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ARTICLE



Limits of 'Peace through Statebuilding' in Southern Sudan: Challenges to State Legitimacy, Governance and Economic Development during the Comprehensive Peace Agreement Implementation, 2005-2011

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📕 Abstract

In January 2005 the Comprehensive Peace Agreement (CPA) formally ended the insurgency in southern Sudan, the longest-running large-scale rebellion in Africa at the time. However, although providing a roadmap for peace, the CPA, an exclusive power-sharing treaty, suffered from a number of weaknesses. The CPA implementation period (2005-2011) saw an unprecedented external intervention in Southern Sudan, which emphasised constructing sustainable 'peace through statebuilding'. This ongoing peacebuilding engagement was undermined by contradictions between its narrow focus on statebuilding and the local political, economic and social context in Sudan and Southern Sudan, even after South Sudan was declared an independent state in July 2011. This article posits that the externally imposed 'peace through statebuilding' approach in Southern Sudan during the period of CPA implementation, suffered from a number of limitations which were reflected in governance and economic development. Based on evidence from 2005-2011, it calls for a re-focus of both the continuing external peacebuilding intervention and the Government of South Sudan's approach to governance and development to overcome political, economic and social challenges to state legitimacy and consolidation.

📕 Keywords

peacebuilding, statebuilding, South Sudan, governance, economic development

1. INTRODUCTION

The signing of the Comprehensive Peace Agreement (CPA) on 9 January 2005 marked the formal end of a protracted war that had ravaged southern Sudan since 1983. In it, local groups had fought for self-determination¹ for the second time, and to counter the long-lasting political economic and social marginalization by a state dominated by a narrow and exclusively defined Arabised Muslim Elite (Ylönen, 2011).² These intractable wars had encouraged the sentiment of secession among sectors of the southern Sudanese elite and hindered the integration of southern

¹ See i.e. Eprile (1974) and Johnson (2003) for two prominent works on these insurgencies.

² The fact that the southern region had hosted the earliest and longest armed insurrections in Sudan owes largely to its particular historical trajectory in relation to the Sudanese state and the competing projects for national identity between the national and the regional elites (Deng, 1995; Lesch, 1998).

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Sudan in the Sudanese polity. The CPA paved the way for the replacement of the state-imposed political, economic and social order (Nyaba, 2000; Rolandsen, 2005) with a regionally-based system. This regional political-economic order was centred on the Sudan People's Liberation Movement/Army (SPLM/A) as the strongest local political actor in southern Sudan, and was formalized in the CPA.

The CPA converted Southern Sudan into new ground for post-war intervention, arguably dominated by the Western liberal agenda. There was unprecedented external support in Southern Sudan to build state structures and boost economic development, aimed at enhancing political and economic viability so that the region would not emerge from the war as a 'failed' administrative entity. The primary objectives of the ongoing intervention since 2005 have been constructing authoritative and legitimate state institutions (statebuilding) and pursuing (re)construction and liberal economic development. It is argued here that, in the Western-led liberal discourse, this form of invasive 'peace through statebuilding' approach has replaced the earlier peacebuilding agenda, and, in the context of Southern Sudan between 2005 and 2011, was erroneously thought to be able to bring about increasing stability and lower levels of local violence.

This article discusses the external 'peace through statebuilding' intervention in Southern Sudan during the CPA implementation. It shows that this was based on a narrow approach, focusing mainly on the SPLM/A, the main former rebel movement turned government, as the dominant local actor. The article claims that given the SPLM/A's lack of legitimacy among sections of local communities in various parts of Southern Sudan due to war experience, the partnership between its leadership and the 'peace through statebuilding' interveners undermined the efforts for state consolidation during the 2005-2011 period. Thus, it is asserted here that reorientation of the approach to peace, governance and development in South Sudan is necessary if the Africa's newest state is to become viable and stable political entity in the long term. The article proposes that the external actors involved in the post-war intervention in South Sudan should push the South Sudanese government to generate more inclusive state and political institutions as well as to cater to the general population by offering wider access to services and economic opportunities. Specific suggestions for addressing issues of governance and development to build state legitimacy and authority are highlighted.

2. FROM PEACEBUILDING TO 'PEACE THROUGH STATEBUILDING'

The currently dominant model of liberal peacebuilding featured by multifaceted external interventions emerged after the Cold War.³ Its emphasis has been the so-called 'fragile' conflict and post-conflict states, with the premise that by ensuring democratic elections immediately after a peace agreement, and creating a foundation for a market economy, would result in long-lasting peace. However, the experience of these interventions shows that the expectation that the liberal agenda delivers sustainable long-term peace is largely illusionary (Paris, 2004; Paris and Sisk, 2009, pp. 1-20).⁴

Although Evans, Rueschemeyer and Skocpol (1985), among others, had already advocated the importance of 'bringing the state back in' in the 1980s, this became only emphasised in the peacebuilding interventions after the Cold War when armed conflicts were increasingly associated with failed and collapsed states. This led to the focus on (re)building and (re)configuration of the state as a central feature in interventions promoting peace and development in post-conflict societies, involving Western ideology such as democracy, human rights and 'good' governance (Doornbos, 2006). The United States (US), in particular, assumed a prominent role in this agenda,⁵ which, after the Cold War, increasingly merged security and development as preconditions for peace (Duffield, 2001). Since the 11 September attacks in 2001, this trend was further strengthened through the external interventions in Afghanistan and Iraq where the Western model of state (re)building came to be considered crucial for establishing long-term peace.

