

“...between Dinka and Madi you cannot really call it a conflict... The Dinka that are living here, are either employed here, or disabled. The government organised to settle them here to protect the border. Moreover, they participated during the war, while the Madi were not there. There are rumours about grabbing, but it are rumours. For instance no-one came to my place to say that it is theirs.”

Nimule July 2012, Dinka interviewee

“Where there are Christians, there is supposed to be dialogue. Some people tried, but they see you as an enemy and don’t accept... These people have their own plan. It happened even last week, that a Dinka man came to a pastor. He cut a sign in a tree, and then, referring to it, said, since 1992 this is my place. The man was in uniform.”

Nimule July 2012, Madi interviewee

## Acknowledgements

An inscription on a toilet door in a building of Utrecht University where I used to work on the thesis you are about to read, says: I hate (1) vandalism, (2) irony and (3) lists. For me it would have been equally inconsistent to start this introduction with writing how I have disliked writing this thesis. Why, then, would I have spent so much time on it? And indeed, I have liked writing my thesis a lot, yet I am happy that the project is finished.

An advanced practitioner of martial arts once said in an interview on youtube: “You just need to take the pain into another universe.” With regard to this thesis I have not always been successful in applying this lesson. The large is my happiness that so many people have supported and bore the pain with me. “Some people just take a little longer”, “le mieux est l’ennemie du bien” and “a good thesis is a finished thesis” are some of the encouragements I remember. Thank you, thank you.

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## Table of contents

1.	Introduction	p. 4
2.	Theoretical framework	p. 8
3.	Methods	p. 16
4.	Conflict in Nimule	p. 23
5.	Churches in Nimule	p. 41
6.	Churches and conflict	p. 50
7.	Conclusion, discussion and recommendation	p. 58
	Attachments	p. 62
	Bibliography	p. 74

# 1. Introduction

## 1.1 Introduction and research question

Nimule is a small town in the Republic of South Sudan at the border with Uganda. South Sudan became the newest independent country in the world in July 2011, after a six-years interim period of relative southern autonomy. The interim period began in July 2005, when a Comprehensive Peace Agreement (CPA) concluded the Second Sudanese Civil War that ravaged southern Sudan since 1983. Nimule and its surroundings became a war zone in the late eighties. In response, people of the Madi tribe inhabiting the area massively crossed the nearby border. While the Madi were in exile in Uganda, rebels of the Sudan People Liberation Army (SPLA) and internally displaced civilians (IDPs) from elsewhere in South Sudan settled in Nimule. Numerous among them were in particular people with a Dinka tribal background originating from in and around Bor town in Jonglei state. When security gradually returned to Nimule in the years following the CPA, many Madi who wanted to come back to Nimule found their land to be occupied by Dinkas who were unwilling to leave it and return to Bor, their area of origin. Some Madi were able to repatriate and started cultivating. They found the cattle herds of the (semi-)pastoral Dinka to be grazing over their crops. A land conflict was born.

Since the CPA, Dinka and Madi in Nimule uphold mutually exclusive claims to particular plots of land. Although they differ in terms of recent history and tribal background, they also have an important commonality: Their adherence to the Christian faith and participation in various local churches. This thesis is about the role of local churches in conflict in Nimule. Have churches been active and successful in transforming a tense situation of conflicting interests? Have they sided with a particular ethnic group? Or have they abstained from political involvement? The guiding research question is:

What have been the roles of local churches in post-war land conflicts between Madi and Dinka in Nimule?

This thesis formulates an answer to these questions, based on a fieldwork that has been conducted in Nimule between April and August 2012.

## 1.2 Societal relevance

To study the role of churches in conflict between Madi and Dinka about land in Nimule has both societal and academic relevance. To start with the former, conflict has a significant negative impact on the lives of people in and outside Nimule. This is particularly felt among the Madi for whom conflict affects livelihoods and has caused continued, involuntary displacement. Conflict has frequently resulted into violence, to the extent that it might even have resulted in the death of the Madi head chief in Nimule (see Attachment 2). This highlights that conflict between Madi and Dinka is not merely another disagreement but bears the seeds of a violent escalation that may continue to negatively affect or even take more lives in the future.

In this context, a study of the roles of local churches is an investigation of how to possibly transform conflict and establish less destructive ways of interaction. Together with the organisation of ethnic groups, local churches form the strongest grassroots organisations in Nimule, maintaining relations with a large number of people. Other than ethnic groups, some denominations draw members from across ethnic boundaries. Studying the role of local churches in Nimule is therefore a necessary groundwork on which locally rooted transformations may be built.

Seeing the possibility of positive contributions by local churches in Nimule to conflict transformation beforehand, does not necessarily imply that churches (1) are already playing such a role or (2) that they always have a large impact in their locality. With regard to the first point, an important premise underlying this research is that the roles played by local churches may have space for improvements,

or that current impacts need to be reversed. As we shall indeed see in this research, some local churches have remained politically inactive or have even been accused of land occupation themselves. With regard to the impacts on society another very basic observation comes into play: As we shall see, far from being isolated actors, churches in Nimule operate within a society that in turn constrains and influences them.

### *1.3 Academic relevance*

Academic attention for the role of religious actors in local post-war conflicts in South Sudan is very limited. During the second Sudanese civil war (1983-2005) academics have rightly looked beyond a superficial and reductionist Muslim vs. Christian dichotomy as an explanation of war. In dealing with the enormous challenges ahead for post-war South Sudan, so far development agencies and researchers have often focused on relief efforts and institution-building. Rather than looked beyond, currently the role and potential of religious actors in local, ethnically shaded conflicts seems to be almost entirely looked over by academics. To transform such local conflicts it is however relevant to investigate the roles of grassroots organisations in South Sudan that are not ethnic organisations: local churches.

The role of religion in the second Sudanese civil war has been well-asserted to concern differences between the Muslim north and Christian/animist south (cf. Johnson 2003). Academics have however stood ready to refute non-scholarly and/or superficial explanations that suggest war flows almost naturally from religious and ethnic differences (such as Huntington 1993). Prunier for instance, simply points at the geographic distribution of armed conflict in South Sudan: All areas away from power centre Khartoum, east (Darfur), south (nowadays South Sudan) and mid Sudan (Blue Nile and Nuba mountains states) have experienced marginalisation, irrespective of the dominant religion in the region (Prunier 2007:23-24). Abdel Gadir Ali et al. conclude that “our review suggests that the potential causes of the Sudanese war span the entire spectrum of causes identified in the literature” (in: Collier and Sambanis 2005:199). This is fitting to the understanding of other recent scholars who show how political purposes go sometimes masqueraded in religious discourse (Appleby 2000:58; Toft 2007:104; Prunier 2007:40).

In post-war South Sudan in particular ethnic tensions continue to further threaten an already fragile humanitarian situation. During the civil war ethnicity had often been a rallying point in the mobilisation of competing factions within South Sudan. According to a sinister statistic the majority of southern casualties during the civil war fell in internal conflict rather than being killed by the national (northern) army.<sup>1</sup> Ethnic tensions continue to be present in post-war South Sudan and may be growing in the absence of a direct common enemy. Large-scale post-independence violence along ethnic lines has taken place in particular in Jonglei state between various groups of cattle keepers. Deep mistrust also exists between now ex-vice-President Riek Machar and President Salva Kiir and their ethnic support bases. This may partly explain the outbreak of violence in capital city Juba in December 2013. Less visible and with less casualties, tensions between tribes exist in many other places and amongst other tribal groups, for instance between Madi and Dinka in Nimule.

In a country thus internally divided it is highly relevant to pay attention to nation-building and identity issues as a way to transform, solve and avoid conflicts. Because a high percentage of the population of South Sudan is in one way or another related to a church (ECS 2008:29) and also because Christianity forms an important component of South Sudanese ideas on nationhood (Frahm 2012), it seems wise that academics pay also attention to the potential of local churches in transforming local conflicts. This is particularly so because a shared Christian religious identity may be able to function as a bridge between people, across ethnic differences that play a role in

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<sup>1</sup> Amsterdam, 26 March 2012, lecture by Jorth Hemmer (Netherlands Institute for International Relations Clingendael).

interethnic conflict. Past efforts to bring reconciliation between for instance Nuer and Dinka have sometimes also come from a religious corner, the New Sudan Council of Churches (Hutchinson 2001: 324-325).

There are two major reasons why so far there has been little attention for the role of religious in local conflicts in South Sudan. Firstly, most academic interest into religion and conflict has gone to situations in which religion was a distinctive factor. Toft's article on 'religious civil wars' for example, focuses on the uncompromising nature of religion and religious outbidding (Toft 2007:100). Even treatises on religiously motivated peacemaking have predominantly focused on the common ground for building peace between *different* religious traditions (Little 2007). In South Sudan the problem is not that Muslims and Christians kill each other, but that "Christians are killing Christians." (Stiller 2012). That Christianity is a variable that is shared by the conflicting parties is however not a reason to not pay academic attention to it.

Secondly, much attention for South Sudan has come from developing agencies who have wanted to rebuild South Sudan by helping it to build inclusive and accountable institutions.<sup>2</sup> The background of most NGOs in societies that are more secular than South Sudan may explain why there has been little attention to the role and potential of local religious actors to try to improve the South Sudanese situation. Occasionally it might even be warranted to speak of neglect, if the role of religious actors is entirely ignored in otherwise comprehensive reports (see for instance Roper and Teverson 2011).

The little academic research that exists on the church in South Sudan has clear differences from the research that has been carried out for this thesis. Conflict has been a concern for the ECS, the Roman Catholic Church (Byassee 2010) and a wide variety of protestant churches.<sup>3</sup> The churches' concern with conflict has in particular been channelled through the New Sudanese Council of Churches (NSCC). Agwanda and Harris have evaluate the success of the 'people-to-people peace-building' conferences organised by the NSCC, that aimed at reconciling various ethnic group in competition over resources (Agwanda and Harris 2009). They note that the NSCC's focus on immediate peace-making may have limited attention for structural conditions constitutive of a conflict-prone environment, such as political inequalities along ethnic lines (Agwanda and Harris 2009:46). Agwanda and Harris give no attention however on the roles of local churches, their (im)possibilities when they are faced with structural political inequality or the possibility that churches are involved with or cause conflict.

Because the current research aims to provide an overview of the roles of local churches in land conflict between Madi and Dinka in Nimule, the focus has not been solely on religious actors. In fact, because little was known beforehand about conflict between Madi and Dinka a substantial part of the research has been devoted in becoming acquainted with this conflict. The characteristics of the conflict itself also make it a very interesting case from an academic point of view, for two reasons. Firstly, this research provides a tangible description of conflict between returnees and IDPs, a rare case due to the complicated migration movements involved but that is also witnessed to some extent elsewhere in South Sudan, in Yei, Torit and Juba. Secondly, it does so in the specific political context of post-independent South Sudan. Importantly, it provides an image of the local interaction between a small ethnic group and members of the Dinka tribe that dominates the government in a new country, and whose dominance has been criticised (see for instance Buay 2012). The research may also give an indication of the nature of these interactions that may provide clues of what to expect in years to come.

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<sup>2</sup> In fact so many NGOs have been present in South Sudan that it has been dubbed NGO-istan at times.

<sup>3</sup> Houten (The Netherlands), 22 March 2012, interview with Rev. Christopher Drale, director of Sudanese Gospel Mission Church.

The answer to this question is important for two reasons. First, as we shall see, research so far has largely neglected the role of local churches in local conflicts in South Sudan. Particular issues and dynamics that emerge from this research can be helpful to those who attempt to understand situations which are to some degree comparable. Also, understanding and knowledge about the roles of churches in land conflict are a necessary precondition for a possible transformation into a possibly (more) constructive role for churches. Attempts at such a transformation could be set in motion by churches themselves, either or not assisted by third parties such as government institutions, non-governmental peace or development organisations (NGOs) and church hierarchies.

#### *1.4 Outline*

This thesis has the following outline. Chapter 2 provides an overview of the theoretical concepts that have informed this research. Chapter 3 addresses issues of methodology, explaining the motivation, strengths and weaknesses of the particular way in which research has been conducted. The next three chapters compose the empirical section of the research. Most information for these chapters derives from fieldwork that took place between April and August 2012 in and around Nimule. Chapter 4 describes how conflict manifests itself in Nimule. In Chapter 5, churches in Nimule are identified and their relations to the Madi and Dinka tribes are described. Chapter 6 analyses how various churches have played different roles in the conflict. Chapter 7 concludes and provides a discussion of the implications of the findings of this thesis.

## 2. Theoretical framework

### 2.1 Introduction

At the basis of the present research stand a number of theoretical notions that are worthwhile exploration. In this chapter they will be made explicit so that the entire research can be linked to and incorporated into existing scholarly conversations. The goal of this research has been to find out about the particular situation of conflict in Nimule rather than to test or adjust particular theories. For this reason what is offered is not a detailed review of all or even the majority of authors writing on the subjects that we touch upon, but rather a compact overview of academic theories and insights that have been useful for this research. They concentrate around subjects that are central in the sections of this chapter, namely : displacement, ethnicity and religion.

Building on different authors, the main contention is that displacement brings additional stress on the available resources at a given location. If this results in conflict, this will often take place along existing social fault lines, for instance between host communities and IDPs or along ethnic boundaries. Nevertheless, people from across a particular fault line may simultaneously share other social categories, for instance because they belong to the same religious community. The question is whether this constitutes a social 'counter'-capital that has the potential to transform conflict into more cooperative behaviour.

This chapter and other chapters often speak about conflict. The definition that we use is one from ... Conflict is the perceived mutual exclusivity of the objectives of parties to the conflict. Using this definition it is possible to observe conflict in Nimule on various levels: conflict between the Madi and Dinka communities in Nimule about the presence of the Dinka community in general, as well as conflict between individual Madi and Dinka and their families about particular places or behaviours. It is the combination of many conflicts on individual or family basis that make up the larger conflict. Both types of conflict will therefore be addressed.

### 2.2 Displacement conflict

#### 2.2.1 Migration, refugees and IDPs

Conflict between Madi and Dinka in Nimule is directly related to their migration from and to Nimule in the last decades. The land conflict here is taking place between returning refugees and IDPs that are reluctant to return to their area of origin. In the academic field of migration studies, important concepts to enhance our understanding of migration have been so-called push and pull factors. Drawing on mainstream migration literature, Reuveny mentions how migrants can be regarded as agents in a structure in which they are influenced by particular pull and push forces (Reuveny 2007). The move from location A to B is conditioned by how push and pull factors influence the attractiveness of a particular location to stay in, move away from or return to. A distinction is commonly made between economic and socio-political push and pull factors. The former include economic growth or decline and (under)development and (un)employment. Socio-politically, persecution, war and peace, family unification and the presence of brethren matter. With this last term, Reuveny is likely referring to people from the same ethnic, cultural or religious group.

Official figures state that in the world of today there are about 15,2 million refugees and 28,8 million IDPs (UNHCR 2013a, UNHCR 2013b). Unless 'ordinary' migrants, refugees and conflict-induced IDPs migrate out of fear of persecution and/or violence (UNHCR 1951/1967). Whereas IDPs have remained inside their country of origin, refugees also crossed international borders. As a consequence the issues facing refugees and IDPs will not be entirely the same. IDPs are likely to retain closer links with the political developments in the country of origin, to their benefit or disadvantage. For refugees the relation with a host country may also become important. This is most



clearly the case if refugees become second-class citizens or are forced by a government to leave the host country. Nevertheless the commonalities between the situation of refugees and IDPs remain often large. The United Nations' refugee agency UNHCR for instance uses its expertise also for assistance to IDPs. As a consequence, part of the research conducted among refugees also applies to IDPs and vice versa.

The traditional strategies of the international community in dealing with refugees and IDPs are local integration, resettlement and return (UNHCR 2013c). During the last two decades, post-Cold war possibilities and a more restrictive attitude towards refugees in industrialised countries has resulted in increasing attention for the return option (Black and Gent 2006:16). Black and Gent highlight that both the concept and practice of return are not unproblematic (Black and Gent:19). They criticize in particular the assumption, that 'order is restored' after repatriation. This ignores "the temporal reality of our lives and the changes that take place over time", and results in attention for returnees to end too short after repatriation (Malkki in Black and Gent: 20). Due to staying in different areas, returnees are likely to have been exposed to new political, social, economic, cultural and spiritual experiences. They may have urbanised and adopted different livelihood strategies. They may be willing to retain the social and economic links that have been built with other places. Similarly, changes may also have taken place in the places to which people return. These changes to people and places make that the latter can no longer without ambiguity considered to be 'home', as coming home may actually prove to be an unsettling experience (Black and Gent:20-21). Instead of "re-rooting" after being "uprooted", return may in fact be the beginning of a fully new process of integration (Malkki in Black and Gent:20).

Black and Gent also stress that ambiguity exists about what return means in practice, return to the *patria*, the home country, to a particular area or region or to specific homes. In practice, the decisions on these issues, their outcomes, who takes them and what motivates them, has important consequences for people's lives.<sup>4</sup> Instead of being a technocratic problem it constitutes a political process. Even the seemingly unproblematic voluntary, un-assisted return can be questioned as it is sometimes motivated out of fear of a future forced return (Black and Gent:19).

### 2.2.2 Refugees, IDPs and conflict

Refugees and IDPs are often considered to be vulnerable parts of a population (Teferra 2012:5, Mooney 2005). Consequently little attention has been paid to possible negative impacts of their presence. A good overview of ways in which refugees may contribute to conflict is given by Salehyan and Gleditsch (2006). Building on a statistical analysis they conclude that refugees from neighbouring countries increase a country's probability to experience intrastate conflict. These findings can be explained by a variety of dynamics. Refugees may pose a direct challenge to the host government, they may support an opposition group or their presence may change the ethnic balance in the host country.

Refugees and IDPs can also bring along actual or perceived negative economic consequences for the host population, for instance by increasing competition over already scarce resources such as employment, housing, land and water. In particular the additional stress that refugees pose on natural resources has been well-established (Martin 2005:332). There are many instances in which additional competition in migrant-receiving areas has and does lead to conflict (Reuveny 2007, Martin 2005:330). According to Watts & Holmes-Watts such conflict are particularly likely to take place in less developed countries where people are more directly dependent on agriculture and land for making a livelihood (Watts & Holmes-Watts 2008). South Sudan, with its northern neighbour having a Human Development Index ranking of 171 in 2013, certainly falls in this category (Malik 2013).

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<sup>4</sup> In Nimule many Madi have returned to their country but not their homes.

Many scholars have concluded that resource scarcity does not independently cause conflict, but rather interplays with other factors. Recent academic attempts to distinguish a clear causal relationship between resource scarcity and conflict have taken place in the debate about 'environmental conflicts'.<sup>5</sup> Martin makes clear that it has remained difficult to predict with certainty whether and why in a given situation additional scarcity will lead to conflict or to increased cooperation. A common conclusion therefore, is that this is dependent on other variables, such as institutional failure, existing socioeconomic fault lines such as ethnic difference, relative poverty or differences between pastoralists and farmers (see, for instance, Martin 2005:330, Kalyvas 2003).

## 2.3 Ethnicity and ethnic conflict

### 2.3.1 Ethnicity

Research into the roles of churches in conflict about land between Madi and Dinka in Nimule has a clear ethnic dimension to it. Academic attention to the role of ethnic identities in conflicts has increased considerably since the end of the Cold war. With it, an overarching paradigm for understanding international relations disappeared. In the unfolding debate about the nature of international relations in years to come, Francis Fukuyama's *The End of History* and Samuel Huntington's response *The Clash of Civilisations* were the most far-stretching and (in)famous (Fukuyama 1989; Huntington 1993). Fukuyama claimed that liberal democracy was the "endpoint of mankind's ideological evolution" that would spread over the world and probably make it more peaceful (Fukuyama 1989:4). Huntington, on the contrary, expected that the world would continue to be rift with conflicts, but henceforth based on differences between civilisations, cultures and identities rather than ideologies. Although Huntington has been heavily criticised and rightly so (see, for instance, Said 2001), the infamous conflicts of the 1990s, in Rwanda and Yugoslavia seemed to warrant a new, widely-shared attention for the role of identity in conflicts.

The understanding of ethnic identity in this research is drawn from Fearon and Laitin (2000). According to them identity should be understood as a social category with which people identify by taking pride in belonging to the category or by viewing it as a more-or-less unchangeable attribute with social consequences. Fearon and Laitin take social categories to be sets of people that are given a label and that have two main features "(1) rules of membership that decide who is and is not a member of the category; and (2) content, that is, sets of characteristics (such as beliefs, desires, moral commitments, and physical attributes) thought to be typical of members of the category, or behaviours expected or obliged of members in certain situations (roles)." According to Fearon and Laitin, rules that define whether or not someone can be identified as member of an ethnic group mainly deal with (perceived) common descent. The set of characteristics associated with belonging to a particular ethnic group is "typically composed of cultural attributes such as religion, language, customs and shared historical myths" (Fearon and Laitin 2000:848). Toft (2005) mentions how historical myths of ethnic groups often also include claims on the territory of the group.

