Who is failing whom? South Sudan and a new notion of the state

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Introduction

On July 9 2011 South Sudan gained independence after the longest running civil war. Before independence, South Sudan was part of the United Sudan, where differences in terms of culture and heritage between North and South are not unknown to the public. The North is predominantly Arab Muslim and the South is composed of many different religious groups. It divided the country in an "us" versus "them" situation that grew ever more prominent during the decades of civil war, 1955-1973 and 1983-2005 (Howden 2013b).

After independence in 2011 the country was characterised by peace and hope. However, the peace was short-lived: In 2013 internal conflicts in government broke out. Power dynamics and conflicts between the president, Salva Kiir, and the ex-president, Riek Machar, resulted in the third biggest refugee crisis in the world today.

The hopes in South Sudan for the new state was in 2013 replaced by fear, despair and insecurity and have led 2.4 million people to flee the country and 1.8 million are internally displaced.

This caused me to wonder how and why South Sudan, which for so many decades were part of a civil war, is now itself facing what appears to be the exact same civil war internally in South Sudan that it endured as part of the Sudan. South Sudan experience discrimination of different ethnicities and a power struggle gone so much out of hand, that it is putting independence and recognition of the state at risk. With a strong hope of creating a new state based on one identity that would stand together, Salva Kiir said these words in 2011: "We have waited 56 years for this day. It is a dream that has come true!" (Kiir 2011), but what happened to the dream and the state-building process in South Sudan? Has it failed?

A short walk-through of South Sudanese Becoming

Many of the borders in Africa were drawn up in the 18th century during colonialism. The borders were often negotiated between two colonial powers, based on a question of access to oil reservoirs, among other things, thus separating Africa's many different cultural, religious, etc. groups making

them belong to two or more countries. This immediately brings up a question of identity and a sense of belonging or not belonging within the borders of ones designated country. I do not claim that it is not possible for a country with various cultural, religious, political groups to peacefully live together, allow and respect each other and still have a sense of belonging and identifying with the overall identity. However, many conflicts in African countries have been characterised by ethnic differences and disputes over land (Burke 2018).

With the new borders and external reign from colonial powers came new political systems, which were imposed on communities, where new local rulers were chosen without any consideration of the existing hierarchy, social norms, history, etc.

During colonialism, European-like institutions were implemented throughout colonies in the world in order to maintain control over resources. Welfare and security for the people were low on the agenda for colonial rulers, which of course had consequences for the countries after they gained sovereignty. Money was not spent on infrastructure or rural development, only in areas where this was necessary in order to get to oil or trade roads or seas (Eriksen 2010: 38).

In the unified Sudan, the British-Egyptian colonial time had influence on the future of the independent South Sudan. The colonial period for Sudan lasted until 1956. During this period the North was always more important than the South. This was evident by the fact that schools were made to better educate people in the North for certain jobs in government that the British would not take upon them themselves. Though it was a selfish act from the British side, the North would later benefit from it by taking over power from the British, when they left in 1956. Moreover, the South was left to itself and was cut off from the benefits of living in the North. This created an even bigger divide between the two regions (Sharkey 2003: 4-7).

With the British leaving, the North took over governing the country, a so called *institutional appropriation,* where the colonised do not necessarily have the same interest as the colonisers, but merely an interest in maintaining a certain social order that had already been established. An order where the North would be able to access oil in the South and be in charge of its people. This also meant that the South again did not have any influence in government, just like during British rule, and still no money was granted for development of the South. This marginalisation of the South led to two civil wars in the united Sudan, before the South finally got independence in 2011, which a few years later was overshadowed by power struggles between the President, Salva Kiir, and the Vice-President, Riek Machar.

South Sudan had ambitions to become a great state that would no longer force its people to flee; it would create economic stability; and not least, peace and safety for the people (Kiir 2011). Instead, after the euphoria of independence waned off, Salva Kiir seemed only interested in maintaining power (Johnson 2016: 160). Offers from official international counsellors to help strengthen and build a stable and strong structure for the state was declined, and the people in charge would rely on their own skills and knowledge – not saying that the situation would have looked any different, as there is examples around the world of international interventions gone very wrong or at least have left again and the country being at status quo.