Arguably, the focus on 'peace through statebuilding' has featured an attempt to reach Western consensus on how peace can be made sustainable. The current focus on elevating the institutional capacity of the state to ensure long-term peace stems from the idea that sustainable peace, reconstruction, development and security (both internal and external) cannot be separated from state competences. In this, the social contract and the provision of essential needs, such as security and basic services, are emphasised (Lake, 2005, p. 257). The strategy also claims to target the origins of conflicts, such as inequality, by promoting the main pillars of liberal peace, including human rights, democratic governance, rule of law, sustainable development,

³ Peacebuilding was first emphasised in the Report of the Secretary General of the United Nations "An agenda for peace. Preventive diplomacy, peacemaking and peacekeeping" (Boutros-Ghali, 1992).

⁴ One of the main cases credited to the collapse of this approach was Rwanda, where peace and statebuilding through short-term political liberalisation without institutional guidelines and checks was one of the factors behind the escalation of violence to genocide. See i.e. Paris and Sisk (2007, 2009).

⁵ Arguably the US approach has emphasised "building legitimate states [based on] broad-based popular support for nascent states by creating democratic institutions and spearheading economic reforms" (Lake, 2005, p. 257).

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equal access to resources and environmental security (Barnett and Zürcher, 2009, pp. 23-52). Thus, to an extent, the convergence of peacebuilding and statebuilding within the liberal peace paradigm in which foreign powers and international organisations play a crucial role has sought to counter the criticism of the formal-institutional top-down approach of external interventions. It has been argued that the continuing lack of society-oriented, bottom-up, focus stems from a simplistic understanding of the multi-faceted local social orders in the places of intervention, which fails to create legitimacy at the local level (Bliesemann de Guevara, 2010, pp. 348-68). This means the interventions are often restricted to working in partnership with those local actors deemed as the most powerful, without first mapping the local social dynamics and engaging other relevant local actors.

Consequently, the 'peace through statebuilding' paradigm assumes the re-establishment of legitimacy of authority after a rebellion to be automatic, but this is problematic. For instance, contradictions between the society and the state, or constituencies of distinct rebel groups and militias, particularly in the previous areas of conflict, may be difficult to overcome and so hinder peacebuilding. It is also assumed that expanding state competences automatically promotes peace, although the imposition of a state may provoke resistance and even renewed armed opposition (Rocha Menocal, 2010, pp. 6-7). It is therefore important to consider the type of state being promoted and what kind of relationship it has with societal groups apart from its own constituencies, particularly in the former conflict areas.

Secondly, the promotion of economic (re)construction and development towards a liberal market system may be detrimental to peace. Liberal capitalism tends to increase material inequality, which in extreme cases can be politically polarising and provoke large-scale violence, particularly when inequality becomes perceived as injustice. In a post civil-war setting, for instance, a concentration of wealth in the governing elite and/or former rebel leaders may provoke such perceptions.

The CPA: A non-comprehensive product of 'peace through statebuilding'

The 'peace through statebuilding' approach was a significant element in the peace process in Sudan that culminated in the CPA. It was a long-term effort, from the early 1990s, by the interested external powers and Sudan's neighbouring countries, in part to minimise the regionally destabilising effects of the war. The final negotiations were mediated by representatives of the sub-regional organisation, the Inter-Governmental Authority on Development (IGAD), backed mainly by a number of Western states headed by the US. As a result, major Western advocates of liberal peace largely dictated the external intervention (Ylönen and Malito, *in press*), and dominated the post-war CPA implementation programme.

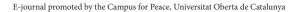
Largely conditioned by the commitment to 'peace through statebuilding', the CPA adopted a prominent security dimension as well as an emphasis on sharing political power and wealth (CPA, 2005). As a result, the agreement sought to principally address economic marginalisation and the almost complete exclusion of southern politicians from state institutions (Grawert, 2010, p. 1). This approach to peace included questions of democracy, self-determination, human rights and citizenship, as well as promoting economic transformation in Southern Sudan from a war to a liberal (peace) market economy.

Yet, 'state through peacebuilding' promoted in Southern Sudan suffered from a number of shortcomings. For instance, the IGAD process and the resultant CPA were fixed on the two protagonists of the war, the Government of Sudan controlled by the National Congress Party (NCP), and the SPLM/A. It deliberately concentrated on these actors to facilitate the final peace agreement, which presented a simplified view of the complex history, dynamics and actors involved in the conflict. The aim was to resolve the differences between the main warring parties, which not only centred the process on the NCP and the SPLM/A, excluding other relevant local actors, but also undermined the CPA as a truly comprehensive solution because it failed to address the conflicts in Sudan's other peripheries.⁶

As a result, the widely recognised multi-faceted centreperiphery character of the wars in Sudan (Ylönen, 2012) was not addressed. Also, the CPA, which formalised the SPLM/A as the dominant actor in southern Sudan, failed to put pressure on the protagonists for a broad redistribution of political power and economic resources, services and opportunities. Thus, the Agreement produced a political and economic situation which continued to favour the NCP in the north, and paved the way for the narrowly based SPLM/A rule in Southern Sudan.