Despite the existence of rules of membership and particular characteristics for people, whether or not people are member of a social category is not always clear. With regard to ethnic identity social scientists have largely rejected a 'primordialist' view of ethnic identity that regards belonging to a particular ethnic group as something natural and self-evident (Fearon and Laitin 2000:848).<sup>6</sup> What speaks against primordialism is that it is sometimes contested whether someone belongs to one group or another. According to Barth (1970) the variation in people's characteristics within a group is

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<sup>5</sup> The debate has shown particular attention for the effects of climate change induced scarcity, but also deals with scarcity from other causes.

<sup>6</sup> The difference in understanding has been likened to the difference between blood and wine (Baumann 2004). Primordialists stress how, like blood, ethnicity is naturally present from birth till death. Social constructivists argue that, like wine, ethnicity is the result of a process, in the case of ethnicity that of boundary maintenance.

sometimes substantial hence not the characteristics themselves but the social process of making and maintaining boundaries is crucial in understanding why a particular individual is recognised as belonging to a specific ethnic group. As a consequence, it occurs that someone might be willing to identify with an ethnic group but is actually rejected by (parts of) the group itself. Primordialism also cannot account for the substantial movement of people across ethnic boundaries and has difficulties explaining how particular ethnic categories have gained and lost importance historically (Barth 1970).

In Fearon and Laitin's definition of identity people have several identities simultaneously. Someone can, for instance, be Moroccan, mother, professor, Dutch citizen and practising Protestant believer at the same time. The various identities are aspects of the same person, that become more or less relevant in a particular context. For the current research we are interested in particular in the ethnic and religious identity of people and whether nominally sharing a religious identity, that of being 'Christian', has consequences for the way in which is dealt with conflict that takes places between people with different ethnic identities. A question in case is whether being Christian is a relevant religious social category to Madi and Dinka in Nimule or whether they identify more closely with a particular local congregation or denomination.

### *2.3.2 Ethnicity and conflict*

Social scientists working from various disciplines have put forward various explanations of conflict between ethnic groups (see for an overview for instance Toft 2005 or Gilley 2004). They vary in their assessment of the importance of ethnicity to conflict. At the one hand, some argue that dynamics inherent to the construction of ethnic identity are a main cause of what they call ethnic conflict. Other authors stress that the concept of ethnic conflict conceals other, more relevant explanations of political conflict and argue that ethnic identity and fault lines are simply useful focal points for mobilization (for instance Gilley 2004:1159).

#### *Conflict inherent to ethnic identity formation*

The ethnic explanation of violence between ethnic groups focuses on the logics inherent to boundary maintenance processes. Boundaries between ethnic groups persist despite social interaction across the boundaries and even people crossing groups (Barth 1970:11). In order to consolidate and maintain ethnic identities in such dynamic contexts, their social construction is accompanied by "supra-individual things like discursive formations or symbolic or cultural systems" (Fearon and Laitin 2000:846).<sup>7</sup> The construction of group identity would necessitate a discursive differentiation from a constitutive Other, for instance a different ethnic group. This discursive differentiation regularly takes an 'othering' or demeaning, violent form, a negative stereotyping about 'them' as opposed to an 'us' with a more positive connotation. The negative depiction of an adverse ethnic group might lead to a slowdown in social interaction across ethnic boundaries, with the consequence that new rumours reinforcing negative images of the other can grow unchallenged. Mutual despising and fear may grow and result in a security dilemma. Taken to the extreme, people turn to their co-ethnics for both information and security and a total breakdown of interethnic contacts and pre-emptive violence follow (cf. Chirot and Seligman 2001).

Violence in the scenario above is a strategy to take away perceived insecurity by ethnic cleansing, i.e. killing people of the opposing ethnic group(s). Impure elements in the own ethnic group may also be considered a threat, for instance people who maintain interethnic relationships or who are unwilling to participate in violence. Apart from fear of the other ethnic group, the use of violence may also be motivated by the desire of people on the margin of an ethnic group to gain greater acceptance or security. This might for instance be the case for individuals of mixed offspring.

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<sup>7</sup> I use her 'consolidate and maintain' because most work on ethnicity is about the continuous recreation of ethnic identities rather than the initial emergence/creation of a particular identity category.

Detailed studies by prominent scholars highlight how the construction of ethnic identities, violent discourses in boundary maintenance processes and security dilemmas have played a role in various conflicts around the world.<sup>8</sup> According to David Little, “religiously shaded ‘ethnic tension’ appears to be latent in the very process of ethnic classification” (in Appleby 2000:60). At the same time the peaceful cohabitation of many ethnic groups shows that conflict is not a necessary consequence of the construction of ethnic identities.

#### *Elite and other explanations of conflict between ethnic groups*

Another variable that has been considered important in explaining conflict between ethnic groups is the role of political elites (Fearon and Laitin 2000:846).<sup>9</sup> Elites would instrumentally make use of ethnic boundaries, foster antagonistic identities and violence to build political support and attain political power. Elites could for instance lead critical attention away from sensitive political issues or scapegoat them on the opposite ethnic group.<sup>10</sup> But why would the mass of people follow the violent strategies of political elites? First of all, elites might control and manipulate the channels of information of the public. Secondly, an innate desire for self-esteem could prevent people from believing that the leadership of their own ethnic group would delude them. Finally, if elites have already consciously fomented escalation, despite objections people may find no alternatives out of fear for their own security.

A final and critical observation is that if elites benefit from violence between ethnic groups, this does not imply that ‘ordinary people’ have simply been misled. Under the umbrella of ethnic violence there may be other or additional motivations and agendas explaining their behaviour (Kalyvas 2003). A case in point could be the existence of a real disagreement between two ethnic groups, for instance about the ownership and use of land.

A larger conflict that has been more or less constitutive for the conflict in Nimule, the Second Sudanese Civil War (1983-2005), may be illustrative in this regard. The importance of religious difference in this war has been well-asserted (Johnson 2003). Abdel Gadir Ali, et al. argue that “the conflict has always focused on fundamental differences in culture, religion and identity because the southern Sudanese resent the cultural religious and political hegemony of the North.” (Collier and Sambanis 2005:198) In line with Huntington’s analysis this civil war could be framed as a ‘civilisational’ conflict, an almost self-evident consequence of the intersection between two major cultural blocks, the Muslim world and Sub-Saharan Africa. Balanced scholarship shows however that issues of identity sometimes figured prominently in the civil war, but that they also have been utilised for political purposes (Appleby 2000:58; Toft 2007:104; Prunier 2007:40). All areas away from power centre Khartoum, the east (Darfur), south (nowadays South Sudan) and mid of Sudan (Blue Nile and Nuba Mountains states), for instance have experienced comparable marginalisation, irrespective of the dominant religion in the region (Prunier 2007:23-24). Abdel Gadir Ali et al. hence conclude in their review that “the potential causes of the Sudanese war span the entire spectrum of causes identified in the literature.” (Collier and Sambanis 2005:199)

#### *2.4 Religion and conflict*

In this research, like ethnic identity, religious identity is considered to be a social category conform the definition of Fearon and Laitin: It is a labelled set of people with as main features rules of membership and a set of characteristics and behaviours in particular situations thought to be typical

<sup>8</sup> In their review, Fearon and Laitin (2000) refer to studies of Rwanda (Gérard Prunier), Sri Lanka (Kapferer) and India (Brass).

<sup>9</sup> Large parts of the South Sudanese public have explain interethnic violence within South Sudan during the 1990s by referring to the role of elites, see for example Hutchinson (2001:321).

<sup>10</sup> According to interviewees this is for instance observable in the long-drawing conflict on the island of Cyprus. Interviews by the author, January 2012.

of members of the category (Fearon and Laitin 2000:846). Distinctive for religious identity is that it is about people's interaction with what/whom they perceive to be sacred rather than for instance family relations or work that are focal points in other types of identity.

The wide variety in religious phenomena and the ongoing contests and conversations about what is truly religious make it difficult to establish clear rules of membership, for instance for Christianity. The notions that people implicitly or explicitly employ to identify with or distinguish themselves from others may vary among various sub-traditions, among local congregations and even among individuals within a congregation. Various aspects of religion may be stressed, for instance the dogmatic aspects of belief, particular rituals such as the holy communion, the personal experience of one's involvement with god, the importance of belonging to a particular community, of displaying particular behaviour and of participation in a particular church (McGuire 1981:15).

As a consequence of these many aspects to religion it is difficult to predict which notions people stress most in a particular context, and whether people who operate in different local churches or religious sub-traditions will consider each others as part of the Body of Christ, the concept of the worldwide unity of Christian believers. In some cases people from across a wide religious spectrum have been able to cooperate and identify with each other. In other cases, such as in N-Ireland, differences within a major religious tradition actually coincide or even reinforce conflict between two parties. In the history of conflict within Christianity the internal fault line was often between Protestants and Catholics, for instance in historical clashes in the Netherlands and France in the 16<sup>th</sup> and 17<sup>th</sup> century and in 19<sup>th</sup> century Uganda.

According to R. Scott Appleby religion has an ambivalent potential for both violent extremism and fierce conflict, as well as for a strong militancy for peace, because it distinctively concerns interaction with "the sacred" (Appleby 2000). With the sacred, Appleby refers to an ultimate reality which bears different meaning in specific religious contexts. As a result of this subjectivity the personal and political implications of interaction with this ultimate reality are highly diverse. Nevertheless, the existing religious texts as well as the development of tradition puts a limit to the capability to develop extremism within the major religious traditions, according to Appleby.

Appleby distinguishes three major types of religious extremism: fundamentalism, liberationism and religious nationalism. Fundamentalism is a distinct religious phenomena that is shaped by the encounter with secular modernity. Unlike orthodox conservatism, it responds to beliefs and practices that are regarded deviant or objectionable with the use of forcible interference, both legal and illegal (Appleby 2000:14-15). Liberationism rests on a specific type of Christian theology which justifies the use of counterviolence in case of violent (state) oppression (Appleby 2000:115). It has been prominent in various Southern American countries and in South Africa under the Apartheid. Religious nationalism strengthens the religion of an ethnic group by establishing a political collective in which it is privileged (Appleby 2000:108).

In the case of religious nationalism, it is difficult to disentangle a clear-cut religious element from the nationalist factor. For instance in the Yugoslav wars "religious literacy" was low (Appleby 2000:69) and religious and ethnic categories coincided. In such a case it is hard to establish to what extent religion or ethnicity are the basis for nationalism. At the one hand a religion "can provide a supernatural justification for mundane ethnic claims", for instance by drawing parallels with the religious past so that a particular space become the ethnic group's Zion or Mecca. The other way around, "ethnic society is often the very soil in which the otherwise lifeless seed of religion is planted and takes root. Ethnic groups usually embrace a common religion and impress their own particular customs on it to such a degree that it is difficult to speak of the religion without including its ethnic modifier" (Appleby 2000:61).

Religion may also inspire its practitioners to become militants for peace that aim at transforming conflict situations. Appleby highlights how Jesus' word to forgive ones enemies has made forgiveness an important imperative in the Christian tradition (Appleby 2000:169-204).<sup>11</sup> Appleby distinguishes three levels on which peacemakers can be active: conflict management and resolution and structural reforms. Conflict management concerns the prevention of violence, conflict resolution is mediation and negotiation to bring conflict to an end, and structural reform consists of efforts to address the root causes of conflict in a society (Appleby 2000:212).

A second distinction concerns the way in which religious institutions have to deal with conflict. In the crisis mode institutions are more or less unprepared to deal with conflict and in the saturation mode conflict has been well-anticipated. The external intervention mode concerns the intervention of external religious institutions that have deliberately prepared religiously based resources in order to transform conflict (Appleby 2000:230). The work of religious militants for peace can be particularly important because churches often have a long term-presence in communities and deal with people at the grass roots level (Appleby 2000:18). The situation in South Sudan, where churches have been important actors in providing assistance to the people during the war and where religious freedom for Christians has been an important issue in this war, churches may even more than elsewhere have the ability to influence developments at the grassroots.

## *2.5 Conclusion: From theory to research*

What are the roles of local churches in conflict in post-war Nimule between Madi and Dinka IDPs about land? This chapter has provided an overview of issues and concepts that are relevant when answering this research question. We have focused at the one hand on migration and ethnicity, two phenomena that are known to play a role in Nimule's conflict. At the other hand attention has been given to religion as a rather unknown factor before this research was carried out.

People may have several reasons to migrate. Conflict resulting from displacement can only be transformed if these reasons are taken into account. Whether people are able to return to a particular place is a political process in which interests and power balances play a role. Ethnic identity can be very important in a conflict between ethnic groups, but ethnicity is not always the most important issue. It is therefore important to analyse interactions between Madi and Dinka in Nimule and see whether violent confrontations are common or not and if there is any non-violent interaction between the two ethnic groups as well. All these issues will be dealt with in chapter four, that answers the very open first sub-question: What is conflict between Madi and Dinka in Nimule?

The diversity within a major religious tradition such as Christianity makes it not self-evident that people in different churches identify with each other as 'Christian brothers and sisters'. In this respect it is highly relevant whether possible religious and ethnic fault lines coincide or not. If this is the case, the various churches could still work for conflict transformation, but it would equally well be possible that existing tensions between the churches would add to the existing tension between Madi and Dinka. The different churches in Nimule, the distribution of ethnic groups over them and their relations with each other are considered in chapter five, that answers the sub-question: What is the ethnic composition of local churches and how do they relate to one another?

Religion can be a cause of conflict as well as be beneficial to conflict transformation. Churches operate in different circumstances. If they are willing to work for conflict transformation, there are differences in their level of preparedness. In chapter six we will consider how local churches, either or not with external assistance, have been active on land conflicts in Nimule. This chapter constitutes

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<sup>11</sup> Appleby describes at once how religious categories have played its known negative role in the conflict in N-Ireland, as well as how efforts to foment peace were partly driven by religious inspiration. How forgiveness and reconciliation are rooted in the Christian tradition is also given extensive treatment in Volf 1996.

a return to the full research question. More reflection is offered in the conclusion in chapter seven. In the next chapter, chapter three, methodological issues will be discussed.

### 3. Methodology

#### 3.1 Introduction

Information to answer a question can be gathered in many different ways. This chapter offers an reflection on the way in which data were gathered in the current research. It gives an overview of the strategy that has been applied in trying to answer the research question, the methods that have been used and their limitations. Subsequent sections discuss research strategy, that of a case study; research methods, with a focus on interviews and gathering observational data; and the presence of the researcher in his own research context. An important treatise informing this chapter has been Verschuren and Doorewaard's *Designing a research project* (2010).

#### 3.2 Research strategy: case study

There are many different strategies that may be adopted to answer a research question, including literature research, experiments, surveys and case studies (Verschuren & Doorewaard 2010:145-147). According to Verschuren and Doorewaard the choice for any strategy represents 'a specific mix of central decisions on (...) breadth versus depth (...) qualitative versus quantitative ... [and] empirical versus desk research.' (147). The choice of a particular strategy should be guided by the research object(s) and objectives.

For the current research, a case study stands apart as the most viable strategy to give a valid and reliable answer to the research question. As we shall see, all other strategies are faced with major objections. An extensive literature research may provide an overview of variables that are relevant in determining the roles of local churches in conflicts. It will however not be able to overcome the difficulty that little is known about how these variables effect the roles of churches in South Sudan's specific political context and in Nimule in particular. A realistic experiment situation to, in one way or another, test the roles of local churches is hard to conceive of. The stakes in conflict between Madi and Dinka in Nimule and in other situations in South Sudan are high and difficult to imitate. The exploratory nature of this research would also not be served by an experiment, that presupposes a degree of acknowledgement that is necessary to design the experiment. A survey would also face this same last obstacle. In a first exploration of a conflict and the role of churches in it, a defined and limited set of pre-defined questions may not pose the right questions or retrieve the desired information. In a case study, finally, it is possible to interview and observe the behaviours of people on the ground and conduct interviews with specific questions and follow-up questions tuned to the person interviewed. A case study is a choice for depth in the expectation that it yields results with wider implication, a choice for the qualitative without necessarily losing attention for quantitative proportions and a choice for empirical research that can be informed by literature.

In this research, a case or cases can be discerned on two different levels. Although the situation in Nimule warrants well-researched attention also from a non-academic point of view, some of the dynamics recovered in Nimule are likely to be similar in other conflict situations in South Sudan. As mentioned in section 1.3 there are other instances of ethnic conflict over land between Dinka and Equatorians in amongst others Yei, Juba and Torit.<sup>12</sup> Hence, on the top level, the conflict situation in Nimule as a whole can be regarded as constituting a distinct case among other, not researched cases. The selection of the specific case of Nimule, then, has not been guided by academic considerations as much as by practical possibilities. The situation in Nimule is relatively safe, due to the proximity of Uganda many people speak English and the Sudanese Gospel Mission Church (SGM) was willing to host me as their intern. Nevertheless there have been several advantages to studying this case from an academic point of view. Nimule is the smallest of the towns and city mentioned, and with a

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<sup>12</sup> Leiden (The Netherlands), 2 August 2013, interview PhD Student. Juba, 11 July 2012, interview SCC official.



relatively large presence of Dinka.<sup>13</sup> As a consequence, the political conflict between the two ethnic groups is more outspoken here than elsewhere, making conflict better observable. The income-earning opportunities that the border near Nimule provides (see section 4.5.4) may add to this. Another advantage of research in a small town is that political conflict between two ethnic groups is less affected and hidden by the complex political dynamics of a large city such as Juba in which tensions between other (ethnic) groups may also play a role. Finally, research in a small town such as Juba, allows for exploration of a larger part of a smaller local religious landscape, and easier access to religious and political leaders.

An important question throughout this research concerns the relation between the roles of local churches in conflict and their ethnic composition i.e. are churches bridging ethnic tensions and acting independently from ethnic communities, or do ethnic relations (co-)determine their attitudes, so that churches become just another venue on which conflict is played out. Hence, on a lower level, churches in Nimule and their respective roles in conflict have also functioned as cases in this research. According to Verschuren and Doorewaard, if you want to establish an explicit causal connection between an independent and dependent variable, it is helpful to use cases 'that show a maximum of differences in certain aspects... and which are completely similar in the remaining aspects.' (2010:165). In practice, it has been difficult to achieve this ideal situation. Although churches with different ethnic compositions have indeed played different roles, this difference also implicates to be dealing with different people, social interaction and cultures. In Nimule, moreover, two congregations with different ethnic composition within one denomination, could only be found in the Episcopal Church of Sudan (ECS). Generally different ethnic compositions also implied to be dealing with different denominations, making it more difficult to discern whether ethnic composition or denominational culture has been instrumental in causing different roles for different churches.

The number of denominations that are present in Nimule, twelve, and the limited period in which fieldwork has been conducted, have necessitated the choice of some of the churches as cases on which additional research efforts have focused. The choice to either or not include a particular congregation was made after an initial exploration of the overall religious landscape had provided preliminary indications of congregation size, the (past) roles of congregations in conflict and, their ethnic composition. Selected have been, after one month of fieldwork, the African Inland Church (AIC), the Catholic Church, the ECS and the SGM. It is in these denominations that I visited church services, had in-depth interviews with several attendees of these service and interviewed people in leadership positions. More details on these churches and their roles in conflict are given in chapter 5 and 6. What is important here is that this selection includes people from the three different denominational cultures that are the discerned in chapter 5 which distinguishes between small protestant churches, the Catholic Church and the ECS. With the Catholic Church and the ECS it also covers the at distance largest denominations in Nimule. The selection also includes churches with the largest possible differences in ethnic composition. In order to diminish a Madi-bias because only one denomination in the selection and in Nimule has a Dinka majority, I visited two Dinka congregations in the ECS. The only Madi congregation in the ECS was also visited to approach, as far as possible, Verschuren and Doorewaard's ideal situation outlined above. Due to the still large selection of cases and because studying conflict apart from the role of churches in it proved more time-consuming than expected, the attention to these cases has been less than anticipated. During fieldwork period itself, churches did not have a very proactive role in conflict transformation or aggravation, but more time might provide more detailed accounts of what these denominations have effected during conflict in the past.

### *3.3 Research methods: Semi-structured interview*

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<sup>13</sup> Torit, 12 July 2012, interview priest at Peace and Justice desk of Catholic Diocese of Torit.

The main method that has been used to acquire information for this research has been the conduction of semi-structured interviews. Compared to surveys or fully pre-structured interviews, semi-structured interviews are less rigid in structure. The most important advantage they bring to an exploratory research like the current, where little is known about the research subject beforehand, is that they allow great openness in the conversation. In semi-structured interviews there is no necessary order of topics and questions. Interviews usually start with open questions, so that interviewees are taken seriously in co-steering the conversation and share their expertise or what they feel to be important in a particular situation. A possible disadvantage of semi-structured interviews is also related to the open conversation. If structure is lacking too much, and adequate and specific follow-up questions are not posed, the researcher may fail to acquire information that is relevant in answering the research questions.

