudan People's Liberation Movement/Army (SPLM/A).¹⁶ From a standing start in 2005, by 2008, the first

14 It is unclear, due to the secrecy of the industry, just how much of South Sudan's extant reserves have been sold-off in this way. The government ended its practice of pre-selling crude oil in 2019, but it has yet to repay its outstanding debts for such pre-sales. In 2020, for instance, the government owed the African Export-Import bank some five cargoes of Dar blend, following a \$400 million loan disbursed in 2019. The government is, however, continuing to take-out resource backed loans, which don't substantively differ from the pre-selling of crude, insofar as they generate capital against future oil sales. These resource-backed loans, like the pre-selling of crude oil that preceded it, risk misappropriating public finances, because they are conducted outside normal budget and accounting mechanisms—a statement that is true for the South Sudanese oil industry in general, which is shrouded in secrecy. Author interviews with members of the Ministry of Petroleum, and documents seen by the author, indicate that official production figures and official budgetary accounting both diverge substantially from reality. Sources: Confidential documents and interviews with confidential sources, Ministry of Petroleum and Dar Petroleum Operating Company, 2014-2020; United Nation Panel of Experts on South Sudan Report, 28 April 2020, pp. 20-25; United Nations Panel of Experts on South Sudan Report, 22 November 2019, pp. 17-18.

15 See Marx, 1992, pp. 872-942.

16 For one of the most pointed recent accounts of this transition see Young, 2019. While the line between the political wing of the rebel movement (the SPLM) and the military wing (the SPLA), was always razor-thin during the second civil war, it did exist: the current president, Salva Kiir, was firmly part of the military wing, and many of the people he has exiled during his tenure as president belonged to the political wing of the SPLM.

year for which the World Bank made an estimate of the size of the southern Sudanese economy, it was valued at \$15 billion, more than neighboring Uganda.¹⁷ Yet while this rapid financialization transformed the scale of the Southern Sudanese economy, it did not transform the elite, nor its relationship to the South Sudanese population.¹⁸

In the CPA period (2005-11), oil revenues and donor funds became part of a political economy whose co-ordinates were established during the second civil war. In 2005, a class of military leaders came to power in southern Sudan who had spent the previous two decades entrenching their positions at the top of a political economy predicated on extraversion and predation.¹⁹ During the second civil war, rebel groups frequently fractured and split.²⁰ These splits tend to occlude the similarities between different armed actors on the ground, all of which were effectively occupying forces, often ethnically organized. Though the SPLM, for instance, made claims in its manifestos that it would introduce practices of revolutionary government, its exemplar was the Sudanese Armed Forces (SAF), and it did little to create structures of governance in its territory.²¹ It rather acted, as Peter Adwok Nyaba notes, like “an agent of occupation in areas it controlled.”²²

Practices of predation were made possible by flows of wealth and resources into the region, controlled by military commanders. The period of the second civil war saw the emergence of militarized areas controlled by commanders who manipulated external flows of resources—aid from Oslo, guns from Addis or Khartoum—to recruit followers, establish military power, and then use that military power to predate on the surrounding areas of southern Sudan.²³ The SPLA acquired weapons from foreign governments, notably Ethiopia, while also manipulating and diverting aid and humanitarian resources.²⁴ In Bahr el Ghazal, SPLA commanders violently acquired cattle, women, and resources from the local population, taking advantage of livestock markets in northern Sudan, in what was in effect an enormous wealth transfer from an immiserated population to an emergent class of military leaders.²⁵ In what is now Unity state, Nuer commanders allied to the government in Khartoum acted similarly, with men like Paulino Matiep, the leader of the South Sudan Defense Forces (SSDF) amassing considerable cattle-wealth, and dealing in sorghum and

17 See Thomas, 2015, 3.

18 The financialization of the economy here refers to the dollarization of the economy, but also to the increasing dominance of market mechanisms of commodity production and exchange as forms of organizing material life in South Sudan, and the hollowing out of customary forms of mutual aid. See Thomas, 2019, Kindersley and Majok, 2019.

19 On the emergence of this military ‘aristocracy’ see Pinaud, 2014. Extraversion refers to the process by which external resources—in this case derived from foreign governments and humanitarian aid—are reallocated to mollify competing military commanders. See further Bayart, 2009. Predation in this context refers to the violent capture of resources from populations in conflict-areas by military elites.

20 This paper will refer to southern Sudan as the area consisted by the state of South Sudan, prior to its secession from Sudan in 2011, and South Sudan to refer to the nation-state proper. Johnson, 2003, remains the canonical account of the fractures of the second Sudanese civil war.

21 See Thomas, 2015.

22 Nyaba, 1997, p. 51.

23 This process must also be understood as necessarily bound up with the immiseration of the population, and the erosion or transformations of other forms of customary authority. See Jok and Hutchinson, 1999. The current civil war has continued this process: this war, at Catley notes (2018) has seen the emergence of a super-elite of cattle-owners, the eliminations of many smaller herds, and a rise in commercial and politically motivated raiding.

24 See Craze, 2018 and the two canonical accounts of the relationship between aid and power during the period: de Waal et al., 1997 and Keen, 2008.

25 See Madut-Arop, 2005. Keen, 2008 is still the best study of the imbrication of northern livestock and labor markets and southern practices of predation during the second civil war.

livestock.²⁶ Similar stories could be told for other militia forces in the Equatorias and the Greater Upper Nile region.

Though the second Sudanese civil war was in theory fought between the government of Sudan and the SPLA, for much of the 1980-90s, the bulk of the conflict occurred between the SPLA and militias forces sponsored by Khartoum, which, to give an example, paid commanders like Matiep in weapons and cash so that the Sudanese government could exert control over the oil fields of Unity state.²⁷ Such flows of external resources, to both the SPLA and Matiep's militias, allowed commanders to recruit soldiers and carve out relatively autonomous fiefdoms. Crucially, these external flows allowed both the SPLA and the Nuer militias to be autonomous from the populations under their control. The relative autonomy of structures of military and political power from the society that they attempt to control will remain a relative constant in southern Sudan, as this paper shall explore. One radical implication of the post-oil future of South Sudan is the end of this autonomy.

It is SPLM/A commanders and leaders who took control of the southern Sudanese regional government from 2005, as diversions of humanitarian aid were exchanged for the considerably greater rewards that stemmed from oil revenues and donor funds for state-building. What links humanitarian diversions and oil revenues as income streams for the SPLM/A is that both are external sources of funding, and thus enable the new rulers of South Sudan to be, as shown above, relatively autonomous of the populations they controlled. At best, disbursement of oil revenues created clientelist relationships between a rentier state and local actors dependent on continued access to the money that Juba now had. While the types of flows into the SPLA changed; the basic structure of power did not. What resulted was an elite competition over control of those flows.