Moreover, although the CPA stipulated the referendum as the mechanism to ensure self-determination of Southern Sudan in case there was no political transformation towards making "unity attractive" during 2005-2011 (CPA, 2005, p. 2), the plebiscite was its only major provision in seeking to address popular grievances in the region. The CPA allocated 70% of power in the newly established executive and legislative political institutions to the SPLM/A, which allowed it to consolidate control over the Government of Southern Sudan (GoSS), while the NCP was left with 15% and other southern political parties with

⁶ The negotiations left out representatives of the Nuba Mountains and Blue Nile, as well as the insurgents in Darfur and in the Red Sea region, and failed to deal effectively with the political and military fragmentation of armed groups based in southern Sudan.



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the remaining 15% (CPA 2005 pp. 32, 33). This, together with the SPLM/A's military power in Southern Sudan, was an important factor in determining the external interveners' decision to enter in partnership with the SPLM/A, the dominant regional actor, during the CPA implementation and beyond. During 2005-2011, this partnership, with the local dynamics largely dictated by the SPLM/A, failed to address the limits of SPLM/A's authority and legitimacy, and to decrease violence at the local level in various areas of Southern Sudan.⁷

Finally, the exclusive nature of the CPA meant that there were no formal mechanisms for transitional justice and local post-war reconciliation beyond those dictated by the NCP and the SPLM/A. Justice issues were largely left to the protagonists' discretion, themselves hardly objective in evaluating atrocities committed during the war. This was particularly relevant in southern Sudan, where most of the war had taken place, and the responsibility of the so-called south-south dialogue and other reconciliation was left to the SPLM/A dominated GoSS.

3. 'PEACE THROUGH STATEBUILDING' SINCE THE CPA

The implementation of 'peace through statebuilding' in Southern Sudan based on the CPA began in 2005. Among the first measures was the establishment of the semi-autonomous GoSS.⁸ Heavily influenced by external actors, a major feature of the ongoing external intervention focusing on statebuilding has been an attempt to promote effective GoSS governance and stability through fomenting a region-wide SPLM/A 'monopoly of violence' and to a lesser extent 'good governance'. Common belief among the principal stakeholders appears to be that these and other related objectives can be achieved with the help of external actors, including international organisations, interested states and international NGOs, which form the main base of the GoSS's external support by allocating resources and assistance in capacity-building and security.

Between 2005 and 2011, the international statebuilding agenda influenced the highest leadership of the GoSS. For instance, Vice-President Riek Machar repeatedly emphasised the importance of statebuilding (Machar, 2011). Simultaneously, an effort was made for the southerners 'to get to know each other', not only through the establishment of formal institutions but also through cultural and sport initiatives, which culminated in the creation of symbols of common nationhood.⁹ The effort was aimed at increasing the legitimacy of GoSS, which needed to achieve stability through the establishment of national identity able to complement the prevailing strong ethnic affiliations (Jok, 2011). Indeed, the enthusiasm of GoSS in nation- and statebuilding, particularly towards the end of the CPA implementation period, shows that it had become increasingly inclined to secede from Sudan and establish an independent state of South Sudan.

The limited autonomy after 2005 strengthened selfgovernance in Southern Sudan. The SPLM/A's prominence in the GoSS that became responsible for local political decisions, such as security and economy, convinced a number of external interveners of Southern Sudan's potential to become an independent state led by the SPLM/A. However, the adopted model of governance, largely built upon the way SPLM/A had operated during the war, was extremely difficult to implement because it consisted of two diverging outlooks, one based on the centralised system of rebel governance, and the other on decentralised democracy (Branch and Mampilly, 2005, pp. 1-20) heavily supported by external actors.

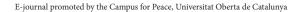
Both the NCP and the SPLM/A obstructed democratisation in their respective regions between 2005 and 2011. The motivation behind this stemmed from their uneasy partnership: the NCP attempted to maintain its power at the national level and regionally in the north behind the formal institutional façade set up after the CPA, and the SPLM/A focused on consolidating its power in Southern Sudan. This became increasingly apparent after the accidental death of the SPLM/A supreme leader John Garang, in July 2005, which strengthened the secessionist leadership centre within the SPLM/A leadership. After a short period of uncertainty, a reputed secessionist, Salva Kiir was appointed to substitute Garang as the new SPLM/A commander, the President of the GoSS, and the First Vice President of Southern Sudan (*The New York Times*, 2005).

The respective NCP and SPLM/A strategies slowed down the CPA implementation process considerably. The NCP leadership, which had worked with the SPLM/A mainly through Garang, was uncomfortable with the strength-

⁷ This has been particularly the case in the Jonglei, Unity and Upper Nile states where local insurgencies, inter-group feuding and cattle-rustling have continued to cause large-scale violence.

⁸ Among the initial measures taken was the ratification of the interim constitution in Southern Sudan, followed by the adoption of the national interim constitution. The drafting of the regional constitution in Southern Sudan was undertaken under SPLM/A control. After developing the constitutional framework, the NCP and the SPLM/A initiated institutional reform at the national level through the formation of the Government of National Unity, GoNU (BBC, 2005), and the building of political institutions at the regional level in Southern Sudan.

