

Real but Fragile: The Greater Pibor Administrative Area

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List of abbreviations and acronyms

CAD	Civil Affairs Division
CLMI	Church Leaders' Mediation Initiative
CPA	Comprehensive Peace Agreement
EU	European Union
GPAA	Greater Pibor Administrative Area
GRSS	Government of the Republic of South Sudan
HRD	Human Rights Division
IDB	Internally displaced person
IGAD	Intergovernmental Authority on Development
JMTC	Joint Military Technical Committee
LAPSSSET	Lamu Port–South Sudan–Ethiopia transport (corridor)
MoW	Ministry of Wildlife
MP	Member of parliament
SDF	Special Development Fund
SPLM/A	Sudan People's Liberation Movement/Army
SPLM-IO	Sudan People's Liberation Movement-in-Opposition
SSDM/A	South Sudan Democratic Movement/Army
SSP	South Sudanese pound
SSRRC	South Sudan Relief and Rehabilitation Commission
UAE	United Arab Emirates
UDF	United Democratic Front
UNHCR	United Nations High Commissioner for Refugees
UNMISS	United Nations Mission in South Sudan
USD	United States dollar
WCS	Wildlife and Conservation Society

I. Introduction and key findings

On 30 January 2014 the Government of the Republic of South Sudan (GRSS) and a rebel group known as the South Sudan Democratic Movement/Army (SSDM/A)-Cobra Faction agreed on a ceasefire that laid the ground for a constructive series of negotiations to be held in Addis Ababa. On 9 May the parties signed a peace agreement. The deal put an end to a rebellion that first began in 2010, after David Yau Yau, a Murle civil servant, contested the electoral results for a constituency in Pibor county, Jonglei state. The specific grievances of Yau Yau and his close entourage aside, the struggle had progressively embodied a feeling of marginalization shared by most Murle people against the state government headquartered in the state capital, Bor, which they perceived as hostile and Dinka-dominated.

The peace agreement between the GRSS and the Cobra Faction called for the formation of a new Greater Pibor Administrative Area (GPAA). The area comprises the boundaries of former Pibor and Pochalla counties of Jonglei, along the Ethiopian border, in a territory mainly inhabited by Anyuak, Jie, Kachepo, and Murle people, thus strengthening the administrative divide from surrounding counties predominantly inhabited by Nuer and Dinka. In line with the principle of decentralization, President Salva Kiir appointed David Yau Yau chief administrator of the area with a status equal to that of a state governor. This exceptional compromise occurred at a time when the rest of the country was falling into the third civil war in about sixty years—and the first since South Sudan's independence—between the ruling Sudan People's Liberation Movement/Army (SPLM/A) and followers of the SPLM-in-Opposition (SPLM-IO). In this context longstanding demands for a federal system of governance have become stronger across the country, and were strategically adapted and endorsed both by leaders from the Equatoria region and by the SPLM-IO itself. The latter has proposed the redrawing of the ten South Sudanese states into 21 federal states, including Greater Pibor, in line with the ethnic and administrative mapping of the colonial period.

The GPAA is not a precedent for federalism, but a reflection of the current decentralized system in South Sudan as outlined in the Transitional Constitution. Yet it will be important to see whether, by re-establishing some former colonial boundaries (the peace agreement makes clear reference to the borders of 1956), this development creates an opportunity for wider representation for all inhabitants or instead reframes internal power relations at the expense of other political minorities based on ethnic identifications. This should also be of great interest for the supporters of a federal system of governance throughout the country.

This Working Paper describes the path that led from the early stages of Yau Yau's rebellion, through its evolution in the post-independence period, to the signing of the agreement culminating in the establishment of the GPAA. It explores the role of local and international actors in the negotiation process, and reviews the first phases of implementation of the new administrative area, its main challenges and early achievements, and the prospects of peaceful co-existence for its heterogeneous population.

It is a strange irony that from the 'peacetime' period (post-2005) onwards, most people in Pibor, and particularly the Murle, have lived with almost continual violence and displacement, but now that civil war has returned to South Sudan they have slowly returned to their seasonal settlements and administrative centres. The government's need to put all its resources into play against the SPLM-IO propelled Kiir's concessionary talks with the Cobra Faction. In doing so, the national government set aside the interests of key actors in the state and local government who opposed the GPAA agreement. In this sense, the wider civil war remains a precondition for peace in Greater Pibor. Should the balance of the wider conflict shift significantly to one warring side or the other, or simply decay, new priorities and alliances could prevail, and state and local interests in Jonglei could reassert themselves.

The paper is based on intensive fieldwork conducted between July and September 2014 in Juba and Pibor during the creation of the GPAA. It relies on direct observation and interviews with South Sudanese civilians, military officers, national and Jonglei state government representatives, members of international NGOs and agencies, and international researchers. In addition, it makes use of various reports produced by international research and advocacy

organizations, and previous field research conducted by the author in and outside South Sudan.

Among the paper's key findings:

- From mid-2013 onward and through the peace agreements of 2014, the Cobra Faction leadership has demonstrated the will and capacity to bring stability to Greater Pibor. Now that the GPAA has been established, however, it faces the major challenge of bringing a heterogeneous population together in inclusive new political configurations.
- The GPAA's existence on paper is a significant victory for David Yau Yau's rebel movement, but its implementation is far from complete. As of early March 2015 the GPAA is a precarious entity, real but not yet fully realized. Government funding is pending, and the borders of the GPAA and its seven prospective counties have yet to be formally established. The initial redistricting of some areas, such as Vertet and Allale, has created tensions among political figures.
- The destiny of the GPAA is intimately intertwined with the conflict between the government and the SPLM-IO. In fact, the prospect of a peace agreement could diminish Yau Yau's leverage with the warring parties and lead to new alliances that could threaten the GPAA. For these reasons, Yau Yau has a strong incentive to see GPAA implementation move forward prior to the resolution of the conflict.
- At the same time, the full enshrinement of the GPAA as South Sudan's 11th state requires a new national constitution that is unlikely to be concluded until a negotiated resolution to the current conflict is reached, leaving the new area in a kind of limbo. The *fait accompli* of a functioning and established administration would have a much better chance for consideration in the permanent constitution.
- The GPAA is not necessarily a harbinger of political reforms in the direction of a federal system in South Sudan. While the leaders of particularistic movements seeking political autonomy or greater representation are watching the experiment closely, the devolution of powers to the GPAA simply mirrors the current form of decentralization outlined in the Transitional Constitution of 2011.

- As of February 2015, the integration of Cobra Faction fighters into the state security forces has been proceeding slowly within the GPAA's borders. Many Murle are willing to seek jobs in the army or other regular forces, but it is unclear whether these new soldiers will be called on to fight the SPLM-IO. Yau Yau has repeatedly pledged neutrality, but if the new troops were deployed on the Pibor–Akobo corridor they would represent a significant new military advantage for the government.
- The GPAA has achieved autonomy from Jonglei state, but it is far from clear whether it will avoid the sidelining of ethnic minorities within its own administration. The suspicion that SPLA officers are arming Jie fighters and widespread anti-Jie animosity in Boma are causes for concern. Moreover, political rivalries also exist internally among Anyuak factions and even among the Murle.
- The establishment of the GPAA has created political winners and losers not only in the Jonglei government in Bor, but also in Pibor, Boma, and Pochalla. Sidelined actors who do not benefit from the new framing of power could emerge as spoilers as the GPAA administration takes shape. Cross-border tension, internal sabotage, and defections all constitute risks. 📌

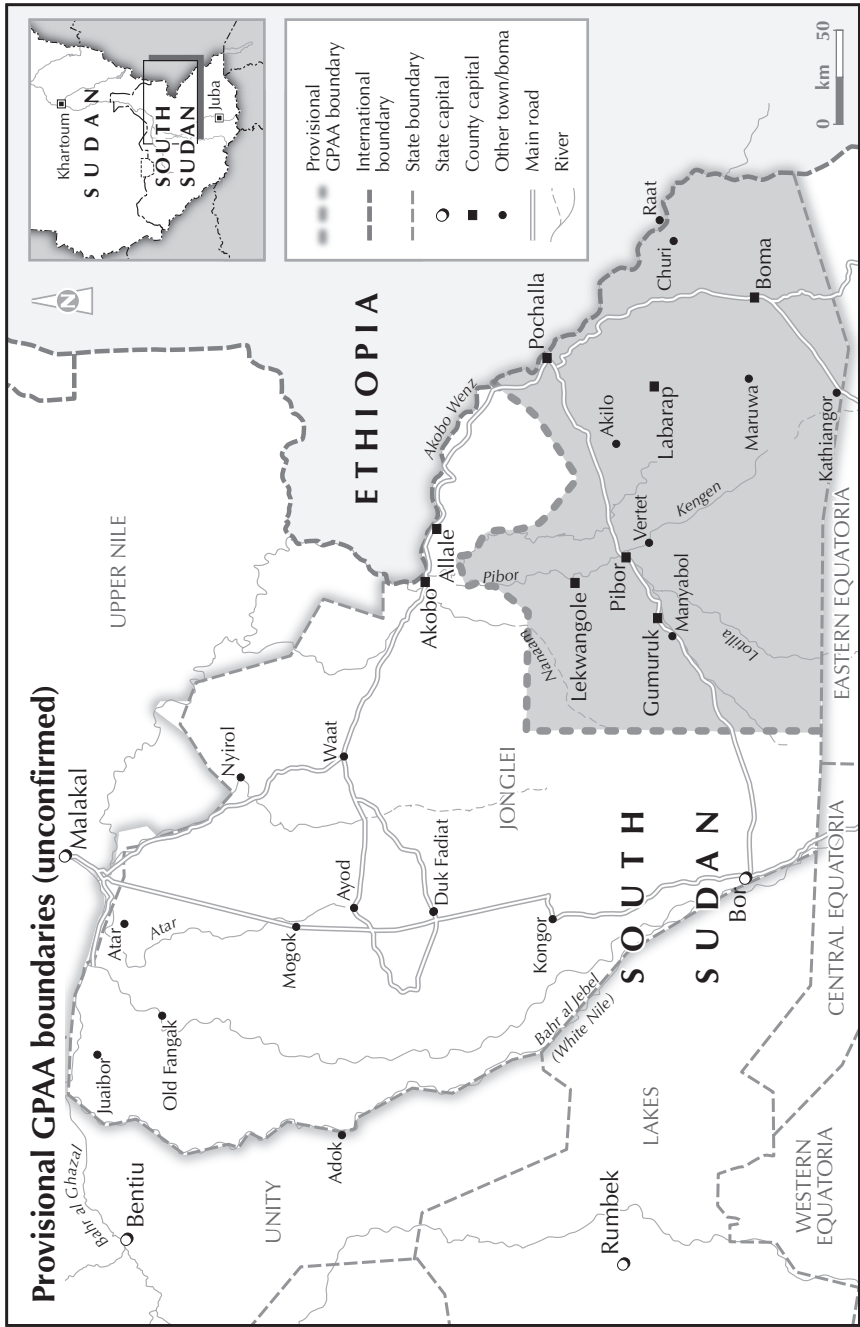
II. Background and context

Pibor: a marginal place?

Jonglei state, which lies along the border with south-western Ethiopia, is positioned at the crossroads of the historical migrations of several people of different geographical origin who over the last centuries came to meet, interact, marry, and exchange and often fight over local resources. Contemporary inhabitants mainly self-identify as Dinka, Nuer, Anyuak, Murle, Jie, and Kachepo. The Murle live mainly in the areas between and around the centres of Pibor and Boma, which are now part of the GPAA. Pibor was a Sudanese government garrison in the South for most of the second civil war, except for a parenthesis of SPLA control from 1987 to 1992. In 1992 Sultan Ismail Konyi, a Murle leader supported by Khartoum, held the town until the end of the conflict in 2005, and de facto up to early 2007. Boma, on the other hand, was a strategic SPLA stronghold continuously from 1985. In the post-Comprehensive Peace Agreement (CPA) years the region has been the site of intermittent tensions between the SPLM/A and non-state actors.¹

Some months prior to the escalation of the SPLM political crisis and the beginning of the current conflict in December 2013, at a time when displacement from and around Pibor was probably at its peak, a United Nations Mission in South Sudan (UNMISS) officer desolately affirmed in an informal conversation in Juba: 'Nobody cares about Jonglei'. But the turmoil in Jonglei was actually on the radar of the mainstream international media. In fact, a rebel militia led by the Murle David Yau Yau was dealing serious blows to the national army and humanitarian reports from the fighting zone had already been alarming for some two years. Furthermore, the area attracts local and international attention owing to one of the world's largest wildlife migrations and widespread optimism about the presence of underexploited natural resources like oil and minerals.

But the officer had a point. Although Jonglei—the home state of late SPLM/A leader John Garang de Mabior—is the locus of some of the most important



military and political events in recent Sudanese history (such as the generals' mutiny that ignited the SPLA rebellion in 1983), it is often considered to be remote and marginal. Oil exploration, interrupted in the 1980s, did not restart after the CPA, and the area is affected by persistent, organized violence fuelled by ethnic representations. For its part, the government has minimized the violence (Thomas, 2013), often characterizing it as cattle raids between pastoralists or, more generally, as 'tribalism'. Although Yau Yau's rebel militia caused heavy losses to the SPLA, it soon remained the only internal military challenge left facing the government. In fact, other rebel groups that emerged in South Sudan in the aftermath of the 2010 elections were no longer active. As a single isolated threat, the Cobra Faction disturbed the politicians in Juba relatively less than the state government.² Moreover, by saying that nobody cared about Jonglei, the UNMISS officer referred also to international stakeholders. He included some of the highest ranks of UNMISS, who recognized the militarized nature of the raids, but failed to address them with equal priority in comparison to, for example, preparations for the referendum on independence and secession in 2011, and ongoing border or oil revenue issues with the Sudan. In this sense Jonglei was often spoken of, but not really 'cared for'; in other words, it was marginalized.

In early 2014, however, Jonglei eventually became a real focus of attention thanks to its location as a battleground between forces loyal to President Salva Kiir and those aligned with former vice-president Riek Machar. From the early stages of the war it was clear that, if Machar ever wanted to take Juba, he had to go through Bor. The peace agreements with Yau Yau have so far prevented Greater Pibor from becoming part of this battleground. However, as discussed later in this paper, the implementation of the GPAA may influence the balance of the current conflict as much as does the fighting itself. At the same time, a resolution to the conflict could actually threaten the GPAA.

Main resources in Greater Pibor

Jonglei has long been considered one of the most underdeveloped regions in the world (ICG, 2009, p. i). In fact, poor accessibility and underinvestment have resulted in a scarcity of the most basic services. The area's resource potential has nevertheless attracted outside interest since colonial times.

Cattle, goat, and sheep herding has long been an important element of the local system of livelihoods, and the regulation of its distribution had been attempted during the Anglo-Egyptian Condominium (1899–1956). Since then, livestock has increasingly made its way to the urban markets that extend beyond the local economies (Small Arms Survey, 2012, p. 6). In recent years Jonglei has had some of the largest herd populations of any state in South Sudan (ADB Group, 2013, p. 70); respondents from Pibor confirm the extent of the livestock markets.³ Even in times of strife between Pibor and the town of Bor (which is mainly inhabited by Dinka and lies on the shortest route to Juba), Murle herders have found an alternative route to the capital cutting southwards at the fork in Koschar. Cattle raiding cannot be completely understood without attention to this growing trade and to the transformation of the river system, which in recent decades has been shrinking, forcing some Murle people to move with their cattle further eastwards and northwards, putting pressure on Anyuak and Nuer herders (Schomerus and Allen, 2010, p. 24).

Access to water has been an issue of major concern in Jonglei for at least a century. Before Sudan's independence the construction of a Jonglei canal was a major focus of the Condominium. The plan was to divert the White Nile from the areas near Bor and reconnect it downstream near Malakal, at the likely expense of the people living in the Sudd swamps. Several routes and possibilities were assessed over the last century, including a 'Veveno-Pibor scheme', which was eventually abandoned in 1932 due to its poor costs-benefits balance (Howell, Lock, and Cobb, 1988, p. 34). During the Second World War the overall project was abandoned, but it has remained under discussion in the post-CPA and post-independence years.