In southern Sudan, the creation of a regional government, and the greatly increased income flowing into that administration, brought about a transformation in the political economy of region. Whereas during the second civil war, it was the Sudanese government that used oil money to buy up militias, it was now Juba that had access to oil revenues and relative financial dominance, and this enabled the creation of a political marketplace in which armed actors leveraged violence to ensure government payoffs from external resources (oil revenues and donor funds). This political marketplace enabled a sort of peace agreement between the actual belligerent parties in southern Sudan, which the CPA did not address. For though the CPA was a bilateral agreement between two warring parties, the agreement did not reflect the complicated mixture of military actors on the ground.²⁸ While Juba—soon to be South Sudan's capital—had formal political control of the territory of southern Sudan, it did not have military control. Amongst other forces, the SSDF under Matiep were militarily significant and had been well-armed by Khartoum during the second civil war. Salva Kiir feared that the SSDF could once again be sponsored by Khartoum and would interrupt the referendum on secession that was to be held in 2011, as set out in the CPA.²⁹ To head off this possibility, Kiir effectively used oil money to buy off Matiep and the SSDF, pricing Omar al-Bashir, the Sudanese president, out of the market.³⁰ This price-setting was made possible by the

26 Interviews in Mayom County, Unity state, July 2012 and November 2019.

27 For a contemporary account of this period, see Gagnon and Ryle, 2001.

28 The Comprehensive Peace Agreement between the Government of Sudan and the Sudan People's Liberation Movement/Sudan People's Liberation Army, 25 September 2003, p. 89.

29 While the prior leader of the SPLA, John Garang, had been committed to a nationalist project whose end-goal was revolution in Khartoum, by 2005, Kiir was committed to secession, and feared Khartoum's disruptive influence.

30 According to Salah Abdalla, the Sudanese former national security chief, southern militias had become so over-

oil-revenue flowing into the capital. The 'inputs' into the South Sudanese political economy thus fundamentally changed during this period. Commanders were reliant on foreign governments and humanitarian aid during the second civil war, while during the CPA period, the political economy of southern Sudan reorientated itself around pay-offs from oil revenues flowing to Juba. It was these flows that constructed an arena in which the SPLA could outbid the Sudanese government for the loyalty of armed actors in southern Sudan.

The establishment of a political marketplace, where loyalty was predicated on payment, was heralded by the Juba declaration in 2006, which absorbed the SSDF into the SPLA.³¹ At the signing of the CPA there were an estimated 40,000 soldiers in the SPLA, and some 10-30,000 in the SSDF.³² By 2011, a bloated SPLA had an estimated 240,000 "soldiers" on the books, but half that number were ghosts whose wages went straight to their commanders. In the political marketplace, higher ranks bought the loyalty of officers, while wages bought the loyalty of soldiers: as de Waal notes, following the Juba Declaration, the South Sudan Legislative Assembly voted to double the pay of private soldiers to USD 150/month, twice that of their counterparts in the Sudan Armed Forces.³³ It was effectively a loyalty bonus in a system of 'payroll peace.'³⁴

The absorption of the SSDF—amongst other armed groups—into the SPLA did not create a unified army, despite the fantasies of the internationally-backed Security Sector Reform (SSR) process.³⁵ Commanders largely retained their own areas of control and the loyalty of their own troops, and what unified the SPLA was not a shared identity or hierarchical command structure but rather a common investment in a political economy characterized by wages and ranks functioning as tokens of oil revenue, distributed according to the potential threat of violence each commander could leverage.³⁶ In such a 'Bull Market,' commanders competed for greater shares of resources: either through invented soldiers, further recruitment, or the pursuit of higher ranks. More and more of the South Sudanese economy was diverted into such payments, to the extent that by independence in 2011, as de Waal notes, "the "political budget" was crowding out all other spending."³⁷

This political marketplace also produced its own outside—commanders that seemingly refused the mercantile calculations of the market. If payments to commanders were designed to effectively buy them off, preventing violence (against the commanders' patrons), then violence itself became a tool for leveraging further payments from those patrons. Some commanders, such as the Bul Nuer general Peter Gatdet, feeling under-valued, frequently rebelled, only to be absorbed back into the SPLA once a higher rank and better resources had been renegotiated.³⁸ Denigrations of such 'spoilers' tend to miss that commanders like Gatdet were not outside the political marketplace—they were produced by its very functioning: if violence shall be the price of entry to the market, then it is violence that shall be leveraged as a price-setting mechanism.³⁹ The cre-

priced that Sudan was priced out of the market (see de Waal, 2014, p. 358).

31 See Young, 2006.

32 Estimates of the size of the two forces vary. See Snowden, 2012, Young, 2006, Rands, 2010, de Waal et al, 2019.

33 De Waal, 2014, 355.

34 "Payroll peace is the practice of putting large numbers of soldiers and civil servants on the state payroll as an incentive for them, and the belligerent parties, to accept a peace agreement." See Boswell et. al, 2019, 1.

35 See Craze 2020, pp. 27-31.

36 For the failures of the SSR process during this period see Breitung, 2016, p. 14.

37 De Waal, 2014, p. 361.

38 Interview with Peter Gatdet, Addis Ababa, June 2016.

39 For more on the rebellions of Peter Gatdet and other generals during the CPA period, see Small Arms Survey,

ation of this marketplace thus came with attendant risks. Any minimal sense of coherency that the SPLA had developed during the second civil war was destroyed when the SPLA effectively became merely the stage for a political marketplace—entry to the army guaranteeing one a ticket, as it were—sustainable only as long as oil revenues continued to flow.

Soon, they stopped, albeit temporarily. In 2012, the decision to shut-down national oil production created a collapse in government revenue, even if a full set of co-operation agreements were later signed with Sudan, and the fields resumed production in April 2013. In 2012-13, challenges to Kiir's powerbase by politicians maneuvering to take his place were met with heavy-handed measures: the dismissal of his cabinet and Riek Machar, his Nuer Vice-President, and the suspension of almost all SPLM organs, arrogating power to an increasingly narrow circle around the Office of the President.⁴⁰ The clashes in Juba on 15 December that ignited the civil war were seemingly inevitable: the consequence of a political marketplace largely deprived of income, and a set of increasingly zero-sum battles for control of the SPLM, and thus the capacity to redistribute diminished oil revenues, that could not maintain the elite compact that had grown up during the Bull Market, predicated on inflated prices and easy oil flows.⁴¹

Alongside the establishment—and subsequent implosion—of the political marketplace, the CPA period also saw the emergence of the military and economic trends that would come to dominate South Sudan during the civil war (2013-21). One consequence of inflating the ranks and numbers of the SPLA, due to the pressures of the political marketplace, was that from the perspective of those close to Kiir, the army was increasingly unwieldy and unreliable. As Alan Boswell notes, Kiir “did not trust the military leadership—populated with Garangists—or its rank-and-file soldiers, the majority of whom were believed to be Nuer.”⁴² In response to the army's lack of coherence and trustworthiness, the commanders around Kiir recruited new, mono-ethnic forces, directly answerable to Kiir's regime. While some of these militias—such as the Mathiang Anyoor—were formally integrated into the SPLA, they remained qualitatively distinct.