⁹ For instance, these included a national anthem, drafting of which had been subjected to a public competition, adoption of the flag of the SPLM/A as the official state flag, and the taking up of a new currency. The adoption of some of these symbols was controversial, particularly among those groups seeking to contest the SPLM/A's power.



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ened secessionist tendency in the SPLM/A. It had increasing reservations about the overall commitment of the SPLM/A to abide by its stated objective to maintain a united Sudan, which gave the already disenchanted NCP an excuse to slow down the process of power- and wealth-sharing. As a result, the working relationship between the parties deteriorated in 2007 to the extent that the SPLM temporarily suspended its participation in the Government of National Unity in Khartoum (Sudan Tribune, 2007a; 2007b) in which, according to the CPA, it held 28% minority representation behind the 54% of the NCP (CPA, 2005, pp. 20, 24). Concerned about the stagnating CPA implementation, the protagonists had little interest in effective power-sharing with opposition parties, neither in the institutions at the national level nor in the regional institutions in Southern Sudan. Instead, both sought to strengthen their grip on these political organs.

In this context, in spite of repeated promises of democratisation, the GoSS continued to constrain political liberties at the regional level in Southern Sudan. Although allowing some freedom to express political views, it continued to purge the media when working towards the consolidation of the SPLM/A-orchestrated political order (Freedom House, 2011), and targeted opposition parties. This was particularly the case during the general and presidential elections in April 2010, in which the SPLM and the NCP reportedly used coercion to ensure victory (Copnall, 2010) and further strengthen their control over the political institutions in the south and the north, respectively.¹⁰ At the presidential level, the NCP and the SPLM/A decided to let each other dominate their respective areas, as it was rumoured that they had covertly agreed to make way for each other's candidates (Sudan Tribune, 2010). This meant that neither party would interfere in the other's regional sphere of influence, and that the presidential race would be used to strengthen each party's control in its respective region.

In Southern Sudan, the SPLM/A had almost total control of the electoral process. Reportedly, the security apparatus intimidated voters and obstructed opposition candidates (The Carter Center, 2010, p. 3) to ensure an SPLM/A victory, and the so-called independent candidates were mainly SPLM/A members who had temporarily left the party because they had not been selected as its official candidates.¹¹ The elections were used to extend the SPLM/A's control of local political institutions and administrations, with the justification that it was necessary in order to manage political instability before the expected referendum of self-determination scheduled for January 2011.¹² In spite of this, external actors recognised the results of the elections (Copnall, 2010) and thus legitimised the prevailing political climate, which they had promoted by imposing few conditions on their support to the GoSS. Instead, they sought to portray Southern Sudan as a peacebuilding success story similar to Sierra Leone.¹³ This, in turn, stemmed largely from the need of external actors to justify their intervention.

The assumption that exclusive power-sharing between the NCP and the SPLM/A would generate peace and stability in Sudan was not matched by the prevailing reality in 2005-2011. This is because the 'peace through statebuilding' approach strengthened the rule of each protagonist relative to other local actors, and consolidated the polarised national political environment increasingly geared towards secession of Southern Sudan. While throughout the period from 2005 to 2011 the security apparatuses in both Northern and Southern Sudan reportedly continued to commit human rights violations,¹⁴ some opposition political parties and their constituencies complained about continued marginalisation, powerlessness and the lack of political freedom for the opposition. Although the CPA initially designated token positions to the opposition, after the 2010 elections most of this representation had been excluded. Having lost office in political institutions, some opposition politicians joined the governments in Juba or Khartoum, which fragmented and weakened Northern and Southern opposition further,15 while others staged armed struggles against the respective SPLM/A and NCP dominated governments.¹⁶

In spite of the successful election process, Southern Sudan continued to suffer from deeply engrained ethnic and clan-based political splits that had been deepened by the war. These divisions, locally referred to as 'tribalism', continued to inspire organised violence and political instability. Although the GoSS attempted to convince its allies that tribalism was a passing phenomenon of traditional sociopolitical order that could be addressed through modernisation and development, it can hardly be made to disappear in

¹⁰ Due to the wrangling over the CPA implementation, the national census results were announced one year late, in 2008, and the SPLM/A contested them by claiming that they deliberately excluded part of the southern population. As a result, the elections were also delayed and finally held in 2010 after an intensive electoral campaign. Both in Northern and Southern Sudan, various opposition parties and members of the media complained of having been intimidated, attacked and violently restricted by the security apparatuses in control of the governing parties of the respective regions.

¹¹ Based on interviews in Southern Sudan in December 2010.

¹² Ibid.

¹³ Ibid. On Sierra Leone see Kurz (2010).

¹⁴ See, i.e. 'Country Reports on Human Rights Practices for 2011', Bureau of Democracy, Human Rights and Labor, US Department of State (http://www.state.gov/j/drl/rls/ hrrpt/humanrightsreport/#wrapper).

¹⁵ For instance, this was the case with the Democratic Unionist Party which joined the NCP government in Khartoum in December 2011, and the South Sudan Democratic Forum which held one ministerial and deputy minister position the same year in South Sudan. The main opposition party in the south has been the Sudan People's Liberation Movement-Democratic Change (SPLM-DC).