The source of information while conducting interviews are people, and they have their own advantages and disadvantages. People are able to provide information on a wide diversity of issues relatively fast. In this regard they differ for instance from handwritten documents (Verschuren & Doorewaard 2010: 116-117). People can supply information about their own opinions beliefs, attitudes and behaviour, as respondents; they can share knowledge about other people and situations, as informants; and they can share their special insights, as experts. The main disadvantage of people as a source of information is that they are subjective actors that, consciously or not, present information selectively. In particular in a context of violent conflict between groups, the researcher as well as interviewees may have difficulties in distinguishing between information and a perception that may be biased towards the own group. In the current research, such a bias may not only exist with regard to ethnic groups, but also to particular local churches or government institutions. Interviewees may draw a more positive portrait than is realistic of groups or institutions with which they identify. To reduce the threat that this subjectivity poses to the reliability of the obtained information, it is important that the sample of people that are interviewed includes sufficient people from across potential divides and divergent views. As is seen below, for the current research this has implied that people with different ethnic background and religious affiliations have been interviewed.

To answer our research question, a total of 44 people were interviewed during fieldwork in South Sudan. The number of interviewees does not provide a complete picture of the sources of information for this research because observational data were also gathered, the process of which will be discussed shortly. Secondly, it should be noted that countless conversations and remarks have also informed the research. The line between interviews and conversations has been often small, with as main distinctions that interviews usually took place in a formal setting, were immediately recorded or taken notes of and covered a longer time period, so that a number of interviews even required making an additional appointment.

As shown by table 3.1, the distribution of interviews over Madi and Dinka in this research has been far from equal. The distribution is closer to that of the distribution of Nimule's population over the various ethnic groups, Madi being the largest group, Dinka a large second, followed by Acholi and others (see section 4.4.2). That less Dinka have been interviewed reflects the fact that interviewees were chosen in various churches and that in the majority of these churches there are no Dinka. Also, several local government institutions were predominantly staffed by Madi officials. Several efforts to interview Dinka officials and community representatives failed because appointments were postponed repeatedly and in the end indefinitely. This may be caused by unwillingness among Dinka to be interviewed about conflict. Interviews with Dinka show a general perception that conflict is a subject for Madi that regard Dinka as aggressors.

Ethnic group	Number of interviewees
Madi	22
Dinka	14
Acholi	4
Other	4
<i>Total</i>	<i>44</i>

Table 3.1

The unequal balance between the number of Madi and Dinka interviewees may in part also be the consequence of the particular way in which this research has been carried out. First of all, interviewees were found amongst others through the so-called snowball method, in which personal contacts and knowledge of interviewees are used to be introduced to the next interviewee or institution, in the hope that this positively influences people's willingness to provide information. Although in practice I certainly benefited from the many contacts of my internship organisation SGM, as a Madi-dominated organisation this may have hindered the willingness of Dinka to give an interview. It is unclear whether my residence in the small Madi village Loa, thirty kilometres outside Nimule, may have added to this or not. In any case, future research on conflict between Madi and Dinka in Nimule is likely to benefit from having more interviews and conversations with Dinka. In order to achieve this, it might be useful to consider being linked to an organisation that is considered to be more neutral by all parties. Section 6.4.2 suggests that the South Sudan Council of Churches could be such an organisation.

What are the implications of the unequal ethnic balance among interviewees? In one sense this influence has been limited in investigating particular facts of conflict. Despite the unequal ethnic balance, both sides to the conflict have been heard. In fact Madi and Dinka interviewees agreed largely on factual issues such as that violence is mostly used by Dinka, reasons for the current presence of Dinka in Nimule and places where they live. Most difference between them existed in the assessment of whether the presence of Dinka is justified and how thoroughly this affects the Madi population. Although not unimportant, these are matters of interpretation and scale. Even with regard to these issues, interviewees were well aware of the existence of various perspective on conflict. Many of them were able to relate their own perspective, largely agreeing with other interviewees of the own ethnic group, as well as, without agreeing to it, a perspective of the 'opposite' ethnic group (for the two perspectives, see section 4.2). A disadvantage of the limited number of interviews with Dinka is that extensively hearing both sides has not been possible with regard to all issues mentioned. The assertion, for instance, that Dinka in the ECS operate officially under the ECS Diocese of Bor rather than under the local Torit Diocese, could for instance not be checked into detail. Also, it is not unthinkable that more interviews will provide a more detailed picture of the possibilities of Dinka to return to Bor, the preferred Madi solution of conflict. All in all, the unequal balance between the number of people interviewed among Madi and Dinka necessitates to underline that the nature of the current research has been exploratory and that more detailed research is useful to specify and strengthen initial observations.

Another angle from which we can look at the conducted interviews, apart from the ethnic background of the interviewees, is on which topics interviewees have provided information. In preparation of the fieldwork questions were prepared for three different type of interviewees, expected to yield information on specific fields in Nimule. One set of questions focused on religion, another on politics and administration and the third on ethnic communities. On the ground in South Sudan, the two latter categories more or less converged. This has been the case, at the one hand because representatives of the Madi community often had a political role and stressed the importance of the political dimensions of ethnicity and of conflict. At the other hand, I was unable to interview representatives or leaders in the Dinka community for whom this might not have been the case. Within the realm of governance, politics and administration, interviews were conducted with amongst others police men, officials at the judiciary, the secretary of Nimule *payam* head chief, the vice-Lopirigo of the Madi (a symbolic office within the Madi community), the chairperson of a Madi land registration body, the land board, and various officials of the executive powers of government at Nimule *payam* office. With various other officials, including Nimule *payam* head chief, I had shorter conversations. These interviews made up one third of the total number of interviews. The majority of the remaining interviews were conducted with people who in one way or another were related to particular churches, often in functions of leadership in the church council as a priest or chairperson or secretary to a church's leadership council.

A final observation with regard to interviewing is that almost all interviews were conducted with male interviewees. This has not intentionally been the case, but reflects the fact that the political arena and church leaderships are dominated by men. Future research would likely benefit from interviewing more women on their experiences of and views on conflict in Nimule, in order to provide a more gender-inclusive picture of the situation in Nimule.

Throughout the thesis references to specific interviews are made when an interviewee is quoted or shares special information or an uncommon perspective. If a particular observation is confirmed by many interviewees, such references have been removed to avoid a surplus of footnotes. A document in which such interview references are present, as well as written records of most interviews are available with the author.

### *3.4 Research methods: Gathering observational data*

A second method that has been used during fieldwork has been gathering observational data. According to Verschuren and Doorewaard this is 'a method of generating data in which the researcher observes individuals, situations, objects or processes using a steering observational scheme.' (Verschuren and Doorewaard 2009:128-129). In some variants this method of generating data is strongly pre-structured so that the researcher only has to tick boxes when an activity in a particular category is performed (for instance 'singing' 'preaching' 'praying' in a church service). In the current research a more open variant was used, in which more variables than activity and timing were taken into account. Information received from observation concerns, for instance where Madi and Dinka reside within Nimule, which ethnic groups visit which churches, which languages are used in the churches and whether ethnic groups and conflict are mentioned during church activities, for instance in the sermon. Observations on these issues capture information about a very particular and often short moment. In a sort 'mini-triangulation' of methods that is almost natural to gathering observational data, interviews were also conducted to verify whether the observations were representative. Such interviews can be crucial to avoid flaws in the research. In one congregation for instance, I visited to church services, and in one of those the person giving the sermon was a Madi. Interviews conducted afterwards pointed out however, that frequency of having a Madi preacher was not every other week (the observation in a limited time period), but about twice a year.

The source of information while gathering observational data is in a way reality, but a reality that is always approached in the person of the researcher. For this reason gathering observational data is on many occasions referred to as 'participant-observation'. The combination of the two nouns in participant-observation provide two extremes in a spectrum. At the one hand, a researcher can choose to participate very actively in order to come close to an insiders' understanding of the social dynamics. In other settings participation is unavoidable, but the researcher remains focused on the observant role. It is this last focus that I have adopted mostly, while gathering observational data. For the current research, the focus with gathering observational data has been on church services, specifically whether ethnic group and conflicts were mentioned in them. During these observations my presence did influence the research context, but in a limited way. As the only white person in the church I often received much attention, was officially greeted, etcetera. I introduced myself usually as a 'student of peace and reconciliation'. For the remainder of the service I joined in praying and singing as far as language would allow me to. During none of the attended services, according to my observations or the translators, references were made to specific ethnic groups, or land conflict in Nimule. Interviews have suggested that this is usual in the visited churches, so that in this regard my presence did not really influence the outcome of the observations.

### *3.5 Research and the researcher*

The current research has been carried out by the current author. Although this is at once a rather straightforward observation, it is important to realise that the person of the researcher and his

specific interaction with the research context may be reflected in the conduction of a research and its outcomes. This justifies to pay a little bit more attention to personal circumstances during the fieldwork period. Particularly relevant layers of identity during this period have been that I was a white, rich, English-speaking, Christian, football-loving researcher.

Being white in the small town of Nimule and elsewhere in South Sudan is likely to attract attention. People expect you to be an NGO-worker, sometimes hope that your presence will yield financial benefits, are surprised if you walk around rather than take a *boda-boda* taxi or drive around in a white SUV. Children are either scared or like to touch you, talk to you and are surprised that in this white skin you are still a human being. People are aware that white people in NGOs and the United Nations prefer peace over conflict. To a certain degree this may have limited open observations and conversations.

Being rich and being white are almost equivalent in this context. Although this did not happen frequently, some interviewees and others asked for financial assistance. This raises the question - hardly answerable - to what degree the responses during these interviews were shaped by this expectation. Being rich and white had the most deeply felt consequences when, during a short stay in Juba, my situation forced me to listen to a long night of drunken talks in which I was occasionally mentioned as possible object to be beaten up or shot. This event certainly affected my calculation of risk, in particular in situations in which people carried firearms, such as the police and military. I decided to follow an advice from my internship organisation not to interview police or military about conflict without having been introduced. The behaviour of armed personnel has been intimidating on three occasions.

As an English-, but not Dinka-, Madi-, or Arabic-speaker, there are limits to the information I have been able to retrieve from many conversations. As section 4.4.3 will make clear, my language-(in)abilities may form a slight towards Madi. I was never refused an interview based on languages, but some people's English abilities were fairly limited. During some events I relied on non-professional and partial translation. My understanding of verbal information may sometimes be limited by not being acquainted with culturally defined scripts of communication.

For the current research it is quite relevant to state my religious affiliation as a Christian. For the research I have the feeling this has been fairly beneficial, as it gave me some acknowledgement with usual practices in churches, though in a different cultural and political context. It has also enabled me to join in some of the religious practices of the churches, such as prayers and singing, more wholeheartedly. Nevertheless, exaggerated assumptions of or focus on commonalities and differences in religious identity needed to be avoided to guarantee a necessary critical distance. In my opinion, being aware of this pitfall has been the key to avoiding it. For this reason I have in most contexts been explicit about my double role as student of peace and reconciliation.

I love football, which has saved my life from becoming boring on many occasions, not the least in South Sudan. On many occasions I played the game in Loa, with children from the orphanage that is run by my internship organisation. Although I was without streaming water, electricity and internet, football brings you among the people. My research has benefited not only from the physical fitness this resulted in, but also from the contacts it brought. In Nimule itself it was the best way to get into contact with future interviewees with a Dinka ethnic background.

### *3.6 Conclusion*

This chapter highlighted which strategy and methods have been chosen to answer the research question. It also has given the motivation behind the choices that have made and outlined what research entailed in practice. As such it provides a qualification of the status of the answers that are formulated further in this thesis. The two major limitations that have faced this research have been that a) the total number of interviews with Dinka has remained limited; and that b) the considerable time that was necessary to get acquainted with the conflict situation, limited the attention that could be spent in particular churches. It is on the basis of the limited number of people I have observed and spoken with in Nimule, that the coming chapters have been written. These limitations do not render the findings less relevant, but underline the exploratory nature of the research.

## 4. Land conflict between Madi and Dinka in Nimule

### 4.1 Introduction

To understand the roles of churches in conflict between Madi and Dinka in Nimule over land, it is crucial to analyse and understand the context in which they operate and of which they are part. This chapter gives the necessary analysis of the situation in Nimule to provide such understanding. The chapter opens in section two by offering two introductory perspectives that are roughly representative for how Madi and Dinka see conflict in Nimule. The third section traces the origins of conflict in Nimule by situating it in the wider context of the South Sudanese struggle for independence. General information on events during these struggle is taken from LeRiche and Arnold's *South Sudan, from revolution to independence* (2012). The fourth section shows how these wars have caused important changes to Nimule, with most importantly a larger population and different ethnic composition in post- as compared to pre-war Nimule. The fifth section highlights the dynamics of land conflict between Madi and Dinka more precisely. Attention is paid to conflicts over settlement on Madi ancestral land, conflicts due to the different livelihood strategies of the Madi farmers and Dinka pastoralists, the consequences of the nearby border for conflicts, the use of violence in conflicts and the role of government institutions.

### 4.2 Two perspectives on conflict

By means of introduction to conflict between Madi and Dinka in Nimule, below two perspectives are offered that have been compiled from interviews. Every single sentence in these compilations is based on one or more interviews that were held for this research. The compilation is more or less representative of the perspectives of the people I spoke with and interviewed in Nimule. As such I suggest they are indicative of the two major discursive formations about conflict among the two ethnic groups (cf. section 3.3). Although the stories are told in the same town, they radically differ in their assessment of the current situation in Nimule. Most Madi characterise the current presence of Dinka as occupation. Dinka on the contrary, downplay or deny that their presence is controversial. They justify it by referring to the Dinka's role in Nimule's history of war and say to await government action before they will return to their places of origin. Most Madi object that powerful Dinka inhibit the government from playing the roles it should.

#### 4.2.1 A Madi perspective

We, the Madi, live in Madi area in South Sudan and Uganda, and so we have as long as we know. The first civil war that southerners fought against North Sudan, starting even before Sudan's independence, was led by the Madi Joseph Lagu and was given a Madi name: Anyanya, meaning snake venom. Nevertheless, the Madi's interests have not been taken seriously by the government, because of tribalism. In March 1989 we fled Nimule and its surroundings for the advancing SPLA, because it was a violent, Dinka-dominated movement. Almost every Madi hurried across the border, into Uganda. Some of us came back later and joined the SPLA when it became more inclusive.

When we fled, these tall guys, the Dinka, settled in our places. They lived in our houses and ate from our mangoes. They brought their families and their cattle, until the peace came and thereafter. When we came back, many of us found that the land of our parents was occupied. Most of the Dinka did not even want to share our land. And if you asked or tried, some of them became violent. Some of us went back to Uganda out of fear. In Nimule, many of us settled further away from the center and the river, more uphill, where no mangoes yet grow and the soil is rocky. Some of us suffered because they are cattle-keepers and we are farmers. Their cattle destroyed our crops.

At first, their homeland Bor, was insecure, and it was understandable they stayed, although not in such a manner. But now they prefer to stay just because our land is good, and near the border that

generates income. It is near Uganda too, where there is good schooling and infrastructure. Instead of returning home some of the Dinka invite their families. They say they have fought for this place and that there is freedom to move in South Sudan.

What can we do? They are soldiers, but we don't know how to fight, we prefer words. The government and the police cannot help us, as Dinka are dominating there also. This is our problem, up to now. They say they are leaving, but they are building permanent houses.

#### *4.2.2 A Dinka perspective*

We live here a good number of years now. Some of us captured Nimule as a soldier in 1989. Others walked bare foot, all the way from Bor when disturbance reached our home area there. We liberated this place and lost some of our brothers to protect Nimule from the northern government. In the meanwhile we suffered as Nimule was heavily bombed by government forces.

Now some Madi claim that we occupy their land. But aren't we all South Sudanese, allowed to live where we want in our country? Let them not bring divisiveness and talk about tribalism. No-one of them was here at the time. They ran to Uganda! Many tukuls (houses) have been built or repaired by Dinka. The government stationed us here, and some disabled soldiers have settled, so let them address it to the government. If they show the right documents and can prove to own a part of the land, of course we will leave.

Actually it is not so big of a problem, they exaggerate. Some of our cattle returned to Bor, there is so much more cattle there. And most of us share places, I haven't heard much about fighting. Eventually we will return to Bor when it is safe. For now it is good to be here, because of security, infrastructure and good education in Uganda. Why aren't they hospitable?

#### *4.3 Nimule's history of war*

Land conflicts in Nimule between Madi and Dinka and the above two different perspectives on it can only be understood properly in the context of the preceding civil wars between people in southern Sudan and the Government of Sudan. The first civil war and its aftermath led to tensions between Dinka and the group of Equatorian tribes of which the Madi are part. The second civil war caused the displacement of Madi out and Dinka into Nimule.

##### *4.3.1 Background*

The territory of what today is South Sudan comprises a large diversity of ethno-linguistic groups. With approximately 4,5 million members, the Dinka form the largest group. Together with the Nuer, the second-largest-tribe, they dominate the central and northern part of South Sudan's territory; the regions of greater Bahr-El-Gazal (west) and greater-Lakes (east). Because the Dinka are so numerous, sometimes a place name or clan identity is added to be able to distinguish more precisely someone's origin. In this research the most relevant Dinka are the Bor-Dinka or Dinka-Bor, from in and around Bor town in Jonglei state. Like other Nuer and Dinka, the Dinka-Bor are traditionally pastoralists, meaning they used to rely largely on cattle for a livelihood and therefore regularly moved from place to place in order to find green pastures. Although cattle continues to play an important role in Dinka culture, many Dinka have adopted a more sedentary way of life, for instance in Nimule.



Compared to the swamps and near-deserts in the greater Bahr-El-Gazal and Lakes regions, greater Equatoria, the southern region of which Nimule is part, is distinctively more hilly and at places even mountainous. The Madi live here on both sides of the South Sudanese southern border with Uganda. Counting only about 70,000 people they are one of the numerous smaller tribes in greater Equatoria. Like the majority of these tribes the Madi provide in their livelihood through cultivation. As we shall see, the contrasts between pastoralists and farmers as well as between Equatorians and Nilotic tribes (Nuer and Dinka) have been important social fault lines in the history of South Sudan.



Figure 1: Detail map showing the tribal homeland of Madi and Dinka Bor. Source: UNOCHA.

#### 4.3.2 *Anyanya*, the first Sudanese civil war

The immediate reason for the two civil wars that ravaged through southern Sudan since the 1950s has been its history of external domination. Various historians have shown how colonial Britain and post-colonial Sudan implemented policies for South Sudan that were designed by self-interest (see amongst others Johnson 2003, LeRiche & Arnold 2012). Britain had treated northern and southern Sudan as separate districts. Nevertheless it granted independence to a unified Sudan in 1956. At independence only eight out of 900 administrative positions were filled by Southerners (LeRiche and Arnold 2012:11). Armed resistance by Southerners against becoming independent as a unified Sudan predated independence. In 1955 the army's Equatorial Corps mutinied in Torit against the appointment of northern officers and orders to move to the north (LeRiche and Arnold 2012:12). In the following years armed rebellion gradually spread across the south. In 1963 this coalesced into a cohesive front that was named *Anyanya*, after the Madi word for 'snake venom'. The *Anyanya* rebel army fought for secession of the entire southern region, but its soldiers mainly came from the Equatorian tribes. Joseph Lagu for instance, the major leader of the rebels, was a Madi.

Significant battlefield successes of the *Anyanya* led to a military stalemate with the Sudanese government in the early 1970s and a peace agreement, the Addis Ababa Accords of February 1972. Addis Ababa granted the south regional autonomy, its own regional parliament, executive council, president and freedom of religion. Religious freedom was important because most southerners were Christian or Animist and had problems with the imposition of Islamic *sharia* law from the north.

After the initial peace, the Sudanese president Nimeiri increasingly violated the Addis Ababa agreement in the early 1980s. Because the agreement did not provide for a distinct southern army, *Anyanya fighters* were integrated into a unified army, with Joseph Lagu in a senior position. Nimeiri used this reintegration as a tool to disperse former insurgents over the whole of Sudan in order to break their common leverage. In June 1983 Nimeiri divided the autonomous southern region into three regions, Greater Equatoria, Greater Lakes and Greater Bahr-El-Gazal regions. In September he introduced *sharia* law in the south.

The break-down of peace was partly due to internal tensions within the south that were readily used by president Nimeiri. In the perception of many Equatorians their burdens in the *Anyanya* struggle had yielded fruits mostly to Dinka, for instance with regard to positions in the government. This perception became particularly strong when in the 1980 election for the regional presidency Joseph

Lagu was defeated by the Bor-Dinka Abel Alier. In this process, Lagu was accused of having accepted peace too easily. Tensions between Equatorians and Dinka were also visible on the discussion of the redivision of the south into three regions. Equatorians welcomed it as a means to counter the large-scale arrival of Dinka pastoralists in Equatoria during the 1970s and to assume control over their own governance. In response they were accused of undermining southern unity.

#### 4.3.3 *The SPLA and the second Sudanese civil war*

In 1983 civil war re-erupted, but this time dominated by Dinka. Resembling the start of the first civil war, garrison 105 in Bor mutinied in response to orders to head north. The orders also had a symbolic value because it was the last garrison made up predominantly of former *Anyanya* fighters. A new rebel army, the Sudanese People Liberation Army (SPLA) was formed, with Bor-Dinka John Garang as the central leader. Given the existing tensions, Equatorians were hesitant to join what they considered to be a Dinka rebellion. Further estrangement between the ethnic communities in Equatoria and the SPLA followed due to the SPLA's brutal use of violence against civilians. This estrangement was used strategically by the northern government in Khartoum. It supported the formation of tribal militias to gather intelligence and fight the SPLA (LeRiche & Matthew 2012:70). Nevertheless, up to 1991 the SPLA was more successful on the battlefield than the government army and its proxies.