By creating a government based on personal ties or common ethnicity, the structures in society reproduced themselves (Eriksen 2010: 40). By prioritising power, development policies, infrastructure and security were given lower priority, and thereby sustaining the people in the same position as they had been in for decades, both during colonialism and within unified Sudan.

These signs of a weak government, people fleeing the country and ethnic disputes, made the international community call South Sudan a failed state.

The Notion of the State and Discourse of State Failure

The discourse of failed states has a tendency to centre on the notion of state and its characteristics. The notion of the state is usually one built on European/Western ideas and norms. The discourse of failed states is often used to describe countries in the global south due to political instability and violence. Stein Sundstøl Eriksen (2010) has tried to challenge the way we perceive and understand the notion of the state. The most common ways to understand the state is to see it as a service provider or one that is able to uphold its monopoly of violence (2010: 29); these services could be security, rule of law, protection, infrastructure, etc. So, when a state is not able to provide these services nor able to uphold its monopoly of violence, then it will be characterised as "failed". Eriksen argues that with these two definitions of what a state is, nearly all states in the world would be characterised as failed. Furthermore, he categorises this way of thinking as a test you have to fail or pass in order to be part of the international community and seen as a state.

Basically, Eriksen is calling the notion of the state an out-dated and idealised version of a Western state, which is why we need to come up with a new definition:

> "[…] the experience of non-Western states can only be understood as
> deviations from the 'normal' development experienced by Western states. By
> implication, the absence of anything like a modern state in many countries is

seen as a problem to be addressed, to enable a 'normal' state to emerge."

(Eriksen 2010: 32).

Eriksen instead proposes a model that is more inclusive and truer to the collection of countries of which the world consists today, where there is room for variation from the standard. That is, a state is not failed just because it sits outside the 'normal'. We, the people in the Western states need to remember that the Western model is not the only model. What works for us, might not work in other countries with different history, cultures, religions, etc. At the same time, we can agree that a state characterised by violence, ethnic conflict and corruption is also not an optimal way to rule a country and build a state. With a new model of the notion of the state, both these types of states will be able to see themselves in the notion of state without being 'failed'.

The new notion should focus on the process and the outcome of choices made in a state-building process, where you not only look at what is currently happening, but also at why, who and how the state is shaped, for example by looking at colonialism, the external factor bringing in European-like institutions, etc.

All states consist of a territory with an appertaining population, and this territory has a government, which is recognised by the other states (ibid: 36-38) Moreover, the state have laws, an army, police and other formal institutions. These components of the state are allowed to come in different shapes and sizes, that is, the laws may vary, the police do not have to have the monopoly over violence, the services the state provides can differ. By allowing for these differences in the way of governing the state is less likely to be characterised as failed, as the definition will be more inclusive.

Weak Institutions

The reasons for South Sudan to end up in yet another civil war are many and can vary, depending on how one chooses to analyse the situation. The power struggle between Kiir and Machar, who belong to the Dinka and Nuer respectively is an important factor in potential conflicts. During years of fighting they both found a way in which to mobilise people in order to gain power. These years have had severe consequences on not only the people, but also on state institutions that might have been weak in the first place. Institution structures were inherited by the old regime, Sudan, whose institutions were not strong themselves. Institutions are supposed to correspond to the time in which we live, but when state institutions are based on a Western ideal, as Eriksen mentions, it can be challenging for a non-Western country to comply with international standards. To the outside it seemed like South Sudan was trying to change, e.g. by creating new laws against corruption. These

laws were just not complied with, which in time will weaken institutions as they no longer have any effect and, in the end, make them irrelevant (Johnson 2016: 90-92). Alongside this, big changes in government personnel has also been a contributing factor to why the South Sudanese government/state is viewed as weak or according to the discourse of failed states, failed.

The mobilising of the Dinka and the Nuer respectively, by Kiir and Machar, is a contributing factor in leading South Sudan on the road to undermine state institutions, on which the state should be built: "Through their practices, actors may either contribute to or undermine the possibility of creating the kind of state presupposed by the idea of the state underlying formal institution" (Eriksen 2010: 36).