Such militias were mono-ethnic loyalists derived from cattle-guards in Bahr el Ghazal that offered a solution to the problem engendered by the political marketplace—a multi-ethnic army not substantively integrated into a command structure not trusted by many of the politicians in government. While these forces are generally well-paid, and are answerable to commanders in a manner that suggests a continuity with second-civil-war-era patterns of command and control, they are also organized in a more localized fashion, and are less able to split from their commanders and play the game of the political marketplace. Thus, even before the oil shut-down of 2012, the political marketplace was producing another outside, as the regime sought to short-cut the transactional character of the marketplace by building up forces than could not—as Gatdet did—

2013.

40 As the UN Panel of Experts has repeatedly noted (2019, 2020), political power is *increasingly* informally wielded in South Sudan; the legacy of the international state-building efforts in the country has been a state that has suspended or bypassed most forms of institutional mediation of power that were envisaged or enacted during the CPA period. It is a state that has destroyed itself to better ensure the functioning of its power.

41 From this perspective, the civil war effectively allowed Kir to 'clear the books' of a number of elite actors—such as Pagan Amum—whose inflated fees could not be paid by reduced oil-incomes that were further diminished—after the pumps were turned back on in April 2013—by the damage done to the pipelines by their rapid deactivation, and the late fees already due to Sudan. Interviews with oil industry personnel, July 2015-August 2016.

42 Boswell, 2019, p. 7. The 'Garangists' refer to those who rose to prominence under John Garang during the second civil war and remained committed to the idea of a continuing struggle against Sudan.

simply rebel for a better rank, and whose ethnic character was more marked.⁴³

The end of the CPA period would see the government increasingly reliant on such forces, and this tendency has become even more pronounced during the current civil war. Such militias represent the intensification of forms of what Mbembe terms private indirect government: lines of control that avoid the mediation of military and political structures, and that extend from the coterie around Kiir directly to forces on the ground.⁴⁴ The loyalty of such forces to Kiir's regime is of course not simply ethnic but reflects the financial dominance of the state in South Sudan. While the SPLA-IO have used Nuer youth forces, its relationship with these forces is complex and contested, with the *Gojam* complaining of marginalization and a lack of supplies—a lack of finance has meant that the SPLA-IO has far less successfully integrated youth forces, organized at sectional and sub-sectional level, into its ranks.⁴⁵

In contrast, the militia forces of Akol Koor Kuc (head of the Internal Security Bureau of the National Security Service) and Rin Tueny Mabor Deng (head of SSPDF military intelligence) are fully part of the national security architecture, even though they are recruited in Warrap and Bahr el Ghazal according to a sectional-logic, and with the connivance of customary forms of authority.⁴⁶ These forces are well trained, well-armed, and exhibit—at least thus far—relative obedience to the clique around Kiir. Such forces are nonetheless part of the oil economy: the reason for Kiir's success with such forces, relative to the opposition, is of course centrally due to the financial backing for such forces afforded by oil rents. However, the localized organization of these forces is not reducible to the transactional character of the Juba declaration, and represents a form of private indirect government that is exemplary of the shift in the form of political power that occurred during the CPA period, underneath the tumult of the political marketplace.

During the CPA period, private indirect government also formed the basis of the political economy that sprung up alongside a political marketplace largely determined by oil revenues. While much international attention (and investment) was paid to state-building, those in charge of building the South Sudanese state instrumentalized the state-building project to continue entrenching the relatively autonomous areas of territorial control that characterized the second civil war. The instruments they used, however, were rather different. For instance, under the cover of a depoliticized disarmament campaign, the governor of Unity State, Taban Deng Gai, attacked his Bul Nuer rivals in Mayom, pushing them into rebellion, while taking resources from their villages.⁴⁷ What was once called raiding was now called disarmament.⁴⁸ In Upper Nile, Padang Dinka military and

43 It should be noted of course that these attempts to build up military power outside of the army were not necessarily marked with success. The Mathiang Anyoor became less and less effective as a fighting force, as they were asked to fight further from their home locale of Bahr el Ghazal: in Upper Nile, at various junctures, they refused to fight against opposition forces, as they felt far from home and badly-armed. (See Boswell, 2019; Craze, 2019). However, while the Mathiang Anyoor were effectively disbanded with Paul Malong's ejection from the army, other militia forces (notably in the National Security Service under Akol Koor Kuc and in Military Intelligence under Rin Tueny Mabor Deng) have replaced them, and now constitute the most effective military forces in South Sudan today (see Craze 2020, Panel of Experts, 2020).

44 Mbembe, 2000, pp. 170-255.

45 See Young, 2015, 2016.

46 Shortly after the signing of the R-ARCSS, Salva Kiir renamed the SPLA as the South Sudan People's Defence Force (SSPDF). This report will refer to the South Sudanese army as the SPLA in reference to actions carried out before October 2018, and the SSPDF for actions carried out subsequent to that point.

47 See Craze and Tubiana, 2016, 28-37.

48 Such strategies continue today: in 2020, the head of SSPDF Military Intelligence used a disarmament campaign in Warrap to move against political enemies at home.

political elites used gerrymandering, the creation of new counties, and the capacity to control the location of international development projects to push the Shilluk off the east bank of the White Nile, in what became a series of increasingly zero-sum competitions for administrative power.⁴⁹ While during the second civil war, forms of customary sharing of territory could continue, albeit with difficulty, the question of state and country administration posed intensified ethnic questions about control of land.⁵⁰ Politicians and military commanders used ethnic tensions to garner support bases and followers, further inflaming the situation.

In the CPA period, political and military elites used the tools of the state, rather than those of the second civil war—raiding and displacement—to carry out predation, but the aims of such activities remained much the same: arrogating absolute control of territory to a given elite actor and gaining absolute command of the resources flowing into such territories. It is this shift to predation-as-state-building that will prove one of the long-lasting legacies of the CPA period. The political economy that state-building produced is not one of a Weberian state and neutral bureaucrats, but rather intensified elite control of land and resources, and the increasingly ethnicized claims to identity and territory that the elite used to justify such control.⁵¹ As this paper will go on to show, it is this political economy, predicated on state control of land and rents, that will largely organize elite competition in South Sudan in a post-oil future.

In 2012-3, Kiir's autocratic moves in the run-up to the civil war seemed incredibly reckless, as he pushed away much of the Nuer and Garangist constituencies of the SPLM, almost inevitably creating the context for a civil war. In hindsight, these moves have afforded him a number of advantages.⁵² Moving against the Garangists allowed Kiir a fuller and more uncomplicated embrace with Khartoum, indicated by the appointment of long-time National Congress Party (NCP) figures like Tut Kew Gatluak and Telar Ring Deng to the government.⁵³ He used the ensuing civil war to push potential challengers to the margins, far from Juba and access to oil revenues. Given an emergent regional accord behind Kiir there were no other sources of finance from which the opposition could draw, creating a political marketplace with only one buyer, and thus according Kiir's forces an overwhelming military superiority that only became more apparent with time. Kiir's political gamble—which paid personal dividends—came at a huge cost for South Sudan: by 2020, more than 380,000 people were dead, much of the country in ruins, and the sole multi-ethnic national institution that existed in 2005—the SPLA—became a shell of its former self, with military power residing in a series of mono-ethnic militias directly controlled by the Office of the President and figures close to Kiir.⁵⁴ Paradoxically, it was the destruction of the army as an institution that cemented the government's overwhelming military power.