¹⁶ While during 2005-2011 a number of rebel groups fought the SPLA, particularly in the greater upper Nile region in the south, Khartoum faced armed challenges in Darfur, eastern Sudan, Southern Kordofan and Blue Nile, the latter two bordering Southern Sudan. Juba and Khartoum have repeatedly exchanged accusations of the other's support of rebels in their territories and both have presented evidence for this.

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the short term. This is largely because the social practice of tribalism, or ethnic political mobilisation, has deep roots in South Sudan. This reality can only be transformed gradually since currently only few of the over 8 million southerners are exposed to modernisation and development that can bring about social change in this sense. The limited understanding of tribalism as an obsolete and easily curable condition is counterproductive because it assumes a need for development and rapid social change through a tumultuous and destabilising transformative process. The assumption that development and modernisation will change local communities has also been contradicted by the persisting political behaviour in South Sudan, based on ethnic strongman-patronage loyalties, that tends to hinder broad-based 'national' development by confining it along ethnic, clan or family lines. One manifestation of this is the inter-ethnic and interclan violent practices, such as cattle-rustling, and the continuing tendency to refer to the neighbouring ethnic groups as enemies in parts of South Sudan.17

For this reason during the 2005-2001 period the GoSS officials often expressed the need 'to get to know each other,' but little progress was made towards building a national identity since nationbuilding ranked low among the priorities of the GoSS and the external interveners. As a result, tribalism remained a major threat to the unity of Southern Sudan, and many observers and local politicians warned of the possibility of fragmentation, or 'Somalisation', of the region in the absence of a political climate able to accommodate and bring together the region's large and ethnically diverse communities.¹⁸

Governance and economic development during the CPA implementation

The CPA facilitated the initiation of 'peace through statebuilding' and reconstruction in Southern Sudan. Between 2005 and 2010, the GoSS received an undisclosed amount of funding from Sudan's oil exports, rumoured to have been more than US\$ 8 billion. This took place in a climate of major economic reconstruction and development, which resulted in large quantities of foreign investment from the GoSS partners: the World Bank, the UN, the European Union, Joint Donor Team and Multi-Donor Trust Fund for Southern Sudan (MDTF-SS); and the states of Canada, Denmark, Germany, Japan, Norway, Sweden, the United Kingdom and the US.¹⁹ Other significant private and public business partners investing in Southern Sudan came, for instance, from a number of Asian (particularly China), Arab (Egypt and others) and some African countries (such as Kenya, South Africa and Uganda).

The CPA sought to establish a foundation for rapid economic development in Southern Sudan after the war. It stipulated the establishment of the MDTF-SS, but the achievements by 2011 were hardly as high as the expectations (The World Bank, 2011). Another planned initiative to promote a market economy was a private sector development programme endorsed by the World Bank along with the GoSS, the Netherlands, the United States Agency for International Development (USAID), Denmark, Ireland and Norway, but this was expected only to begin after the independence of South Sudan (*Sudan Tribune*, 2011a, 2012a). Along with a plethora of public investment and development schemes, Southern Sudan received an undisclosed flow of private financing during the 2005-2011 period.

However, external investment and economic support is not neutral nor does it directly lead to development and economic equality. External sources of funding are charged with diverse political imperatives and may have unintended consequences depending on local economic management. For instance, one of the initial impacts of capacitating the GoSS economically after the CPA was the strengthening of secessionist sentiment in Southern Sudan. This was not only due to the war experience of the general population, but also because the GoSS leadership cadres became increasingly influenced by the SPLM/A's secessionist power centre led by president Kiir. Consequently, the political climate imposed by the GoSS during the CPA implementation period was geared towards secession, as claims were made that the NCP lacked the will to make Sudan's unity attractive for southerners and that Sudan was a failed state.²⁰ The external support and financing facilitated these developments because they promoted the independent political capacity and economic viability of the GoSS.

A major downside of the situation during the CPA implementation was that the external interveners' partnership with the SPLM/A elite resulted in a weak institutional framework to manage the central government. The shortage of competent politicians and administrators, coupled with increasing opacity in managing government finances, largely through patrimonial networks, favoured the widespread use of state funds for private purposes, particularly among some SPLA commanders who had become civilian office holders after the war but continued to conduct economic affairs according to a 'war mentality.'²¹ This made

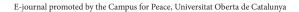
¹⁷ Interviews with SPLM officials in Juba and Torit (November-December, 2010). During 2005-2011 inter-ethnic violence resulted in the loss of thousands of lives in parts of Southern Sudan.

¹⁸ Interviews with local informants, Juba, December 2010.

¹⁹ See i.e. 'Development Partners', Government of the Republic of South Sudan (http://www.goss.org/).

²⁰ Based on interviews in Southern Sudan in 2010. See also SPLM Today (2010).

²¹ Interviews with SPLM officials in Juba and Torit (November-December, 2010).



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corruption particularly visible during the 2006-2008 period,²² after which it became less reported²³ and arguably more sophisticated, following the externally supported establishment of the GoSS Anti-Corruption Commission.24 In January 2012, the GoSS president Kiir sought to engage eight heads of state in Africa, Europe, the Middle East and the US to help to recover embezzled funds held abroad by GoSS officials. Since this did not bring the desired results, in June 2012, after it was revealed that an estimated US\$ 4 billion of government money had gone missing during the 2005-2011 period, Kiir wrote a letter to 75 senior SPLM/A officials, offering them almost full anonymity if they returned the funds (Sudan Tribune, 2012c).25 Smaller scale pocketing of state funds for private ends is also widespread among civil servants and security officers in the case of issuing permits and when acquiring a visa at border posts or passing through road checkpoints. Finally, corruption in large-scale business affairs and contracts, along with speculation related to land and resources, involving some highly influential SPLM/A individuals, has continued to be a serious issue also after South Sudan's independence.