The SPLA reached the Madi's tribal homeland in the late 1980s. After initial violent confrontations between a Madi militia and the SPLA almost all Madi fled across the border to Uganda. Approaching from the homeland of the Acholi, to the east, the SPLA first attacked army barracks in the Madi villages Opari and Pageri. Both the SPLA and the Madi militia posed a heavy burden for the civilian population. Civilians were forced to provide food, shelter and recruits and risked retaliations.<sup>14</sup> "My father was forced to keep bullets, and the SPLA ate from our home. One time, Madi militias attacked and beat my father properly," recalled an interviewee from the neighbouring Acholi tribe.<sup>15</sup> The Madi feared in particular the SPLA, who in the words of a Madi interviewee "just enjoy killing and raping."<sup>16</sup> When the SPLA approached decisively, Madi militia members and civilians hurried across the border and became refugees in Uganda.<sup>17</sup> Nimule, the only town in Madi area fell without much bloodshed on March 3, 1989 in SPLA hands. It would remain there for the rest of the war. Its hilly environment and proximity to Uganda would make it an ideal last stand that the SPLA would soon need.

A split in the SPLA necessitated to move the SPLA headquarters to Nimule and also led to an increase of IDPs in Nimule. Due to disagreement over the direction of the struggle and the style of leadership of John Garang a considerable part of the SPLA recognised later vice-president Riek Machar as commander of a new 'SPLA/M-Nasir' faction. In an unlikely twist of history the new faction decided to cooperate with the common enemy, the Sudanese government to first destroy John Garang's 'SPLA/M-mainstream'. One of the first confrontations between Machar and Garang's forces took place near Garang's hometown Bor. The Nasir-faction's atrocities against civilians, killing, raping and abduction of children became known as the Bor massacre. It led to massive additional displacement in South Sudan. Many Dinka-Bor fled to Kenya and Uganda (cf. Eggers & Deng 2007). Others became IDPs in and near Nimule and added to the existing Dinka-Bor population that had arrived here as or with the soldiers in 1989.<sup>18</sup> Having lost much territory, the SPLA Headquarters also moved to Nimule.

<sup>14</sup> Magwi, 23 June 2012, Acholi chairperson of Church for Conflict, Trauma and Healing (CCTH).

<sup>15</sup> Loa, 26 May, Madi interviewee.

<sup>16</sup> Magwi, 23 June 2012, Acholi interviewee.

<sup>17</sup> Nimule, 16 June 2012, Madi interviewee.

<sup>18</sup> Nimule, 17 June 2012, Dinka interviewee.

In particular during the dry season of 1993-94 Nimule became object of heavy attack from government forces, but it remained in SPLA hands. When the government army approached Aswa river, about ten kilometres northwest of Nimule, the SPLA blocked further advance by blowing up the only bridge crossing the river. The army continued to attack Nimule, amongst others with aerial bombardments that in particular targeted the Norwegian People's Aid hospital which saved the lives of many SPLA soldiers during the war. Despite continuing attacks, Nimule would remain in SPLA hands until the end of the war, the signing of the Comprehensive Peace Agreement in 2005. The episodes of fighting around Nimule explain why some Dinka in Nimule speak of Dinka having shed their blood in Nimule.

During the 1990s and early 2000s some Madi moved up and down to Nimule from Uganda. In both places they faced severe difficulties. In Uganda most Madi resided in Adjumani district, home to the Ugandan part of the Madi tribe. Southern Sudanese who integrated into Ugandan families had difficulties to attain full Ugandan legal rights (Hovil 2010:7). Most Madi stayed in refugee camps, where subsistence farming was sometimes hampered by poor soil conditions. Another challenge came from the operation of Joseph Kony's Lord's Resistance Army in the region. Depending on the local livelihood opportunities and safety at the time, some Madi moved up and down to Nimule (cf. Kaiser in Staples 2007).

In Nimule Madi were confronted with "arrogant behaviour" of SPLA soldiers, forced 'marriages' and recruitment.<sup>19</sup> An interviewee, whose cousin was forced into marriage with a Dinka soldier, recalled: "They said "when you smile courtship is [already] finished."<sup>20</sup> "So one time they came at home, threatening, they beat me when I'm very young. So I join them [out of self-protection]," according to one of the Madi's cultural leaders.<sup>21</sup> Nevertheless, top-down efforts over the years made the SPLA more inclusive, so that more Madi joined the movement voluntarily. One Madi interviewee said to have come back from Uganda because "the SPLA changed its mind, they started to realise that they needed to change their behaviour to get the support of the people."<sup>22</sup>

Before the start of the official return process of Madi from Uganda back to South Sudan and Nimule, conflicts about land between Madi and Dinka or any other ethnic group were rare. The war situation justified the presence of IDPs and limited the number of Madi returnees. The future of South Sudan and Nimule were unclear and limited the Madi's willingness to confront Dinka soldiers or IDPs with land claims. Long-term access to the land could still not be guaranteed and the lack of order would make such confrontations risky. Confrontations and the conflicts accompanying them would be postponed till after the CPA and continue up to the present day. As we shall see in section 4.5.1' such confrontations would in particular be confrontations between Madi and people from a Dinka ethnic background.

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#### *4.4 A different post-war Nimule*

##### *4.4.1 The return process of the Madi*

The large-scale return of Madi to South Sudan was postponed till 2007 and 2008 due to fear of attacks from Joseph Kony's Lord's Resistance Army in the Madi and Acholi tribal homelands.<sup>23</sup> Although the peace agreement was signed in .. 2005 and the UNHCR started to assist repatriation from Uganda in May 2006 following an agreement between South Sudan and Uganda, the region remained insecure into 2007 (Hovil 2010:10). The LRA had once started as an armed resistance group

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<sup>19</sup> Nimule, 22 May 2012, Madi community leader.

<sup>20</sup> Loa, 20 June 2012, Madi interviewee.

<sup>21</sup> Nimule, 22 May 2012, Madi community leader.

<sup>22</sup> Nimule, 30 April 2012, Madi interviewee.

<sup>23</sup> Nimule, 22 May 2012, Madi community leader.

in northern Uganda in 1987. Over the course of the years the LRA became less known for its political goals than it became notorious for its usual operations: looting, brutal violence against civilians and abduction of children who would become new LRA child soldiers. Over the years, the spatial concentration of the irregular attacks of the LRA was not always in Uganda. Attacks were also carried out in the northeast of the Democratic Republic of Congo, the southern part of the Central African Republic and the south of South Sudan, hence its role till 2007 in hindering the repatriation of Madi. When the LRA finally moved away, the regional security situation improved considerably, so that the road connecting Nimule to Kampala and Juba (capital cities of respectively Uganda and South Sudan) became the third major route for repatriation of South Sudanese refugees from Uganda (UNHCR 2007).

The Madi returning to Nimule had various reasons for their remigration. Related to security, livelihood and ethnic group, these reasons are almost identical with those that were identified in the migration literature in section 2.2.1. Firstly, with regard to security, fear of the SPLA had been crucial in the decision of Madi to flee in 1989 to Uganda. Similarly, fear of the LRA was a major reason to postpone return after the official ending of the war in 2005.

Secondly, with regard to livelihoods, return to Nimule was expected to imply access to land. As noted by Watts and Holmes Watts (2008, see 2.2.2), in particular in poor, rural societies, land is very important asset to acquire a livelihood. Whereas in Uganda access to sufficient or more land was sometimes hindered by the refugee status of South Sudanese Madi, in Nimule these Madi expected access to their ancestral land. This expectation was reinforced by the Comprehensive Peace Agreement, that stipulated land belonged to the (ethnic) communities, meaning for the Madi community that their communally owned area is Madi tribal area, around Nimule (cf. Deng 2011). Expectations about livelihood opportunities were also fed by state and non-state actors through a discourse that linked a new country to new development opportunities and improvement of government services.

Thirdly, with regard to ethnic group, interviewees did not stress to have wanted to return in order to live among co-ethnics. One reason for this might have been that in the refugee camps where most Madi resided there was a substantial number of Madi present, so that ethnic community structures survived or re-emerged. As a consequence to live among other Madi was usual and not a situation that changed if one returned to Nimule. Interviewees rarely mentioned emotional attachment to land that they or their ancestors had inhabited. It remains unclear whether this is the case because such attachments are strong (hence pre-supposed) or weak (hence ignored).

Finally, the return of South Sudanese refugees in general, from Uganda and other East African countries, has been promoted through a number of policy interventions. Bilateral Agreements between neighbouring countries and the UNHCR resulted in an active, short-term promotion of return, for instance through the provision of transportation and food aid.

Although the Madi had reasons to return to Nimule, other Madi have had their reasons to stay in Uganda. Many of those that returned also continued to maintain relations in or with Uganda. In particular economic and security considerations have been important in these developing relationships. Within Nimule the Ugandan link is visible in the parallel use of the Ugandan currency, the Ugandan Shilling, next to the South Sudanese Pound. The Shilling is important because the majority of food and non-food products in Nimule are imported from Uganda. Moreover, people in Nimule also use it to pay for services that they make use of in Uganda. Those who can afford it send their children to boarding schools and use Ugandan health services because of their relatively high quality standards compared to South Sudanese alternatives.

There are two major reasons why (parts of) Madi families have stayed in or re-migrated towards Uganda. Firstly, some people have been able to establish themselves successfully in Uganda, for

instance due to acquiring a paid job, having access to a fruitful peace of land or having married into a Ugandan family. Together with the before-mentioned higher level of services, these circumstances form an important pull factor towards Uganda.

Secondly, there is a strong push factor away from Nimule for some Madi, because Nimule is no longer the same small Madi town as it had been before the war. According to Madi interviewees in Nimule a substantial number of Madi continue to stay in Uganda because conflict over land with Dinka in Nimule has bereft them of opportunities to live and make a living in Nimule and make them fear for their security. More research among Madi in Uganda might be necessary to establish how many people this concerns. The next section, about changes to Nimule already indicates however that it may involve a considerable part of the former population of Nimule.

#### 4.4.2 Nimule's population growth and changed ethnic composition

Post-war Nimule quickly became a larger town than it had been before the war. Satellite imagery shows how the density of reed-topped *tukuls*, the small houses in which most people reside, increased considerably between 2007 and 2011 (Fig. 2). Despite that the war had come to an end, soldiers and IDPs continued to inhabit Nimule, in particularly Dinka from Bor. Between 2006 and 2008, IDPs from IDP camps outside Nimule fled to the town out of fear of the LRA.<sup>24</sup> At the same time, Madi returned from Uganda, possibly in larger numbers due to a population increase in Uganda. Madi that originated from the villages in Madi area sometimes urbanised and did not return to those villages.

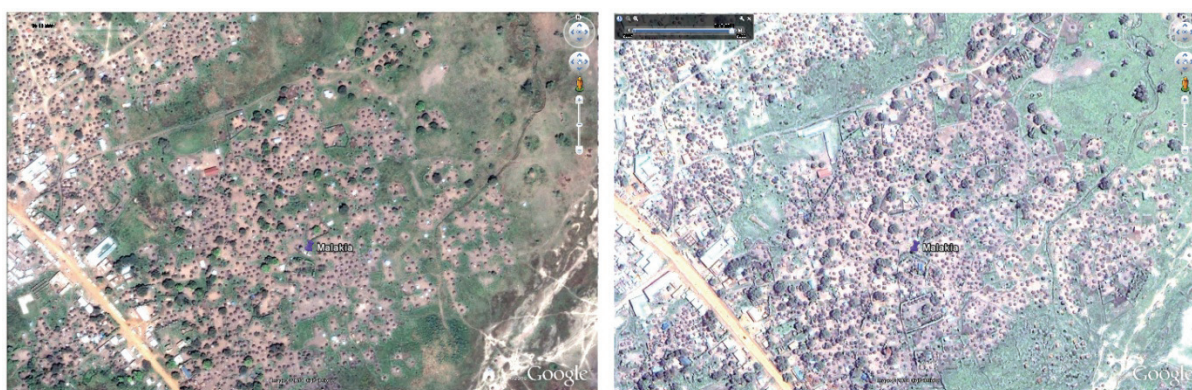


Figure 2: Satellite imagery of November 2007 (left) and June 2011 show a population increase in parts of Malakia neighbourhood. Population growth can also be witnessed in Motooyo and Kololo neighbourhoods (see Fig.4). Source: Google Earth.

Post-war Nimule also acquired a different ethnic composition with as most notable change the large Dinka minority. Before the war, the presence of an ethnic group in a town was more or less determined by the proximity of the group. In Nimule the largest ethnic group had been the Madi, and they were followed by small minorities of the neighbouring Acholi and Kuku tribes and some “Arabs”, traders from northern Sudan. In 2012 the inhabitants of Nimule included amongst others Acholi, Bari, Buganda, Dinka, Kuku, Latuka, Lopit, Lolubo, Murle, Nuer, Toposa and of course Madi. Not so much the number as the size of the different ethnic groups has made the largest impact in Nimule. In 2006 about half of the population was reported to be of Dinka(-Bor) origin, twenty out of forty-five thousand (IRIN 2007). A UNHCR document from 2008 reported about one third of the population to be Dinka.<sup>25</sup> Although recent figures are absent, interviewees confirm that a stable top-three has

<sup>24</sup> Nimule, 2 July 2012, Madi official.

<sup>25</sup> UNHCR Field Office Nimule (2008). Report on internally displaced persons in Nimule (unpublished, available with the author).

emerged with Madi has the most populous, immediately followed by a substantial Dinka minority and more at distance by Acholi. As we shall see in chapter 5, this top three is also reflected in the ethnic composition of churches.

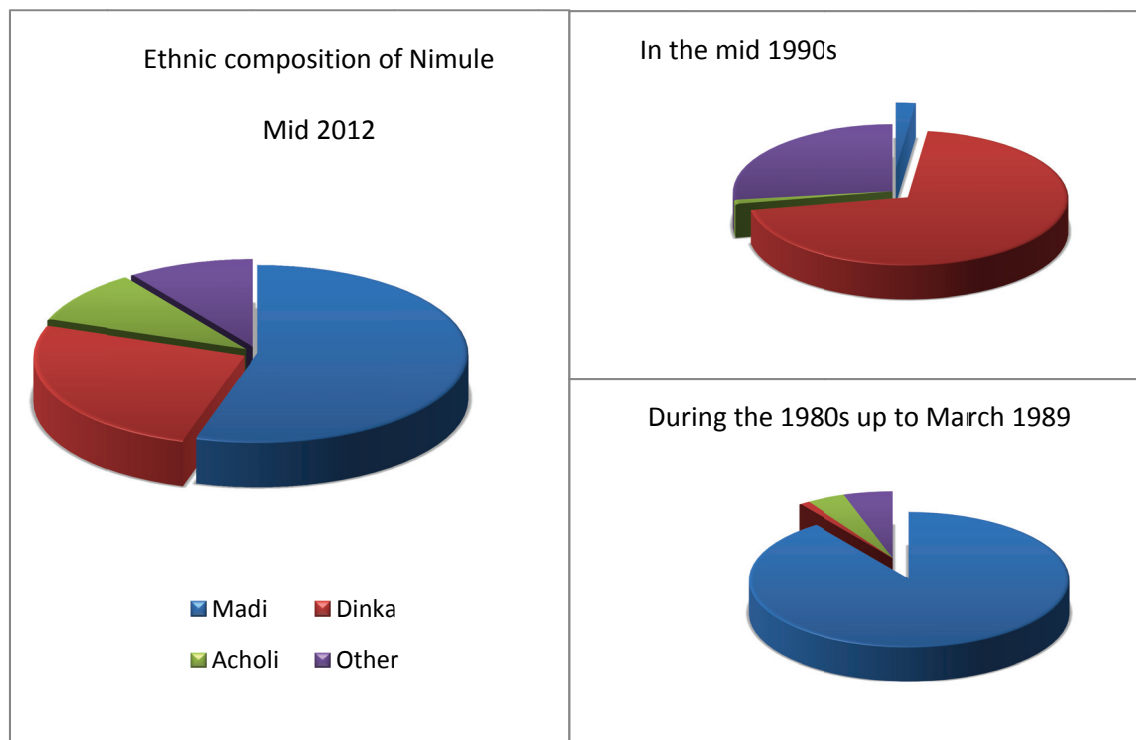


Figure 3: Rough indication of Nimule's changing ethnic composition over time.

In interviews, a number of reasons have been given to explain why Dinka have wanted to stay in Nimule after the end of the war, despite that Madi preferred to see them leave. Often mentioned was insecurity due to cattle-rustling in their home areas. Regular attacks and counterattacks with in particular the Murle tribes in which cattle and reportedly children were being stolen, resulted up to 2012 in casualties and displacements. Dinka interviewees also mentioned the differences in infrastructure, education and health care. According to one interviewee:

*"They have not yet constructed schools, like in Bor now you may get [only] two or three boarding schools. Where others are, you will find some other children are being taught under the mango tree or just any tree... And the other thing is in Bor... there are no good roads."*<sup>26</sup>

Also mentioned were employment opportunities due to the presence of the border, that will be discussed in more detail in section 4.5.4 Many of these opportunities are directly or indirectly related to government, for instance border protection or tax collection. Some Dinka interviewees passed responsibility for conflict arising from the border to the government.

Madi and Dinka interviewees have given different justifications for why they have the right to live in contested places in Nimule. The Madi justify claims on the land inhabited by Dinka by referring to the history of ownership in the tribe, clan and family. Occasionally they also refer to the legal principle of land ownership by the community that was part of the official program of the SPLA (Deng 2011). Madi have proposed that Dinka should rather rent or buy land, move away from land that Madi want to use for settlement or repatriate further, to Bor and surroundings, this last option being generally preferred. Dinka justify their continued presence in several ways. First, interviewees claimed that the history of war has earned them a space to live in Nimule. Second, their continued presence would be

<sup>26</sup> Nimule, 17 June 2012, Dinka interviewees.



necessitated by insecurity near Bor due to cattle-rusting. Others misinterpret the South Sudanese legal right to stay throughout the country as a justification to live where they want.<sup>27</sup> Apart from using arguments, in particular Dinka have also used violence to reinforce their claims.

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#### 4.4.3 Daily interaction between Madi and Dinka

The continued presence of Dinka and the return of Madi led to conflicts over land as well as daily interaction on a more positive, non-antagonistic basis. This is visible for instance in the commercial interactions between Madi and Dinka. Despite this, the more intimate relations such as intimate friendships and intermarriages remain rare.

Commercial transactions of Madi and Dinka seem to take place mostly, but not solely within the own ethnic group. Common transactions are buying food, drinks and phone credits, changing South Sudanese Pounds, Ugandan Shillings or US Dollars and taking a ride on a *boda-boda*, a motorbike. General observations of interethnic commercial relations are facilitated by generally clear physical distinctions between Madi and Dinka, with the Dinka being much taller than the Madi. From observations as well as interviews, it can be concluded that the decision to buy from a particular seller is not based on ethnicity alone. According to one Madi interviewee, for a *boda-boda* ride the price is leading.<sup>28</sup> Nevertheless buying from a co-ethnic seems to be the dominant behaviour. This might be explained by the existence of relations of family or friendship or the ease of the possibility to communicate in one's own language. Because very few Madi and Dinka speak each other's tribal language, communication between them needs to take place in English or Arabic. English is more commonly spoken by Madi due to their education in Uganda, Arabic is often a second language for Dinka. Because English has become the official language for the South Sudanese education system, in particular young people are able to communicate across ethnic boundaries.

Friendships between Madi and Dinka do exist, but are less common than within their own ethnic group. Both Madi and Dinka youth said in interviews to maintain interethnic friendships. Sometimes they became visible during football games in which ethnic boundaries seem of little importance. Such games had been more problematic at the time that Madi initially returned from Uganda, when they sometimes resulted in fighting along ethnic boundaries.<sup>29</sup> Nowadays, as interviews point out, the closest friendships generally still are those between people of the same ethnic group. According to one interviewee this was a consequence of the fact that Madi and Dinka largely live in different neighbourhoods.<sup>30</sup> It remains unclear whether land conflicts between the two ethnic groups also inhibit the development of serious cross-ethnic friendships.

Marriages between Madi and Dinka are very rare, and almost always take the form of Dinka men marrying Madi ladies. Interviewees knew of only one time that the reverse had taken place. Given their pastoral background, the bride price for a Dinka lady ranges between 30 and two hundred heads of cattle, whereas for Madi it is around five, often paid in goats.<sup>31</sup> For Madi this makes it near-impossible to marry a Dinka lady. The cultural habit to beat up men from outside the tribe who want to marry a Dinka might also make it less attractive for them. Among Madi interviewees, the subject of intermarriage brought up a host of derogative stories, suggesting that Dinka bought rather than loved women, regarded someone with a 'cheap marriage' with a Madi woman as not really married and were more concerned about the number of cattle they could get for their daughter than about

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<sup>27</sup> With regard to misinterpretation: Interview with expert African Studies Centre, Leiden (the Netherlands), 2 August 2013.