According to Eriksen, the choices made during its independence have contributed to the shaping of weak institutions, in that sense making main actors, both government personnel and rebels, responsible for the shaping of the South Sudanese state. The paradox is that South Sudan is recognised as a state, but yet some experts still choose to fail the country as a state, maybe showing that the standards of the current notion of state is too high or too one sided and non-inclusive of non-western states, why Eriksen's view on the discourse of failed states is a breath of fresh air.

Who failed whom?

What can be said about South Sudan is that the dream of a unified South Sudan has failed for now. Salva Kiir had a big dream of uniting the South under one identity and finally building the peaceful state all had hoped for in so many decades. In that sense the dream failed, Salva Kiir failed his people and the standards he set forth for the state more than the state has failed within the classical discourse of state and state-failure.

> "Let all citizens of this new nation be equal before the law and have equal
> access to opportunities and equal responsibilities to serve the motherland.
> We are all South Sudanes." (Kiir 2011).

What failed was the idea of a unified South Sudan, where power struggles instead took over and changed the focus from wanting to build a strong state for the people to a situation, where the people are now fleeing their homes.

In the understanding of the state suggested by Eriksen, South Sudan meets the overall requirements of what a state is. It has a territory, a government, a fragile one, but it is there, it does have a population, laws, armies and institutions inspired by those from Europe, a remnant from the

colonial period. These factors just tell us how the state is operated, not that it has failed at being a state.

So, who failed whom? Is it possible to speak of a situation where the notion of failed state has failed? Or are we in the West even in a position, where we can define what a state is supposed to do or what requirements it has to meet in order to be member of the international community?

One way could be to follow the idea that Eriksen has posed that is based on looking at processes of state building and state-maintenance and look at which processes lead to a strong or weak state and hereby learn more about the individual states.

So maybe both internal and external actors have played a role in the reproduction of the 'old' notion of the state, which has made it more difficult to build a state that corresponds to its history, people and conditions in the states' territory.

In South Sudan the British, Sudan (the North) and Salva Kiir, Riek Machar and other government actors have influenced the current state of the country and its state-building process. The youngest country in the world is still struggling to find the right way that works for it. In the meantime, people are still fleeing the country, which is not a great testament to the choices being made by actors in South Sudan. A new peace agreement has just been signed by both parties, Riek Machar and Salva Kiir, on 13 September 2018 in Ethiopia. It states that Riek Machar will be reinstated as Vice-President in South Sudan, from which he was dismissed in 2013. If reinstating Riek Machar as Vice-President, one out of five, will be complied with only time will tell, as both parties of the conflict have broken peace agreements before.

Maybe this new way of perceiving the state will be a more inclusive one and will lead to more understanding of why some states act as they do and thereby allowing states' mistake without categorising them as failed, and hence shutting down the possibility for the Western world to intervene in yet another conflict in the World, for which they may also carry some of the responsibility. Maybe it is taking it too far, but change is long overdue in my opinion in relation to what a state is, what it is based on and how it should act both domestically and internationally.

So, what happened to the dream in South Sudan? The dream seems to have been overshadowed by other things for people in power positions in South Sudan that instead got caught up with conflict over power, people and territory, thus ending up with fragile state institutions and slowing the state-building process down. For the people the dream continues, the dream of living in one's own

country in peace. Even state leaders seem to remember the dream that once was by signing a new peace agreement and showing its people that two persons with different cultural backgrounds can agree on one thing – that peace is best for South Sudan. Failure or not, the state still stands and is recognised by the international community, with or without help from the outside. South Sudan and its leaders are on a road to exchange conflict and fear for peace and a state with strong institutions. The way they choose to do it is not important as long as it gets there without harming more people and thus leading them with no other choice than to flee the country. Maybe we all failed South Sudan, the British, the Egyptians, Sudan even themselves, what it shows is that it is a tough and difficult task leading and creating a state that all parties can be satisfied with, why focusing on original dream of South Sudan is to be remembered, when trying to recreate a state with value for all its people.

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