49 See Craze, 2019.

50 See Craze, 2013.

51 Said otherwise: it is the project of building a state itself that has produced increasingly ethnicized claims to identity. State and county level administrations are thought of as zero-sum competitions between groups, in what Richard A. Joseph will call a politics of prebendalism—one in which ranks and offices are distributed as forms of political reward (Joseph, 1987). In the South Sudanese case, these ranks and positions are considered as explicitly ethnic positions.

52 Which is not to say that he knew such moves would necessarily bring out such consequences: more likely, they were inevitable: the product of a bloated political marketplace, in which—given the collapse in revenue—Kiir could not keep all his commanders happy, and certainly could not share control over the distribution of oil revenue, as his competitors inevitably were asking him to do.

53 The NCP was established in 1997 and ruled Sudan until November 2019.

54 Estimates of the death rate are from London School of Hygiene and Tropical Medicine, 2018.

The “Bul” Market: South Sudan’s Political Economy, 2013-20

This section will explore the consequences of two major shifts in the organization of the political marketplace during the current civil war that made it clear that its political economy would be very different to that of the second civil war. A regional alignment around Salva Kiir meant that there was very little in the way of external funding for the opposition. Thus, Kiir’s regime would be relatively richer than the opposition throughout the war. However, the collapse of government oil revenues due to diminished production and falls in international oil markets also decreased the amount of money available to the government coalition in absolute terms. This led to a rise in other forms of relationship between armed actors and the government. For instance, for the Bul Nuer militias of Unity state that supported Kiir’s regime, payment came in the form of licenses to raid and eliminate hostile populations, entrenching their own power, and immiserating and displacing those that might have been in a position to contest their position at the top of Unity state. This shift, prefigured by the changes to South Sudan’s political economy that occurred during the period of the CPA, set in motion a dialectic of increasingly centralized power in Juba, and increasingly fragmented power in the periphery, as this section shall go on to show. This, as this section will show, is the “Bul Market.”

The eventual structure of Sudan’s second civil war in southern Sudan was broadly determined by support from foreign powers.⁵⁵ With only a minimal taxable revenue base in southern Sudan, armed groups were dependent on sponsorship by a foreign state for access to arms and resources: for the first eight years of the war (1983-1991), the SPLA was reliant on Ethiopia, while Nuer militias in Unity state, amongst others, were reliant on Sudan. Regional alliances continue to structure the current South Sudanese civil war. The single most important reason for the triumph of Kiir’s regime during the war that began in 2013 was a regional alignment that saw Uganda supporting Juba—including an intervention from the Ugandan army early in the war that was critical in preventing the SPLA-IO marching on the capital—and much of the rest of the region disinterested in supporting the opposition.⁵⁶ Much to the frustration of the SPLA-IO, the government in Khartoum provided only minimal support to the rebel movement at the beginning of the war, leading to fissures within the opposition, as leading generals, including Gatdet and Gathoth Gatkuoth, blamed the politicians around Machar, the former Vice-President and the leader of the SPLA-IO, for not supplying them with matériel, leading to Machar dismissing these generals in 2015.⁵⁷ The reality was that blame for the parlous state of the opposition’s armaments and finances rested not in the hands of Taban Deng Gai, Machar’s deputy, but in a changed regional situation. In a situation of economic crisis in Sudan, continued oil transport payments from Juba were increasingly advantageous to Khartoum. Juba’s utility to Khartoum was reflected in growing inter-connected economic ties between the elites in the two capitals, especially after 2016, when

55 While the logic of predation and extraversion owes much to southern Sudan’s own history, the actual pattern of when and how alliances are made, and when and how rebel groups split, is almost perfectly correlated to the interruptions and resumptions of the flow of foreign weapons and resources into the region. E.g. The split in the SPLM/A in 1991, coincided with—and was largely produced by—the fall of the Communist regime in Ethiopia, and the resultant loss of SPLA support and rear-bases there.

56 See UN Panel of Experts, 2015, 2016.

57 See Craze and Tubiana, 2016, pp.77-80. Khartoum’s support for the SPLA-IO finally ceased absolutely in 2016, under pressure from America and given shared interests in oil revenue with the Juba regime. The overwhelming military superiority of the government is indicated by the fact that these renegade SPLA-IO generals were not even offered positions in the SPLA, but were left in the cold.

Sudan took temporary control of the peace negotiations for South Sudan. During the current war, as the importance of former members of Sudan's NCP in Juba has only grown in, these links have further developed.⁵⁸ The struggles in Khartoum after the fall of Bashir have thus far not affected the Sudanese evaluation of this situation.

From the beginning of the war, the SPLA-IO lacked weapons and ammunition, a situation that only became more pressing as the months went on. As Claudio Gramizzi has argued, much of the opposition's military strategy was dictated by the search for ammunition, including its decision, for instance, to repeatedly sack Bentiu, the capital of Unity state, in 2014, though it knew it could not hold the city.⁵⁹ It hoped to secure whatever armaments were left by the SPLA, and then withdraw.⁶⁰ Unable to compete with the regime in Juba in the political marketplace, it made use of ethnically-organized Nuer youth forces—the white army at the beginning of the war, and then—additionally—*Gojam* militias from 2014 onwards—though these forces had only an ambiguous relationship with the SPLA-IO, and largely resisted fighting outside their home areas. Such forces had an internal command structure, organized by section, which they were unwilling to abandon, and they frequently acted independently of the opposition.⁶¹ In this context, it is more accurate to call the opposition the product of a failed intervention in the political marketplace—given its lack of funds—than it is to characterize it as an ethnic movement.

At the beginning of the current civil war, Kiir's regime faced a crisis, as the SPLA disintegrated, and much of its fighting forces (and the vast majority in the Greater Upper Nile region) defected and joined the opposition: this was the result of the dissolution of the 2006 Juba Declaration, which had brought in the SSDF; it was former SSDF fighters who now formed the bulk of the opposition. Juba employed three strategies to stave off an immediate loss.

- (1) It enlisted the help of the Ugandan army, as Ugandan President Yoweri Museveni was firmly set behind Kiir.⁶²
- (2) It recruited and trained mono-ethnic Dinka forces from Bahr el Ghazal to fight across South Sudan, with mixed results.⁶³
- (3) Most importantly, freed of the need to pay commanders who had now joined the opposition, the regime in Juba used its overwhelming financial superiority to enlist the support of the very forces that had rebelled against Juba during the CPA period: the Bul Nuer militia forces of Bapiny Monytuil and Matthew Puljang in Unity state, and the Shilluk forces of Johnson Olonyi.⁶⁴ The very forces that had struggled against the South Sudanese state could now be bought off and deployed against its opponents. While both Unity and Upper

58 Exemplary in this regard is the figure of Tut Kew Gatluak, who spent the second civil war as a security advisor to Bashir, coordinating relations between the Sudan Armed Forces and the Bul Nuer militias around the Unity oil fields. He is now Kiir's Security Advisor, and head of the National Transitional Committee. His imbrication in the business interests of the Sudanese general Mohamed 'Hemedti' Hamdan Dagalo in Darfur and Western Bahr el Ghazal, along with this central role in the political economy in Juba, including in gold mining and timber logging, ensures the coherence of the business interests of elites in Juba and Khartoum.