<sup>28</sup> Nimule, 12 May 2012, Madi interviewee.

<sup>29</sup> Nimule, 29 June 2012, Madi interviewee.

<sup>30</sup> Nimue, 29 June 2012, Madi interviewee.

<sup>31</sup> Nimule, 17 June 2012, Dinka interviewee.

the daughter itself.<sup>32</sup> It is difficult to establish whether limited intermarriage and the proliferation of such stories are partly the effect of antagonist interactions in land conflict.

The issues of daily interactions, friendship and marriages make clear that on several levels interaction exists between Madi and Dinka. The existence of positive and friendly relations make clear that it is impossible to speak of security dilemma between the two groups. Land conflict along ethnic lines does not dominate all areas of life, and the overall relationships between the two ethnicities are not overwhelmingly hostile. Nevertheless, as it comes to intimate matters such as close friendships and marriages the two communities remain largely distant from each others. As a consequence, if for any reason there would be reason for an escalation towards collective violence between the two groups, there is few strong interethnic contact that could counter such tendencies. This adds to the relevance of researching whether churches form a bridge between ethnic communities.

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#### 4.5 Land conflict in post-war Nimule

##### 4.5.1 Conflict parties

Despite the presence of other ethnic minorities in Nimule, most conflicts about land have taken place between Madi and Dinka. This is understandable because the Dinka are the biggest ethnic minority. There is however no reason to a priori assume that it would not also involve other tribes, in particular the Acholi, the second-biggest minority with whom Madi have had some violent episodes in the recent past. Interviews made clear however that Acholi were not collectively or on a large scale involved in land conflict. According to most Madi, Madi-Acholi relations in Nimule were fine - and better than with Dinka IDPs. Non-Dinka IDPs would have mostly rented and paid for the plots of land they used. In fact, Madi interviewees often specified that conflict about land in Nimule involved in particular Dinka IDPs. A Madi community leader said for instance: "There is a lot of difficulties, even today for indigenous in this area... In Nimule the land is just occupied by IDP, especially Dinka."<sup>33</sup> Another interviewee mentioned that in Nimule conflict with IDP was more or less synonymous for conflict with Dinka. Yet another interviewee said:

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*"[after the war] ...not the SPLA, but the Dinka stayed. This is because in their place there is still fighting going on. For many months also, their place is swampy. They could simply have asked 'brother, I need some place'. But then they didn't." "What did they do then?" "They grabbed the land."<sup>34</sup>*

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##### 4.5.2 Conflict over settlement on ancestral land

Conflicts between Madi and Dinka concern two major issues: settlement on Madi ancestral land and freely straying cattle that are destructive for Madi and crops. A third issue that is related to both is that many Dinka are employed at the border, amongst others with the security forces there. Conflicts about settlement imply that a Dinka uses a plot of Madi community land has been assigned for long-term use to particular families, who are the denied the access to and/or use and ownership of the land. As we shall see in section 4.5.5, in some of these conflicts violence has been used.

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<sup>32</sup> Loa, 21 May 2012, Madi interviewee.

<sup>33</sup> Nimule, 22 May 2012, interview Madi community leader.

<sup>34</sup> Nimule, 30 April 2012, Madi interviewee.



Because not all places in Nimule are equally well suited for settlement, conflicts about the Dinka's settling concentrate in particular neighbourhoods. Figure 4 is a satellite image of Nimule in that gives amongst others the names of the three mayor neighbourhoods, Motoyo, Malakia and Kololo. During the war, Dinka started to live in particular in empty *tukuls* in Motoyo, some also in Malakia. Motoyo, and to a lesser degree Malakia, form a geophysical optimum between the high and dry geography north and east of Nimule and low but marshy parts toward the Nile river and its tributaries in the south and west. Figure 5 shows the town in November 2007, during the dry season that usually lasts from October to March.

The green colours in the picture indicate

that Motoyo and parts of Malakia have enough water and enjoy a long fertile period throughout the year. Because of the water and a history of habitation, many mango trees have been planted here.

Kololo neighbourhood is a less optimal place to reside than Motoyo or Malakia. Very few people lived here before the war, but after Madi returned from Uganda it has become more and more densely populated. It is strongly dominated by Madi. Figure 5 shows comparatively brown colours in this neighbourhood, north of the market going up to Gordon mountain, indicating the impact of drought. Ephemeral streams feeding the fields and the river Nile, fall empty here during the dry season and generally contain less water than downstream. Instead of being made of fertile Nile sediment, the soil is rocky, composed of small stones eroded from the bedrock of Gordon mountain. As a consequence, agriculture is relatively unproductive. An alternative income-earning strategy has become that people engage in digging up small stones that they sell for building activities. Because this yields little money and because alternative strategies are not always available, some families experience food insecurity. Into this, the relief in Kololo also causes additional hardship by making the women's daily walk for water from a borehole a heavy and time-consuming undertaking.

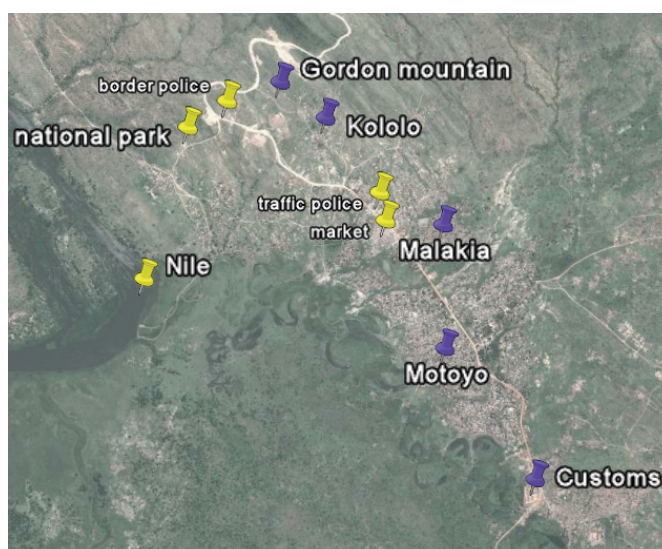


Fig. 4: Aerial photography of Nimule showing the major neighbourhoods in 2011. Source: Google Earth.

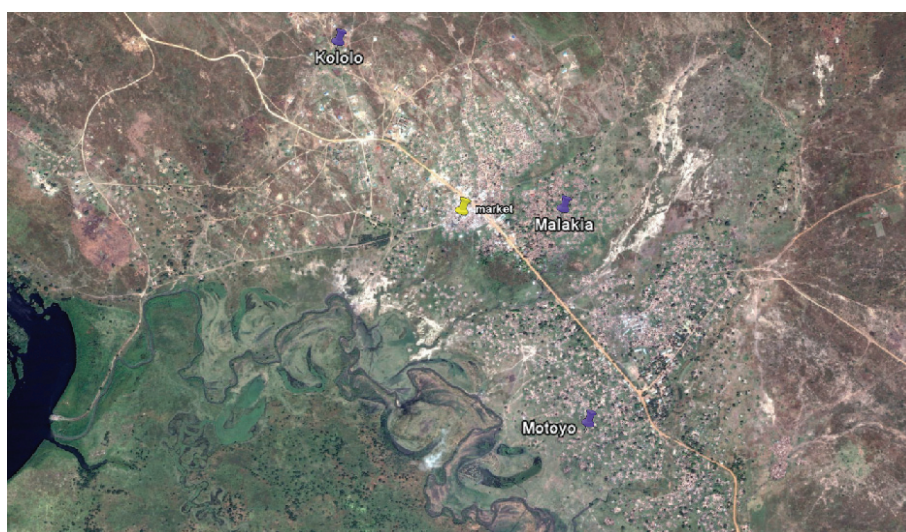


Figure 5: Aerial photography of Nimule shows differences in rainfall and soil fertility in November 2007. Source: Google Earth.

The increased population pressure in post-war Nimule forced many Madi to settle in Kololo. For them the relatively well-off situation of the Dinka in Motoyo is a cause of indignation. When Dinka rebel soldiers and IDPs arrived in Nimule, they followed existing settlement patterns of the Madi and settled mostly in Motoyo and in Malakia. In particular West-Motoyo is almost entirely inhabited by Dinka. In Malakia the situation is more mixed and in Kololo Madi dominate and Dinka are few. According to Madi interviewees many Madi in Kololo used to have plots of land in Motoyo but were unable to repatriate to these specific places due to conflict with Dinka. Madi interviewees commented amongst others “These high mango trees [in Motoyo] were planted by Madi, but you cannot go to take the fruit”, and “even [...] when you have planted the tree yourself, you have to buy your own mango!”<sup>35</sup> The soil conditions and only recent habitation make that there are very few full-grown mango trees in Kololo.

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#### *4.5.3 Conflict over crop destruction by Dinka-owned cattle*

Differences in livelihood strategies are also an important issue in conflict between Madi and Dinka. Madi traditionally rely on agriculture whereas Dinka historically are pastoralists. Unlike conflict about settlements that concern particular spaces and people, the issue of cattle and crops has been able to effect just any Madi who cultivates.

Cattle are important to Dinka in Nimule, even if they may be less reliant on them than some of their counterparts in Bor.<sup>36</sup> Cattle are held for milk, meat and leather and are an indication of someone’s wealth and success. For both Madi and Dinka they also serve as bride price. Due to their pastoralist background, Dinka on average own more cows than Madi. As we have seen, this has important consequences for intermarriages between the two tribes. In terms of climate, Bor and Nimule are roughly comparable, but given the swampy situation of the surroundings of Bor during the raining season, Nimule might even be better-suited for herding cattle.<sup>37</sup> As a consequence it was possible for Dinka who moved to Nimule during the war to bring along their cattle. In 2008 “every Dinka house in this area had cattle” according to a Dinka interviewee.<sup>38</sup> In Nimule ninety per cent of the cows or more are owned by Dinka, according to Madi and Dinka interviewees.

The main objection of Madi against the large-scale presence of cattle in and around Nimule is that they destroy crops by passing over and eating from cultivation areas around the town. In 2012, small, unaccompanied groups of up to ten cows sometimes caused frustration by temporarily blocking the traffic in the town. Usually however, cattle move in larger herds that are accompanied in turns by herders from the several households owning the cattle. The largest herd I witnessed in Nimule counted around five hundred heads of cattle and was guided by five herders. In the morning the cattle is taken to areas with much grass, for instance in the Nile’s floodplain. Throughout the nights the cattle stay in kraals at the outer parts of Nimule. Among Dinka in particular in Motoyo-west it is general practice to fence off plots of land, but for less well-off Madi buying bamboo or barbed wire fences is a costly undertaking. As a consequence, if a cattle herd is not closely directed it easily tramples over and eats from crops in the fields. For one interviewee this was a major reason in deciding to cultivate and live permanently at distance from Nimule, in one of the smaller villages in Madi area, after his return from Uganda.

According to interviewees, uttering objections against cattle-owners provoked violence rather than offer solutions. These become clear in the following quotes from a Madi student of law and a local Madi community leader:

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<sup>35</sup> Nimule, 12 May and 29 June 2012, Madi interviewees.

<sup>36</sup> Nimule, 17 June 2012, Dinka interviewees.

<sup>37</sup> Nimule, 30 April and 17 June 2012, Madi and Dinka interviewees.

<sup>38</sup> Nimule, 17 June 2012, Dinka interviewee.

*“Other things causing conflict among people is the issue of cattle. Because some of us are farmers. You cultivate something little, cows will come and graze over it. You talk to the stock man, he will not listen. And some of those people move with their guns in civilian clothes, you have nothing to say. If you talk you will be beaten. And I think some of those cattle belong to big commanders in the army. If you have a supporter, you know the judicial system will not be respected because people do not apply the rule of law but they apply the rule of force.”<sup>39</sup>*

*Even we are tired to solve the issue of the cattle on the ground. And when you talk to the owner of the cattle he is bringing to your field, he will just grow annoyed for you. Because he is just escorting those cattle by guns.”<sup>40</sup>*

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It is unclear whether the herders mentioned are armed in anticipation of confrontations with Madi farmers. It may also be explained by the regular thefts of cattle among pastoralist tribes.

Unlike the issue of settlement, problems around cattle and crops have partly been resolved through government intervention, which shall be discussed further in chapter six. Satellite images show a substantial reduction in the number of large cattle kraals between 2007 and 2011, that has been partly due to negotiation between the government and two ethnic communities in 2009 (see section 6.4). This ‘cattle repatriation’ is itself also rife with ambiguity however. Some Madi argue after the initial passage of cattle towards Bor some cattle were immediately taken back to Nimule and that new stock was bought from Uganda. Although this might have been the case, the satellite imagery and the situation in Nimule in 2012 still suggests that the number of cattle has been reduced substantially. More difficult to assess are claims that some cattle owned by Madi were stolen in the repatriation process. A Madi pastor for Sudanese Gospel Mission Church claimed to have lost three cows in the process. Reportedly, “some people followed up to Aswa bridge, but they [Dinka herders] took their guns.”<sup>41</sup>

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#### 4.5.4 Conflict in a border town

Conflict between Madi and Dinka concerns settlements and cattle, but there is a third important factor that should be taken into account: the nearby presence of the border with Uganda. As we have seen in the beginning of this chapter, Madi fled across the border because they rightly assumed that this would protect them from possible SPLA-attacks. Similarly, the border offered also some safety to the SPLA during the war, because as a guerrilla army they could have more easily crossed the border in case government attacks were to be successful. The border continued to be relevant in the post-war conflicts between Madi and Dinka. The border, in combination with the highway connecting the South Sudanese and Ugandan capitals, Juba and Kampala, has made Nimule an important place in an import corridor. This has increased the commercial value of land locally, has created additional employment in particular for Dinka in the uniformed forces, which in turn has added to already existing feelings of marginalization among the Madi.

The nearby presence of the border between South Sudan and Uganda has increased the value of land that can be used for commercial purposes. Since the end of the war the road connecting Nimule with Juba and Kampala has become an important route for imports from elsewhere in East Africa towards Juba (see Figure 5). Goods that are transported daily are in particular oil, building materials, cattle and other food items. Since a highway was completed between Juba and Nimule early 2012 with the help of USAID, the main traffic between Kampala and Juba follows this route. The migration of people and goods is managed by military, border police and custom offices that are licensed by the

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<sup>39</sup> Nimule, 21 May 2012, Madi interviewee.

<sup>40</sup> Nimule, 22 May 2012, interview Madi community leader

<sup>41</sup> Nimule, 18 June 2012, Madi interviewee.

South Sudanese government to levy import taxes.<sup>42</sup> Because the approval of imports is a rather time-consuming process, and given the long distances that truck and car drivers usually travel, the border generates also possibilities for bars, restaurants, shops and prostitution. As a consequence of these commercial opportunities it matters much more whether and where one owns a plot of land. Land conflicts therefore, do not only concern places where people live, but also places where the above commercial enterprises can be run. An example of this type of conflict can be seen in heated discussions in October 2008 when a Dinka army commander asked a large rent from Somali businesspeople who wanted to run a petrol station along the highway (see attachment 2).



Figure 6: Trucks returning from Juba to Uganda line up for customs control in Nimule. Source: collection of the author, July 2012.

Because of the border there are many armed Dinka in Nimule, employed in the ‘uniformed forces’, the army and police. Positions in these forces are usually obtained after active participation in the SPLA during the civil war, which has been more common among Dinka than Madi. In the next sections we will see that the Dinka’s employment as soldiers and policemen and arms ownership in the Dinka community has important consequences for patterns of violence and the role of government in conflict. Being in the uniform forces also provides an income-earning opportunity that most other South Sudanese are lacking: Many policemen add money to their small income by demanding bribes from truck drivers.<sup>43</sup> In 2012 these were demanded amongst others at the border, again in Nimule centre at the office of the traffic police, at a checkpoint of the border police halfway Gordon mountain and ten kilometres northwest of Nimule and at a checkpoint of the traffic police near the bridge across Aswa river.

Both Dinka and Madi interviewees partly explain the presence of Dinka in Nimule in reference to the commercial and employment opportunities in the border town. According to several Madi interviewees, the readiness of Dinka to exploit such opportunities has increased conflict over land. One Madi interviewee for instance concluded: “Dinkas want to oppress us because we are

<sup>42</sup> Nimule, July 2012, conversation with customs worker.

<sup>43</sup> Nimule, June 2012, interviews UN police trainer and truck driver.



resourceful. See how many trucks go from Nimule to Juba on this road. That is worth a lot of money. People stop and go along shops, and pay taxes.”<sup>44</sup> Another interviewee suggested that some Dinka in the SPLA purposely intended to settle near the border beforehand because of resources. “Of course, to prove it is hard, but it can be proved by their deeds. If there arises any conflict they [SPLA] are unhappy to solve it. In border areas throughout the South, the SPLA does not put efforts in solving problems. This is political manipulation...”<sup>45</sup>

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#### *4.5.5 Conflict and violence*

In the outline of land conflict in Nimule so far, some references were made to the use of violence by the conflict parties. Interviews with Madi and Dinka suggest that in conflicts between them, non-lethal violence has regularly been used, almost without exception by Dinka. This pattern is best explained by the frequency of arm ownership among Dinka and their positions in the armed forces.

Attachment 1 gives an overview of incidents in particular conflicts about land between Madi and Dinka in Nimule that were related to me by interviewees during fieldwork. The majority of them concern incidents in which, according to interviewees, violence has been used. Within the current research it has been difficult to verify or falsify most claims about particular incidents or about the frequency of such incidents (cf. Fujii in Sriram 2009). Nevertheless, careful conclusions about the use of violence in conflict can be drawn because particular patterns in violent incidents have been confirmed by both Madi and Dinka interviewees.

With regard to violence in conflict between Madi and Dinka, two important patterns can be observed. Firstly, it seems unlikely that up to August 2012, when I concluded my fieldwork, people died in conflict between Madi and Dinka over land. The incidents in Attachment 1 suggest that if violence was used it usually took the form of beating someone up. This conclusion is important because the use of brutal and lethal violence would likely increase antagonism between the two groups more than ‘ordinary’, non-lethal violence. For this reason the question whether people have died in this conflict is addressed with more detail in Attachment 2. To summarise its findings, most interviewees suggested there were no casualties of land conflict in Nimule. A small minority of Madi and Dinka interviewees contests this, but their claims were never substantiated by specific stories about particular killings. Such specific stories do exist online about a killing in October 2008 and in October 2013. In particular the case in 2013, with as casualty the Madi head chief of Nimule payam might very well be related to land conflict. Because this incident took place a long time after my fieldwork, the details and political implications are not discussed within this thesis. It is mentioned as an issue of further research in the final chapter.

A second, striking pattern with regard to violence in land conflict is Nimule suggested by the stories in attachment 1, is that violence has been used in particular by Dinka against Madi, rather than the reverse or a more balanced distribution. Although the stories about violent incidents were mostly told by Madi interviewees, some Dinka interviewees have confirmed the use of violence by co-ethnics and that Madi refrained from using violence.<sup>46</sup> The contexts for the use of violence by Dinka in the various incidents also shows important commonalities. Generally Madi are beaten up after having contested Dinka ownership of land or the right of their cattle to eat crops. Some Dinka used violence to uphold the status quo when Madi contested it.

Why have predominantly Dinka used violence and not Madi? There are two explanations. Firstly, Dinka are usually taller and stronger than Madi, which makes the use of physical violence a more viable strategy to them. Beating someone up may also be helpful to avoid the escalation that the use

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<sup>44</sup> Loa, 1 May 2012, Madi interviewee.

<sup>45</sup> Juba, 10 July 2012, Madi interviewee.

<sup>46</sup> Nimule, 17 June 2012, Dinka interviewees.

of guns and deadly violence may cause. The second explanation concerns exactly this use of arms. Due to their present or past employment in the SPLA or police, arms ownership is more common among Dinka than among Madi. Whereas a strong government is absent, arms ownership is a crucial component in determining the balance of powers between the Madi and Dinka community in Nimule. Many Madi interviewees refer to Dinka arms ownership as a means to uphold a status-quo of forced occupation of Madi land. Taking again the quote of a Madi student of law, "If you talk you will be beaten. And I think some of those cattle belong to big commanders in the army. If you have a supporter, you know the judicial system will not be respected because people do not apply the rule of law but they apply the rule of force." According to a cultural leader of the Madi, "These people here are all soldiers. When there is a case between Madi and IDP, they are all soldiers, they will go home and pick a gun and say 'this place is ours, we fought here, we took this place by gun.' ...They are threatening you, the majority of this community, they fear! It is difficult."<sup>47</sup>

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#### 4.5.6 *The response from government institutions*

What are the responses from government institutions to the situation of conflict in Nimule? A detailed, comprehensive answer to this question would in itself require the writing of at least another master thesis, with attention for the diverse functions of the various government institutions, on paper and in practice. For specific analyses and description of the legal areas of decision-making and -implementation of the local government institutions I refer to ... .. authors. It is highly important to note however, that in recent academic discourse South Sudan has been regarded as a 'weak' or 'fragile' state. This implies that even if the legal protection of citizens against each others and against government representatives might be well organised, which is not the case, still in practice, many situations are likely to be handled in accord with elite interests rather than legality (cf. North 2009). A detailed analysis of the practice of government institutions in Nimule has not been possible during the present research. Nevertheless it is relevant to understand the governmental context in which conflict is taking place and in which churches operate. For this reason, the remainder of this section provides an introductory answer to the question above, based on interviews conducted about government institutions and with government officials. In the section we move upwards, from the lowest level of government, the customary institutions, towards non-customary local institutions and national governance.