The GoSS institutions can be generally characterised by a patron-client system. This involves the so-called 'strongmen', high-level individuals who are able to access state resources, use them privately and channel them onwards to followers.²⁶ They are also able to influence the appointment of individuals for public posts. This tends to happen, to a high degree, along family, clan and ethnic lines. From this perspective tribalism is a socioeconomic issue, involving social hierarchy and power, patronage, hiring practices and public salaries. It has resulted in the employment of an estimated 150,000 civil servants, some of which exist only on paper, and of which approximately 60% are illiterate, with an average salary of US\$ 200 per month.²⁷

Public institutions have also been characterised by SPLM control. The SPLM/A has sought to monitor those individuals within the government administrations who might pose a threat to its control of the institution in question by selecting lower ranked members according to party or strongman loyalties. This is in part why there have been complaints of powerlessness and inability to perform independently of the influence of the dominant party in particular among some of the GoSS ministers and directors of commissions and other institutions who are not members of the SPLM/A.²⁸

Also important in the process of reconstruction and economic rebuilding is the prevention of uneven development. However, in Southern Sudan between 2005 and 2011 development concentrated rather exclusively in those areas that were most firmly under GoSS control. In fact, in spite of a stated commitment to decentralisation, 84% of the state budget remains with the GoSS while only 16% has reached regional governments (Sudan Tribune, 2012b). The economic policy has favoured the regional capitals (particularly Juba) over rural areas in terms of infrastructure and services,²⁹ at the expense of promoting the state and its development in the outlying areas that have hardly benefited from infrastructure and services.³⁰ Overall, this situation had a negative impact on regionally balanced development and state legitimacy, and poses a threat to political stability. It bears a curious resemblance to the history of economic development in Sudan as a whole.³¹

In addition, the economic policy described above hindered economic opportunities and well-being, contrasting sharply with the high expectations of peace among the southern Sudanese. Instead, foreign businesses were allowed to dominate the local scene, from large to smallscale enterprises.³² This generated grievances and friction between sections of the local communities and immigrant entrepreneurs with small businesses, but was barely addressed by the GoSS arguably because a number of its leaders benefited personally from foreign investment and business partnerships. The partnership between foreign interests and economically powerful cadres of the GoSS

²² There is a widely known story of corruption circulating in South Sudan about a certain prominent individual and his family transporting US dollars in coffins to neighbouring countries after the CPA. Among other cases of corruption which have come to light are the grain scandal in which billions of Sudanese pounds were lost to fraudulent companies supposed to provide cereals to remedy food shortages, and the case of the Nile Commercial Bank which lost large quantities of capital through loans issued to GoSS officials without collateral (Gual, 2011; Garang, 2011).

²³ This was partly due to occasional crackdowns of journalists reporting on corruption.

²⁴ Interviews conducted by the author in Southern Sudan, November-December 2008 and November-December 2010.

²⁵ Kiir's request came only months after the voluntary cutoff of South Sudan's petroleum exports (on which its official budget is almost completely dependent) due to a

dispute over transit fees with Khartoum. The plea was likely prompted by the deteriorating economic situation, which has required the GoSS to pass far-reaching austerity measures.

²⁶ See Utas (2012) for an excellent analysis on strongmen generally in Africa.

²⁷ Expert interview in March 2012 in Juba.

²⁸ Interviews conducted by the author in November-December 2010 in Juba. For instance, in ministries particularly, undersecretaries were used to control ministers and deputy ministers and were at times considered more influential than their superiors.

²⁹ This is in spite of one of the SPLM/A's stated objectives during the war having been to develop the rural areas in the south by 'taking towns to people' (John Garang).

³⁰ Based on interviews and author's observation in Southern Sudan in 2008 and 2010.

³¹ The economic and political centre-periphery divide in Sudan as a whole was one of the main causes of rebellion in its peripheries. The marginalisation of the southern periphery was precisely one of the major reasons why the SPLM/A took up arms against the central government, and similar motives are at the heart of insurgencies in Darfur and elsewhere in peripheries that have also been marginalised by the Sudanese state.

³² While large economic ventures are often related to foreign investors and powerful individuals related to the GoSS, smaller businesses tend to be operated by foreigners (i.e. Chinese, Eritreans, Ethiopians, Indians, Kenyans and Ugandans) or northern Sudanese. The immigrants are often seen to profit from the post-war context in which locals are considered to possess less entrepreneurial skills.

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in the southern Sudanese economy therefore has undermined state legitimacy among local communities excluded from the benefits of economic development. This economic inequality, which many consider unjust, has continued to pose a threat to the state's political stability.