59 See Craze and Tubiana, 2016, pp.113-127.

60 See Gramizzi in Craze and Tubiana, 2016, pp.113-127.

61 See Young, 2015, 2016.

62 See ICG, 2015.

63 See Boswell, 2019.

64 For all the claims about ethnic mobilization at the beginning of the civil war, the Bul Nuer largely elected to join the government forces, under the command of Puljang and Monytuil, despite the entreaties of Peter Gatdet, the SPLA-IO's most prominent Bul Nuer commander.

Nile were contested in the first six months of the war, by 2016, thanks to these forces, the government had achieved an overwhelming military victory in both states, in what was, in theory (along with Jonglei), the heartland of the opposition.

Thus, while depictions of the civil war, especially in the first two years, were of an ethnic conflict between the Nuer and the Dinka, this view must be nuanced.⁶⁵ Certainly, both sides made ethnicized appeals as parts of their campaigns of mobilization. However, such appeals had limits. Though it is true that most of Matiep's Nuer generals formed the bulk of the SPLA-IO's command, some were swayed by the government's offer of money and control of Unity state.⁶⁶ Equally, Machar was at pains to emphasize the inter-ethnic character of the SPLA-IO as part of a bid to position himself as a national leader. While the opposition could not compete financially with the government, it attempted—in each area of South Sudan—to reach out to those excluded from Kiir's elite compact. Thus, for instance, Dau Aturjong, the general who had run a failed gubernatorial campaign against Paul Malong in Northern Bahr el Ghazal in 2010, joined the opposition as a means to pressure the government to find a place for him in the politics of Aweil, Northern Bahr el Ghazal' capital.⁶⁷ Such connections, however, were opportunistic and not substantive and did not change Machar's overwhelming reliance on the Nuer forces that once constituted the SSDF.

It is not, of course, a matter of public record how much the Bul Nuer commanders of Unity state received from Kiir for their loyalty.⁶⁸ However, it's unlikely that financial payments constituted the main advantage of loyalty to the government for the Bul Nuer commanders in Bentiu. Immediately after the war began, the Unity oil fields went off-line, leaving the government largely reliant on the field at Paloich, in Upper Nile. While this did not prevent the government purchasing new weapons, it is noticeable that Juba also began 'licensing' its allies, in ways reminiscent of Khartoum's tactics during the second civil war.⁶⁹ For instance, in 2014, the Darfuri Justice and Equality Movement (JEM) were part of a government forces that moved into southern Unity, scattering the opposition forces, displacing thousands of people, and looting aid, vehicles, and cattle.⁷⁰ In 2015, during the dry season, government-backed Bul Nuer militias again assaulted the south of Unity, taking vast numbers of cows, which they drove up to Bentiu, and thence to Mayom, though many of the livestock died while in the capital.⁷¹ Further years saw successive drives into southern Unity, each time by forces that were drawn from Nuer whose kinship relations were closer to the Nuer of the region, and each time with increasingly calamitous consequences.⁷² Licensing such raids has

65 See Johnson, 2014.

66 The Bul Nuer politician Nguen Monytuil, who remains governor of Unity state, had earlier contested control of Unity against Taban Deng Gai in the 1990s, and used the war as a means to assert his control over Unity, at the expensive of Taban Deng Gai, and other Bul Nuer generals, such as Peter Gatdet.

67 See Craze, 2020b. Dau Aturjong is now firmly back within the orbit of Kiir, as commander of Division 1 of the SSPDF, with his followers in prominent roles in Northern Bahr el Ghazal, including as governor of the state.

68 It is not, necessarily, very much. Bapiny Monytuil, a leader of a Bul Nuer militia during the CPA period, and the brother of the governor of Unity state, Nguen Monytuil, split with his brother and went into rebellion in October 2016, supposedly because of his disagreement with Kiir's 28 state and 32 state's declarations. In reality, the disagreement stemmed over a payment from the Office of the President in 2015 to organize Bul Nuer raids into Southern Unity. The payment was supposedly only a few million dollars. Put in the terms of the political marketplace: in a system not characterized by duopsony, where there is no competition for the loyalty of armed actors, payments can drop markedly without necessarily engendering a change in the map of political loyalties on the ground, because there is no alternative power-center to compete with the sole bidder for services.

69 See de Waal, 1993.

70 See Craze and Tubiana, 2016, 52-62.

71 Ibid, 81-99.

72 Which is to say that if the early raid was focused on physical infrastructure—aid resources and vehicles—and the 2015 assault by the Bul Nuer characterized by the theft of livestock, by 2018, when forces from Guit and Koch

two advantages for Kiir's regime. In terms of military strategy, such raids eliminated not just the SPLA-IO, but the grounds on which they could recruit further forces: they were an assault on the possibility of the southern Nuer to sustain life. In relation to political economy, licensing raids in this fashion became a way of rewarding loyal commanders under conditions of austerity. This is the 'Bul Market.' Rather than functioning through a political marketplace that rewards loyalty with payments of oil money, the government rewarded loyal forces by allowing them to raid and eliminate hostile populations, entrenching their own position in the state, and immiserating and displacing those that might have been in a position to contest their power.⁷³

In order to understand the power of such licensing, one has to understand the changed ground of the South Sudanese political economy outside the political marketplace of elite-level negotiations. During the current civil war, commanders have increasingly looked to local and cross-border forms of revenue-raising, given the conditions of austerity operative—at different levels—for the SPLA-IO and the SPLA.

For instance, administrations in areas that have remained under SPLA-IO control, such as Akobo in Jonglei state, are reliant on cross-border trade with Ethiopia and taxation, both of local traders and of NGOs.⁷⁴ These income streams, at least in the border areas next to Ethiopia, are sustainable. However, in SPLA-IO areas, competition for these resources between political and military figures are also liable to be exploited by the government. In Maiwut County, for instance, two SPLA-IO commanders—James Khor Chol and James Ochan Puot—contested control of relatively lucrative economic resources, including the cross-border trade with Ethiopia, and tension between the two generals was paralleled by tension between the two Nuer subsections whence they hailed. The government intervened in the situation, providing weapons and military intelligence to Ochan, on condition that he join the government, which he did in September 2019.⁷⁵ Under conditions of austerity, the government no longer—in cases like Maiwut—organizes regular payments to commanders like Ochan. Rather, it uses its overwhelming military strength to ensure its chosen client is dominant in a given area, and that client then takes control of the economic flows in that area. It was such licenses that were offered to the Bul Nuer commanders of Unity state.

counties, went south into Unity, the targets of the assault were women and the elimination of villages. This indicates that as politics in South Sudan becomes more fractured, and more proximate, levels of violence are likely to increase, and not decrease. See Newton, TK.

73 In Unity state, as elsewhere, these raids have the additional advantage of displacing populations, opening up land that can be exploited or used by the occupying forces. See Deng and Pritchard, 2019.