The variety of customary government institutions in Nimule lack power to address conflict between Madi and Dinka in Nimule. On the administrative level of the *payam*, *boma* and village, the Madi have their own chosen chiefs and council of elders. The legal means to empower their decisions, for instance to solve conflicts, are limited however. For issues among themselves, interviews suggest Dinka usually turn to the locally erected structures of the Dinka community, for instance their own council of elders. Dinka usually ignore the efforts of Madi customary institutions to solve conflict with Madi about land or cattle. They do so for instance by not turning up at the chief's court if they have been called for a case. In at least one case, chief efforts to solve a conflict with Dinka resulted in him being beaten up by Dinka. We have already mentioned how eventually, the death of the Nimule *payam* head chief may also be related to conflict between Madi and Dinka (see also attachment 2).

A customary institution explicitly dealing with land conflict is the *payam* land board (PLB). This institution was set up in 2007-8 by the Nimule head chief as a means for the community to handle the return process of many Madi to places that they had not originally inhabited, due to the presence of Dinka. Since then, it has become the customary institution to register land claims, transactions and solve land conflict. As a Madi customary institution, it has been successful mostly in its proceedings among the Madi. The PLB does officially not have the legal power to decide on land cases. Although land committees with such powers are provided for in the Land Act of 2009, the practical

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<sup>47</sup> Nimule, 22 May 2012, Madi community leader.

establishment of these committees for Nimule and many other areas in South Sudan has seen important delays.<sup>48</sup> As a consequence it is possible for Dinka to entirely ignore the PLB, but in practice they do not. Despite its unofficial status and being a Madi institution, some Dinka have registered their land claims at the land board in case its records will become more relevant in the future. Claims have amongst others been registered about a number of Dinka ECS church buildings in Nimule, an issue further discussed in chapter 6. Although rare according to the land board's secretary, during one of my visits to the land board a Madi and Dinka deposited a transaction at the land board in which the Dinka officially bought a plot of land to erect a commercial enterprise on from the Madi. Any further research on the role of customary institutions in land conflict in Nimule would presumably consist partly of spending time in the land board to attain information from its relatively large paper archive and members of the board.

The most relevant non-customary local government institutions in Nimule are the *payam* office and the Magistrate. Both have limited ability to respond to Madi complaints about land conflict with Dinka. The *payam* office is the local branch of the executive for Nimule *payam*, the Magistrate is the judiciary for Magwi county. Although usually, a Magistrate court is supposed to be located at the county headquarters, in the case of Magwi county it has been established in Nimule because, as a growing and multi-ethnic town the majority of work for the Magistrate in the near future may be in Nimule rather than Magwi. The director of the *payam* office and the Magistrate become usually involved if a particular case or issue cannot be resolved by the chiefs or if it concerns a grave issue, for instance when violence has been used. As part of the executive, the *payam* office does not have the authority to judge on particular cases, hence little more is done here than register a case of land conflict if a Madi wants so. For many cases however, they are referred, to the chief and landboard or the Magistrate. We have already seen how the landboard lacks juridical and practical power to implement its rulings. What is problematic at the Magistrate is that the court may only deliver rulings on land cases if the land concerned has been officially surveyed.<sup>49</sup> For Nimule, so far this is not the case.<sup>50</sup>

A relevant question is whether the *payam* office and Magistrate lack only in capabilities or also in will. According to a Madi official at the magistrate's court, the Magistrate is reluctant to take measures against cases in which violence has been used in land conflict, cases in which it may act. In an interview he explained how there was some negotiability in the powers of the Magistrate. Although faced with the same legal constraints, a former Magistrate in Nimule would have displayed a more proactive attitude with regard to land conflicts, and used the status of his position to empower the decisions of the chief and landboard and influence the actions by the police in particular incidents. Unlike representatives in the customary institutions, the Magistrate and the director of the *payam* office have not been chosen by the Madi community but are appointed officials for a number of years. Neither Madi nor Dinka, they may also be more inclined to enjoy the benefits of their position (that is usually acquired after having partaken in the civil war on the side of the SPLA) than to take controversial and potentially dangerous decisions.

The lack of power or will of local government to act on land conflict between Madi and Dinka is that in practice the only governmental response to violent incidents, if any, is the immediate improvisation of the police. The before-mentioned domination of Dinka in the uniformed forces, hence also in the police, make it questionable whether Madi and Dinka are treated equally by the police. That this is not always the case might be best illustrated by an incident in Attachment 1 in which not the perpetrator of violence but its victim temporarily ended up in prison, be it in 'safe custody'. Although not even the majority of police officials may be Dinka, a Madi policeman

<sup>48</sup> Leiden (The Netherlands), 2 August 2013, expert interview African Studies Centre.

<sup>49</sup> Nimule, 2 and 3 July 2012, interviews with court officials.

<sup>50</sup> Due to the establishment of Nimule Town Council (see attachment 2) this is likely to change in the coming years.

confirmed that they are nevertheless in relatively high positions.<sup>51</sup> This official confirmed the perception of other Madi interviewees that non-Dinka policemen feared to speak up against Dinka. He said to apply a careful, different strategy in dealing with cases of conflict involving Dinka: “You take them to a safe place, try to speak politely, then they will understand.”<sup>52</sup> According to him Dinka preferred to solve their own problems and displayed an “ideology that they are born to rule.”

In particular Dinka interviewees have claimed that the comprehensive repatriation of the Dinka IDP community is something that should be organised by higher government institutions, in a cooperation between Jonglei and Eastern Equatoria states. Not mentioned by interviewees, but also involved could be the Relief and Rehabilitation Commission (RRC) of the national government. At these levels of government few Madi expect a response to their call for repatriation of Dinka. In fact among Madi and other Equatorians a perception of national government seems to reawaken that resembles that of the late 1970s and early 1980s. In newspapers as well as on online fora, strongly-worded debates on the topic of tribalism re-emerge, with accusations of government to be Dinka-dominated and suited to Dinka interests.<sup>53</sup> According to one Madi interviewee it was not surprising that of all studies in Juba university specifically the teaching language of the law course was changed from English to Arabic. Because Dinka and Nuer speak better Arabic than Equatorians it was interpreted as one way to deny the latter knowledge about their legal rights. Another Madi interviewee captured his feelings of marginalisation in this discussion with the words “we are the new Southerners”.<sup>54</sup>

To conclude this section, the overall role of government institutions in transforming and possibly solving conflict between Madi and Dinka seems to be limited. Illustrative for the role of government may be the story that is the subject of Attachment .b, about a Madi man in confrontation with a Dinka army brigadier over the ownership of a plot of land. In this story, customary government institutions (the Nimule head chief), local non-customary institutions (Magistrate, police) and institutions that operate on a national level (UNMISS and military police), fail to address a case of strong intimidation because army personnel and gun power are involved. Although it plays a role, such failure is not solely the result of an unclear demarcation between the responsibilities of the various institutions, but also shows how (gun) power gives leverage to Dinka over Madi in their conflict over land in Nimule.

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#### 4.6 Conclusion

This chapter has highlighted how as a consequence of the Second Sudanese civil war, land in Nimule has become object of conflict between the Madi and Dinka communities in Nimule. The security, employment and basic social services make it attractive for Dinka to stay in Nimule, despite protests of the Madi community. Occasionally, Madi contesting the status-quo, wanting to use ancestral land or resisting the cattle of Dinka pastoralists, have faced violence in response. The more common arms ownership among Dinka, their representation in the army and the passivity of other government institutions reinforce the existing situation. In the next chapter we will see whether in a context where conflict separates Madi and Dinka, they meet and recognise each other as Christians in the local churches.

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<sup>51</sup> Loa and Nimule, 8 June 2012, interview Madi police official.

<sup>52</sup> Idem.

<sup>53</sup> See for instance the websites of Sudan Tribune and South Sudan Nation.

<sup>54</sup> Loa, 28 May 2012, Madi interviewee.



## 5. Churches in Nimule

### 5.1 Introduction

To understand the roles of churches in the context outlined above, in chapter four, it is necessary to pay specific attention to Nimule's churches themselves. This chapter provides a general description of the religious situation in Nimule in 2012. Particular attention will be paid to the relations between the various denominations and between Madi and Dinka in the churches, in order to establish to what degree ethnic and religious social categories coincide. The next section describes the three major (groups of) denominations in Nimule. Section three provides an overview of the distribution of Madi and Dinka over these denominations. Section four focuses on interdenominational relations.

### 5.2 Churches in Nimule

When the fieldwork for this research was conducted, ten different Christian denominations were active in Nimule.<sup>55</sup> In the introduction to them below, separate attention is given to the Roman Catholic Church and the Episcopal Church Sudan, that clearly stand apart as the two denominations with the largest number of members and visitors.<sup>56</sup> The other, smaller denominations, display important commonalities in their history, theology and ethnic composition. These commonalities, the large number of denominations and their small size warrants that they are discussed below as a group rather than separately.

#### 5.2.1 The Roman Catholic Church

The largest denomination in Nimule is the Roman Catholic Church. Italian missionaries of the church arrived in the tribal homeland of the Madi in the 1920s, initially settling thirty kilometres northwest of Nimule, where they established Loa Mission. They built a small cathedral, started agricultural projects and established several schools. Aided by the British colonial policy that restricted competition among missionary societies in an area, the church saw a steady increase in membership.<sup>57</sup> At the start of the second civil war it had firmly taken root among the Madi community in South Sudan. According to interviewees, over ninety percent of the population had by then become a member of the Catholic Church. For a long time, Catholics in Nimule had officially been part of Loa parish, but in the year 2000 Nimule parish was created. The parish covers Nimule and its rural surroundings with a total of fourteen chapels in which the holy mass is celebrated.<sup>58</sup> The parish owns a considerable portion of land within Nimule, in Motoyo-East, near Nimule high road. This property was granted by the Madi community before the wars. Interviews suggest the ownership is not contested.

The Catholic church in Nimule continued functioning throughout the second Sudanese civil war, also after most Madi had fled in 1989. During the war, church services were visited by IDPs and SPLA soldiers from throughout the south. A minority of the Dinka in Nimule at the time also visited the church. Unlike the majority of Dinka in Nimule they originated not from Bor but from the Catholic Bahr-El-Gazal region in the northwest of South Sudan. That most Madi had left Nimule did not imply

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<sup>55</sup> In Nimule also a Muslim community and Seventh Day Adventists are present. Both are small communities that were not taken into account for this research. This chapter speaks regularly of denomination and congregation. Denomination refer to a particular type of church, for instance the Episcopal Church of Sudan. Congregation refers to the most basic church unit, a functional church community. If many people are locally active in a particular denomination, multiple congregations can be formed, for instance based on language differences. In a large denomination, several congregations often own separate church buildings.

<sup>56</sup> Information on the relative size of denominations are obtained from interviews and field observations, as most churches had no membership records available.

<sup>57</sup> Pageri, 18 May 2012, interview official *payam* office.

<sup>58</sup> Nimule, 29 June 2012, interview Catholic priest.

that this was automatically reflected in the ethnic composition of the church's leadership, because the decision to assign or re-assign priests to a local parish is taken higher in the hierarchy of the church. In the regular reassignments of priests to local congregations, a Dinka was never assigned to the position of priest.<sup>59</sup> After the war, the Madi became soon the biggest group in the Catholic Church again. In all chapels, masses in the Madi language recommenced. For non-Madi Catholics who remained in Nimule after the war, a second, less-attended service continued to be held in Arabic and English in the largest Catholic church building. Some Dinka have fulfilled official roles within the church. One of the catechists or lay pastors is a Dinka for instance, and in 2010 a Dinka chaired the youth group.<sup>60</sup> After the war the percentage of Catholics among the Madi had dropped, according to interviews to around eighty percent, because in Uganda some people joined newly emerging protestant churches.



Figure 7: Madi Catholics attend an early-morning Mass in their own language at the Catholic compound in Motoyo-East. Source: collection of the author, July 2012.

Both during and after the war, the Catholic church has played an active role in Nimule's society. Up to now, the parish's compound hosts not only its own church building and clergy, but also several schools and an office of the UNHCR. After the war the INGO Catholic Relief Services (CRS) provided food aid, ran a clinic and has been engaged in agricultural activities (Long and Russell 2008). The involvement of the CRS is an indication of how the Catholic Church is well embedded in a worldwide network of organisations, amongst others through its own, well-structured hierarchy. In this regard, as we shall see, the church stands out from other denominations. Locally and regionally, this structure also warrants at least some attention for the issues of development and conflict. Nimule Parish has its own local development committee that deals with church finances and livelihoods of church members. On a higher level, the Catholic Diocese of Torit of which Nimule parish is part, has its own peace desk. Unfortunately, due to practical circumstances it has not been possible to conduct extensive interviews with church officials involved in it during the fieldwork.

<sup>59</sup> More research would be needed in order to find out whether this is explained in part by political motivations within the hierarchy.

<sup>60</sup> Nimule, 29 June 2012, interview Catholic priest.

### 5.2.2 The Episcopal Church of Sudan

The Episcopal Church of Sudan (ECS) is the second-largest congregation in Nimule. Its membership reached a peak at the end of the civil war, with more than 15,000 Dinka members alone.<sup>61</sup> The ECS is part of the Anglican Communion, a worldwide organization connecting Anglican churches in different countries. The Anglican church originates from 16<sup>th</sup> century Britain and has often been considered to form a theological middle ground between other protestant churches that were established during and after the reformation, and the Roman Catholic church, for instance with regard to hierarchy and liturgy. As we shall see in section 5.4 it also holds this middle ground in the specific context in Nimule. Anglican missionaries reached parts of South Sudan in the early 1900s through the Church Missionary Society/African Inland Mission. In Bor, the town where most Dinka in Nimule originate, the church was established as early as 1906. Over the years the large majority of Dinka in this region joined the ECS. In Nimule an ECS fellowship was established much later, in 1972. Until civil war reached Nimule in 1989, the denomination, that had its building in Kololo neighbourhood, remained small and was visited by few Madi.

During the war the ECS in Nimule experienced considerable growth, mainly due to the large-scale arrival of Dinka from Bor. In the absence of Madi, who had fled, Dinka started to use the ECS building in Kololo. Because it could not accommodate the number of attendants on Sundays, additional churches were built so that the number of ECS churches reached a total of seven in 2008. The majority of the new churches were erected in neighbourhoods where many Dinka reside, in West-Motoyo and Malakia. Throughout the war these churches operated as a part of the ECS Diocese of Bor. When during the 1990s a more regional Diocese of Torit was created, this started at first operating from refugee camps in Uganda and had no strong relation with the ECS churches in Nimule.



Figure 8: One of the seven Dinka ECS congregations. The building on the picture stands in a residential area of many Dinka, in Motoyo-West. Source: collection of the author, July 2012.

The post-war return of many Madi to Nimule caused a number of changes for the ECS. Firstly, the small group of Madi Anglicans wanted to use the church building in Kololo again. It was agreed that

<sup>61</sup> Torit, 12 July 2012, interview Bishop Episcopal Diocese of Torit.

on Sundays two services would be held in different languages, catering to both parties: an early morning service in Dinka and a second in which a combination of Madi, English and occasionally Arabic was used. This last service could also be joined by people from other ethnic backgrounds. In the other ECS congregations services the Dinka language would continued to be used. Secondly, Madi returnees raised objections to the fact that ECS churches in Nimule were a part of the ECS Diocese of Bor. Due to tensions between the two communities, any separate structure of the Dinka community in Nimule was regarded with suspect as a vestige of Dinka influence that would undermine the relative strength of Madi political institutions. In response the Dinka-language ECS congregations officially joined the ECS Diocese of Torit in 2009.<sup>62</sup> Nevertheless, many Madi have continued to refer to these congregations as ECS Bor. For some of them this is a deliberate choice, as according to them the Dinka ECS congregations pay lip service to ECS Torit but would operate in practice as a part of the Diocese of Bor. In decisions and on occasions that usually involve a Diocese's Bishop, the Bishop of the Diocese of Torit would have been bypassed.<sup>63</sup> The different readings on this issue by various interviewees have made it difficult to verify such claims. Thirdly, since the Madi have returned, there is controversy over the church buildings of the Dinka ECS congregations, because they have been built on Madi ancestral land.

### 5.2.3 Free churches

Apart from the Catholic Church and the ECS who were present in Nimule before 1989, as many as eight other denominations had settled in post-war Nimule, by 2012. They are the African Inland Church (AIC), Calvary Chapel, Christian Brotherhood Church, Church of Christ, Cornerstone Evangelical Free Church, Faith Baptist Church, Shekinah Fellowship and Sudanese Gospel Mission Church (SGM). As mentioned earlier, these churches are discussed here as a group because of their relatively small size and commonalities they share with regard to their history, theology and ethnic composition.

Important commonalities are visible in the theology of the churches mentioned above. Theologically they can be categorised as free churches, meaning they are not bound to the large hierarchical structure of the Anglican or the Catholic church.<sup>64</sup> During the church service no formal, pre-written liturgy is used, but there is more attention for the religious experience of the individual. This is reflected in a religious discourse that stresses the importance of being 'born again', a life-changing event that makes one personally dedicated to a life with God.<sup>65</sup> This moment is symbolized in an exclusive administering of baptism to adults, rather than mostly to young children as in the Catholic and Anglican traditions. Some of the churches also put much stress on the importance of living a life filled with the Holy Spirit, and refer to themselves as Pentecostal.<sup>66</sup>

The free churches in Nimule also largely share the historical context in which they have been established. The large majority of these churches were started in the refugee camps in Uganda in the 1990s, where various faith-based INGOs were also active. The context of war, displacement and being in a needy situation made people more open towards adopting a new religious position. Along with the returning Madi the new denominations entered Nimule. New buildings were erected with the support of foreign missionaries or expatriates that had become citizens after asking asylum in western countries. Calvary Chapel and Shekinah Fellowship are examples of churches that are the

<sup>62</sup> Nimule, 17 June 2012, interview Dinka secretary to Dinka ECS congregation.

<sup>63</sup> Juba, 10 July, Madi, former priest in ECS.

<sup>64</sup> Although useful as a distinction for this research, it is not an often-used term locally.

<sup>65</sup> Born-again is a reference to the words of Jesus to a religious scholar in the Gospel of John. He is told that in order to enter the Kingdom of God he needs to be born anew.

<sup>66</sup> Pentecostal is a reference to Pentecost, the coming of the Holy Spirit in the lives of Jesus' disciples 40 days after his Ascension.

direct fruit of missionary activities from North America.<sup>67</sup> Cornerstone Evangelical Free Church and Sudanese Gospel Mission have been supported by expatriate South Sudanese in respectively the United States and the Netherlands. Of the new churches, only the AIC is part of a larger denomination that like the Catholic Church and ECS was present in South Sudan, although not in Nimule.

Coming along with the shared history, the free churches in Nimule also have similarities in terms of the ethnic composition of the people visiting the churches. The largest ethnic group in most of these churches are the Madi, complemented by Acholi and people from other ethnic groups. None of these churches is regularly visited by Dinka, except for Calvary Chapel. This might be a reflection of the fact that few Dinka in Nimule have lived in refugee camps during the war, where they could become acquainted with the alternatives to the Catholic Church and the ECS. Calvary Chapel is exceptional because related to this church is a training centre for chaplains, pastors who provide spiritual care to SPLA-soldiers. Dinka visitors to Calvary Chapel often stay for a couple of weeks at the training centre and are no permanent residents of Nimule, hence not directly involved in conflict. Because As mentioned before, the free churches are much smaller than the Catholic Church and ECS, so that unlike them each of the free churches has one building, and one, multi-ethnic service that is usually conducted in English, either or not complemented with Madi.

### *5.3 The distribution of Madi and Dinka over churches in Nimule*

This section brings together observations so far with regard to the distribution Madi and Dinka over the various churches in Nimule. In summary, Madi and Dinka seldom meet each other in a church. The majority of Madi and Dinka active in churches go to separate denominations. In the two largest churches in Nimule, the Catholic Church and the ECS, respectively Madi and Dinka are the predominant ethnic group. Small ethnic minorities in these churches, including Madi and Dinka, visit a separate service. In the smaller protestant churches there are many Madi and people from other ethnic groups, but Dinka are almost entirely absent in these churches.