The slow pace of economic development and its uneven distribution in southern Sudan during the CPA implementation should also be viewed in the political context in which the SPLM/A sought to consolidate its power over the GoSS and secure the celebration of the referendum for self-determination. As a result, the secessionist SPLM/A power centre in charge of the GoSS pursued a strategy to demonstrate that the NCP lacked interest in developing the south and complying with the stated spirit of the CPA to 'make unity attractive'. This approach by the GoSS, indicating that development should follow peace, denied significant economic benefits particularly from the SPLM/A defiant groups. It therefore reversed the SPLM/A's earlier position based on the strategy of pursuing 'peace through development' (SPLM, 2000).

Moreover, one of the major socioeconomic effects of reconstruction and development during the CPA implementation was the continued concentration of wealth and political power in the most powerful sections of the SPLM/A elite. Many of its members have links to the northern elite, and some have occasionally associated themselves with the northern governments and maintained property in Khartoum.³³ The closeness with the northern leadership has also been maintained by the continuing negotiations related to post-referendum (post-independence) arrangements in South Sudan, and by the business arrangements for economic reconstruction and development. The business dealings have not been restricted to the oil sector in which southerners have required northern expertise, but there has been deeper collaboration through commercial partnerships involving southerners, external actors and the leaders in northern Sudan, as in the case of the USAID projects in South Sudan.34

During the CPA implementation period, the GoSS also concluded a number of business partnerships with foreign private investors. For instance, between 2007 and 2011, 28 foreign companies, from Arab states, the US and elsewhere, sought, or successfully acquired, a total of 2.64 million hectares of land for agriculture, forestry or bio-fuel (Deng, 2011, pp. 7), and in March 2011 the GoSS signed an agreement with the Malaysian Petronas for collaboration in the oil business (*Sudan Tribune*, 2011b). Combined with the weak institutional structure and legislation on land management, selling and leasing land to foreign investors has increased the potential of land disputes, which

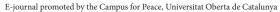
continue to be one of the major causes of local conflicts in South Sudan.

The evidence above reveals the intricate network of political and economic agendas between the local protagonists and international actors related to 'peace through statebuilding'. Firstly, it not only demonstrates how easily northern and southern elites collaborate, and how closely the GoSS has been linked to the northern leadership, but also the willingness to allow the continuation of northern economic influence in South Sudan as long as it is beneficial to the southern leadership. Secondly, the intimate northsouth economic collaboration partly explains Sudanese president Omar al-Bashir's change of position in favour of southern secession in 2010, and his attempt to mend fences with the West, although a more pressing factor was his indictment for crimes of genocide, crimes against humanity and war crimes in Darfur by the International Criminal Court (Human Rights Watch, 2010). Thirdly, the partnership of sectors of leading elites demonstrates that, in spite of imposing sanctions on firms related to the government and active in the petroleum business, blacklisting a number of Sudanese companies and enforcing the prohibition of American enterprises to do business in Sudan, the US continued to collaborate economically with the northern Sudanese elite. Although this was in the US interest at least until its primary objective, the independence of South Sudan, was secured in 2011, it also provided resources for the US-sanctioned NCP regime.

Finally, between 2005 and 2011 the international protagonists of 'peace through statebuilding' in Southern Sudan seldom expressed doubts about the gradual progress of economic development and related challenges. The peace and development euphoria tempered any external criticism of the GoSS, as long as the diverse interests of the external actors were respected and there was a desire to maintain a good working relationship. However, maintaining good ties at the expense of demands for transparency and efficiency perpetuated the opacity of governance and development in Southern Sudan. As a result, the moderate external intervention approach, with few requests for local accountability, failed to prevent the use of state funds for private ends or nepotism in government institutions, and hinder the concentration of wealth and political power in the leading sections of the ruling party at the expense of a wider distribution of resources and development. Arguably, many external actors viewed this development as acceptable, or 'inherently African' and conditioned by the 'African context'. Unfortunately for independent South Sudan, the kind of governance and economic development that prevailed in 2005-2011 continues to a large extent today, and undermines state le-

³³ Based on author's interviews and observations in Sudan (2005) and South Sudan (2008, 2010).

³⁴ USAID uses its partner Louis Berger, Inc., for construction projects and subcontracts local companies, some of which are northern Sudanese and linked to leaders of the NCP, such as the Eyat Roads and Bridges Company Ltd. (part of the Eyat Oilfields Services Company, Ltd.) chaired by Abdul Aziz Ahmed al-Bashir, who is Sudanese president Omar al-Bashir's brother.





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gitimacy and stability in the long-term by defying political openness and balanced development.

4. CONCLUDING REMARKS AND RECOMMENDATIONS

Between 2005 and 2011, on its way to becoming an independent state, Southern Sudan faced a number major challenges. This article has highlighted some of them, focusing on the governance and economic development outcomes of the partnership between the external actors engaged in 'peace through statebuilding' and the GoSS.

During the CPA implementation, the external actors applied a 'peace through statebuilding' agenda in their approach to Southern Sudan. Allegedly, this was to prove that liberal peace could have a positive outcome by consolidating a stable political order and neoliberal economy in extreme post-war circumstances. Yet, between 2005 and 2011, the intervention had only limited success in curbing violence, while allowing a political climate of repressive rule with slow and uneven economic development to prevail. The international intervention failed to make the SPLM/A controlled GoSS to endorse political liberty and promote wider economic opportunity for the local population, despite one of the stated SPLM/A objectives during the war having been to establish democratic order. The exclusive SPLM/A rule undermined state legitimacy and authority, as well as the consolidation of a common national identity among the highly heterogeneous ethnic groups in Southern Sudan.