But although often mentioned as the main sources of 'tribal conflict', cattle and water are just two of many resources that generate political competition in the area. The South's secession also affected foreign interests in the oil sector, like French oil company Total's in Block B, the large concession that falls mainly in Jonglei and partly in former Pibor county. It is sometimes assumed that the second civil war and the continuation of violence in the post-CPA period have prevented Total, which signed a contract with Sudan in 1980, from exploring for oil since 1985. However, insecurity alone does not explain the slow progress of the extractive industry in Jonglei. Before the CPA, Total was reluctant

for political reasons to start operations in a context of war, especially in SPLA-held (i.e. rebel-held) territory. But since South Sudan's independence insecurity has not been the only impeding factor—indeed, oil extraction has continued in other states during the current conflict.

In fact, hesitation seems to derive more from the lack of regulation in the oil sector.⁴ Total renewed its contract with Sudan in 2004, just before the peace agreements that culminated in the CPA. Normally, this would have led to active operations and shared production with the national company (Total, 2012). However, after the CPA the UK-registered White Nile company appeared to have a better political relationship with the new South Sudan government (particularly with Riek Machar) and competed for the concession. In 2007 an oil commission composed of members both of the national and Southern governments confirmed a London court ruling recognizing Total's rights over Block B. After the South's independence, and despite resistance from the French, the GRSS decided that the area was too vast to be granted to one only firm and acknowledged only one-third of Total's original concession, while inviting other investors to bid on the rest. US corporations ExxonMobil and Chevron were among the bidders for the exploration rights (ECOS, 2012). This was a significant change in South Sudan's commercial relations with the United States, which had barred its companies from doing business with Sudan since 1997 (Reuters, 2012).

In 2012 it was reported that ExxonMobil—the largest US oil company—and Kuwait's Kufpec would enter licensing talks to team up with Total for the exploration of Block B (ECOS, 2013b), within which the new sub-block B2 coincides with much of the GPAA. But the sacking of Vice-President Riek Machar and Salva Kiir's dissolution of the cabinet in July 2013 put on hold the talks for the sub-division of the block, which Machar masterminded (Think Africa Press, 2013). In 2014, in the context of the current crisis, Exxon withdrew from its agreement to explore blocks B1 and B2 with Total and Kufpec. The latter two companies' October 2013 offer to explore the two sub-blocks still stands, but the government has yet to sign a contract (Bloomberg, 2014).

Aside from the disputes over oil concessions, a fluctuating relationship with Khartoum over oil revenue sharing since independence pushed the GRSS to pursue alternative solutions to the use of the pipeline in the North. Options included routes to the Indian Ocean through Kenya to the coast at Lamu or to

Djibouti via Ethiopia (ECOS, 2013a), but insecurity in Jonglei was once again identified as an impediment. In particular, GRSS representatives accused the Government of Sudan of supporting Yau Yau's rebellion in order to obstruct the construction of the pipeline to Ethiopia (VOA, 2013a). In reality, only evidence of significant oil discoveries in Jonglei would justify the cost of a pipeline from Upper Nile via Jonglei to an ocean port. In an area so inaccessible due to its poor road system, exploration would be prohibitively expensive, especially in light of depressed oil prices. Moreover, the Kenyan option seems more likely than the Ethiopian one, as it is proposed in the ambitious plan for a Lamu Port–South Sudan–Ethiopia transport (LAPSSET) corridor. Realistically, and following recent oil discoveries in Kenya and Uganda, in an initial phase only these two countries will establish pipeline links. Later South Sudan could start to join by road and rail if oil were discovered in Jonglei (Patey, 2014, p. iv). So while Yau Yau's insurgency certainly played a role, the main obstacles faced by the extractive industry were rather economic, legal, and logistical, and remain unresolved even though the government has signed peace agreements with the rebels.

Although the LAPSSET project struggles to take off, important regional investments are expected for the improvement of the road system between South Sudan, Kenya (up to Mombasa), and Ethiopia. Part of the plan includes road construction to connect Juba, Kapoeta, and Boma via Dimma in Ethiopia to an alternate seaport for South Sudan in Djibouti. According to the World Bank the GRSS should receive USD 75 million to support this programme (World Bank, 2014). Greater Pibor is considered rich in mineral resources, particularly in the areas along the Ethiopian border.

The region between Pochalla and Gambella, which lies on the oil-rich Melut basin, has long been a theatre for cross-border trade, displacement, and rebel activities. In April 2013 the Ethiopian firm SouthWest Energy announced that explorations in the new Gambella block had confirmed the potential for extraction (SouthWest Energy, 2013). Moreover, the commerce in artisanally mined gold, which the GRSS would like to regulate in order to gain tax revenues (*Sudan Tribune*, 2013a), is also known to involve the smuggling of gold from Pochalla. Gold and other mines are also present around Boma (Deng et al., 2013, pp. 12–13), particularly in Ngalangoro, from where gold is transported

to the border. The gold trade route from Ngalangoro via Churi (near the wartime Pakok airstrip) and Raat to Dimma is the object of competition in the demarcation of the new Greater Pibor counties. Both Pochalla's and Boma's gold is often sold in Dimma, a mining area in the Gambella region, which was a strategic SPLA base and the site of a refugee camp during the second civil war. Interestingly, a few days after his assignment as chief administrator of the GPAA, David Yau Yau discussed a pending dispute over customs at the Ethiopian border, demanding that customs control be handled by his new administration rather than the national government (Radio Tamazuj, 2014a).

A parallel issue of regional interest is a cross-border conservation project to be implemented in coming years by the Intergovernmental Authority on Development (IGAD). On the South Sudanese side of the border the project comprises Boma National Park, which hosts one of the greatest concentrations of wildlife on earth each migratory season. In 2007, prior to this plan, the Ministry of Wildlife (MoW) signed a formal agreement with the US-based Wildlife and Conservation Society (WCS) to collaborate in a long-term partnership for environmental programmes, measured land use planning, zoning, and resource management (Wikileaks, 2009). Then, in 2008, the government signed a contract with the United Arab Emirates (UAE) company Al Ain National Wildlife Establishment for an eco-tourism area in a mainly Murle-inhabited area that crosses a wide part of former Pibor county. Some 10,000–15,000 inhabitants around the Maruwa Hills were required to relocate to another area by December 2011. Some of their leaders refused to do so, claiming that the government did not consult them before signing the contract and that the contract ignored indigenous interests. Murle people living in the area were reportedly threatened with forced eviction (Deng, 2011, pp. 35–36). Moreover, the company was required but failed to provide services for the Murle in a new settlement called Karac.⁵ In 2009 Al Ain built an airport with a 2-km-long runway in Maruwa, and hotels and other facilities sprang up (Wikileaks, 2009). As a result, according to a Murle politician, the Murle people abandoned the southwest of Maruwa.⁶ But this project conflicted with a US Agency for International Development USD 12.6 million grant in favour of MoW and WCS for the preservation of biodiversity in Boma, and the situation was further complicated by unauthorized Al Ain flights to and from Ethiopia (Wikileaks, 2009). Eventually

the conflict between the government and the Cobra Faction halted Al Ain's activities, and its contract was reportedly not renewed after the signing of the GPAA agreement.⁷ In November 2013 IGAD launched the Biodiversity Management Programme in the Horn of Africa in the Boma–Gambella area funded by the European Development Fund (HoA-REC&N, 2013). A meeting with the South Sudanese minister of the environment and minister of wildlife conservation and tourism was reportedly held on 1 April 2014, about one month before the signing of the GPAA agreement, in order to organize the surrender of Al Ain's facilities and land.⁸

While there is hope that the government and investors will take account of local inhabitants' interests when managing the huge economic potential of Greater Pibor in terms of mineral resources, livestock, and wildlife, the forced resettlement and segregation of pastoralist people are a risk. This concern is heightened by precedents from the Gambella region of Ethiopia, which is now considered part of the same landscape as Boma National Park. A leaked report by a World Bank internal inspection panel identified an 'operational link' between a USD 2 billion World Bank-funded health and education project and an Ethiopian government 'villagization' programme, which included the forced relocation of Anyuak people in Gambella, amid reports of rapes and killing perpetrated by the army (Huffington Post, 2015). The Ethiopian case shows that the implementation of development plans (medical facilities, schools, etc.), which are sometimes proposed to coincide with commercial activities, can have adverse effects. In general, indigenous people rarely benefit from access to the resources and benefits of commercial exploitation implemented by state and foreign actors in cooperation with intergovernmental agencies. 📌

III. David Yau Yau's insurgency

Yau Yau's first rebellion

David Yau Yau's early years have much in common with many South Sudanese of his generation. When he was about ten years old the SPLA took him from his family with other Murle children of his area and brought him to Dimma, Ethiopia, for schooling and military training in the 'Red Army' of youths. After Mengistu Haile Mariam's fall in 1991, he returned by foot with a few other boys to Boma. His very young age prevented him from taking part in the fighting.⁹ From Boma he travelled in an empty UN convoy that was heading back to Kenya. He spent the following years in the Kakuma refugee camp, where he lived in the same area with other people from Irrit, his settlement of origin near Manyabol town in former Gumuruk payam. In Kakuma Yau Yau pursued an education at a religious college.¹⁰ Later, from 2004 to 2006 he continued his studies at the Emmanuel Christian College in Yei, Eastern Equatoria state (*Sudan Tribune*, 2012a). From mid-2008 to mid-2010 he was secretary of the South Sudan Relief and Rehabilitation Commission (SSRRC) in Pibor during the mandate of County Commissioner Akot Maze Adikir, who is also from Irrit.

Yau Yau ran unsuccessfully as the United Democratic Front (UDF) candidate for the Joglei state parliament constituency of Gumuruk-Boma in 2010 (Wikileaks, 2013).¹¹ The party would distance itself from the later rebellion that started in May of that year, which many explained in terms of Yau Yau's rejection of the election results. In fact, he lost to another Murle, the SPLM candidate Judy Jonglei Boyoris,¹² and claimed vote rigging (*Sudan Tribune*, 2010). Others suggested that internal Murle politics was behind the fighting (Small Arms Survey, 2013a). To counter the insurgency, County Commissioner Akot Maze called for the formation and arming of a paramilitary force called 'SPLA Youth' under Murle SPLA commander Joshua Konyi (Small Arms Survey, 2012, p. 4). Some observers wondered if Sultan Ismail Konyi, the charismatic commander of the Khartoum-allied Pibor Defence Forces during the second

civil war, was behind Yau Yau. This suspicion derived from the competition over leadership between Konyi and Akot, a longtime SPLA loyalist. Konyi only joined the Southern government in 2006 as presidential adviser on peace and reconciliation (ICG, 2009, p. 5), and effectively integrated his militia into the SPLA no earlier than 2007. Despite these early rumours, however, there is no evidence of Konyi's giving direct support to Yau Yau's uprising. It is conceivable that, despite his past rivalry with Konyi, Akot Maze was simply acting in his role as commissioner in raising a fighting force against Yau Yau. As it happens, Akot later turned into a crucial broker in the negotiation between Yau Yau and the government that led to a ceasefire agreement in June 2011.

In his first rebellion Yau Yau's militia numbered no more than about 200 men and was only capable of low-intensity military operations, mainly against the SPLA. He received arms from George Athor's SSDM/A, which Khartoum supported.¹³ Before the elections Yau Yau campaigned mainly outside town among his fellow cohorts of the Bothonya age set,¹⁴ with little or no approval from senior politicians. Murle age sets are an important institution with significant influence on the politics of Pibor county. People identifying with different age classes compete and sometimes fight to succeed to their immediately elder generation in order to access marriage rights. Age sets define networks of solidarity and protection and are generally said to have a prominent role in cattle raiding, even when the latter rise to a higher and politically more complex degree of organized violence.¹⁵ In 2009, at the time when Yau Yau was SSRRC secretary, the members of the Bothonya age set were eventually starting to take over from their predecessors, the Titith age set. Until then they had not had the right to perform their 'generation dances' inside town, unlike the elder age sets, and instead they had had to do it out of sight.¹⁶ Furthermore, just as they had started to enjoy their newly gained rights, a younger age set was already emerging, the Lango, with equal claims.¹⁷

These disputes would normally be expected to be handled through so-called 'stick fights'. Although this form of combat can cause serious injuries and sometimes be fatal, the code supposedly has it that a Murle cannot shed the blood of another Murle. But in that year the authorities noted an increase in the use of firearms in age-set competitions, accompanied with more numerous and severe casualties. In reaction, Akot Maze took an authoritative stance and banned

the dances, probably in an attempt to hinder the institution of the age sets at the root of these struggles by repressing its most representative ritual. But this unpopular move did not help to stop the fighting. Meanwhile Yau Yau, in his personal and institutional roles, appeared distant from these dynamics, but he was respected among the Bothonya, probably thanks both to his job and to the fact that he was from a clan of chiefs.¹⁸ Nevertheless, a Lango gang reportedly physically threatened him, suggesting he was not able to maintain an appearance of neutrality.¹⁹ When in 2010 he stood for parliament and later began fighting, he called on the cultural resource of the age-sets system to recruit among this privileged constituency. Whatever the real motivations behind this choice, the Murle respondents interviewed were unanimous that the demand for a separate Murle state in Jonglei was not part of his agenda at that time.²⁰

Amnesty without peace

In June 2011 Yau Yau accepted a presidential amnesty. His troops were integrated into the SPLA and taken for training to Ngachigak Military College in Eastern Equatoria²¹ and then to Mapel in Western Bahr el Ghazal. But the ceasefire could not arrest a parallel type of violence that started long before Yau Yau was born. When the Murle first reached the valley of the Lotilla (Pibor River) before the advent of colonial rule they moved westwards at the expense of the Dinka. Similarly, more and more Lou Nuer settled from the north down to Akobo, starting to put pressure on the Anyuak who lived there (Lewis, 1972, p. 22). The search for water sources during the dry season has periodically attracted Murle herders to the permanent streams closer to the Nuer, Dinka, and Anyuak settlements; this mobility has translated into continuous contact in the form both of reciprocal exchange and violent confrontation over resources (especially cattle). In the last decades, the politics of war in the region has affected these dynamics, adding a more complex and tragic dimension to the hostilities that resulted in widespread killing and displacement even after the end of the second civil war. For instance, besides the frequent expeditions by Murle raiders, the so-called 'white army' (*jeich mabor*), a loosely organized collective of armed Nuer cattle youths, also renewed its operations in the CPA period and took part to an escalating cycle of retaliatory attacks and counterattacks

between Lekwangole (northern Pibor county) and Akobo, especially in 2009 and 2011.

While Yau Yau, who had accepted the amnesty, was in Juba, on 18 August 2011 Murle youths carried out a deadly attack against Nuer civilians in Pieri, Uror county, killing about 750 people and stealing 38,000 head of cattle. Reportedly the attackers used weapons donated by Yau Yau, although the Small Arms Survey could not verify this (Small Arms Survey, 2012, p. 4). Later that year, during the Christmas holidays, up to 8,000 Lou Nuer fighters were mobilized from Akobo, Nyirol, and Uror counties for a revenge attack, and headed towards Lekwangole payam. UNMISS spotted these fighters as they made their way along the Nanaam River prior to the attack and sounded the alarm. It deployed a battalion to the main centres of Pibor county, but its presence was still insufficient to protect civilians (UN News Centre, 2011) (see Box 1). UNMISS flew Riek Machar (GRSS vice-president at the time) to Lekwangole town for him to persuade the Nuer militiamen to abandon their mission—with no success (Small Arms Survey, 2012, p. 3). In fact, the Nuer ignored him and on the following days proceeded towards Pibor and far to the south, along the Kengen River. In Pibor town UNMISS was able to partially contain the offensive, although according to Murle respondents its base was too small to host civilians seeking its protection. Those who had not already fled sought refuge in the SPLA barracks. Reportedly, newly appointed County Commissioner Joshua Konyi told Peter Ruei, the SPLA commander in the town, to respond to the attack, but only some non-Nuer SPLA soldiers (particularly Murle) engaged the attackers.²² When the Nuer fighters eventually left the county in early January the commissioner claimed that 3,141 people had been killed, while other investigations put the death toll at slightly more than 1,000. On top of the casualties, many women and children were abducted and more than 100,000 people were displaced (Small Arms Survey, 2012, p. 3). The escalation of violence in 2009 had already caused high numbers of internally displaced persons (IDPs) and casualties on both sides, but no similar attack in the CPA period had hit that hard and deep into the heart of Pibor, which NGOs usually considered to be a safer base from which to operate in troubled Lekwangole.