The languages used during church services on Sundays are reflective of the distribution of ethnic groups over the various churches. In the previous chapter, section 4.4.3, we have seen how very few Madi and Dinka speak each other's tribal language. In the Catholic Church and the ECS the majority of services are held in the tribal languages of the largest tribe. Madi, Dinka and other tribal minorities are served in these churches with a separate service in the non-tribal languages, Arabic and English.<sup>68</sup> Few people join the multi-ethnic service in their denomination if they have the possibility to visit a service in their own tribal language. Within the small protestant churches, the use of Madi and English facilitates communication between Madi- and English- speaking ethnic minorities. Because Dinka generally speak better Arabic than English as a second language, This could be a language barrier for some Dinka, as many of them have Arabic rather than English as a second language. To what extent languages are instrumental in the distribution of Madi and Dinka over different congregations remains unclear.

### *5.4 Relations between churches in Nimule*

This section draws a general picture of the relations between the different churches in Nimule. Drawing from interviews and observations on the cooperation in Nimule's Interchurch Youth Association and the New Sudan Council of Churches, we first establish to what degree denominations experience mutual distance based on religious considerations. Subsequently specific attention is paid to the relations between denominations and congregations with different ethnic majority groups.

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<sup>67</sup> Shekinah Fellowship figures in the 2011 movie 'Machine Gun Preacher', directed by Marc Foster.

<sup>68</sup> The non-Dinka congregation in the ECS is strongly dominated by Madi so that also Madi is used.

#### 5.4.1 Relations across denominational boundaries

Interviews make clear that the visitors of the various churches in Nimule see differences in the theology and practice of these churches, that are relevant for the choice in which church to participate, and that have consequences for the level of cooperation between the churches. These differences are regarded to be largest between the Catholic Church and the protestant free churches. In the words of a visitor to the AIC, “normally Catholic with protestant don’t mix because somehow their doctrine is different.”<sup>69</sup> Catholic and protestant interviewees mentioned differences with regards to evangelization methods, in the doctrine about the mass or holy communion and in the doctrine and practice of baptism. The differences between the smaller protestant denominations, for instance between AIC and SGM are regarded to be smaller, or more or less absent. In practice this means that people from these churches sometimes participate in each other’s activities, such as church services or a public evangelisation event. The ECS is regarded to somehow hold middle ground between the Catholic Church and the free protestant churches. According to a pastor in the AIC:

*“If you compare AIC with the Roman Catholics or the ECS, we are Biblical, evangelical... Maybe the ECS is a bit in-between, they are protestant but also have liturgy and hierarchy. There’s now also ECS revival, which is more biblical/evangelical, but still within the format of the ECS.”*<sup>70</sup>

The theological distance just outlined, has given rise to an at times strongly-worded critique from people in the free churches on the Catholics. This critique concerns mostly the majority of not so active Catholics, who seldom visit church services. According to a pastor of Sudanese Gospel Mission (SGM), the majority of the Madi is actually pagan, or non-Christian:

*“[They] worship a lot of Gods... these are now mostly Catholic and not happy when you call them pagans. But they are doing things contrary to the Christian faith that are not biblical... They go to witch doctors, can have many wives, etcetera.”*<sup>71</sup>

That this view, that many Catholics are not Christians, is a more widely shared feeling within the protestant churches, is shown for instance in the fact that youth in Nimule’s Interchurch Youth Association (ICYA) think it important to evangelise among the Madi population. Implicit in that former Catholics joined other churches after having been ‘born again’ and having become a (full) Christian in Uganda is the suggestion that this rebirth cannot be combined with a more active membership of the Catholic Church, but demands joining one of the protestant alternatives.<sup>72</sup> Interviewees in the Catholic Church did not utter a comparable critique on the protestant churches, although, as we shall see, they have limited local cooperation with these churches.

The most active platform for cooperation between local churches in Nimule is the Interchurch Youth Association (ICYA).<sup>73</sup> Observations on which churches cooperate in the ICYA provide insight in the relations between the churches. The ICYA was established in 2005 as an initiative of one of the smaller protestant churches in order to unite of Nimule, with as foundation the Bible.<sup>74</sup> When it started, all religious groups in Nimule, including even a small Muslim minority were invited to partake

<sup>69</sup> Nimule, 28 May 2012, interview AIC member.

<sup>70</sup> Loa, 1 May 2012, interview several AIC and SGM pastors. With ECS revival, the interviewee points to internal differences within the ECS, some of which are closer to the protestant churches.

<sup>71</sup> Kampala, 5 June 2012, pastor of SGM, former Catholic.

<sup>72</sup> Nimule, 8 June 2012, interview member of Baptist Church.

<sup>73</sup> An comparable organisation has been established in which pastors of the various local churches can meet. Medio 2012 the pastors had only met one time in this forum, during an establishment meeting in 2012. It is unknown which churches participate officially in this dormant organisation.

<sup>74</sup> Nimule, 28 May 2012, interview chairperson ICYA.



in its activities. The main activities are the monthly Bible study and a monthly gathering resembling a church service, with prayers, songs by the youth choirs of different churches and a speaker on a particular theme from a religious perspective. Other activities include a yearly conference on a particular topic, an health awareness program and regular visits to people in the hospital and prison and evangelism activities. Part of its evangelism activities have included warning against the consultation of travelling witch doctors from Uganda, Kenya and the Democratic Republic Congo. During ICYA's activities, various languages are being used, often including English and Arabic.

According to an interview with the chairperson of the ICYA, youth organisations from all religious actors in Nimule were invited to join in its activities from the outset. The Muslims and Seventh Day Adventists declined the invitation because of theological differences. Youth from the large majority of protestant churches have taken part in ICYA, both people from the free churches and the ECS with the notable exception, that will be discussed later, is that youth from the Dinka congregations in the ECS did not join. Finally, youth from the Catholic Church initially joined the ICYA but left in 2007, according to a Catholic interviewee over doctrinal differences and disagreement about evangelisation.<sup>75</sup> According to pastors in the Sudanese Gospel Mission, Catholics have interpreted the operation of ICYA as "a way of deceiving some of their flock, taking them away from their church."<sup>76</sup> They would no longer be willing "to mix with born-again churches, as they say we are stealing their sheep."<sup>77</sup>

The different position of the Catholic Church on many issues, as outlined above, does not mean that mutual recognition and cooperation between them and other churches are entirely absent. This witnessed at the one hand at official church occasions and at the other hand in common links with the New Sudan Council of Churches (NSCC). On important occasions for a church, often representatives from across denominations are invited. Despite the critique above by one of the SGM pastors above on the religious life of Catholic believers, Catholic priests were invited at the occasion of his ordination, in which he officially became a pastor, and were given the opportunity to hold a speech, just as local leaders of the Madi ethnic community. Although the invitation to these priests does not diminish the differences in doctrine between them and the pastor, like the local Madi chiefs, they are recognised for their role in society.<sup>78</sup>

Cooperation between denominations does also exist at a national level, in the Sudan Council of Churches (SCC). It was established in 1965 as an organisation expressing and aiming at unity among Christian denominations in the whole of Sudan. Because civil war often hindered communication between Christians in northern and southern Sudan, its southern division practically operated independent since 1989, under the name New Sudan Council of Churches (NSCC). The functional divide became definitive in 2013, when the NSCC became the officially autonomous South Sudan Council of Churches (SSCC). Throughout its existence, the NSCC has engaged in various peace-building activities, most well-known being its organising of the Wunlit conference that addressed very violent relations between parts of the Nuer and Dinka tribes in 1999 (Hutchinson and Jok in Werbner 2002:89).

The denominations that are connected to what is now the SSCC that also have a representation in Nimule are the African Inland Church, the Episcopal Church of Sudan and the Roman Catholic Church. Although most of the small protestant churches in Nimule have no connection with the SSCC, the link with the AIC suggests that not doctrine, but establishment and size of the denomination within

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<sup>75</sup> Nimule, 29 June 2012, Catholic interviewees.

<sup>76</sup> Loa, 23 May 2012, interview SGM pastor.

<sup>77</sup> Nimule, 12 May 2012, interview SGM pastor.

<sup>78</sup> Loa, 6 May 2012, observation and interviews.

Sudan accounts for this absence.<sup>79</sup> From section 5.2.3 it may be recalled that the AIC, although having a small congregation in Nimule, has established a considerable presence historically, elsewhere in South Sudan. The connection between the Catholic Church, the ECS and the AIC on a national level has little local consequences however, except perhaps, as the next chapter will show, with regard to peace-building.

#### 5.4.2 Relations between congregations with Madi and Dinka majorities

The level of local cooperation between different churches is not only a reflection of people's willingness to identify with the dogma and practice of other believers and churches. There is also an ethnic dimension to the relations between churches, as contact between the Dinka congregations in the ECS and other protestant churches, including the Madi-majority congregation in the ECS, is limited.

The relations between the several Dinka ECS congregations and the one non-Dinka congregation within the ECS in which Madi are the largest ethnic group, is fairly limited. According to a priest who had served the non-Dinka congregation in Nimule between 2002 and 2005, interaction between Madi and Dinka church leaders in the ECS has remained very limited:

*"It was... only at official meetings, and they held their own meetings afterwards. We should live what we preach as Christians, but they sometimes changed their minds. There were also meetings at functions, such as ordinations, public gatherings, a visit from the bishop."*<sup>80</sup>

When enquiring after the relations between Madi and Dinka in the ECS, the chairperson of one of the Dinka congregations defined them by referring to the official structures of the church: "we are united in the Diocese of Torit."<sup>81</sup> Up to 2012 the interaction remains limited to official meetings. A little more interaction is visible between the two congregations that combine the use of the ECS church building in Kololo.<sup>82</sup> During one of the church services in which I was present, a Madi priest held the sermon in the Dinka congregation. Interviews conducted afterwards suggested that this had been a rare occasion, occurring about twice a year.<sup>83</sup>

Relations between the Dinka ECS congregations and other denominations in Nimule seem to be even more limited, if not wholly absent. In the perception of a pastor of SGM, the pastors of the Dinka ECS congregations "are very closed."<sup>84</sup> He approached the leadership of one of the congregations several times to invite people to partake in workshops of conferences for the youth or women groups, not concerning conflict. His invitations were usually declined, or accepted but not made use of. We have already seen how, despite invitations to the youth groups of the ECS to participate in the ICYA, the Dinka congregations did not make use of it. There are also no common activities for the youth of any of these congregations and the one Madi-dominated congregation in the ECS. Only in the Catholic Church have Madi and a small number of Dinka (from Bahr-El-Gazal, not Bor) combined their activities.<sup>85</sup>

<sup>79</sup> Some of the small protestant churches that are have no formal relations with the SCC also participated in an SCC-organised peace-building conference described in the next chapter.

<sup>80</sup> Juba, 10 July 2012, interview former ECS priest.

<sup>81</sup> Nimule, 1 July 2012, interview chairperson Dinka ECS congregation.

<sup>82</sup> During my short research period I have not been able to clarify the details of the shared management of this building. Attention for this issue in further research may be useful.

<sup>83</sup> Nimule, 17 June 2012, interview visitors Dinka ECS.

<sup>84</sup> Nimule, 13 May 2012, interview pastor SGM Nimule.

<sup>85</sup> More details about the extent and nature of their interactions would, unfortunately, need to be recovered by further research, as practical issues hindered to find more about them within the limits of my fieldwork period.



### *5.5 Conclusion*

This chapter has introduced the various churches in Nimule and some of their characteristics. The largest churches in Nimule, with most church members and attendants, are the Catholic Church and the Episcopal Church of Sudan. Apart from them, there are ten relatively small protestant churches. The Catholic Church has a large Madi majority and small minority of Dinka, the ethnic composition of the ECS is vice versa. In each of these churches, ethnic majority and minority attend separate services in different languages. The small protestant churches draw visitors from a Madi or other ethnic background, but no Dinka.

Interviews on the ground make clear that the theological differences between the Catholic Church at the one hand and the small protestant churches at the other hand, are considered to be largest by visitors of the churches. The ECS is regarded to cover middle ground, but also having more in common with the small protestant churches. Catholics have left the most active platform for local cooperation, the Interchurch Youth Association. The level of identification of people in the churches with a supposedly common, Christian social category is hence limited.

The difference between the Catholic Church and protestant churches is not the only social fault line that runs through the religious landscape of Nimule. There is a notable absence of interaction and cooperation between Madi and Dinka in the churches that cannot simply be explained by them largely visiting different denominations. Interviews make clear that even within denominations, in particular within the ECS, interaction between the Dinka majority and Madi minority is very limited. The interaction between Dinka in the ECS and other churches is also less than would be expected from similarities with other protestant congregations. Madi and Dinka participate in separate youth groups in the ECS and only the Madi take part in activities of the ICYA.

The distances within local churches between at the one hand small protestant churches and the Catholic Church, and at the other hand between Madi and Dinka do not entirely coincide. As a consequence conflict between Madi and Dinka has little potential to become an ethno-religious conflict, in which ethnic and religious ethnic identities are difficult to disentangle and reinforce each other as is mentioned by Appleby (section 2.4). At the same time, interethnic relations in the church are less developed than would be expected from merely looking at religious similarities between the congregations. In the next chapter we will see whether the presence of this ethnic reality in local churches in Nimule has consequences for their roles in conflict.

## 6. The roles of churches in conflict in Nimule

### 6.1 Introduction

In this chapter conflict between Madi and Dinka in Nimule, and the churches, the subjects of the two preceding chapter, are brought together. As we shall see, the various churches are involved in conflict in various ways. Section two highlights the role of the Episcopal Church of Sudan in conflicts between Madi and Dinka, with a focus on the Dinka congregations. These congregations have some interest in maintain the status quo in Nimule and make little efforts to depart from it. Section three describes the advocacy efforts of other Madi majority churches in Nimule, focusing on the Sudanese Gospel Mission and Catholic Church. Section four uses the example of the African Inland Church to suggest why some Madi-majority churches have not been involved in conflict. Section five discusses the role of the Sudanese Council of Churches in Nimule's conflict in Nimule and section six is a conclusion.

### 6.2 The role of the Episcopal Church of Sudan in land conflict

The role of the ECS in land conflict in Nimule has close parallels to the role of many of its visitors. As mentioned in section 5.2.2, the Episcopal Church of Sudan in Nimule has a large majority of Dinka. Only one out of eight different congregations, the smallest, has a majority of Madi visitors. Contests about land in Nimule do just as well concern, residential areas populated by Dinka, as the soil underneath church buildings. According to the chairperson of the Madi *payam* land board, at least three Dinka ECS congregations have wanted to register a claim on the land on which these churches have been build. In one of the cases, a competing claim has been registered from a Madi. In the other two instances the involvement of religion would withhold Madi from registering a competing claim, according to the chairperson. "It is still painful in the other situations.. but they are reluctant to register such cases at it are things of God, ...[that] should be spoken of politely."<sup>86</sup> Although claims may not have been registered with regard to the other buildings, the general disagreement of Madi with the presence of Dinka on Madi tribal homeland in Nimule make it likely that these are also contested places.

The Dinka ECS congregations largely ignore Madi claims on the land of their congregants and avoid extensive conversations on it with other churches. The Dinka chairperson of 'ECS Jerusalem' for instance, admitted that Madi accuse them of land grabbing, but downplayed it to rumours.<sup>87</sup> Other Dinka church attendants argued that Madi complaints about cattle and land were effectively creating problems which hitherto did not exist.<sup>88</sup> According to interviewees within the Dinka ECS congregations, local land conflicts are almost never mentioned during the church services. If mentioned, church members are dissuaded from using violence and advised to leave important issues to the Dinka community elders. Just as, given the previous chapter, contact between the Dinka ECS congregations and other protestant groups is absent with regard to religious, non-conflict issues, so it is with regard to conflict. According to a Madi ECS priest, "when you approach them they will claim to be Bor, to keep you out of their affairs."<sup>89</sup> An exception to this has been that Dinka church leaders participated in a conference organised by the Sudan Council of Churches, which will be discussed in section 6.4.

Both conflict parties, Madi and Dinka, are represented within the ECS. As a consequence, land conflict in Nimule is a controversial subject within the hierarchy of the ECS. The divergence of views is observable amongst others in interviews that were conducted with a Madi ECS priest who led the

<sup>86</sup> Nimule, 4 July 2012, Madi chairperson Nimule *Payam* Land Board.

<sup>87</sup> Nimule, 1 July 2012, Dinka chairperson ECS congregation.

<sup>88</sup> Nimule, 17 June 2012, Dinka interviewees.

<sup>89</sup> Juba, 10 July, Madi, former priest in ECS Nimule. The ending of his office as a priest to Nimule was not related to land conflict.

Madi-majority ECS congregation between 2002 and 2005, and the bishop of the ECS diocese of Torit, a Lotuku.<sup>90</sup>

In an interview with the Madi priest, he argued the church should be at the “forefront of fighting issues such as land occupation.”<sup>91</sup> He based this conviction on Jesus’ saying that if issues arise among brothers, they should be solved before sunset. For solving issues however, Dinka church leaders in the ECS would need to cooperate, and have an honest and open conversation about conflict with their Madi counterparts. In his view, the church’s hierarchy should take a more proactive attitude, for instance in that the bishops of Torit and Bor would publicly declare Bor a safe area and advocate for support in government circles to support a repatriation process of Dinka from Nimule to Bor.

In contrast with this priest, the bishop disapproved of the attitude of Madi that questioned the presence of the Dinka ECS congregational buildings and of Dinka themselves. According to my interview with him, “the church does not classify people as occupying people.”<sup>92</sup> Active church involvement in conflict would be inappropriate, because the church needs to cater to the spiritual, not to the political needs of the believers, wherever they reside. Expecting a more political attitude from the church would be inappropriate for a Christian. According to the bishop, Madi should display more patience till further repatriation of Dinka to Bor would take place. He considered assisting repatriation a government rather than a church task, and said not to be able to judge the current security situation in Bor. Finally, bishop Oringa denied that any of the ECS church buildings were themselves subject of debate and suggested some Madi felt honoured when they returned from Uganda to find churches on their land.

To summarize, the role of the Dinka congregations in the ECS in land conflict between Madi and Dinka is controversial. The little evidence outlined above, suggest that locally, the Dinka congregations have largely ignored conflict. A protesting voice from the small Madi-majority congregation in the ECS, as outlined in the interview with the priest above, is unable to make much difference. The interview with the bishop of the Diocese of Torit makes clear that such protesting voices are not empowered within the hierarchy of the ECS. By condemning political involvement of the church on the side of the Madi land owners, the views of the bishop and the priest differ profoundly. Whereas according to the bishop a Christian attitude in Nimule’s conflict equals hospitality and patience among the Madi, the priest sees a far more proactive, advocating role, to put occupation to an end.

### *6.3 Active Madi-majority churches*

Denominations in Nimule with a majority of Madi visitors have more often taken an attitude that would find the approval of the priest above. Interviews suggest that the most active Madi-dominated denominations with regard to land conflict have been the Catholic Church, Sudanese Gospel Mission Church and Cornerstone Evangelical Free Church.<sup>93</sup> They churches have stressed that the Dinka’s presence in Nimule should be peaceful, and that the problem of land occupation and of straying cattle should be solved through the repatriation of Dinka with their cattle to Bor. Local churches have been largely unsuccessful in working towards this effect. Some success was nevertheless achieved through their cooperation with the Sudanese Council of Churches (SCC) and various government institutions, a cooperation that will be discussed in section 6.5. Why other, small protestant

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<sup>90</sup> Lotuku are one of the smaller tribes in Eastern Equatoria, without known conflict with or likeness of Madi or Dinka.

<sup>91</sup> Juba, 10 July 2012, interview Madi, former priest in ECS Nimule.

<sup>92</sup> Torit, 12 July 2012, interview Lotuku, bishop ECS Torit since 2006.

<sup>93</sup> The Madi pastor of Cornerstone Evangelical Free Church of Sudan, Juma John has, according to interviews, been particularly active in bringing various actors together in the SCC conference outlined in section 6.5.

denominations with a Madi majority have also refrained from advocacy efforts is discussed in the next section.

### 6.3.1 Sudanese Gospel Mission

The Sudanese Gospel Mission Church (SGM) organised various workshops dealing with the issues of conflict and peace between 2006 and 2009.<sup>94</sup> Participants of the workshops were in particular active members of different churches, mostly Madi, and with the cooperation of government representatives or experts on peace and reconciliation. These workshops dealt with all instances of conflict that people could experience. A workshop in 2009 for instance, addressed how to reconcile the various views of people who had lived under different regimes during the civil war, in exile, in SPLA-controlled areas and in areas under control of the Government of Sudan. In these workshops, conflict between Madi and Dinka IDPs, but they were not designed to solve conflict between the two communities. People were advised about having a peaceful attitude. A workshop in the refugee camps in Uganda in 2006 for instance had as recommendation that:

*“If one Madi person fought with a Dinka, he/they must learn to resolve (his) their problem without driving other tribe members to join, so that it remains the problem of the two individuals, not the problem between the Dinka and Madi [in general].” (SGM 2006)*

If land conflicts with Dink IDPs was commented upon in the workshops that SGM organised, the participants recommended “that the government should embark on a systematic voluntary repatriation of people to their areas of origin.” During the same workshops, the participants stressed that their own return to Nimule should be voluntary as they feared the health and security situation in Nimule, amongst others because IDPs there were armed. Such views and recommendations were communicated to the local government authorities during or after the workshops.