The widely shared hope among the actors involved was to promote peace and avoid state failure in Southern Sudan through successful statebuilding. However, this agenda was not successful in the short-term, largely because it failed to generate confidence in the GoSS at the local level in parts of the region, and instead often converted local and regional political institutions into vehicles of ethnic claims for resources and political power.

Thus, the article has also shown that the exclusive endorsement of the SPLM/A as the dominant local actor has had downsides. Although the SPLM/A received support from its external partners, it lacked legitimacy and authority mainly in some of the more remote areas of Southern Sudan where it had engaged in violent struggle against the local communities during the war and since then has deployed security forces in order to establish a monopoly of violence. This caused instability, particularly when the attempts to extend legitimacy and control were largely defined by the conventional security approach, by a dominant, but hardly hegemonic actor. This perpetuated local opposition among SPLM/A defiant groups many of which also saw no benefits from peace in terms of economic development and services.

Finally, between 2005 and 2011, the political system and culture in Southern Sudan was based on consolidation of the SPLM/A imposed order, drawing from its experience of governance during the war. This resulted in the political climate being dominated by one party and marginalisation of the political opposition. These dynamics failed to promote the democratic state that the SPLM/A repeatedly stated it fought for during the war. Rather, the experience of the CPA implementation period shows that the concentration of resources to strengthen the centralised administration resulted in a *de facto* one-party state propped up by its security apparatus. It also, to a large extent, converted state administrations into institutionalised structures characterised by controlled patronage systems, while corruption became a persistent problem throughout the political and administrative landscape. This situation is likely to be unviable in the long-term since previous experience from Sudan as a whole clearly indicates that governance based on exclusive rule and marginalisation tends to generate political instability and armed opposition.

Recommendations

The analysis conducted here has highlighted some of the controversial effects of the partnership between the external interveners and the GoSS in Southern Sudan during the CPA implementation period in 2005-2011, and based on this experience offers some recommendations for the future. Most importantly, it can be asserted that one of the main challenges for the state in South Sudan will continue to be its legitimacy among remote and SPLM/A defiant populations. The state will require large quantities of external financing and other support for an extended period of time in order to build its capacity, legitimacy and authority. However, support for statebuilding needs to be conditional, with international standards in governance and development being promoted. This should explicitly push for an increasingly pluralistic democratic state order and transparent state institutions, clearly detached from the ruling party, the SPLM/A, which would involve participation of broad sections of the population. The political opening should include not only de jure decentralisation, but specific, more extended, sharing of state resources with regional and local administrations in an attempt to build state legitimacy.

An important part of the political opening would be the increased extension of peace dividends, particularly to the communities from where armed elements opposing the state have emerged. Such benefits, for instance effective provision of functioning infrastructure, services and economic opportunities coming directly from the central government, should be accompanied by an orchestrated effort to promote a national identity and be used to gradually change local attitudes towards the GoSS which would elevate the level of its local credibility. Ideally, this approach

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would address the real issues, such as poverty and lack of opportunities, behind the continuing violence and instability, and would undermine the local strongmen's capability to mobilise constituents for armed activities.

It becomes also apparent from the analysis that the GoSS should re-orient its approach to governance and economic development towards sustainable consolidation of the state through non-coercive activities. From this perspective, the most urgent task is the credible control of corruption, investing in quality instead of quantity of civil servants, and curbing ethnic, clan and family nepotism in public administrations. To this end, administrative and financial transparency ought to be promoted along with more emphasis on the pledged good governance, while credible anti-corruption mechanism and justice system should be established to deal with high-level individuals in a credible and efficient manner.

Moreover, it should be ensured that resources reach regional and local administrations, and it ought to be made widely known that these are provided by the central government. This effort to build local legitimacy should include an integrated approach to strengthen the ties between the GoSS and the local, traditional and particularly non-SPLM/A authorities. International assistance could be used to supervise this process and promote transparency in the relationship between the central, regional and local administrations.

Furthermore, the GoSS should scale back the involvement of security apparatus in the political sphere and allow the formation of effective peaceful opposition. Part of this process ought to be the celebration of free and fair elections. This would demonstrate the ruling party's willingness to correct the distortions in the political environment after the April 2010 elections, and would be a major step towards advancing democratic legitimacy.

Finally, in terms of economic development, a profound diversification should be urgently promoted to minimise the state's high level of dependence on oil exports. Securing food production should occupy a central part of the strategy for economic development. The current focus on infrastructure ought to include providing basic facilities for local agricultural production and basic industries. A major objective of the economic development process should be to increasingly cater for the needs of the population, particularly due to the high expectations of peace and the new state after the CPA, and emphasise the delivery of functioning services and widely accessible economic opportunities especially in the rural areas. This includes not only infrastructure, but ensuring that good-quality services, such as health care and education, are delivered. In terms of extending economic opportunity, the support for small businesses and agricultural schemes ought to be prioritised by providing loans and training for farming ventures and cooperatives. This should provide incentives for small-scale farmers and cattle-keepers to produce a surplus to diminish the reliance on foodstuffs from neighbouring states, while the state's recognition of people's entrepreneurial potential would accommodate and empower the latter as productive actors in and for the domestic economy.

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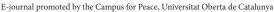
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