In a 5 January 2012 press release claiming responsibility for the attack, the Nuer fighters said that they did not recognize Machar as their leader and were

instead represented by the 'Nuer youth' in the United States (SSNA, 2012). At the same time few Murle trusted Machar's stated intention to stop the march of the 'white army'. Allegedly, Murle SPLA soldiers in Lekwangole witnessed Machar jump over an animal that had been killed for his arrival—a symbolic act that some interpreted as a gesture affirming that Pibor had become his land. Around the same period it is said that an influential Murle chief from Lekwangole payam strongly condemned Machar to his face in Pibor.²³ Adding to Murle unease, the 'white army' press release also makes mention of Twic-Dinka who joined the operations against Pibor (SSNA, 2012). Some Murle began to see a conspiracy against them, including the idea that diaspora networks in the United States and Australia were financing the attacks in Jonglei.²⁴ Later reports would confirm joint attacks by Nuer and Dinka youths against Pibor county between December 2011 and July 2013 (ICG, 2014b, p. 10). Moreover, the 'white army' repeated the long-standing accusation that the Murle people abduct Nuer, Dinka, and Anyuak children because of their own fertility problems. Based on decades-old reports about sexually transmitted diseases, this stereotype is regarded by medical experts as baseless²⁵ and ignores the fact that child abductions were common and actually reciprocal between Nuer and Murle people (and not only between them) even prior to the arrival of the British (Hutchinson, 1996, p. 124).

But the main message of the attacks in Pibor county was that if the government was not going to stop the raids by Murle aggressors, the 'white army' would take the law into its own hands. In fact, as their press release was being finalized, Murle youths from Nanaam and Lekwangole were already seeking revenge with a series of daily raids in areas mainly inhabited by Dinka Bor and Lou Nuer, leaving many dead. Between 9 and 11 March they then attacked Luo Nuer cattle herders as far afield as Ethiopia, killing at least 225 people (Small Arms Survey, 2012, p. 5).

Disarmament: abusive and counterproductive

The scale and intensity of the attacks between 23 December 2011 and 2 January 2012 were unprecedented in post-CPA Pibor and were widely reported abroad.²⁶ Moreover, the cycles of violence continued as, starting on 1 January, Murle

Box 1 UNMISS in Lekwangole, December 2011

Many Murle maintain that on numerous occasions members of the SPLA have allowed or even encouraged attacks by armed militias in Pibor. During the Christmas 2011 attacks by Nuer fighters, the UNMISS troops in the base at Lekwangole were not sufficient to respond to such a sustained offensive, nor did the SPLA intervene, remaining outside the town at its base in Manytonkor. Civilians, alerted by people fleeing southward from Kongor, could find no refuge in Lekwangole, so they left the town almost deserted and moved en masse towards Pibor. On 27 December, when police forces abandoned their positions after attempting in vain to resist the assault, only seven Murle people remained in town. The attackers reportedly murdered five of them—three wounded boys and two women (their caretakers) who had come from Kongor. They could not run and instead hid in a tukul a few metres outside the UNMISS compound. Another wounded child and a local government administrator were the only two Murle eyewitnesses to the attack. Some victims were relatives of the Pibor chief of police, who did not blame the peacekeepers, considering that they were clearly outnumbered.

Other civilians were less forgiving.²⁷ According to a detailed UNMISS report based on investigations carried out by its Human Rights Division (HRD) in Pibor county in January–February 2012 and released in June, the blue helmets evacuated 31 vulnerable civilians before the attack in Lekwangole (UNMISS, 2012, p. 15). But the Murle administrator who survived argued that UNMISS was twice requested to host the wounded and their caretakers in its compound and twice refused, before these victims were killed on its doorstep. The UNMISS report simply states that the corpses of ‘one adult female and two presumed adult males’ were found in a state of decomposition by human rights officers in tukuls adjacent to the UNMISS military base (UNMISS, 2012, p. 16). The survivor added that he tried first to escape to the SPLA base, but heard shooting on his way; he then opted for the road to Pibor, but even in that direction he could hear fighting ahead. So he went to UNMISS: at first he was not let into the base when the fighting had already reached town, and only later he insisted and was allowed to enter by another officer. Once the Nuer attackers had already killed five people, a UN soldier bravely sneaked out and grabbed the last child, taking him inside the compound. When asked by the assailants to hand over the last of the civilians, the UN soldiers denied that they were hosting any. They hid the child in an empty water tank and disguised the Murle administrator in a UNMISS uniform, and eventually they were flown safely to Pibor by helicopter. Almost three years after the incident the administrator said that the author of the present paper was the first foreigner to ask him about these events.²⁸

The accounts suggest the fate of the civilian targets may have depended more on the courage and sense of responsibility of individual officers than on directives shared unequivocally by the peacekeepers. This episode may therefore reflect the inconsistency that several NGOs and analysts have identified in UNMISS’s pre-2014 conduct.²⁹ In fact, according to Chapter VII of the UN Charter, the blue helmets were supposedly responsible for protecting civilians, especially when the government failed to carry out this task. The SPLA would later be accused of serious human rights abuses against civilians during a disarmament and a counterinsurgency campaign. This development further exposed a contradiction in the UN’s state-building mandate, to support the GRSS, but also protect civilians that the army was targeting.

raiders carried out a series of retaliatory attacks over the following months, causing significant loss of life, displacement, and theft of cattle. The government reacted with its standard response: civilian disarmament. After 2005, especially in Jonglei, where the SPLA had fought wartime enemies like the 'white army', the government instituted forcible disarmament that met strenuous local resistance at a high price in lives lost.³⁰ The UN, which had sometimes played a support role in such campaigns in its peace-building capacity, lost some credibility as a result of these events. Although it promoted voluntary disarmament (Young, 2010, p. 3) and pushed for parallel development programmes, supposedly to deinceivize rearmament, the UN stood by the government in its unilateral focus on 'security'.

During the disarmament exercise of 2012 the government rolled out a seemingly more nuanced approach that took into account previous criticism concerning the need to include parallel processes of reconciliation and avoid the unequal disarmament of rival forces that left some areas open to aggression. In March the SPLA deployed more than 12,000 soldiers of its 2nd and 8th Divisions from Juba to the troubled areas and promoted the establishment of a Presidential Committee for Peace, Reconciliation, and Tolerance in Jonglei (Small Arms Survey, 2012, p. 8). But Riek Machar's launch of the committee in April was met with predictable rejection from many Murle who held him responsible for not arresting the militia that had ravaged Pibor county. Equally problematic, the leadership of the committee was assigned to Anglican Archbishop Daniel Deng Bul Yak, a Twic-Dinka who had already led a Sudan Council of Churches mediation in Jonglei in 2011. This mediation had failed to prevent the December-January attack and the Murle representatives clearly felt that Archbishop Deng was politically biased against them (Small Arms Survey, 2012, p. 7). Making matters worse, it quickly became clear that the disarmament programme would once be again heavy handed and involve abuses against civilians.

In an early and important casualty, Baba Majong, the main chief in the Maruwa Hills, was shot by the SPLA in March 2012 and airlifted by helicopter to Juba with serious injuries.³¹ While it is often said that the Murle lack a hierarchical political structure, Majong's shooting showed the limits of this claim. While there is no centralized, vertical political system in Pibor (at least

beyond the reach of the local government), there are figures who derive legitimacy from their identification with the *alaat*, i.e. the (clans of) chiefs, who exert significant influence on politics and social life. Baba Majong is the most charismatic chief of the Ngarotti clan. For most Murle people it was hard to understand why the army would attack him; in fact, he had supported the SPLA during the second civil war.³² When he arrived wounded at Juba airport he was received by important Murle personalities and taken to Juba Teaching Hospital. Many Murle abroad contributed money for his treatment from as far away as Australia.³³

But Majong's shooting was just one incident in a long series of abuses that accompanied the disarmament campaign, including looting and theft (including of NGO properties), intimidation, beating and simulated drowning, rapes, murders, and mass killings, documented in detail by international organizations (AI, 2012, pp. 8–14; HRW, 2013, pp. 16–35). This trend worsened once David Yau Yau left Juba and started a new rebellion in the second half of 2012. The abuses would continue throughout 2013 and, together with the fighting between government and rebels, provoked an unsustainable two-year long situation of displacement affecting almost the entire population of Pibor county. Thousands found refuge in Juba or in neighbouring Ethiopia, Kenya, and Uganda, while the vast majority ran to the grazing fields that during the rainy season were unsuitable for either people or cattle.³⁴ The SPLA targeted the Murle people indiscriminately and UNMISS remained incapable of protecting them. As a consequence, although Yau Yau's first rebellion had not enjoyed much support, the widespread discontent and suffering caused by the disarmament campaign progressively pushed many displaced civilians to seek protection in rebel-held areas and induced those who wanted to fight to access Yau Yau's arms supplies and, at times, to directly join his militia.

Yau Yau's second rebellion to the Jebel Boma Declaration

After accepting the presidential amnesty Yau Yau remained in Juba until April 2012, when he went to Nairobi, officially on medical leave, and then to Khartoum. SPLA sources suggested that he left Juba because he was not satisfied with the military rank he was offered for integration (Small Arms Survey, 2013b, p. 4).

His own account is that the GRSS reneged on its pledge to give him the parliamentary seat he had run for in 2010, a condition of his acceptance of the amnesty, and which only became clear once he arrived in Juba for integration. This induced him to take up arms again, he said (VOA, 2013a). Ultimately, it is not clear to what degree his new insurrection was motivated by personal dissatisfaction with the government's offers, by the ongoing disarmament abuses against the Murle people, or by incorporation into a wider political plan. In any case, when he returned from Khartoum to Pibor county in August 2012 he was accompanied by his second-in-command, James Arzen Kong Kong, plus a number of Sudan Armed Forces commanders who had been part of Ismail Konyi's circle during the second civil war. Yau Yau disputed claims that the Sudanese security sector provided him with material support (VOA, 2013a). However, a Small Arms Survey research team conducting fieldwork in Pibor town in February 2013 heard details to the contrary from a group of Yau Yau defectors. The militiamen, headed by commander James Kuburin, convincingly described repeated airdrops of weapons by Sudan's National Intelligence and Security Services to the rebels, which allegedly occurred in different locations in 2012 and 2013 (Small Arms Survey, 2013c; 2013d).

In 2012 the main rebel operations were in western Pibor county, where Yau Yau and his new followers displayed a remarkable grasp of strategy, organizational skills, and the ability to gather many more fighters than in the previous rebellion. Already in the first attack on the Nanaam River they inflicted more than 100 casualties on the SPLA. In August–September, during the rainy season, heavy rebel–SPLA fighting reportedly occurred in Kongor and then Lekwangole, from which the whole population fled, mostly to hide in flooded areas in Dalmany.³⁵ In September–October the centre of operations moved to the south around Gumuruk, Manyabol, and Koschar, and fighting also occurred in Lukurnyang, in the near outskirts of Pibor. Gumuruk in particular was first taken by the rebels and then reoccupied by the SPLA.

Facing severe human losses, the SPLA had no choice but to suspend the disarmament campaign and refocus its efforts in response to Yau Yau's rebellion. Maj. Gen. Marshal Stephen, a Murle, was initially charged with that task, but Maj. Gen. Peter Gadet replaced him before the counterinsurgency campaign started in March 2013 (Small Arms Survey, 2013a, p. 5). Interviews in Pibor

suggested that Stephen did not really engage in open military action against the rebels;³⁶ nonetheless, the SPLA recognized him for his ability to broker James Kuburin's defection. The rebel commander hailing from Vertet payam moved to Pibor with his troops in December 2012 (*Sudan Tribune*, 2012b). On 26 January 2013 Kuburin and his bodyguards entered the Pibor market carrying their weapons. Although they had consented to integration, this turned out to be a dangerous move in such a volatile environment. Tensions rose quickly and SPLA soldiers started shooting into the town. They burned down several houses and killed at least eight people, displacing most of the Pibor residents. Kuburin fled to Akilo, on the way to Pochalla, in the area where Yau Yau had been located since the beginning of 2013, but the rebels chased him back. Eventually he managed to surrender to the Pibor county commissioner, Joshua Konyi (Small Arms Survey, 2013a, p. 4).

On 8 February a group of Lou Nuer cattle herders who were being escorted by the SPLA on their way to the Sobat River for the seasonal migration were attacked in Akobo county at Wangar in Buong payam. An investigation by the UNMISS HRD identified 88 deaths, including civilian men, women, and children, and some SPLA soldiers. Although the survivors indicated that the attackers were wearing military uniforms and chanting in Murle, the HRD could not find evidence of involvement by Yau Yau insurgents (UNMISS, 2013, p. 15). In March the SPLA increased the scale of its operations and concentrated its troops to fight on the Kong Kong River.

On 9 April a group of armed men attacked a convoy of 30 Indian UNMISS peacekeepers on the Gumuruk–Pibor road, killing nine peacekeepers and three civilians and injuring many more (UN News Center, 2013). Col. Philip Aguer, the SPLA spokesperson, blamed the attack on Yau Yau's militias (BBC, 2013). Yau Yau, however, in an interview with *Sudan Tribune* the day after the attack, denied any involvement of his forces, declared that his organization recognized the work of the UN in protecting civilians, and invited UNMISS to conduct an investigation of the incident.³⁷ He claimed to be ready for negotiations with the government on condition that independent international actors be part of the process, as well as 'civil society, the faith based groups, the media, youth and women'. Furthermore, he added new demands, mainly addressed to the national government and President Salva Kiir:

The system of governance must be clearly defined. The type of government we want. [The] majority of our people want [a] parliamentary type of government with decentralization policy. They also want presidential term and age limits. The powers of the president must be clearly defined (Sudan Tribune, 2013b).

A few days earlier Col. Peter Konyi Kuburin,³⁸ spokesperson for the rebels, had released the Jebel Boma Declaration and the Manifesto of South Sudan Democratic Movement and South Sudan Democratic Army (SSDM/A Manifesto), which referred to the SSDM/A, i.e. the political/military organization of Yau Yau's former ally George Athor, who was killed in 2011. To clarify the distinction from Athor's former movement, the rebels now identified themselves to the media as the 'Cobra Faction'. In the 32-page manifesto especially the movement laid out a detailed list of principles and an articulated political project not seen before. About a month later, at the beginning of May, the Cobra Faction announced an imminent attack in the areas of Pibor and even Kapoeta, in Eastern Equatoria state. The rebels strongly advised civilians and NGOs to leave the towns within a week (*Sudan Tribune*, 2013c). Instead, on 5 May they attacked and occupied Boma town. James Arzen and Baba Majong, both originally from Nuwer in the Vertet area, conducted the operation together.³⁹ During an interview in Juba a member of the Boma administration and now of Majong's entourage recalled that the rebels took Maruwa first. When the information of an imminent attack reached Boma, the people there, including the administrator, started to flee towards Ethiopia, not knowing exactly what to expect from Yau Yau's militias in a town that had been an SPLA stronghold since the 1980s. The SPLA also left, then reorganized and headed back to engage the rebels.⁴⁰ It took days for the government forces to retake this symbolic town. Such a spectacular precedent forced national actors—and the Murle inhabitants of Pibor county—reconsider the Cobra Faction's capabilities.