74 Fieldwork in Akobo county, Jonglei state, 2019. See also Carver and Guok, 2019.

75 See Craze 2020, 73-74.

The possibility of such licensing is underwritten by two processes that help explain why the current conditions of economic crisis in South Sudan have not led to the government falling, and indeed, have—paradoxically—actually strengthened government control in the country:

1. The civil war has transformed South Sudan's economy

Much of the country is now dependent on waged-employment, and on markets for access to food.⁷⁶ The shift to markets and wages really began during the CPA period.⁷⁷ However, the war, rather than interrupting this process, has intensified it. War and displacement have eroded the possibility of small hold farming in much—but not all—of the country, as civilians have withdrawn from rural areas due to fear of conflict. At the same time, the formal legal instruments of land tenure and land purchase have placed more and more in land in the hands of the political elite, accelerating a process already begun during the CPA period.⁷⁸ Previously established forms of cooperation and solidarity have been eroded by the war.⁷⁹ As more land is placed under the control of regional elites, displaced populations are conscripted, effectively, to work the land. NGOs inadvertently play a role in this process. The British government, for instance, makes it a point of principle to purchase food aid from South Sudanese sources, enriching the elite who have established large farms on the land of the displaced.⁸⁰ The growing wealth of South Sudan's elite is transforming customary practices. For instance, the current civil war has seen the development of 'super-herds' of livestock, now used by elites in Juba as a means to accumulate capital, and there are correspondent transformations of raiding and live-stock ownership.⁸¹

Put bluntly, what the civil war in South Sudan has done—malgré the predictions of the World Bank—is make the market rather than disrupt it. In the shift away from customary forms of resource circulation (livestock) and land ownership, and the increasing dependence of the South Sudanese population on markets and wages, the civil war has intensified a process begun during the CPA period, and that looks much like the desired outcome of a World Bank planning document: a financialized economy, fully marketized, and a labor force dependent on wages and urbanization.

This is an ongoing process of wealth transfer and class formation, and from the perspective of the South Sudanese elite, there is much to be gained from it, even if the amounts do not compare with the oil-backed riches of the CPA period.⁸² For instance, in research in Western Bahr el Ghazal in 2019-20, the author found the political elite of the state was appropriating—through legal means—the land from which the Fertit population had been displaced during the conflict from 2016-18, and creating pret-a-pôter compounds for NGOs to rent, at \$2000-10,000 a month, depending on the size of the compound. This constitutes a durable income, especially when one is creating scores of compounds, and supplementing that income with farms, and taxes on NGOs and local traders. Elsewhere, in Unity and Upper Nile, the displacements of the war have likewise allowed the elite to monopolize control of land and wealth.

76 See Thomas, 2019.

77 Contestations over market exchange have a long history in South Sudan stemming back to the 19th century at the latest. See Hutchinson, 1996, pp. 88-101.

78 See Kindersley and Majok, 2019.

79 Ibid.

80 Interviews with donors, January 2021.

81 See Catley, 2018.

82 See Craze, 2022.

Dispensation to be part of this regional elite rests with the Juba-based regime, which appoints state governors, and increasingly, appoints positions further down the chain: witness the appointment of Deputy Governors in January 2021 by Salva Kiir, in blatant contradiction with the R-ARCSS and the South Sudanese constitution.⁸³ Intense contentions around the appointment of county commissioners reflect the extent to which such positions are now the locus of political power in South Sudan and come with the ability to raise taxes from local traders and NGOs, arrogate the sale of land, and license raiding.

This reflects a fundamental shift in the logic of power in South Sudan. Oil revenues from international markets maintain a similar logic to arms supplies from Khartoum or Addis Ababa: they mean that elite power is economically autonomous from the society on which it is based.⁸⁴ The post-oil economy, if dependent on licenses that enable displacement and capital creation, is one that is no longer autonomous from the society, but dependent on its restructuring. Licensing from Juba is essentially giving elites the capacity to be positioned at the top of a process of societal restructuring—becoming a state governor or commissioner allows one to make decisions about land ownership and rents, and thus accumulate resources in a durable fashion, as the South Sudanese political economy is transformed.

It is important to emphasize that this process is ongoing: the transformation of South Sudan into a financialized, market-based society is not yet complete, and offers future riches to the elite who can drive this process. What makes this process more stable and durable than the oil-based political marketplace of the CPA period is that inflationary demands are not made against the government, which is at the mercy of the international oil markets for how much its dilapidated fields are worth, but rather against the South Sudanese people. For instance, the accumulation of more land—or the setting to work of displaced deracinée youth on that land—requires further displacement of people from their land, and a continual violent compelling of young men to labor on territory that was once theirs. The threat of violence here is displaced: no longer intra-elite, it is inter-class, with the consequence that the elite compact in is strengthened, despite the violence that occurs in the rest of the country.

2. Political power in South Sudan has at once *centralized* and *fragmented*

While elite power *in general* has extended its reach over South Sudan during the current civil war, eroding customary forms of political organization, *individual actors* have become weaker. As the government intervenes—as in Maiwut—to fracture whatever remaining opposition exists in South Sudan, each actor finds themselves relatively strong in their own territory—able to levy taxes on businesses and NGOs and license raids and the displacement of populations—but weak when considered in relation to the political and military actors surrounding them. For instance, in Maiwut, Ochan is dependent on government support for his continued survival; if he were to go against Kiir's regime, it could switch its support to Khor Chol, or simply call-in forces loyal to it from the surrounding region, also dependent on its support.

Thus, the fracturing of power in South Sudan has been accompanied by an increasing centralization of power in Juba. Amongst the elites in Juba who are part of the government coalition—really a conglomerate of different factions—Kiir has managed to maintain the relative weakness of the each of these elites. For instance, the former chief of staff, Paul Malong, was successfully

83 It is supposed to be governors, and not the president, who appoint deputy governors.

84 This is Eddie Thomas' formulation (2015).

removed from power when he began to plot against Kiir.⁸⁵ Akol Koor Kuch's relative strength has been offset by the rise to power of Rin Tuony Mabor Deng.⁸⁶ The Bor Dinka elites in the SSPDF who sponsored militia assaults in Jonglei in 2020 were reassigned elsewhere in a total overhaul of the army that Kiir will announce in February 2021.⁸⁷

The elite is thus fractured, fractious, and weak relative to the power of Kiir's regime, a power which stems from oil revenues and the overwhelming military power they enable. The elite's loyalty to the regime, though, increasingly stems from licenses and positions, and the resources they enable, rather than oil rents. Just as importantly, the elite are chastened by the collapse of the financial largesse of the CPA period—the bonanza years for the political marketplace—and remain cautious about anything that will upset the current peace agreement, which brings with it renewed donor funds, albeit at a massively reduced level when compared to the CPA period, and income from NGOs, rents, and taxes. Given the absence of any plausible foreign backing for an opposition, putative or actual, this is likely to remain the situation for the foreseeable future: there is an elite class in South Sudan that recognizes a collective interest in, formally at least, the current state of affairs in Juba.⁸⁸

This is not to say that there is not inter-elite conflict in South Sudan. In Jonglei state in 2020, elites jockeyed for position in Juba, while trying to placate their constituencies, by backing different sides in clashes from February-August. These clashes—between Murle, Dinka, and Nuer groups—are not entirely reducible to the machinations of elite actors in Juba. However, elite actors did see these clashes as an occasion to compete for power in Juba, by displacing rivals. The Bor Dinka military elite, who most clearly backed militias in these clashes, importantly did not want to seem as if they 'rebelled' against the state (as Gatdet, *inter alia*, did during the CPA period), because for the elite, there is a stable compact around not wanting to disturb the narrative that the current peace process has indeed brought peace. Thus, violence in Jonglei—as in Warrap and elsewhere in South Sudan—has to appear as depoliticized, so as not to disturb the benefits of the peace market that the next section shall discuss.

The Futures Market

From the very beginning, the civil war in South Sudan was marked by a financial asymmetry—the opposition never had parity with the government and that disparity only increased in as the war went on. The two peace processes that have occurred since the beginning of the war, as this section shall show, were predicated on a formal equality between the belligerent parties that was nowhere in evidence. They thus allowed the opposition to try to reconstitute itself based on a 'futures market'—the promise of wages and ranks for its supporters once a national army was recreated, in what would have been, effectively, the Juba Declaration of 2006, *redux*. However, Kiir's regime had little interest in recreating the conditions of its opponent's strength and allowed the futures market of the SPLA-IO to implode.

On 12 March 2020, a Revitalized Transitional Government of National Unity (R-TGoNU) an-

85 See Boswell, 2019.

86 See Panel of Experts 2020a, 2020b

87 Confidential documents seen by the author, 2020-1.

88 It should also be noted that an emergent middle class in South Sudan, largely dependent on NGO salaries, as workers of a permanent emergency, are also interested in—and profit from—the continuation of the current situation.

nounced its selections for cabinet positions, more than a year later than scheduled in the Revitalized Agreement on the Resolution of the Conflict in South Sudan (R-ARCSS) and Riek Machar was once again a vice-president, albeit one of five. Almost immediately, leading SPLA-IO generals began deserting to the government, as it became clear that the political leadership of the opposition had nothing to offer them.⁸⁹ While the SSR process of the R-ARCSS seemed to indicate a national army would be formed from the two forces, in reality this process was underfunded by Kiir's regime. Mindful of the crisis engendered by the Juba declaration, Kiir's regime never intended to unify the SSPDF and the SPLA-IO, and starved the SSR process of funding, while continuing to build up militia forces under the auspices of the NSS and Military Intelligence.⁹⁰ With the SSR process a dead-end, in 2020, SPLA-IO generals chose to receive payoffs and ranks from the government shortly after it became clear that Machar's SPLA-IO was effectively held hostage in Juba, reliant on the scraps doled out by Kiir's regime. Shortly afterwards, remnants of the SPLA-IO joined forces with the SSPDF to attack another opposition group, the National Salvation Front (NAS) in Equatoria, as the formal opposition effectively became a subsidiary of the government. Seen with 2020 vision, then, it was the formal mechanisms of the peace agreements that kept the SPLA-IO on life support from 2015-20, and with the formal inclusion of the SPLA-IO in government, the fiction that it represents an actually opposing force to Kiir's regime has collapsed.

To understand how this fiction was created, we must return to July 2015, by which point several of the leading opposition generals had left the SPLA-IO and formed their own opposition movements, while the SPLA had taken back control of Bentiu and Malakal, completing an almost total military defeat of Machar's forces.⁹¹ With the SPLA-IO defeated, the fiction that it constituted a veritable opposition was largely created by two peace agreements: the Agreement on the Resolution of the Conflict in South Sudan (ARCSS) and following its collapse, the R-ARCSS.

The ARCSS was envisaged as a bilateral agreement between two belligerent parties, along the lines of the CPA, and the two parties were imagined—under the terms of the agreement—to constitute the totality of the military forces in South Sudan.⁹² The ARCSS effectively created a formal space of equality between the government and the SPLA-IO, despite their evident asymmetries, and it was into this space that the SPLA-IO tried to fit. The bilateral nature of the agreement meant other parties to the conflict had to be join the SPLA-IO or the SPLA if they wanted political visibility at the negotiating table, pressuring those actors into short-term alliances with the government or the opposition, increasing the SPLA-IO's power. Additionally, the SPLA-IO used the promise of future SSR and the peace agreement to recruit new forces—and attempted to restructure itself following the defeats of 2015.⁹³ For young men increasingly displaced and immiserated, the promise of a future wage was a strong lure.

The ARCSS was a fiction that Kiir was forced into, and from the start, he announced his own hesitations about signing the agreement, before effectively abrogating it by dividing South Sudan's extant ten states into twenty-eight states.⁹⁴ This declaration was intended to reward allies—there

89 Interviews with SPLA-IO generals, including James Koang Chuol, April-May 2020.

90 See Craze, 2020.

91 See Craze and Tubiana, 2016.

92 For accounts of the diplomatic history of this agreement see International Crisis Group, 2019; Vertin, 2019; Young, 2019.

93 See Craze, 2020, 36-42; De Waal et. al, 2019, 23-29.

94 It is here notable that just as Machar was trying to politically centralize—uniting the opposition under his control—Kiir was fragmenting power at the local level through the 28 states and then the 32 state decrees. Economically, however, the reverse is true: Machar made a proposal during the ARCSS for oil revenues to be federalized, which

were more positions to go around—place all the oil producing areas in Dinka-majority states and weaken regional elites more generally by creating smaller states, and thus fracturing established power-blocs.⁹⁵ From the hindsight of the R-ARCSS, one can say that the problem with the ARCSS was that while Machar's SPLA-IO was weak, it was not actually weak enough: it still had some support from Khartoum, and still had enough of a military presence to make it worth what happened: in July 2016, Machar was chased from Juba. Taban Deng Gai, his deputy, constituted a Potemkin opposition (and ethnic Nuer) leader who would allow for the fiction that the peace process continued, as Khartoum cut ties with the SPLA-IO, and Kiir's regime began to use its military dominance to move beyond the Greater Upper Nile region (the focus of the war 2013-16) into Equatoria.⁹⁶

With Machar under house arrest in South Africa for much of the period, 2016-18 saw a further erosion of SPLA-IO military and political power, and by the time that the R-ARCSS was signed in September 2018, it was effectively a negotiated surrender. Despite this weakening of the SPLA-IO's position, the R-ARCSS effectively repeats all the errors of the ARCSS, and despite broadening the elite compact to include other belligerent actors, effectively still assumed—falsely—a sense of parity between the two belligerent parties. As the author noted in a report dedicated to the subject: The R-ARCSS is effectively a peace agreement 'designed in accordance with an international standard template,' which placed a processual model based on power sharing onto a South Sudanese political reality shaped by a militarily dominant government exercising power via militia forces, rather than the army.⁹⁷

The SSR process envisaged by the R-ARCSS saw the creation of a unified army as underlying the peace agreement.⁹⁸ During the initial estimation of the forces to be integrated into this army, the SPLA-IO had a vested interest in overstating its own strength, in order to maximize its claim to how much of the so-called Necessary Unified Force (NUF) could be drawn from its ranks. The R-ARCSS effectively created a futures market. Rather than, as during the CPA period, opposition fighters being recruited into the ranks of the SPLA on the basis of wages and ranks, the SPLA-IO attempted to reconstruct its armed forces with promises of future wages and ranks once the NUF had been formed. Rather than a 'payroll peace', 2018-20 saw a military recruitment drive by the SPLA-IO based on the promise of a payroll.