Dated 2 April 2013, the Jebel Boma Declaration and SSDM/A Manifesto, despite references to the need for free elections and a 'multiparty democracy', departed from Yau Yau's original demands regarding the Bor parliament. The two documents now addressed themes of national interest rather than Jonglei politics and openly targeted a wider audience, '[u]rging the South Sudanese people to embark rapidly on joining the South Sudan Democratic Movement/Army and mobilize the masses in rural and urban areas as well as abroad'

(SSDM/A, 2013a). Eligibility for membership was open to '[a]ny South Sudanese at 18 & above' (SSDM/A, 2013b). Importantly, the declaration featured mainly non-Murle signatories. A sign that the rebels were raising the bar was that, among calls for democracy, equality, and freedom for marginalized people, they also listed the dissolution of the government of Salva Kiir and the formation of a two-year Transitional Revolutionary Government prior to new elections and the promulgation of a permanent constitution. In response to what it described as the 'abuse of the decentralization as a policy of domination by the present ruling elite' (SSDM/A, 2013a), the Cobra Faction promoted the 'restructuring of South Sudan into a multinational federation' (SSDM/A, 2013b).

These foundational texts aside, Yau Yau revealed a more pragmatic agenda during the same period, if not of national breadth, still of high ambition: he progressively began to endorse the demand for a separate state for the minorities of Jonglei, including Murle, Anyuak, Jie, and Kachepo people, autonomous from the government of Bor (VOA, 2013b). This dual messaging reflected the fact that, on the one hand, the rebels in 2013 were seeking political recognition by proposing themselves as an actor with a national profile, while on the other hand their political destiny was deeply entwined with older demands in Pibor county, the only place where they could foster a large constituency. Even prior to the idea of a new state, Murle authorities had been lobbying for years for more political representation. As early as 2008 the charismatic chief Barcoc Lual urged the upgrading of Lekwangole *payam* (possibly the most populated in Pibor) into a new county.⁴¹ In support of this demand some would claim that even though SPLA general Ngacigak Ngacilluk, a celebrated 'martyr' of the 'liberation struggle', was born in the area, the Murle fighters' sacrifice for the Southern cause was not recognized (*Sudan Tribune*, 2008). Similar demands were voiced for the upgrading of Gumuruk *payam* into a proposed 'Kubal county'. Others recalled that even before Ngacigak and former SPLM secretary Pagan Amum joined the SPLA they were fighting Khartoum under the leadership of Murle rebel Lukurnyang Lado in the area of Boma prior to the 'Bor mutiny' that started the civil war in 1983.⁴² As one Murle politician noted, other Murle personalities had raised the 'separate administration' request earlier, for example in a 2011 letter to the South Sudanese president. In this sense, Yau Yau was a latecomer, taking up the demand only in mid-2013.⁴³

The Cobra Faction: seeking consensus

Interviews with Murle IDPs in Juba in April 2013 showed that many people had mixed feelings about the rebellion. Some said they only wanted peace and that Yau Yau brought war to Pibor. A few added privately that at least Yau Yau had forced the SPLA to stop the disarmament campaign.⁴⁴ However, in general, openly supporting the rebels at that time carried risks and it must be assumed that support was greater than what was publicly voiced. But the two comments reflected the reality: the violent disarmament had brought Pibor county to its knees and the rebellion managed to distract the SPLA from the exercise. At the same time Yau Yau's conflict with the army exacerbated the previous displacements and the SPLA, stung by the losses inflicted on it, retaliated viciously against civilians. Moreover, if the rebels were generous in distributing arms, they also demanded food supplies. A local administrator affirmed that every chief provided the Cobra Faction with a bull, while some herders said more frankly that sometimes the rebels took cattle forcefully from Murle civilians.⁴⁵

In assessing local opinions of the insurgency and the SPLA, it is important to remember that the Murle had representatives in the local administration. For example, the Pibor county commissioner was Joshua Konyi, who hailed from the area of Gumuruk. While Konyi did not miss a chance to denounce SPLA abuses against civilians,⁴⁶ he fully executed his mandate to engage Yau Yau's forces. Furthermore, in 2012 he ordered the replacement of numerous chiefs, including the head chiefs from the four western Pibor payams.⁴⁷ He described this as a normal periodic reshuffle,⁴⁸ but some interviewees in Gumuruk saw it as a strategic move to control local politics.⁴⁹ Gumuruk in particular seemed partly under the influence of the commissioner.

In the first half of 2013 the towns of Lekwangole and Pibor were almost deserted and under army control. From May the same was true for Boma, while Gumuruk remained relatively populated. The SPLA commander in the area said that the continuing presence of civilians in the town was due to his peaceful attitude towards the local inhabitants.⁵⁰ Murle residents, even those that declared their sympathy for the rebels, later confirmed his soft approach.⁵¹ Then in July, when Lou Nuer militias conducted another massive attack far from town on the Nanaam River, which lasted days and caused many casualties on both sides, some Murle civilians in Gumuruk reportedly told an aid worker that they did

not want wounded Murle rebels to be treated in the town.⁵² In fact, the only wounded who were allowed to reach Manyabol (south-west of Gumuruk) in order to be transferred to the Bor hospital for treatment were mainly Nuer. This is partly why international NGOs eventually lobbied the government to obtain humanitarian access to the Murle wounded in outer areas like Dorein and Labarap, near the rebel positions (*Sudan Tribune*, 2013d).

It is thus clear that civilians held complex opinions about the rebellion and the legitimacy of the state. In general, it was not possible to identify a clear demarcation between pro-government and pro-rebel factions. In 2013 many Murle families had members on opposing sides of the conflict: for example, one brother provided for his family by working with the government or the SPLA in Juba,⁵³ and another by keeping cattle in rebel-held areas and fighting to protect his brother's herds. This should not be surprising considering that even Joshua Konyi is said to be related to Yau Yau through his mother.⁵⁴ Although some of the most important Murle social relations (like those defining the circulation of bride-wealth cattle) are developed along the patrilineal line, the matrilineal line usually defines a crucial network of protection and revenge. In this sense the bond between Konyi and Yau Yau would normally be very strong, yet politics has brought them to fiercely opposite positions. During the rebellion many overlapping social and political dynamics competed to shape or break alliances. This was also the case in the difficult relations between the Bothonya and Lango age sets.⁵⁵ While both Lango and Bothonya members contributed importantly to the second Yau Yau rebellion, around September 2013 some of the Lango reportedly abandoned the cause due to their longstanding rivalry with the Bothonya (Small Arms Survey, 2013b, p. 4). Joshua Konyi may also have armed and recruited anti-Yau Yau fighters from among the Lango age set.⁵⁶

Despite the complexity of these relations and opinions, it is clear that from around mid-2013 support for the Cobra Faction began to grow significantly. The revered chief Baba Majong was involved in the temporary occupation of Boma from 5 May and his support considerably altered the balance of the fighting. Then on 10 May it was reported that the Lekwangole payam administrator, Simon Ali, was 'kidnapped' by armed men (Small Arms Survey, 2013a). Later it turned out that he had assumed a prominent role with the rebels. At the same

time many charismatic chiefs, including those of the Tangajon clan—considered dominant in Pibor and Lekwangole—were ‘running away’, i.e. moving out to ungoverned areas.⁵⁷ The positioning of charismatic and respected chiefs was undoubtedly an indicator of a growing support to the rebel cause.

The SPLA’s execution of 11 people in Kathiangor, including Brig. Gen. Kolor Pino, a Murle senior wildlife official in Boma National Park, also had a galvanizing effect. The incident provoked collective disdain, drawing public rebuke even from Salva Kiir (HRW, 2013, p. 24; *Sudan Tribune*, 2013e). Murle politicians in Juba organized and celebrated a commemoration in the presence of almost all their most important institutional figures, regardless of their affiliations or antipathies.⁵⁸

Last but not least, after further SPLA destruction and looting, even the Pibor police and wildlife officials left for the rebel areas. In this period every Murle interviewee unflinchingly denounced the SPLA for its indiscriminate targeting of the Murle people, i.e. its failure to distinguish rebels from Murle security officers and civilians.⁵⁹ Young men could not approach the towns without risking being shot at, and the killing of women and children was not uncommon.⁶⁰ It was ‘punishment by association’, in the words of the US State Department (USDoS, 2013).⁶¹

Between January and May 2013 the UN High Commissioner for Refugees (UNHCR) registered 5,397 refugees that had fled from Jonglei to Kenya, about 2,700 between January and June to Uganda, and about 2,000 to Ethiopia in May alone (UNHCR, 2013). According to South Sudanese refugees in Kakuma, in August 2013 Kenyan immigration officers at the border were requiring the Murle people heading to the refugee camp to present a document signed by the South Sudanese authorities to be registered as asylum seekers. The refugees suspected that the South Sudanese government itself had established this rule.⁶² Although the Small Arms Survey could not verify these reports, some interviewees said that this rumour was one of the reasons why more fleeing Murle than expected decided to seek refuge in Uganda.⁶³ In fact, many Murle people increasingly felt surrounded on all sides—added to which, reports began to emerge that the SPLA was supplying Lou Nuer militias with arms in several helicopter airdrops during the counterinsurgency campaign (Small Arms Survey, 2013b, pp. 9–10). Similar reports also came from Boma, where

members of the government allegedly armed Jie civilians in Kathiangor to fight the Cobra Faction.⁶⁴

Many inhabitants of Pibor county not only felt caught between the SPLA and the militias and saw in the Cobra Faction their last chance of survival, but also sympathized with the idea of a 'separate state' from the Bor government, which they regarded as hostile. Around mid-2013 Yau Yau convened a three-day gathering for all the Murle people who had fled the main towns in a place called Merlema, on the Kong Kong River between Akilo and Pibor. Many respondents recalled this event as a crucial moment that initiated the future strategy and popularity of the movement. Reportedly, together with the rebel leaders, the militiamen, and numerous civilians there were also members of the police and wildlife rangers. In his speech Yau Yau said that all the divisions of the past would be forgotten, and that the people now had to unite and struggle together for their own state.⁶⁵ 🗨️

IV. Peace in a time of war

Early peace talks: a slow start

Mediation efforts to address the recurrent tensions in Jonglei date back to the last civil war and continued in the post-CPA period, especially after the escalations of violence in 2009 and 2011–12, which had their epicentres in Twic East, Pibor, and Akobo. UNMISS often assisted reconciliation initiatives supported and sustained by international NGOs in partnership with local organizations and church networks. In 2011 the Sudan Council of Churches formed a mediation committee headed by Anglican archbishop Daniel Deng. In 2012, after the mass killing in Pibor county, Salva Kiir promoted another committee for reconciliation, again under the archbishop's leadership. As noted above, Murle participants found Daniel Deng's two initiatives disappointing and questioned his neutrality.⁶⁶ In fact, all of the various peace processes over the years were largely unsuccessful, staged as they were between repeated outbreaks of fighting.

In the first half of 2013 the government hired James Ellery, director of AEGIS Defence Services (UK), to negotiate a deal (Small Arms Survey, 2013b, p. 10). Reportedly, the British mediator met with Yau Yau more than once, but his mandate was basically to bring the rebel leader to Juba rather than entertain his demands. The approach did not have the desired effect.⁶⁷ International organizations supported the involvement of prominent Murle politicians, hoping that their contribution could help to build a dialogue between the government and the rebels. The first attempts to communicate with Yau Yau dated from as early as 2012 and continued at the beginning of 2013, but stalled very soon after the launch of SPLA counterinsurgency operations.⁶⁸ On 19–20 May 2013 a gathering of Murle leaders and intellectuals, given the green light by the president, committed to liaise with Yau Yau in order to convince him to end the rebellion in light of the dire humanitarian situation in Pibor county.⁶⁹ Signatories included Sultan Ismail Konyi and many others, including then-deputy minister

of finance Kengen Jakor, Lt. Gen. Kennedy Gain, Jonglei minister for youth and culture Baba Medan, and county commissioner Joshua Konyi. In June, under this initiative, a Presbyterian pastor tried to reach Yau Yau in Manytakar, but did not manage to meet him.⁷⁰ Whether this was a problem of capacity or will among the Murle leaders is not clear.

It seems in any case that Yau Yau was not ready for negotiations with these parties. Most of the Murle leaders that offered to mediate between the rebels and the government were themselves government officials, including from the Bor government, which was often accused of marginalizing the Murle in Jonglei. While communication with Yau Yau had been consistent, it had not established a ground for negotiations.⁷¹ According to reports collected by an aid worker assisting displaced people in the outer areas of Pibor county, Yau Yau trusted very few people outside his inner circle.⁷² It is perhaps unsurprising, then, that conflicting reports about talks were common during this period. On 20 June, for example, Jonglei minister Baba Medan told Eye Radio (2013): ‘My discussion with David Yau Yau has been positive. . . . Actually he gave us a green light, he said he accepts the peace, but we want to find way, how we can meet with him’. But two days later Peter Kuburin, spokesperson for the rebels, declared:

The Murle elders talking about peace are wasting their time. There is no negotiation unless there is a genuine change in Juba. In this rainy season, we will make life difficult for Salva Kiir (Sudan Tribune, 2013f).

Only in late 2013 would the conditions be in place for a dialogue.

The church leaders’ mediation initiative

Already at the beginning of 2013 the first signs of an alternative mediation track emerged under the charismatic figure of Catholic bishop Paride Taban, along with Bishop Paul Benjamin Yugusuk of the Episcopal Church and Bishop Arkanjelo Wani Lemi of the African Inland Church. Together they led the Church Leaders’ Mediation Initiative (CLMI), developed in close consultation with PAX, an organization operating in cooperation with the Dutch Embassy, with

logistical support from Norwegian Church Aid and UNMISS (PAX, 2014a). Bishop Arkanjelo is a board member of the Emmanuel Christian College, where David Yau Yau studied until 2006 (Discipleship Press, 2014). The initiative started in February 2013 and progressively set the ground for a negotiation that would eventually lead to the signing of a ceasefire in January 2014 and to the peace agreements later in May.

In a Voice of America interview in May 2013 Bishop Taban publicly appealed for a ceasefire between government and rebels, although he said he had not yet talked to Yau Yau (VOA, 2013c).⁷³ Soon after the failures of Archbishop Deng's committees Taban was mentioned in humanitarian circles as someone who could potentially gain the rebels' trust because of his commitment and impartiality.⁷⁴ He had gained credibility in mediation processes during the second civil war, when he promoted reconciliation among SPLA factions prior to the signing of the CPA, and later by founding a Holy Trinity Peace Village in Kuron, Eastern Equatoria (Sergio Vieira de Mello Foundation, 2013).

The first official contact was made in August 2013 when the bishops met representatives of the Cobra Faction in Addis Ababa and agreed to start down a path toward negotiations with the government (PAX, 2014a). Eventually, in September, with Salva Kiir's blessing, the bishops and the Presbyterian Murle pastor Orozu Lokine managed to meet Yau Yau in Kongor.⁷⁵ The risk of a setback occurred on 20 October, when armed men reportedly conducted a heavy attack in Twic East county, killing more than 40 people and wounding 60 more. Government officials blamed the Cobra Faction (ReliefWeb, 2013a), although international analysts said there was no evidence of Yau Yau's involvement. Under one reasoning, the Cobra Faction could gain nothing by jeopardizing the peace negotiations, while other political actors who opposed the rebels' demands could use the episode instrumentally to destabilize the talks.⁷⁶ In any event the attacks did not seriously damage the dialogue and the church leaders proceeded with their initiative.