The SSR process of the R-ARCSS was instrumentalized in a variety of ways by elites in South Sudan. Some sought to 'open' cantonment sites, as a means of recruiting new followers; other elites feuded over the control of cantonment sites and training grounds, and the small amounts of resources and symbolic capital that came with control of such sites; while the government frequently used instrumentalized the opposition's struggles over the SSR process, supporting one side or another, fracturing the opposition even further.⁹⁹

However, this attempt to reconstitute itself on the basis of future payroll payments from South Sudan's beleaguered economy failed. Kiir's regime was cognisant of the problems caused by the 2006 Juba Declaration, and were not about to repeat the same mistake, and fund and feed

was a dead letter as far as Kiir was concerned: political power was to be fragmented, while economic power was to remain centrally in his hands.

95 See Craze, 2019, pp. 57-84.

96 See Small Arms Survey, 2017.

97 Craze, 2020, p.47.

98 For details of the negotiation of the agreement, see International Crisis Group, 2019, pp. 6-10.

99 All these examples are extensively discussed in Craze 2020, pp. 65-86.

an army with—once again—a Nuer majority. Rather, the regime let the SSR program wither on the vine, with SPLA-IO recruitments eventually deserting cantonment sites in which there was neither water nor food.¹⁰⁰ The government continued to extensively recruit and arm militia forces, officially part of the NSS and MI, that did not even make the pretence of going through the SSR process. The commanders, like James Koang, who abandoned the opposition in 2020 did so as rational actors: the futures market was premised on an impossible future and given that the SPLA-IO political elite had already effectively joined the government, they should, as well.

CONCLUSION:

The Future of the Market

Oil revenues from 2005-11 created an unsustainable political marketplace in South Sudan dependent on the vagaries of the international oil market. Even if oil prices had remained at 2011 levels, however, this market would have exploded: while extant oil reserves in South Sudan have been falling since 2010, the political marketplace took the form of a Bull Market in which increasingly higher payments were required to maintain the loyalty of armed actors integrated into the state army following the 2006 Juba declaration.

As of 2020, Kiir's regime is on a much more stable footing. In some senses, the South Sudanese civil war is a return to the processes of predation and extraversion that marked the second Sudanese civil war: commanders once again control territories, displace and predate on immiserated South Sudanese populations, and tax and divert humanitarian supplies. However, this return is only apparent, and is occurring in a transformed landscape. Because, at least at present, there are no sources of external regional support for rebel movement, actual or potential, armed actors are relatively beholden to Kiir's regime, which has overwhelming military and financial superiority over any putative opposition. Moreover, much potential income in South Sudan is now related to state-power: from the administration of land reform that consecrates land and development opportunities in the hands of the elite to the taxation of an emergent South Sudanese middle class, earning NGO salaries. There is then considerable elite interest in not disrupting the appearance of peace in the capital, and so guaranteeing continued international involvement in South Sudan. Violence tends to take the form of 'depoliticized conflict', fought in the periphery, rather than a direct challenge to Kiir's regime.

This relatively durable elite compact is dependent on the regional alignment. Uganda and Sudan's mutual interests in South Sudan as a subordinate actor in the region, and the involvement of the elites of both countries in businesses in South Sudan, mean that there are no external backers for those who would threaten Kiir. This regional alignment is relatively stable, but if it were to change, then there would be no shortage of militia forces ready to resurrect the political marketplace of the second Sudanese civil war.

Even if a regional realignment does not occur, there is little in which to find succor in South Sudan's post-oil predicament. The ongoing marketization of South Sudan is a violent process, fundamentally predicated on the mass displacement of people from their land, and the erosion of destruction of customary forms of association. This process has already generated its own outside to

100 A detailed history of this process is available in Craze, 2020, pp.42-96.

the marketplace: groups like the Shilluk and the Fertit cannot be brought into the elite compact in Juba, because their marginalization has been produced as part of the creation of the market resources that make such an elite compact viable: it is on the displacement of the Shilluk from the east bank of the White Nile, for instance, that Padang Dinka power in Upper Nile is consecrated. These forces will continually rise up against Kiir's regime. Even if some of these forces are instrumentalized by the government, this does not, blunt the reality of these community's objections to state-based logics of predation in South Sudan.

Given the overwhelming financial power of the government—relative to the opposition—and the way that the government has fractured power in South Sudan at a local level, it is unlikely any of these forces will constitute a threat to Kiir's regime in Juba. As Kiir has undermined extant blocks of opposition power, leaders remain relatively economic autonomous, but politically weak—dependent on the sponsorship of the state machinery in Juba, and vulnerable to displacement if the government chooses to back other forces. Moreover, when considered as a class, this fractious elite stands to lose a lot by returning to the days of civil war, and much to gain by positioning itself at the top of an ongoing process of class formation in Juba.

This is not to say that the current peace in South Sudan is particularly peaceful. The elite continued to wage wars of position in the periphery.¹⁰¹ These struggles for power in Juba take the form of apparently depoliticized conflict elsewhere. For instance, in Jonglei in 2020, rivalrous factions of Kiir's regime backed the Murle, Lou Nuer, and Bor Dinka, in an attempt to ingratiate themselves with their base support and destabilize rivals. These clashes, though, occur on the condition that they do not appear for what they are. Instead, both the UN Mission in South Sudan and the political elite chalk them up as 'inter-communal violence.' The violence continues, on the condition that no one calls it a war. There is an elite level compact in Juba in which political antagonism is expressed in depoliticized form in the periphery.

In southern Sudan, the state-form has always been autonomous from society, and what has shifted historically, is not this fact, but the economic basis of this autonomy. The civil war in South Sudan has seen the beginning of a shift in this fundamental fact, as the South Sudanese elite move from a political system determined by oil rents to one determined by a politics of land and capital. Elite buy-in to this project is likely to be durable, but as more South Sudanese civilians are thrown off their land and into precarious forms of labor and immiseration, it is also likely to be very violent.

101 As opposed to wars of maneuver. This much-cited distinction is from Gramsci (2003), and I have here adopted it to my own purposes, despite the warnings of Anderson (1976). A war of position refers to a conflict *within* a class. Thus, in 2020, the way different members of the political elite used militia forces in Jonglei to wage battles of influence in Juba through conflict in the peripheries is an example of a war of position. These wars—to the extent they cement the overall position of the military class in Juba—are also wars of maneuver. The latter term refers to an actual war between two classes—a working class insurrection being the model of such a war that Gramsci envisioned. In a South Sudanese context, the war of maneuver refers to the process of the military class securing their power *over* an immiserated population. Often what is a war of position, *intra*-class, is a means of a more total inter-class victory, via the more total immiseration and displacement of forces outside of the military class in Juba.

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