In a country where civil war was often oversimplified as the confrontation between an Arab North and a Christian South, some media sensationalized Yau Yau as a 'theologian turned rebel', a concept that became popular among expatriate agencies' staff in Juba.⁷⁷ Actually, it is unclear whether Yau Yau ever really planned to become a pastor. But now, as a political stakeholder, he

certainly saw a familiar interlocutor in the church mediators, which probably helped to kick-start the talks. In general, the churches had a historical role in mediation processes of South Sudan, and the logistical and financial support of Christian international organizations has strengthened and oriented their capacities even further. In fact, the church network is probably the most recognized in South Sudanese 'civil society', and often the only one structured enough to make it to the negotiation table.⁷⁸ Moreover, the CLMI did not formally just represent a particular sector of society with its own grievances and demands, but instead played the very specific and prestigious role of mediator in the negotiations between two warring parties. In other words, the church is an established and well-connected network that identified in peace mediation its privileged political role. The missionaries and the numerous religious organizations that invested in Christian education for decades, including in the refugee camps of the countries neighbouring South Sudan, have trained a pool of skilled individuals who can fulfil this role. Others may choose to leave the religious path in order to pursue different vocations. It is not surprising, then, that the small professional elite of those who could access schooling, like Yau Yau, have often done so in Christian colleges prior to seeking an NGO job or a political career. Nor is it unusual that, when Pibor county was eventually divided into smaller counties in July 2014, four of the candidates for the new commissioner positions were Murle pastors.⁷⁹

Despite its influence and credibility, the CLMI was not able to sustain the peace process alone. Besides the financial support of the European Union (EU) and PAX to cover expenses in Addis Ababa, the expertise and capacity of international actors were important throughout the process: not only NGOs, but also the civil affairs component of UN peacekeeping and renowned mediation experts. Provocatively, Salva Kiir has affirmed that the agreement with the Cobra Faction is an example of how the South Sudanese people can solve their problems by themselves, without foreign interference (i.e. as opposed to the IGAD-led talks between the GRSS and SPLM-IO) (*Sudan Tribune*, 2014a). In fact, the Cobra Faction actually achieved its objective of involving the UN in the negotiations, thus putting the process under international scrutiny and simultaneously securing a higher degree of political recognition.⁸⁰

The GPAA and the wider conflict

Peace talks between the Cobra Faction and the government were ongoing when, after nine years of the CPA and two of independence, a national political crisis on 15 December 2013 led to a military escalation and returned the country to widespread civil conflict. The fighting between opposing factions respectively loyal to President Salva Kiir and to former vice-president Riek Machar quickly spread from Juba to other areas, notably Greater Upper Nile. Since then the resulting alliances have constantly evolved, and not necessarily according to the most accepted ethnic representations. For example, although the government is largely perceived as Dinka dominated, since the beginning of the conflict it could mobilize only a modest number of Dinka fighters in Jonglei. The main political stakeholders from Bor have longstanding differences with some Dinka networks of Bahr el Ghazal, Salva Kiir's area of origin, and also have their own internal divisions between Twic East and Bor South counties. So, while remaining officially loyal to the government, some have kept intermittent relations with elements of the opposition. On his side, Machar is now clearly affiliated in Jonglei with the 'white army', which is mainly composed of Lou Nuer fighters. In Unity some Bul Nuer factions joined the SPLM-IO, while others, including members of the South Sudan Liberation Movement/Army, so far remain loyal to Juba (ICG, 2014b, pp. 10–14; 2015, pp. 7–8; Small Arms Survey, 2015, pp. 4–6). Notwithstanding the official IGAD-led negotiations to mediate the dispute and despite the efforts of other international actors such the Troika⁸¹ and EU, the conflict does not seem likely to end soon. The current civil war is the wider context within which the Yau Yau peace agreements must be understood.

The government–Cobra Faction talks were held in Addis Ababa, in parallel with negotiations between the government and the SPLM-IO. On 23 January 2014 the government signed a ceasefire with the SPLM-IO (IGAD, 2014a; *Sudan Tribune*, 2014b) that was immediately broken. One week later, on 30 January, it ratified on paper a ceasefire with the Cobra Faction, which still stands as of early March 2015 (Radio Tamazuj, 2014c). The two sides signed the final agreement on 9 May (GRSS and SSDM/A-Cobra Faction, 2014), the same day as another soon-to-be-broken ceasefire with the SPLM-IO (Al Jazeera, 2014). The document did not entirely meet Yau Yau's demands for a separate state,

but made remarkable concessions to the rebels: based 'on the principle of decentralization of government in the country' it established the formation of a new GPAA comprising Pibor and Pochalla counties of Jonglei (see Box 2). The new area would be governed by a chief administrator 'whose status will be equal to that of a state governor' (GRSS and SSDM/ A-Cobra Faction, 2014). The agreement specified that the GPAA would be divided into six counties created in compliance with the Local Government Act of 2009,⁸² after holding consultations in the payams or bomas to be upgraded. A Special Development Fund (SDF) would be established from the national budget to provide services and infrastructure, and 'to bridge the gaps of underdevelopment in the area'. The integration, training, and deployment of members of the former Cobra Faction in the army, police, and other organized forces 'shall be conducted within Greater Pibor Administrative Area' (see Table 1). It would be organized by a Joint Military Technical Committee (JMTC) composed of members of the Cobra Faction and the ministries of defence and the interior, and supervised by a monitoring body comprising Cobra Faction and UMMISS staff, led by the CLMI (GRSS and SSDM/ A-Cobra Faction, 2014).

In a move likely designed to facilitate the process, John Kong Nyuon, the Jonglei caretaker governor (chosen by Kiir to replace former governor Kuol Manyang Jok, now the defence minister), appointed two Murle members of parliament (MPs) to prestigious positions in Bor. Former minister for youth and culture Baba Medan was appointed deputy governor on 28 March (*Sudan Tribune*, 2014c), the same day that a draft agreement was signed in Addis Ababa outlining the provisional features of the GPAA.⁸³ And on 6 May Judy Jonglei Boyoris, former speaker of the State Assembly, was appointed as minister for information and communication just three days before the signing of the final peace agreement (*Sudan Tribune*, 2014d). These new nominations, while responding to the claims that the Murle people were not politically represented, at the same time probably smoothed a peace process in which some Murle personalities in Bor who were not involved in the talks could stand to lose.

A few days after official recognition of the GPAA, the head of the Cobra Faction delegation in Ethiopia, Lt. Gen. Khalid Boutros Bora, suggested that neither the government nor the SPLM-IO could afford to fight the Cobra Faction. Interviewed in August 2014, he made a gesture with his left and right hands

Table 1 **Integration and development fund according to the GPAA Implementation Matrix**

INTEGRATION

Activity	Executing body	Timeline	Funding	Location	Reference
Appointment of chief administrator	President	45 days from peace agreement		Juba, GPAA	Art. 5
Establishment of JMTC	President	7 days from appointment of the chief administrator	GRSS	Juba	Art. 14
Start screening, integrating, and training Cobra Faction forces	JMTC, DDR	14 days from appointment of the chief administrator	GRSS	GPAA	Art. 14
Deployment into organized forces	Ministers of defence, veterans' affairs, and the interior		GRSS	GPAA	Art. 14
Screening of disabled, child, and aged soldiers	JMTC, DDR, UNMISS	Same as general screening	GRSS	GPAA	Art. 14

DEVELOPMENT FUND

Activity	Executing body	Timeline	Funding	Location	Reference
Establishment of SDF	President	Concurrent with establishment of GPAA	Various, including president*	Juba	Art. 8
Establishment of fund management team	President	Concurrent with establishment of GPAA	GRSS	Juba	Art. 8

* Humanitarian agencies were openly invited to share this burden with the government.

Source: Implementation Matrix annex to the peace agreement of 9 May 2014 (GRSS and SSDM/A-Cobra Faction, 2014)

Box 2 **A laboratory for federalism?**

Yau Yau demanded a new state, but the GRSS rejected it on the grounds that, according to the Transitional Constitution, South Sudan is (and must remain) composed of ten states.⁹¹ The peace agreement also specified: 'The proposed state creation by the SSDMA Cobra faction in the lands of Greater Pibor shall be done within constitutional framework including the ongoing constitution making process of the Republic'. The new region's unusual legal status leaves it vulnerable and tentative. Given that the current conflict put a halt to the ongoing process of democratization, it remains unclear whether the GPAA will become an effective reality by the time the country achieves a permanent constitution. Nevertheless, parliament and the Council of States ratified the new administration and the president issued a decree establishing it on 25 July 2014 (*Sudan Tribune*, 2014f). Yau Yau officially became chief administrator on 30 July (*Sudan Tribune*, 2014g), the nomination of deputy chiefs and county commissioners followed in September, and other administrators with the role of quasi-ministers were appointed in October (Radio Tamazuj, 2014d; *Sudan Tribune*, 2014h).

These are palpable political victories for the Cobra Faction that are already legally enshrined and that satisfy its main request for autonomy from Bor, at a time of loud and widespread calls for federalism in the country. Soon after Yau Yau signed the peace agreement that would give life to the GPAA, the SPLM-IO strategically endorsed these demands (Radio Tamazuj, 2014e). In doing so, Machar tried to ride a growing wave of tension between Kiir and the Equatoria state governors, who are among the most outspoken promoters of the federal system. He proposed a division of the ten South Sudanese states into 21 federal states, with the new national capital in Ramciel. The new states would coincide with the borders of the colonial districts as they were in 1956, one of them being the Pibor district (Radio Tamazuj, 2014e). This move clearly seemed to target the exponents of particularistic movements across the country, including Yau Yau, whom Machar was hoping to attract to his side of the civil war.

But the case of the GPAA follows its own particular path and cannot be regarded simply as a precedent in federalism. Although the Jebel Boma Declaration and the SSDMA Manifesto expressed the need for a 'multinational federation' to supplant 'decentralization as a policy of domination' (SSDMA, 2013a; 2013b), once at the negotiating table the Cobra Faction put aside the most ambitious aspects of its reformist narrative and focused on reaching a more pragmatic compromise of decentralization (ideally, a state), but still mirroring the current devolution of powers from the national to state governments. The crucial demand was to bypass Bor. In fact, this would be the most popular achievement among the peace agreement's Murle supporters. The negotiation that could radically transform the administrative map of Jonglei state was discussed between government representatives headed by Clement Janda, who reported directly to Kiir, and a delegation of the Cobra Faction leadership, thus excluding important politicians in the Jonglei government.

The formation of a separate state clearly emerged as the Cobra Faction's primary objective, leaving national reform in the background. The GPAA, however, will be an interesting case of administrative (and territorial) fragmentation, which, like most federalist demands, can claim many supporters among marginalized people who legitimately call for political representation. The Greater Pibor experiment will therefore at least serve as a reference to assess whether this type of initiative can be a vehicle for wider participation in the system of governance or rather reproduce inequalities by simply shifting the balance of power at the expense of new political minorities—likely on the basis of ethnicity.

alternatively fluctuating up and down, simulating the movement of scales, and said: 'We are crucial in the balance'.⁸⁴ In fact, it is in the Cobra Faction's interest to stay neutral in the civil war. Since hostilities with the SPLA were interrupted, local peace talks and Murle–Nuer intermarriages have resumed between Pibor and Akobo, and the main road connecting the two counties was open to trade.⁸⁵ Another example is illustrative: Murle raiders attacked Nuer civilians in Uror county immediately after the signing of the May peace agreement;⁸⁶ according to Commissioner Joshua Konyi, the raiders were from the Cobra Faction.⁸⁷ But on their return to Pibor county the attackers were hunted down and blocked by about 500 men of the Cobra Faction, and the cattle were immediately returned to Uror—an almost unprecedented occurrence.⁸⁸

After this firm action no raids were reported for several months, probably also due to the rainy season. According to the Bor commissioner one occurred at the end of October (*Sudan Tribune*, 2014e), while three raids allegedly by Murle attackers were reported from Buong payam, Akobo county, between 28 and 30 December 2014.⁸⁹ Then in early February 2015 the governor of Jonglei, John Kong Nyuon, blamed an attack in Jalle payam, Bor county, on cattle raiders from Greater Pibor (*Sudan Tribune*, 2015a). While these latest reports, if confirmed, are a reason for serious concern, the change in tone represented by the returned cattle is significant. After years of violent disarmament campaigns, announcements of police training, and the deployment of SPLA troops, which all led to nothing, the Cobra Faction demonstrated that it was possible to stop or at least contain the raids without necessarily targeting innocent civilians.

Interestingly, in mid-2013 rumours among Murle IDPs in Juba could be heard about Riek Machar possibly courting Murle votes in the next presidential election.⁹⁰ This would have been surprising, given the cycle of attacks between Akobo and Pibor in 2013. If there was any courting, the bishops' initiative and Salva Kiir's blessing put an end to it. For Kiir, agreeing to the ceasefire with the Cobra Faction guaranteed that Yau Yau's forces would not join the SPLM-IO in the civil conflict, avoiding a potentially disastrous scenario for an already stretched SPLA (ICG, 2014a, p. 10). In this sense the peace in Pibor—and the GPAA agreement—is a product of the current war. In fact, although fighting between the government and the Cobra Faction had already stopped a few months prior to the crisis of December 2013, the official peace talks, characterized by government concessions, started only after the ceasefire of January 2014, when the president urgently needed to concentrate all his forces on another front.

SPLA-Cobra Faction relations: integration and coexistence

Finding a compromise on security arrangements and the integration of the Cobra Faction into the security sector was one of the crucial aspects of the talks in Addis Ababa. When David Yau Yau accepted the presidential amnesty in 2011, his militia was sent to SPLA training centres in Eastern Equatoria and then in Western Bahr el Ghazal. In contrast, in the agreement of 2014 it is clearly stated that the integration of the Cobra Faction into the national army, as well as its deployment and training, will occur within the borders of the GPAA. Moreover, some sources added that the former rebel forces are expected to remain in Greater Pibor for three years.⁹² This is part of Yau Yau's strategy to maintain his political leverage by keeping control over his troops, especially in the transitional phase that will precede the effective implementation of the government concessions, including the release of the promised development fund for Greater Pibor and the provision of financial support for ordinary administrative functions.

Integration into the SPLA is actually a boon for Yau Yau. During the rebellion he was able to enlarge his constituency mainly thanks to his ability to access arms, which he redistributed as incentives to join the Cobra Fraction. Now that

he has signed the peace agreement, jobs are the main resource that he can manage to guarantee his political authority. The most sought after are the various positions that will derive from the creation of new administrative departments, counties, and payams (see Box 3).⁹³ But the most numerous will come from recruitment into the army and other forces. After the peace agreement there were no clear estimates of how many soldiers would be integrated. Some claimed that Salva Kiir had promised to recruit up to 20,000 Murle soldiers.⁹⁴ Although these claims were implausible, they indicated the demand for army salaries by many men who had volunteered as rebel fighters.

Far more uncertain is the process of handover or coexistence between the SPLA troops in the main centres and the former rebels returning to town. For instance, in Pibor the simple presence of Commissioner Joshua Konyi was a hazard, since he had been one of the main opponents of the insurgency. At the moment when the president read the decree establishing the GPAA on television at the end of July, the troops of the Cobra Faction under commanders Adoch Agul and Sebit Kur Kur were based in Tennet, near Kavacoc, half an hour's walk from Pibor. Reportedly, the forces based in Lekwangole and Gumuruk were not allowed to go to Pibor unless they registered their weapons.

One hot topic of discussion concerned the fact that Konyi's administration was still collecting taxes in town, overlapping with the rebels' taxation, which they had already begun collecting outside town on the main roads.⁹⁵ Tax collection as a practice of power had both material and symbolic repercussions. For instance, when the president dismissed the commissioner from his position effective 12 August (Radio Tamazuj, 2014f),⁹⁶ Cobra Faction representatives told an aid worker in Pibor that NGOs had to talk to them now rather than Konyi, because they said they were in charge and the only ones collecting taxes in the market.⁹⁷

Besides these disputes, on 18 August a large group of heavily armed Cobra Faction soldiers came from Tennet, passed the UNMISS base, and proceeded to Pibor. The SPLA commander in charge welcomed them at the administration office and then took them to the market. From that day the SPLA and Cobra Faction started to patrol together in town, and it was difficult to distinguish them, since the former provided the latter with new uniforms.⁹⁸ On 30 August commander Adoch made a public call for applications with a handwritten announcement hanging on a tree in front of the Pibor police station. The police

services, prison police, fire brigades, and wildlife service recruited from that day for seven days. Moreover, Yau Yau was expected to soon come from Juba and his close circle of guards converged on Pibor from Gumuruk.⁹⁹ As soon as Joshua Konyi left on 20 August his house was cleared and prepared to host Yau Yau and other officials. Tension then rose again in December 2014 when Konyi was temporarily appointed as SPLA commander in Pibor. Reportedly his assignment was soon cancelled after Yau Yau protested in person (Bubna, 2015).

In Gumuruk integration only began on 18 January 2015. It was placed on temporarily hold almost immediately, reportedly due to unclear regulations over the integration of senior officers.¹⁰⁰ Aside from the screening exercise, the Cobra Faction released 249 child soldiers in Gumuruk town in January and 300 more in February as part of a plan to release a total of 2,000–3,000 young boys in total by the end of the integration process (Radio Tamazuj, 2015).

The situation was more complicated in Boma, where most of the population was reluctant to return after the Cobra Faction–SPLA clashes of May 2013.¹⁰¹ Many were in Ethiopia and only slowly starting to move back, while some cattle herders were in Labarap, near the rebel positions. The handover process and general coexistence between the SPLA and the Cobra Faction were more problematic there. In July 2014 the SPLA was still in control in Itti in lower Boma, with its soldiers settled in local tukuls and the school; and it was also occupying the area of Nyat, 10 km from town, not far from the Ngalangoro goldmines, on the way to the markets of Dimma in Ethiopia.¹⁰² The town showed the signs of the large internal SPLA confrontation in February, when in the aftermath of the crisis in Juba the Nuer administrator and most Nuer soldiers based in Boma defected to Riek Machar's forces. In the process many dwellings and NGO compounds were destroyed. After the GPAA agreement Boma remained under the control of SPLA commandos led by two Dinka Bor officers who were said to be close to the minister of defence, Kuol Manyang Jok (the former governor of Jonglei), while the battalions in the Maruwa Hills were composed of regular troops from the 2nd and 8th Divisions.¹⁰³ In late June about 500 men of the Cobra Faction moved from Labarap closer to town in an area referred to as either Nganagidi or Gicikwanyao, between Itti and Nyat, along the road from town that goes to the goldmines. They were not welcome: reportedly the commanders in Boma sent them a letter stating that

they did not recognize the formation of the GPAA.¹⁰⁴ Allegedly, it took a direct warning from the SPLA chief of general staff, Paul Malong Awan (the former governor of Northern Bahr el Ghazal), who visited Boma, to recall the SPLA commanders over their behaviour.¹⁰⁵ Reportedly, they had been caught in an internal SPLA dispute among prominent politicians from Bor and Bahr el Ghazal.¹⁰⁶

On 18 August, although the Cobra Faction was still settled outside Boma, wildlife rangers were allowed into town to resume their activities in the Boma

Box 3 GPAA executive positions

Chief administrator: David Yau Yau

Deputy chief of finance and administration: Joseph Lilimoy

Deputy chief of service: Apii Ojulo Ochundo

Secretary-general: Rev. Orozu Lokine

Advisers

Security and political affairs: Peter Guzulu Maze

Administration and economic development: Ochan David Peach

Peace and reconciliation: John Towan Ngariyo

Administrators (quasi-ministerial)

Local government and law enforcement: Kadi Kedicho Thawan

Humanitarian affairs: Brig. Gen. Baba Isaac Nyathi

Education: Rev. Hassan Wawu

Finance: Okony Simon Morris

Physical infrastructure: Giroch Thany Korok

Agriculture: Gore Hassan Odriel

Animal resources: Rev. Jeremiah Lotiboi Korok

Information: Sam David

Health: James Chacha Konyi

Culture, youth, and sport: William Bal Thabo

County commissioners

Kubal county (Gumuruk): Akot Maze Adikir

Pibor county: Nakure Kelega

Vertet county: Rev. James Aleyi

Lekwangole county: Simon Ali

Boma county: Beko Konyi

Pochalla South: Omot Achau

Pochalla North: Omot Ogul

National Park, where a new cross-border, EU-funded programme for the ‘Boma–Gambella Landscape’ is under way. Col. Vorgol Oleyo, a Murle, was appointed to replace Brig. Gen. Kolor Pino, the commander of the wildlife rangers murdered by the SPLA in 2013.¹⁰⁷ At the end of August the two Dinka commanders eventually left and Murle SPLA colonel John Mama took charge of the commandos in Boma, potentially easing the prospects for the integration of the Cobra Faction.¹⁰⁸

As of February 2015 the issue of integration remains one of the crucial and most delicate aspects of the peace agreement—despite the positive developments and the willingness of many Murle to join the army. The GPAA’s institutional precariousness itself makes mutual trust difficult. As a consequence, SPLM/A–Cobra Faction relations retain their dual nature as an encounter between two political parties and two military organizations. As the next section suggests, the prevailing fragility could be exacerbated by the discontent of political actors in both Pibor and greater Jonglei who were excluded from the negotiations that brought the GPAA into existence. 📄

V. Challenges to the future of the GPAA

Jonglei politics in Greater Pibor

The signing of the peace agreement and the formation of the GPAA marked the beginning of renewed relations between the Cobra Faction and Salva Kiir, who had been the principal target of the rebel movement's derogatory narrative and media statements before the peace talks introduced a dialogue phase. Not only did the president avoid the threat of an alliance between Yau Yau and Riek Machar, but he started to enjoy a new popularity in Pibor, where it was suddenly possible to meet Murle people wearing T-shirts with images of Kiir and pro-nationhood slogans. On the other hand, the GPAA implied autonomy from the government in Bor, which most Murle people regarded as the source of their marginalization and repression, especially under the mandate of Governor Kuol Manyang Jok (see Box 4). Sectors of the state government were often accused not only of withholding resources and services from the inhabitants of Pibor county, but also of the deployment of the SPLA during the disarmament campaigns in 2008 and 2012.¹⁰⁹ In general they are regarded as being responsible for trying to establish the control of Dinka networks over Boma since the last civil war, when the town was under SPLA control and Pibor was under the leadership of Sultan Ismail Konyi.¹¹⁰

After the peace agreement some political actors from Bor could stand to lose from the creation of an autonomous administration under Cobra Faction leadership over which they have no leverage. In May 2014 State Minister Judy Jonglei said that, given the new autonomy of Greater Pibor, some politicians in Bor, like him, could lose their positions because they were elected in Pibor and Pochalla constituencies (*Sudan Tribune*, 2014i). A suspicion surfaced that these figures may have an interest in destabilizing the implementation of the GPAA (or could be expected to do so) in order to maintain their roles, status, and privileges. However, at the beginning of August, in the fervour of the very first days after the signing into law of the GPAA, almost without exception all the most important Murle politicians and personalities met in Juba hotels: Yau

Box 4 The 'Ngalam' narrative in Boma

According to many Murle respondents, influential personalities from Bor tried to create a political divide among the Murle by incentivizing local politicians to promote different ethnic identifications between Boma and Pibor: respectively, a 'Ngalam' as opposed to a 'Murle' identity.¹¹¹ In fact, discourses differentiating Murle and Ngalam increased in the post-independence years, based on the way in which the mainly agro-pastoralist Murle inhabitants of the Pibor valley have historically referred to the mainly agriculturalist Murle inhabitants of the Boma plateau: according to Bazett Lewis, who conducted ethnographic research during his mandate as Pibor district commissioner in the 1940s, the Boma Murle clan of the Olgynion used to marry with the Ngalam people of Ethiopia. By association, the herders of the plains attributed the term '*ngalamit*' to any Murle who did not have cattle (i.e. who were incapable of paying a bride-wealth) and generally referred to the Murle people living in Boma (Lewis, 1972, p. 54). Lionel Bender (1977, p. 2), in his language studies, listed the Murle and Ngalam as different peoples. Anthropologist Elizabeth Andretta (1989), who undertook research in the area in the early 1980s, found that people in Pibor and Boma were sharing the same Murle identity.

All this considered, it would be neither particularly worrying nor unprecedented if new ethnic identifications arose once again in the Ethio-Sudan borderlands' long history of migrations, based on particular ways of accessing land or gaining political representation in the local government. The Murle stories of how they split from the Didinga and Langarrim people, for instance, provide more evidence of this social mobility. Moreover, debates over what it takes to make a real 'tribe' do little more than inflame 'tribalism'. But it is worrying when the race for resources turns migration into forced displacement—a trend that has increased in Pibor county. As some Murle people promptly proclaimed, the problem with the 'Ngalam' narrative is that the government promoted it to undermine political cohesion among the Murle people. As already noted, eastern and western Pibor county were strongholds of opposed warring parties during the last few decades of conflict. When in May 2013 the Cobra Faction attacked Boma, Yau Yau was not necessarily seen as a liberator. Although his record of abuses against Murle civilians is relatively modest, many inhabitants of Boma did not know what to expect from his troops and fled in large numbers towards Ethiopia even before the SPLA retook the town and retaliated against the people and their property.¹¹² This history was fertile ground for promoting differences. Notably, in June 2013 Kuol Manyang signed a state order transforming Boma into a sub-county and transferring its administration from Pibor county to the office of the governor. In this new administrative body he appointed some of the main Murle supporters of the 'Ngalam' discourse,¹¹³ increasing suspicion that this was part of a plan to appropriate local resources, in which the Boma area is reportedly rich.¹¹⁴

After the creation of Greater Pibor the situation changed dramatically. The Murle politicians allegedly operating under the influence of Bor were sidelined in Boma and some left for their own safety. But renewed concerns emerged that Murle people in the ranks of the Jonglei government—or at least linked to the state capital—could now undermine the peace agreement.

Yau and his court, Ismail Konyi, Baba Medan, Joshua Konyi, some MPs, chiefs, church members, and others. Figures from Juba, Bor, and Pibor were also represented.¹¹⁵ In terms of the peace agreement many new positions would be assigned not only in Greater Pibor, but potentially also at the national level, including presidential advisers, ministers, ambassadors, and diplomats. In those days everyone was meeting everyone, formally or informally. On Sundays the modest Murle church near Jebel market, which had received many IDPs in 2013, was crowded with people in suits and ties, and SUVs were parked in the surroundings. The atmosphere seemed promising and celebrative: on 24 July 2014—one day before the president established the GPAA by decree—Judy Jonglei (who had contested the seat for the Gumuruk-Boma constituency against Yau Yau in 2010) made a conciliatory statement in the media affirming that he expected Yau Yau to become head of the GPAA, because he had created the Cobra Faction and knew what to do for the people of the area (Radio Tamazuj, 2014h).

The general enthusiasm did not last long. According to international observers it soon became clear that the Murle office bearers in Bor had no chance of obtaining prestigious rewards from the Cobra Faction,¹¹⁶ while the fear that some actors could attempt to destabilize the GPAA became real once again. More than anyone else, Commissioner Joshua Konyi risked being sidelined. His mandate was controversial from the very beginning, when the ‘white army’ was marching on Pibor county around Christmas 2011 and Kuol Manyang appointed him commissioner in place of Akot Maze, who was known to be critical of the governor. According to Murle interviewees the tradition for a commissioner election normally had the county inhabitants select three of their preferred candidates and the governor would appoint one of them. Instead, Kuol Manyang accepted only two candidates voted for by the people and added a third one, Joshua Konyi, whom he then appointed as commissioner. Konyi was the SPLA commander in Pibor at the time and was replaced by Brig. Peter Ruei, a Jikany Nuer. Some maintained that this move was intended to relieve a Murle commander that could have ordered the SPLA to respond to the militia attack (Small Arms Survey, 2012, p. 8). Both Murle and international respondents recognized that during the disarmament campaign Konyi, as representative of the government, found himself in a difficult position, and yet as commissioner he did not soften his stance on the long series of SPLA abuses against

civilians.¹¹⁷ Indeed, in 2013 the SPLA killed his wife's father, Nyelan, chief of Irrit since 2007, along with four others. Moreover, when most of the inhabitants of Pibor fled the town in 2013, he hosted James Kuburin's defecting men in his compound and with him provided hospitality and protection to the few Murle civilians who could not leave, such as elderly people and their caretakers.¹¹⁸

But Joshua Konyi received less political recognition than other Murle personalities. For instance, in September 2014 Akot Maze was appointed county commissioner of Gumuruk under the new Cobra Faction administration.¹¹⁹ Akot, Yau Yau, and even Sultan Ismail Konyi hold very different positions, but all enjoy widespread respect. Their varying relations to the state apparatus were not at issue: Ismail Konyi had provided arms and military protection against the SPLA in the Pibor garrison during the second civil war, while in 2013 he used his leverage with the South Sudanese government to redistribute plots to Murle IDPs in Juba.¹²⁰ Akot, who was a commander during a parenthesis of SPLA control in Pibor, repelled an attack in 1991 by the 'white army' that reportedly was marching on Pibor after the notorious 'Bor massacre'.¹²¹ These two leaders were considered to have advocated for the Murle people in some of the most critical times in recent history. What the Cobra Faction held against Joshua Konyi was that, even when the SPLA started a violent counterinsurgency campaign that did not distinguish rebels from Murle civilians, he continued his full engagement to fight the revolt. Moreover, on the establishment of the GPAA, he was still considered close to Kuol Manyang, so some people suspected that he would attempt to destabilize the peace agreement (ICG, 2014b, p. 17).

Another delicate episode occurred when Deputy Governor Baba Medan publicly stated that, should Riek Machar not accept peace with the government, Murle fighters would be ready and keen to attack his forces:

Last time mobilization was made in South Sudan for youth to join South Sudan army to end rebellion, but Murle did not go. Only those in the army participated. But this time, if peace doesn't come, you will see what Murle will do (Sudan Tribune, 2014j).

The statement was provocative at a time when the Murle and Nuer leaders of neighbouring Lekwangole and Akobo were working hard on peace dialogues

that had already made possible the opening of the trade corridor between the two areas. Reportedly, people in Lekwangole were annoyed by Medan's claims and resolutely affirmed that he was not entitled to speak on their behalf.¹²² This episode reinvigorated the ghost of Jonglei's interference in the politics of Greater Pibor and the fear that it could pose a concrete threat to the implementation of the peace agreement. But Medan's words, though isolated, were not only a provocation: they highlighted an unresolved aspect of the integration of the Cobra Faction. Once integrated, would it keep to its pledge of neutrality between Machar and Kiir, or would its members be mobilized as part of the regular army?

Integration vs. neutrality

Aside from the suspicion that political actors from Bor could fan the fire of conflict in order to stop the implementation of the GPAA agreement, some actors from Juba would greatly benefit if the Cobra Faction or unaffiliated Murle youths joined the GRSS side of the conflict and opened a new front in Akobo. As the SSRRC secretary in Pibor put it (before being appointed as commissioner of Boma), if the Cobra Faction attacked the SPLM-IO, 'they would not know where to put their back'.¹²³ If the GPAA's detractors managed to destabilize the peace with the government or if the Cobra Faction eventually joined the national army against the SPLM-IO, the result for Greater Pibor would be the same: an unprecedented opportunity to halt the cycle of violence that characterized the post-CPA years in former Pibor county would be thrown away and the area would fall into conflict again, bringing a new wave of displacement at the expense of the people and the much desired autonomy from Bor. According to international analysts the main SPLA stakeholders aiming for these two scenarios are represented by political networks from Jonglei and Bahr el Ghazal. The former allegedly did not support the formation of the GPAA, while the latter, close to the president, supported the achievement of the peace agreement with Yau Yau and the integration of his men into the national army. A glimpse of this latent rivalry seemed to emerge when in June 2014 it was reported that Defence Minister Kuol Manyang presented a letter of resignation to the president, which he rejected. The minister actually

denied presenting such a letter, although the media insisted that the dispute concerned the division of roles in the governance of the army between him and the SPLA chief of general staff, Paul Malong Awan (Radio Tamazuj, 2014j; *Sudan Tribune*, 2014m). Although from different perspectives, these two SPLA factions might share an interest in dragging the Cobra Faction into war again.

Of course, the SPLM-IO would also benefit if it managed to attract the Cobra Faction to its side of the conflict, with its tempting call for federalism. In February 2015 Cobra Faction commander Paulino Zangil defected to Machar's forces. Claiming to speak 'on behalf of the Cobra forces', he declared: 'The Murle are for [a] federal system of governance. We therefore declare Pibor a state'. He added: 'We also reject the attempt by the regime to use the Cobra forces and Murle people to fight alongside it in this unjust war' (*Sudan Tribune*, 2015b). Yau Yau's deputy, Joseph Lilimoy, representing the Cobra Faction leadership, promptly dismissed Zangil as not having taken part in the Cobra Faction rebellion (*Sudan Tribune*, 2015c). But his statement recalled rumours that, once Greater Pibor became a reality at the end of July 2014, Paul Malong allegedly started to put pressure on the Cobra Faction to contribute forces to the conflict.¹²⁴ According to an unconfirmed media report Malong made an open request for Yau Yau to recruit and conduct specific operations in Uror, Waat, and Akobo, which Yau Yau refused (*Upper Nile Times*, 2014). International observers suggested that the government might be using both carrot and stick by withholding funds for the GPAA that were agreed in the peace treaties and pushing the Cobra Faction to attack the SPLM-IO.¹²⁵

On the other hand, the Cobra Faction repeatedly affirmed its intention not to take part in the GRSS-SPLM-IO confrontation on many occasions prior to the GPAA peace agreement (ICG, 2014a, p. 10). Yet nowhere in the text of the agreement is it clearly specified that, once integrated, Yau Yau's men would not participate in military action against Machar's forces. Reportedly, Machar met in person with Khalid Boutros in Addis Ababa, immediately after the latter had signed the GPAA agreement as the head of the Cobra Faction delegation. Although the Cobra Faction repeatedly pledged neutrality in the wider conflict, Machar warned Khalid that by signing the agreement he had taken sides.¹²⁶

The Cobra Faction obtained important political gains in the peace negotiations with the government that led to the formation of an autonomous administration

separated from Bor, which was unimaginable only one year earlier. But these gains on paper are yet to be implemented: in Greater Pibor there is not yet even agreement on the payam and county border demarcations. The Cobra Faction now has an interest in keeping the building process moving forward quickly and finding internal cohesion around pending issues on the shape of the new administration. Its chances of doing this are directly dependent on its ability to stay away from the battlefield. In fact, if the current civil war ever ends, new alliances could reshape the South Sudanese context and Yau Yau may lose the little leverage he has with the warring parties. With the *fait accompli* of a functioning and established administration working in harmony with the state and its own people, the Cobra Faction would have a much better chance of the GPAA being recognized in the permanent constitution.

GPAA counties and internal challenges

The peace agreement of 9 May 2014 clearly indicated the formation of six new counties in the GPAA. But on 30 July Salva Kiir signed a republican order for the creation of *seven* counties: Pibor, Lekwangole, Gumuruk, Vertet, Boma, Pochalla South, and Pochalla North.¹²⁷ The order also specified the location of the capital of each county. Accordingly, the capital of Vertet county would be Labarap, which formerly belonged to the Boma sub-county. The addition of a seventh county not specified in the peace agreement resulted from the upgrading and expansion of Vertet payam to county, which the Cobra Faction reportedly requested after the peace agreement when its representatives met with the president to discuss the integration process.¹²⁸ The order also indicated that the capital of Pochalla North would be in Allale, which was formerly part of Akobo county. The redistricting of areas like Vertet and Allale soon created friction among various constituencies in the race for political representation (see below).

Some Anyuak political networks in Allale have a longstanding claim over Akobo, which used to be mainly inhabited by Anyuak people prior to a decades-long expansion by Nuer settlers into the area. Ever since then the Anyuak of Akobo county have remained concentrated in Allale payam. About a week after the peace agreement Ustaz Omot Okony Olok, representing the 'Akobo Anyuak

community', declared in a press release that the GPAA did not include the Anyuak people of Akobo, but only those of Pochalla (Anyuak Media, 2014). When the president established Pochalla North county with its capital in Allale, these Akobo Anyuak representatives feared losing any remaining claim over Akobo county, which would definitively become part of a separate administration. As an Anyuak politician put it: 'we could agree if you take all Akobo' and not just Allale into the GPAA. Moreover, Yau Yau claimed that he did not ask for the inclusion of Allale and that instead 'it was the president who put it in the decree', according to the Anyuak politician.¹²⁹ Some observers believe this decision could create discontent and potentially encourage the mobilization of Anyuak fighters to force the assimilation of parts of Akobo county. Certainly, the annexation of Allale could be a destabilizing factor, potentially creating grounds for conflict between the GPAA and a Nuer (and SPLM-IO) stronghold like Akobo.¹³⁰ This scenario could easily lead to the formation of a new front on the flank of Machar's forces. Moreover, it was reported that the appointment of Apii Ojulo Ochundo as GPAA deputy chief of services was met with discontent in some Anyuak circles. Ochundo is said to have joined the rebellion in its last months, thus gaining a voice at the negotiations; in fact, Anyuak Cobra Faction members sat at the table in Addis Ababa. But other Anyuak stakeholders affirmed that they felt that Ochundo did not represent them, suggesting that shared ethnic identifications do not always translate into a homogeneous political position.¹³¹

A few days after the Anyuak leaders' press release another similar statement followed signed by, among others, Zachariah Ngoletiang Lotamua as 'Jie community chairperson'. The letter was entitled 'Jie are not part of GPAA' and demanded an independent county (*The Citizen*, 2014). At the end of August Jie leader Natabu Abraham told Eye Radio that no Jie representatives participated to the peace talks nor were consulted about the formation of the counties. He wished for a Jie county either to remain in Jonglei state (outside the GPAA) or to be part of Eastern Equatoria state. In fact, after the release of the letter Murle and Jie representatives participated together in a meeting in the presence of Salva Kiir. Yau Yau said of this meeting: 'His Excellency told them clearly that if they don't join GPAA then they need to join EES [Eastern Equatoria state]. This is their choice. If they want to join there, it is up to them' (Eye Radio, 2014).

Two aspects of this episode should be noted. First, similar to the case of the Murle and Anyuak people, the Jie hold heterogeneous political positions. According to a Murle politician, shortly after the Jie press release other Jie leaders dissociated themselves from it in a communication to Yau Yau.¹³² Second, this and other Yau Yau statements did not clarify whether the area of Kathiangor, mainly inhabited by Jie people, would be annexed to Eastern Equatoria or its current inhabitants moved to the neighbouring state. Considering the alleged role of a Jie proxy militia for the SPLA in Boma during the counterinsurgency operations,¹³³ the prospect of the relocation of the people of Kathiangor was remote yet still worrisome. A Murle politician in Bor explained in more detail how the president addressed the Jie representatives: 'you came to Boma and are welcome to stay or go back to Eastern Equatoria, but Kathiangor is part of Boma'.¹³⁴ A Cobra Faction respondent gave an opinion with no hesitation: 'They cannot stay in Kathiangor; in the meeting they even said that Boma is theirs, but they arrived in 1994 because of cattle raids by Toposa'.¹³⁵

In August 2014 the US company AECOM organized a peace meeting in Boma involving Murle, Jie, Kachipo, and Toposa representatives. The respective leaders issued purposeful resolutions and welcomed further meetings in other locations.¹³⁶ However, widespread anti-Jie animosity in Boma is a cause for concern. On top of this, in January 2015 disquieting reports suggested that, while Cobra Faction forces were starting integration in Gumuruk, trained Jie fighters from Kathiangor were taken to Eastern Equatoria, and from there were allegedly heading to Bor.¹³⁷

Some of these examples show the complexity of Greater Pibor politics, which often goes beyond ethnic distinctions. Another case in point is the controversial extension of the borders of the new Vertet county. Although an influential person like Ismail Konyi hails from the area, prior to Yau Yau's rebellion the administrators and chiefs of Vertet payam invariably complained about the lack of attention they received in terms of service delivery, both from the government and international NGOs. They felt neglected, especially in comparison to the other Pibor county payams. However, during the Cobra Faction's operations Vertet contributed significantly with men, and specifically with some of the most important commanders and charismatic leaders. James Arzen Kong Kong, second-in-command, followed Yau Yau from the very first stages

of the insurgency, and Chief Baba Majong's authority was crucial in some of the most relevant battles, including the symbolic, although temporary, occupation of Boma. James Kuburin was also an important figure from the area before his defection to the SPLA. After the signing of the peace agreement the establishment of the seventh county in Vertet was the first of many signs that personalities from this area found themselves in a privileged position to make claims over the design of the new administration. Not only did Vertet achieve new county status, but Salva Kiir's order indicated that its headquarters would be in Labarap. For the Murle people Labarap is actually the name of a river between Boma and Pibor. In fact, the location where the headquarters would be is in a place called Thuren (which SPLA soldiers referred to as Labarap during the war), south of Akilo and north of Maruwa. Some Cobra Faction forces were stationed there for long periods of the rebellion and it was the theatre of heavy battles with the SPLA. Prior to the new order the area was actually part of Boma sub-county.

The new decision thus created discontent not only among many in Boma, but reportedly also among the people of Thuren.¹³⁸ Some politicians from Vertet claim that Labarap is the river where the people of Maruwa bring their cattle during the dry season. The same respondents usually say that in the distant past the inhabitants of Maruwa fled a cattle disease and moved to the areas around Vertet. Reportedly, Baba Majong's father was the chief of Nuwer (in former Vertet payam). In the 1970s he and his people returned in significant numbers to the Maruwa Hills.¹³⁹ Nuwer is also notably the settlement from which Arzen Kong Kong originated. But some Murle politicians from Boma and elsewhere emphasize that many people, not only from Vertet, migrated to Maruwa. In this sense, they would say, it was a shared place.¹⁴⁰ One interviewee made another essential point: more than anything, Maruwa and Labarap are well populated, and a county that managed to include them would increase its political clout.¹⁴¹ It is not surprising, then, that some people even from Pibor claimed that Labarap should be part of their county.¹⁴² These competing claims aside, the president has determined that it lies in Vertet. Some hypotheses advanced in the internal Cobra Faction negotiations about the territorial extension of Vertet county propose to also include Maruwa, on the wildlife corridor, and Ngalangoro, extremely close to Boma town; accordingly, Vertet would even

reach as far as Churi, near the wartime airstrip of Pakok, basically covering the route of the gold trade to the Ethiopian border.¹⁴³

Labarap was also on everyone's mind for another reason: while not mentioned in the peace agreement, many identified it as a possible location for the new headquarters of Greater Pibor as a whole. More specifically, according to a source close to the high ranks of the Cobra Faction, the decision was between Labarap and Boma.¹⁴⁴ The advantage of Boma is that Yau Yau would take control of a former SPLA stronghold, isolating the interests of political actors from Bor and accessing local and exogenous resources, also in relation to the EU-funded conservation programme soon to be initiated. The advantage of Labarap is that the Cobra Faction would move its centre to the geographical heart of the GPAA between Pibor, Boma, and Pochalla. The place also has an important military position (from which the Cobra Faction resisted heavy SPLA attacks) and is also not far from Maruwa, where the UAE company Al Ain built an airport for tourism and conservation plans that now will be taken over under an IGAD regional programme. According to reports, the airport is potentially strategic for both arms supplies and commercial activities (*The Economist*, 2009). The paradox is that Labarap itself has almost no buildings or infrastructure and is not served by roads. According to UNMISS Civil Affairs Division director Ali Hassan, who was present at the peace talks, if establishing the seven GPAA counties will already be a challenge, locating the headquarters in Labarap would simply be unrealistic.¹⁴⁵

The increasing influence of the Vertet networks is evident in these and many other more minute aspects of post-rebellion politics, like in the formation of the myriad small payams, which is a topic of discussion in every tearoom.¹⁴⁶ The impression is that of an ongoing shift of power in Greater Pibor: on the one hand, Yau Yau, if only to avoid centrifugal moves by his closest supporters, will find it extremely difficult to ignore the demands of some of those who most contributed to his rebellion. On the other hand, it is in the Cobra Faction's interests to keep control of the local politics of each county. The selection of some county commissioners revealed these two issues well. In fact, although the inhabitants of the new counties had selected their candidates, in certain cases the Cobra Faction appointed people that it favoured, a decision some of the chiefs reportedly resented (Bubna, 2015).¹⁴⁷

Since the beginning of the CLMI dialogue with the government in the second half of 2013, through the ceasefire, the peace talks, and eventually the signing of the peace agreement in 2014, the Cobra Faction leadership has demonstrated its will and capacity to bring relative stability to Greater Pibor, where previous disarmament campaigns and the government and international forces had failed to provide security, causing widespread displacement. Now it faces the difficult task of bringing people together. Different factions among the Anyuak, Jie, Kachepo, Dinka, Nuer, Murle, and other inhabitants may or may not have sympathized with the creation of the GPAA, but in the transition phase they have a rare chance to find a compromise that would allow coexistence, which could bring relief from the protracted violence that has involved them all. In light of this, the claims of those who have sought refuge in the area in recent times are no less valuable than the claims of those who left and then returned. If these claims are ignored, redistricting or relocating people could lead to further conflict and distress. After climbing the mountain of peace with the government, the Cobra Faction now has to deal with the various currents that shape its administration from within. A firm leadership that is able to resist contending vested interests can achieve this only with an inclusive approach to governance. Should it fail in this goal the GPAA could easily be torn apart by internal divisions and external destabilizing efforts—even before a permanent constitution is reached. 📄

VI. Conclusion

At the end of July 2014 Salva Kiir read out on television the decree that made the GPAA a reality. In the days that followed the people in Pibor gathered in large numbers, sometimes in the market, sometimes under a meeting tree, sometimes out in Tennet at the Cobra Faction base. It was a time of celebration after years of loss and distress for almost everyone. Most respondents were sure that from that moment their lives would improve. Around that time a prominent Murle chief consented to an interview about the recent developments in Pibor. Amid the widespread enthusiasm, he showed cautious realism. Asked about prospects for the future, he said:

The SPLA was killing people even in the hospital. We were colonized by people in the parliament. The SPLA was scaring even those speaking English. . . . Now there is no problem among the Murle anymore. Is it really good? No Murle is shot on the way to take cattle to Juba. You know what war is like; is the situation really going to be good? Is there going to be no problem ever again?¹⁴⁸

As long as the Cobra Faction remains a fulcrum in Jonglei between the government and the opposition, the GPAA has a good chance of lasting. Until then it will be in Yau Yau's interest to endorse the bishops' words of peace and make neutrality the Cobra Faction's best calling card for the international community. However, the government in Juba would have only to gain if the SPLM-IO had to counter an additional front against the Cobra Faction along the Pibor–Akobo corridor.

At the same time, Cobra Faction–SPLA-IO conflict might also be a pleasing scenario for potential spoilers from Bor. Some actors who have been suddenly excluded from power and resources in Pibor and Boma do not support the implementation of the new autonomous administration and could find fertile ground in the various internal positions, claims, and divisions already emerging in Greater Pibor. Moreover, should President Kiir need the support

of some GPAA detractors who have thus far not fully joined the government in the civil war, or should one of the warring parties make major gains on the battlefield and no longer feel dependent on the position of the Cobra Faction, then the destiny of the GPAA could change dramatically.

The path towards a 'Greater Pibor state' also depends on the promulgation of a permanent constitution. Until then, the GPAA is a temporary reality, certified into law by parliament and the president but with many points yet to be agreed in terms of its own internal political scene. For the moment it remains an anomalous and fragile exception in legislative and administrative terms. A permanent constitution seems far on the horizon, and neither Kiir nor Machar are looking that far at the moment. Kiir has everything to gain from maintaining a state of emergency at the expense of democratization, keeping the war going, but localized in areas of high-scale violence. The oil installations are under the UNMISS protection mandate (UN Security Council, 2014) and Juba is not threatened. In fact, after the initial opposition forces' momentum that took them almost to the capital, the SPLA could reorganize, thanks to crucial military support provided by the Ugandan army and other foreign forces. Moreover, after initial public condemnation of the government by the Troika and EU (Radio Tamazuj, 2014j), in August 2014 the US secretary of state blamed Machar for the continuation of the conflict and strengthened Kiir's position, emphasizing that he is 'the duly elected, constitutional president of South Sudan' (USDoS, 2014).¹⁴⁹ Meanwhile, an IGAD protocol banned Machar from running for president in the next elections (IGAD, 2014b).

Of course, Juba cannot really control the precarious balance of a conflict that has regional dimensions. Alliances are in flux in many parts of the country and along the border with Sudan. Pockets of Machar supporters are in areas supposedly under government control, while in July 2014 tensions peaked in Central Equatoria over demands for federalism, which Machar promptly claimed as his own.¹⁵⁰ In January 2015, the rebels damaged oil production sites in Unity (Small Arms Survey, 2015, p. 2). Finally, there are reports that Khartoum is supplying the opposition (ICG, 2015, pp. 21–22). But while these factors are threats to the president, they also contribute to prolonging the fighting and, indirectly, to keeping him in power beyond the duration of his normal mandate.

Any temporary arrangements that might emerge from the negotiations in Addis Ababa aside, and despite the government's insistent calls for timely elections in 2015, Kiir had already made his objective clear in May 2014, when he affirmed that elections should be delayed until 2017–18 (BBC, 2014; Reuters, 2014). The upcoming expiry of his term in 2015 would normally delegitimize his right to govern. But because the outcome of an electoral process held in the current state of war cannot be credible, some international actors supported postponing the vote (US News, 2015). Eventually, in February 2015 South Sudan's cabinet rescheduled elections and extended the president's term for two more years, until 9 July 2017 (Al Jazeera, 2015).

The irony is that the Cobra Faction's prospects remain strong as long as the negotiations and military situation in the country remain stalled. The current civil war accelerated Juba's concessions to the Cobra Faction in the first place, and there is no guarantee that these conditions will endure if the conflict ends. For Pibor, the so-called 'post-conflict' (post-CPA) period paradoxically coincided with protracted violence and displacement, while as the country devolved into civil war, Pibor experienced a dramatic improvement of security. Yet as long as the country stays in this situation, the GPAA cannot be upgraded in the constitution as South Sudan's 11th state and will remain suspended in an undefined limbo. 📌

Endnotes

- 1 After the 2007 SPLA deployment to Pibor military barracks, previously occupied by Ismail Konyi's militia, army violence or the harassment of locals caused widespread discontent and tension, followed by the May 2009 eruption of violence after a Murle-SPLA skirmish in Kavacoc, one year before Yau Yau's first rebellion (direct observation, Pibor).
- 2 Even the 'white army' (*jech mabor*) did not conduct explicit anti-government operations after initial clashes related to a coercive disarmament campaign in 2006.
- 3 For example, in August 2014 a Murle politician interviewed in Juba explained that a herder could sell two bulls in Juba for about SSP 4,000 (USD 1,331) and then return to Pibor and buy eight cows with the money.
- 4 Communication with foreign analyst, February 2015.
- 5 Author interview with Murle authorities, Pibor, August 2014.
- 6 The chief of the area, Baba Majong, said that the Murle were asked to move only a few kilometres, but added that they are actually still living there (author interviews with Baba Majong, Juba, August 2014).
- 7 Author interview with South Sudan Relief and Rehabilitation Commission (SSRRC) representative, Pibor, August 2014.
- 8 Author interview with SSRRC representative, Pibor, August 2014.
- 9 In contrast to other rebel leaders, Yau Yau is not a renegade SPLA commander.
- 10 Author interviews with Murle people, Kakuma, August 2013, Pibor, August 2014.
- 11 The UDF was founded in 2003 as a pro-independence party and is chaired by Peter Abdelrahman Sule. During the second civil war Sule joined the breakaway SPLM-Nasir. In 2005 the party supported the CPA while maintaining a critical position towards the SPLM (Gurtong, n.d.).
- 12 Judy Jonglei is a Murle politician from Boma. He was speaker of the Jonglei State Assembly and currently serves as state minister for information and communication.
- 13 Athor Deng ran for governor of Jonglei in the 2010 elections and lost to Kuol Manyang Jok, now minister of defence.
- 14 Precisely, Yau Yau is a Mokoko, i.e. a member of the senior sub-division in the Bothonya age set.
- 15 Author interviews with Murle people, Pibor town, August-September 2014.
- 16 The Bothonya of Pibor, for example, would often go to a dedicated place in Lukurnyang, and sometimes could be heard at night not far beyond the river.
- 17 International observers suggested that Joshua Konyi would have recruited the paramilitary 'SPLA Youth' mainly from the Lango age set (author interviews with international observers, Nairobi, September 2014).
- 18 A clan of 'red people' eligible for the rank of chief, although there are exceptions to this social norm. David Yau Yau is the son of Wawu, the late chief of Irrit.
- 19 Author interviews with Murle people, Pibor county, 2009.
- 20 Author interviews with Murle politician close to the Cobra Faction, Juba, and with Murle civilians, Pibor, July-August 2014.

- 21 Named after SPLA commander Ngacigak Ngaciluk, revered and missed by many Murle as their greatest war hero, who was killed during the second Sudanese civil war.
- 22 Author interviews with Murle people, Pibor, September 2014.
- 23 Author interviews with Murle people, Pibor, August 2014.
- 24 Author interviews with Murle people, Pibor, August 2014.
- 25 Author interviews with World Health Organization personnel, Juba, June 2013.
- 26 See, for instance, BBC (2012).
- 27 Author interviews with Murle people from Lekwangole, Pibor, September 2014.
- 28 Author interview with eyewitness to the attacks, Pibor, September 2014.
- 29 Author interviews with NGO staff and international observers, Juba, March–June 2013.
- 30 It was the case in 2006, when a coercive disarmament campaign resulted in a death toll of about 1,600 SPLA and Nuer casualties. See, for example, Small Arms Survey (2007).
- 31 Author interviews with Murle civilians, Pibor, August 2014.
- 32 Baba Majong was paramount chief (a colonial relic) in the area of Boma when it was the SPLA's entry point from Ethiopia into southern Sudan.
- 33 Author interviews with South Sudanese diaspora members, Melbourne, January–February 2014.
- 34 Author interview with SSRRC secretary, now Boma county commissioner, Pibor, August 2014.
- 35 Author interviews with Murle civilians, Juba, May 2013, and Pibor, August 2014.
- 36 Author interviews with Murle civilians, Pibor, August 2014.
- 37 In February Ismail Konyi had already stated that Yau Yau demanded the involvement of the UN in the peace talks (Small Arms Survey, 2013a, p. 5).
- 38 Not to be confused with his namesake, the abovementioned James Kuburin.
- 39 Author interview with Baba Majong, Juba, and with civilians, Pibor, August 2014. Reportedly, Majong, chief of Maruwa, went personally to Akilo to ask for arms. Yau Yau agreed and sent commander Arzen Kong Kong and his troops back with him.
- 40 Interview with a Murle administrator, Juba, August 2014.
- 41 Author interviews with Murle civilians, Pibor, 2008.
- 42 Author interviews with Murle politician, Juba, August 2014.
- 43 Author interview with one of the signatories of the letter, now close to the Cobra Faction, Juba, August 2014.
- 44 Author interviews with Murle IDPs, Juba, April 2013.
- 45 Author interviews with Murle people, Juba and Pibor, August 2014.
- 46 Author interview with UN HRD officers, Juba, April 2013.
- 47 According to the Local Government Act of 2009 the Customary Law Council is headed by the paramount chief and has head chiefs as members, together with elders, women, and youth representatives (GoSS, 2009).
- 48 Author interview with Joshua Konyi, Juba, July 2014.
- 49 Author interviews with civilians, Gumuruk, May 2013.
- 50 Author interview with SPLA commander, Gumuruk, May 2013.
- 51 Author interviews with Murle people, Juba and Pibor, July–August 2014.
- 52 Communication with an aid worker, July 2013.
- 53 Murle combatants were integrated into the national army on various occasions, some from Ismail Konyi's militia in 2007, for example, and others during the amnesty of 2011. Many others sought job opportunities by individual initiative.

54 Author interviews with Murle civilians, Pibor, August 2013.
55 Starting in January 2015, heavy clashes also occurred between the Lango and the Taggot, with
the latter being the youngest emerging age set (Communication with international observers,
January 2015).

56 Author interviews with international observers, Juba and Nairobi, August–September 2014.
57 Author interviews with Murle IDPs, Juba, June 2013, and with civilians, Pibor, August 2014.
In September 2014 Simon Ali was nominated commissioner of the newly established Lekwangole
county under the leadership of the Cobra Faction.

58 Direct observation, May 2013.
59 Author interviews with Murle people, Juba, June 2013.
60 For a detailed account, see HRW (2013).

61 This State Department release claimed that the violence affected or displaced some 120,000
people by this time. According to the national census, the total population of former Pibor
county was less than 150,000 (SSCCSE, 2010).

62 The Kenyan authorities and the UNHCR in Kakuma record the new arrivals in two separate
databases.

63 Author interviews with South Sudanese refugees, Kakuma, August 2013.
64 Author interviews with international observers, Juba, May 2013 and August–September 2014.
See also ICG (2014a; 2014b). Reportedly, Kachepo fighters were armed too, and both Jie and
Kachepo gangs used these supplies to attack Murle civilians and raid Toposa herders (Com-
munication with international observers, September 2014).

65 Author interviews with Murle civilians, Pibor, August 2014.
66 These dynamics are described in more detail in Small Arms Survey (2012).
67 Author interview with UN staff, Juba, September 2014.
68 Author interviews with international observers, Nairobi and Juba, July–August 2014.
69 Murle leaders and intellectuals’ meeting resolutions (2013), viewed by the Small Arms Survey.
Aid agencies were present for the announcement of the resolutions.

70 Author interview with member of the Presbyterian church, Juba, August 2014.
71 Author interviews with international observers, Juba and Nairobi, August–September 2014.
72 Communication with aid worker, July 2013.
73 He also confirmed hiring a lorry to transport Murle people fleeing to Kapoeta during the
occupation of Boma and the subsequent SPLA retaliation.

74 Author interview with country director of a religious NGO, Juba, April 2013.
75 Author interviews with Murle civilians, Pibor, August 2014. In October 2014 Yau Yau appointed
Pastor Orozu as secretary-general of the GPAA (Radio Tamazuj, 2014b).

76 Interviews with international observers, Juba, August–September 2014.
77 Among others, see, for example, ReliefWeb (2013b); SSNA (2014); *Sudan Tribune* (2012a);
VOA (2014).

78 Communication with UN staff, June 2014.
79 Author interviews with Murle people, Pibor, August–September 2014.
80 Author interview with UN Civil Affairs Division (CAD) staff, Juba, September 2014.
81 Norway, the United Kingdom, and United States.
82 This act regulates the administration of the counties across the ten states of South Sudan and
recalls the local government policy of colonial times. Accordingly, ‘traditional authority’ is seen
as tribal, and therefore this law risks reinforcing the ‘tribal’ divide at an institutional level.

- 83 Draft Agreement on the Resolutions of the Conflict in Jonglei State, Addis Ababa, March 2014.
- 84 Author interview with Khalid Boutros, Juba, August 2014.
- 85 Author interview with UNMISS staff, Juba, July 2014.
- 86 A Cobra Faction commander reported that the raiders came from Ngacivarracis in Gumuruk payam (author interview with Cobra Faction commander, Pibor, August 2014; see also ICG (2014b)).
- 87 He added that he himself called Yau Yau to inform him of the raid (author interview with Joshua Konyi, Juba, July 2014.)
- 88 Author interviews with Cobra Faction representative and international observers, Pibor and Juba, August–September 2014.
- 89 Communication by international observers, January 2015.
- 90 Author interviews with IDPs, Juba, June 2013.
- 91 Author interview with UN CAD staff, Juba, September 2014.
- 92 Author interviews with international observers, Pibor and Juba, August–September 2014.
- 93 It is said that a new payam will be formed for every two or three bomas (author interviews with Murle administrators, Pibor, August 2013).
- 94 Author interviews with Murle people, Pibor, August 2014.
- 95 Author interviews with international observers, Nairobi and Juba, July–August 2014.
- 96 A Cobra Faction source later stated that Joshua managed to retain the taxation in town until his departure, which, after delays, only occurred at the end of August (author interview with a member of the Cobra Faction, Pibor, September 2014).
- 97 Communication by aid worker, Pibor, August 2014.
- 98 Direct observation, Pibor, August–September 2014.
- 99 Direct observation, Pibor, August–September 2014.
- 100 Communication with international observers, January 2015.
- 101 UNHCR registered around 6,000 people fleeing from Jonglei to neighbouring countries only between 7 and 24 May 2013 (OCHA, 2013, p. 2).
- 102 Dimma is the location of a camp that hosted thousands of Sudanese refugees during the second civil war, at walking distance from an important SPLA base.
- 103 Author interview with international observer, Juba, July 2014. Kuol Manyang was also an SPLA zonal commander in Upper Nile, including today's Jonglei, from 1985 to 1988 (Radio Tamazuj, 2014g).
- 104 Communication with international observer, August 2014.
- 105 Author interview with Murle authorities, Pibor, August 2014.
- 106 Communication with international observer, August 2014.
- 107 Author interview with SSRRC secretary of Pibor county, later Boma commissioner, Pibor, August 2014.
- 108 Communication with international observer, September 2014.
- 109 Author interviews with Murle people, Pibor and Juba, 2008–13.
- 110 Author interviews with Murle people, Pibor and Juba, 2007–14.
- 111 Author interviews with Murle people, Juba, 2013–14.
- 112 Author interview with a Boma administrator, Juba, August 2014.
- 113 State Order No. 11/2013, 20 June, viewed by the Small Arms Survey.
- 114 Author interviews with Murle politicians, Pibor and Juba, 2013–14.
- 115 Author interviews with Murle politicians, Juba, August 2014.

- 116 Author interviews with international observers, Juba and Nairobi, August–September 2014.
- 117 Author interview with UN HRD officers, Juba, April 2013; author interviews with Murle people, Pibor and Juba, July–August 2014.
- 118 Author interviews with Murle civilians, Pibor, April 2013.
- 119 GPAA Decree 1/9/2014, 18 September, viewed by the Small Arms Survey.
- 120 Author interviews with Murle people, Pibor, 2007–2009, and Juba, 2013.
- 121 Author interviews with Murle people, Juba and Pibor, 2013–14.
- 122 Communication with aid worker operating in Lekwangole, August 2014.
- 123 Author interview with SSRRC secretary, Pibor, August 2014.
- 124 Author interview with international observers, Juba, September 2014.
- 125 Communications with international observers, September 2014.
- 126 Author interview with Khalid Boutros, Juba, August 2014.
- 127 Order No. RSS/RO/J/20/2014 of 30 July 2014, viewed by the Small Arms Survey.
- 128 Author interview with Murle politician from Vertet who is close to the Cobra Faction, Juba, August 2014.
- 129 Author interview with Anyuak politician, Juba, August 2014.
- 130 Communication with international observers, September 2014.
- 131 Author interview with international analyst, Juba September 2014.
- 132 Author interview with a Murle politician, Juba, August 2014.
- 133 And, according to international experts, even afterwards (communication, September 2014).
- 134 Author interview with Murle politician, Juba, August 2014.
- 135 Author interview with Cobra Faction representative, Juba, August 2014.
- 136 Communication with international observers, September 2014.
- 137 Communication with international observers, January 2015.
- 138 Author interviews with Murle politicians, Juba and Pibor, August 2014.
- 139 Author interviews with Murle people, Juba and Pibor, August 2014.
- 140 Author interviews with Murle people, Juba and Pibor, August 2014.
- 141 Author interview with Murle politician, Juba, August 2014.
- 142 Author interview with Cobra Faction representative, Pibor, September 2014.
- 143 During the second civil war the SPLA established a base in Khor Shum. The place started to be called Pakok during the mass returns from Ethiopia to South Sudan in 1991, when an airstrip was built there for food aid deliveries (HRW, 1994).
- 144 Author interview with Murle politician, Juba, July 2014.
- 145 Author interview with UNMISS CAD director Ali Hassan, Juba, September 2014.
- 146 For example, the new payam of Agoi, formerly a settlement of Gumuruk payam, is claimed by the new counties of Gumuruk and Vertet (communication with international observers, January 2015).
- 147 Author interviews with Murle people, Juba, September 2014.
- 148 Author interview with prominent Murle chief, Pibor, August 2014.
- 149 In 2015 it emerged that there are different positions within the US administration on whether to impose an arms embargo on the warring parties, including the government, which would be strongly opposed by National Security Advisor Susan Rice (*Foreign Policy*, 2015; ICG, 2015, pp. 20–21).
- 150 Communication with international observers, September 2014.

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