According to a pastor of SGM who participated in several of the workshops, SGM itself was unable to bring the Madi and Dinka communities into a meaningful dialogue with the desired outcomes.<sup>95</sup> Firstly, the solution that the pastor (like most Madi) sees for conflict is that Dinka need to repatriate to their areas of origin, which most of them do not want in the current conditions. Secondly, also the authorities to which SGM raised its concerns did not have the power to repatriate people. The pastor questioned what after initial attempts could be a role for local churches in conflict in the future. In my interview with him he asked amongst others: “How is the church supposed to solve this? They are soldiers and say ‘the land belongs to us.’”<sup>96</sup> Any meaningful role for SGM in future discussions on land conflict between Madi and Dinka, would need cooperation with other churches and with government actors on a regional or national level, that would nevertheless need to care about local interests, according to the pastor.

### 6.3.2 The Catholic Church

Like SGM, the Catholic church has organised several workshops about conflict in Nimule. These took place between 2000 and 2007 and intended to make people “to live in unity as the gospel prescribes”, according to the chairperson of the development committee.<sup>97</sup> These workshops did not specifically focus on conflict between Madi and Dinka but were aimed at a peaceful coexistence of ethnic groups in Nimule already during the war.<sup>98</sup> In fact, conflict between Madi and Dinka led to the

<sup>94</sup> See for written sources on two of these events SGM (2006) and SGM (2009).

<sup>95</sup> Kampala, 5 June 2012, interview Madi pastor SGM Nimule.

<sup>96</sup> Kampala, 5 June 2012, interview Madi pastor SGM Nimule.

<sup>97</sup> Nimule, 29 July 2012, interview church officials Catholic parish of Nimule.

<sup>98</sup> Detailed information about the content of workshops by the Catholic church, the attending participants and outcomes were not available. The local Catholic Parish referred for information to the Peace and Justice Desk at the Catholic Diocese of Torit, but the Diocese’s archive was said to be incomplete and unorganised.

breakdown of one of the programs of the Catholic Church. A football program among the youth became less and less successful when Madi returned from Uganda and ethnic tensions started to result in occasional fights between teams.<sup>99</sup>

In the previous chapter we have seen that, more than other churches, the Catholic Church in Nimule is embedded in a large network of organisation and has considerable permanent structures, also with regard to issues of conflict. On the level of the parish as well as of the diocese there are peace and justice committees. Nevertheless, several people within the Catholic hierarchy have stressed that these are not the adequate structures to deal with land conflict between Madi and Dinka, because it is an intergroup conflict that cannot be solved on the grassroots level without external support.<sup>100</sup> In the words of the chairperson of the development committee: "in a sense the church can do little because it also needs the government, the authority, the police, the army. Now the problem is, the people doing this are armed people."<sup>101</sup> Apart from the organised workshops and mentioning incidents to local government authorities, the Church has not put a concerted effort to solving conflict, except, and not unimportant by its facilitation of a conference by the Sudan Council of Churches in October 2008.

The above description of the role of the Sudanese Gospel Mission and the Catholic Church in conflict points out that the leadership in Madi-majority churches feels limited in its possibilities to engage in a meaningful dialogue about land conflicts. They lack power to implement decisions and see that a solution for conflict may go against the preferences of armed Dinka.

#### *6.4 Passive Madi-majority churches*

Interviews suggest that most small protestant churches have, unlike the Catholic Church or SGM, refrained from active involvement in transforming the status quo in land conflict in Nimule. Two explanations for this lack of involvement can be inferred from several interviews within the African Inland Church. Firstly it appears that their focus is on other aspects of religious congregational life. Secondly part of the leadership of these churches is not of a Madi background and has therefore, it appears from interviews, less reason to be personally involved in the conflict.

Interviews in the AIC highlight how within the church's many activities there is little attention for a possible role in land conflicts.<sup>102</sup> Near one of the entrances of the church it is possible to take a look at the church's very busy schedule. Apart from the weekly service on Sundays, there are a considerable number of activities during the weekdays. The children choir and youth choir have their practices, there is religious education in Sunday schools, there is a Bible study for the youth, a Bible study for women, once a month people meet each other at the church for a fellowship during the entire Sunday. Sometimes such fellowship meetings are held at people's houses so that neighbours can be invited. Once a month also there are prayers and fasts on a Saturday.

The number of activities that can be attended and in which people can volunteer makes that the more active members spend a lot of time within the church community. Almost none of this time translates in activities of the church members in land conflicts between Madi and Dinka. According to interviewees, instances in which such conflicts are mentioned in the church are rare. If they are, this is usually in prayers in response to specific incidents that cause a temporary increase of attention for

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<sup>99</sup> By 2012, Madi and Dinka youth are sometimes playing football together again, but not within a program of the Catholic Church.

<sup>100</sup> Magwi, 23 June 2012, interview Madi Catholic priest, involved in Church Forum for Conflict Trauma and Healing. Torit, 12 July 2012, interview Catholic priest, involved in Peace and Justice Desk Catholic Diocese of Torit.

<sup>101</sup> Nimule, 29 July 2012, interview Madi chairperson local Catholic development committee.

<sup>102</sup> Nimule, 27 May 2012, interviews with AIC members and leadership, Madi and Acholi.

conflict. In the past, people have also prayed about other conflicts, for instance between Madi and Acholi elsewhere in Magwi county, and over unrest in Jonglei state due to cattle rustling. Usually however, issues in prayer concern more the community life of the church and the personal life of its members. People in the AIC pray for instance for church activities that do not go well.

To some degree, the churches that are less active on conflict may be less rooted within the local Madi community of Nimule. In the last chapter, we have seen that several of the small protestant churches have been founded and supported by foreign missionaries. Shekinah Fellowship and Calvary Chapel, for example, are founded and supported by missionaries from the US and Faith Baptist Church is led by a missionary from Uganda. For the AIC just discussed, the senior pastor is an Acholi. Whereas leaders in the SGM or Catholic Church have sometimes also personally or through family been affected by conflict between Madi and Dinka, this has not been the case for these church leaders. It might be suggested that they they would hence be less interested in being active on a Madi cause than Madi from Nimule. That Madi visitors to these churches recognise non-Madi without attention for local land conflicts as their church leadership, suggests that these Madi visitors do not consider their church leaders' attitude towards conflict the most important aspect of a church leader.

### *6.5 The role of the Sudanese Council of Churches*

Whereas the local leadership of the SGM and the Catholic Church saw themselves limited in organizing interethnic dialogue, the Sudan Council of Churches (SCC) has succeeded in organising various meetings in which the Madi and Dinka communities were represented, as well as churches that are attended by Madi and Dinka, including the Dinka congregations in the Episcopal Church of Sudan.

#### *6.5.2 The SCC meetings and conference addressing land conflict in Nimule*

The SCC is an organisation at national level, but for its activities it cooperates with international as well as local organisations. With regard to its peace-building activities these organisations have instance included the United Nations Mission to South Sudan (UNMISS) and the Dutch NGO Pax Christi. SCC also cooperates with the regional and local Interchurch Councils (ICCs) that fall under its umbrella. If a church finds it difficult to handle an issue it can be brought to interchurch.<sup>103</sup> From interviews it appears that the existing ICCs are often "dormant".<sup>104</sup> Nevertheless, sometimes such local organisations are empowered by expertise from the SCC to play an important role in reducing ethnic tension. This has for instance been the case in a conflict between Madi and Acholi in 2011 over the border between their homelands.<sup>105</sup> Although ICCs did not exist in Nimule when conflict first arose when Madi returned from Uganda, the SCC has nevertheless tried to play a role in this conflict.

Interviews make clear that the SCC has tried to reach a solution for conflict in Nimule through the organisation of various meetings. At the same time, to clarify the dates and contents of these meetings, the participants and conclusions, proved to be very difficult. If anything has become clear it is that the SCC has done repeated efforts to bring the Madi and Dinka communities into dialogue over land conflicts. According to the chairperson of the development committee of the Catholic church, "the SCC tried over five times."<sup>106</sup> The coordinator of the SCC Peace-building programme for Eastern Equatoria State, Gladys Mananyu participated in meetings that were held "many times."<sup>107</sup>

<sup>103</sup> Loa, 26 May 2012, interview secretary Interchurch for Pageri *payam*.

<sup>104</sup> Magwi, 23 June 2012, interview member Church Forum for Conflict, Trauma and Healing,

<sup>105</sup> Torit, 12 July 2012, interview member interchurch Torit.

<sup>106</sup> Nimule, 29 July 2012, interview Madi chairperson local Catholic development committee.

<sup>107</sup> Juba, 11 July 2012, interview SCC official.

The only notes that remain from these meetings are probably of the biggest meeting that was held, a conference with over 250 participants that took place between 10 and 12 November 2008.

Notes from these conference enable a number of observations about its proceedings (SCC 2008). First of all, participants in the conference included people and leadership from different denominations. Explicitly mentioned are a Roman Catholic priest and pastors of Cornerstone Evangelical Free Church and AIC that led a morning devotion on a conference day. Several other Catholic priests were present, probably also because the conference was hosted by the Catholic church. The leaders of these various Madi-majority churches were in this instance willing to assemble and cooperate in order to address land conflicts, also if this necessitated cooperation between the Catholic church and protestants. Interviewees point out that the presence of the AIC, that had not been involved in other activities with regard to conflict was a consequence of the involvement of the SCC. Usually the AIC would be involved in SCC-organised meetings.

Secondly, unlike efforts by local churches, the participants of the conference were from across the ethnic line separating the two conflict parties. In the conference, community representatives of both the Madi and Dinka ethnic communities in Nimule were present, as well as the Madi commissioner for Magwi County. According to an SCC official then present, Dinka attending the conference had been mobilised by their church leaders. The conference notes show that one time a pastor of ECS Bor closed the session with a prayer. Although both ethnic communities in land conflict were represented, the large majority of participants were of a Madi ethnic background.

Thirdly, the outcome of the conference is not entirely clear. During the first day welcome speeches were held and expectations of and possible challenges to the proceedings were mentioned. According to the county commissioner the conference should sort out core issues and bring “ways forward at various levels.” (SCC 2008a) The next two days were used to raise issues that threatened peaceful co-existence and a proposal of solutions to these threats. During these discussions people were sometimes grouped based on place of origin, some discussions took place in mixed groups. Such discussions led to a set of “general resolutions and recommendations from the participants” (SCC 2008b). These can be found in attachment 3.

Both communities are addressed in the above points: A change of attitude is asked from both Madi (“open towards change”, “not be biased”) and Dinka (“negotiate amicably”) (SCC 2008a). Nevertheless the majority of them addressed specific Madi concerns. Measures were proposed against the destructive role of cattle on crops, and their ownership of the land was confirmed. To underwrite the latter, IDPs would need to negotiate about land and were not allowed to make permanent settlements. The role of arms and violence in conflicts that has been observed in chapter 4 is addressed by pointing at the importance of citizens to keep the law, SPLA and police the upkeep it and the voluntary handing in of arms by civilians. It is recognised that the repatriation of IDPs is not unproblematic, but the decision that repatriation needs to take place within two years (before the 2010 elections) again addresses a Madi concern.

What has been the effect of the conference? First of all, the conference was the first meeting in which both communities met for an extensive discussion of the issues between them. According to Ms. Mananyu it also was one of the first times that Dinka IDPs displayed commitment to further repatriation and acknowledged the situation in Nimule to be problematic. During the first day of the conference even eating together had proven to be problematic for some of the participants, but these acknowledgements would have relaxed the ground between the two communities, made that people opened up and that a real dialogue developed. Second and related, according to Ms. Mananyu, the atmosphere created by the churches and the SCC during the conference, enabled various smaller meetings between the leaders of the two communities and the authorities on the issue of repatriation. During meetings various successive agreements that were reached between

Madi and Dinka about the future repatriation of Dinka towards Bor at the latest during the second half of 2011.<sup>108</sup>

Apart from a temporary improvement of the relation between Madi and Dinka in Nimule, it is hard to see whether the intervention of the SCC has made much difference. Most changes that were proposed, most importantly the repatriation of IDPs in 2010, obviously have not taken place. An important positive exception has been the reduction of the number of cattle in Nimule. It is however difficult to establish whether it has been this conference or other factors that were instrumental in taking away cattle from Nimule.

From interviews it appears that the continuation of the status-quo in land conflicts after the SCC's conference in 2008 actually led to a more negative perception among Madi of Dinka. In the words of one of the cultural leaders of the Madi "they do not apply what they are hearing completely. They are pastoralists, they know nothing about the Bible. So they will never hear whatever any person is saying unless their ethnic group will hear. Although you preach, how many times, that is what I learnt of this people."<sup>109</sup> Several Madi also criticise the Dinka pastors. According to a Madi member of Sudanese Gospel Mission "the problem is that in the meeting they take a very good stance, but they don't take action to advise their people not to take land."<sup>110</sup> The chairperson of the Catholic's parish development committee said that these pastors speak very well in the church but act opposite to it at home.<sup>111</sup>

## 6.6 Conclusion

This chapter has shown how different churches have been involved in conflict in Nimule. Three ways in which local churches are involved in conflict have been distinguished. The Dinka ECS congregations stand apart because the presence of especially Dinka is controversial in Nimule. Dinka ECS members live on, and even some of the church buildings stand on contested land. Within these congregations, land conflicts are largely ignored and their importance is downplayed. People are discouraged from using violence, and encouraged to leave important decisions to the elders in the ethnic community. The regional ECS bishop consciously refrains from dealing with land conflicts through the church and condemns active political involvement of the church on the side of the Madi.

The Madi-majority congregations have either remained inactive and busy with other activities of religious congregational life, such as the AIC, or have undertaken efforts to transform conflict and limit the negative consequences of it for Madi. The activity of inactivity of particular denominations with regard to conflict does not coincide with the religious fault line between Catholics and (new) Protestant churches that was observed in the previous chapter (4). The distinguishing factor seems to be that the more active denominations have Madi on important positions in the church's leadership, whereas in the less active denominations there are at least partly filled by members from other ethnic groups.

Efforts at limiting the negative effects of the presence of IDPs in Nimule, have included organising workshops on conflict, talking to Dinka IDPs on individual cases of conflict and underlining the importance of a transformation of the situation to government representatives. The extent and exact content of particular efforts is generally difficult to establish as documentation on it is barely present. Nevertheless, what emerges as the main outcome of these efforts is that churches have been unable to break through the existing dynamics of conflict as they have been described in chapter 3 (on conflict). In the words of SGM pastor Stephen Gira: "The problem is, to solve conflict the IDPS need

<sup>108</sup> Juba, 11 July 2012, Madi official SCC.

<sup>109</sup> Nimule, 22 May 2012, Madi community leader.

<sup>110</sup> Nimule, 18 May 2012, Madi interviewee.

<sup>111</sup> Nimule, 29 June 2012, Madi interviewee.



to go back, but they do not want it. (Or they need to ask to share our place.) But now, how is the church supposed to solve it? They say 'we are soldiers, all the land belongs to us'."<sup>112</sup>

The largest-scaled attempt at establishing dialogue between the Madi indigenous community and Dinka in which local churches were included took place under the auspices of the Sudanese Council of Churches (SCC), an NGO in which the larger denominations cooperate on a national level. In a conference in 2008 the SCC succeeded in gathering leaders from various congregations, government officials and representatives of the two ethnic communities to discuss the issues of conflict. The conference and its resolutions and recommendations prepared the ground for subsequent talks between the communities and authorities. Subsequently, cattle owned by Dinka was transported out of Nimule, reducing the local tensions between Madi farmers and Dinka pastoralists. On other issues, most importantly the eventual repatriation of IDPs towards their areas of origin, agreements were not implemented.

The Madi community, including Madi church leaders, has in the meantime become disappointed in the Dinka community and pastors among the Dinka. Apart from responding to specific incidents, in recent years the efforts by some Madi church leaders to transform conflict have diminished, because they see the need for and await government intervention. Whether this will take place remains unclear.

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<sup>112</sup> Kampala, 5 June 2012, interview Madi pastor SGM Nimule.

## 7. Conclusion, discussion and recommendations

What have been the roles of local churches in postwar land conflict between Madi and Dinka in Nimule? This concluding chapter offers a short summary of the findings of the research. Subsequently, these findings will be discussed more extensively, followed by recommendations for further research.

### *Summarised findings*

In summary, conflict between Madi and Dinka in Nimule exists of disagreement about access to and use of land. Madi and Dinka ethnic group largely visit different churches. The at distance two largest denominations in Nimule, the Catholic church and the Episcopal Church of Sudan, are dominated by large majorities of Madi and Dinka respectively. A number of smaller protestant churches draw visitors from Madi and other ethnic groups, but almost no Dinka. Given this ethnic distribution, local churches hardly function as meeting place for the two conflict parties. Even the small Dinka and Madi minorities in the Catholic church and ECS have very limited interaction with the ethnic majority in their church because they visit separate church services in different languages.

The roles of local churches in conflict in Nimule largely reflect ethnic realities in the church. Rather than a Christian identity shared across ethnic boundaries, ethnic identities seem to be more important. Although from a theoretical perspective local churches may offer potential for peace, if it is there in Nimule, it hides beneath the surface. Madi-dominated congregations with a Madi leadership have advocated against the continuing presence of Dinka in Nimule, Dinka-majority congregations have remained silent and downplayed its negative effects to the Madi community. As some of the church buildings of these congregations stand on disputed land, contending the status-quo would imply to question the own rights to congregate in the place they do. A third group of small churches, with a leadership that is neither Madi or Dinka, has little involvement in conflict.

Despite that congregations have to some degree sided with their ethnic communities, their influence on conflict has remained fairly limited. Rather than being the principal stage in conflict, churches are largely another venue in which conflict is played out. Although there is a large coincidence between ethnic and religious identities of Madi Catholics and Dinka Anglicans, religious identities have remained largely unimportant in conflict. Churches have only been able to discuss conflict issues together through the intervention of an external organisation, the Sudan Council of Churches. This has yielded constructive agreements that have failed to be implemented by government actors. A continued involvement of the SCC and a willing government will be necessary to assist the churches and ethnic communities in reducing tensions.

### *Land conflict in Nimule*

Conflict between Madi and Dinka in Nimule is a disagreement about land ownership and use. The conflict is a consequence of migration patterns caused by the second Sudanese civil war and its ending. Effectively this resulted in a situation that when most members of the Madi tribe returned to their ancestral land in 2006-7, after living almost two decades as refugees in Uganda, they found parts of Nimule to be inhabited by members of the Dinka tribe. In poor agricultural societies such as war-torn South Sudan, land can be an important source of income (cf Holmes-Watts). Many Dinka were unwilling to return the land to the original Madi owners or their relatives. Further difficulties arose when cattle that were owned by Dinka pastoralists proved to be a continuous threat to the agriculture of some Madi. Disagreement about land ownership has led to various confrontations between Madi and Dinka, in which particular Dinka have used violence. As a consequence of conflict, some Madi have been forced to settle in less fertile areas and away from business opportunities.

In this conflict about land, ethnic categories play an important role. Both Madi and Dinka interviewed for this research, interpret it along ethnic lines, so that the many conflicts over land between

individuals and families in Nimule are seen to collectively constitute a conflict between the Madi and Dinka ethnic groups in Nimule. Members of the two groups are clearly distinguishable due to physical differences and having different mother tongues, so far rendering boundary maintenance processes between them unimportant (cf. Barth 1970). Interviews and field observations suggest that the social interaction across ethnic boundaries is limited, but not exclusively antagonistic and that up to 2012 people experienced little of a security dilemma (Chirto and Seligman 2001). People maintained business relations and friendships, but intimate friendships are uncommon and intermarriage is rare. Recent events in Nimule, including the murder of the Madi head chief of Nimule *payam* by an unknown person, may have increased tensions between Madi and Dinka however (see attachment 2).

### *Conflict parties and the churches*

The limited interaction between Madi and Dinka in Nimule is also visible in the religious realm. Madi and Dinka relate largely to different churches. The two largest denominations in Nimule, the Catholic Church and the Episcopal Church of Sudan are visited by large ethnic majorities, of Madi and Dinka respectively, and have small minorities of the other ethnic group. Interaction between the majorities and minorities within these denominations remains fairly limited because they visit separate church services in different languages. In the ECS the Madi minority functions as a separate congregation. The various relatively small protestant churches, or Free churches, draw their visitors from Madi and other ethnic groups in Nimule, but not Dinka.

Despite that Madi and Dinka largely visit different denominations and congregations in Nimule, the tension between ethnic groups is not reinforced by the theological differences between these churches. This is not the case, firstly, because the small ethnic minorities within the ECS and Catholic Church are important in rendering an equation of Madi with Catholics and Dinka with Anglicans inaccurate. If the conflicting ethnic groups would visit different churches completely, religious and ethnic categories would overlap entirely, thus meeting an important prerequisites for a social conflict in which religious difference adds to ethnic tension and religious actors exacerbate conflict (cf. Appleby 2000:57).

Secondly, evidence from the cooperation between various churches in Nimule's Interchurch Youth Association and from interviews makes clear that people experience the largest distance in theological doctrine and practice to be between the Catholic Church and the various small protestant churches, with the protestant ECS covering a middle position. The churches at the ends of the spectrum have a majority of Madi visitors. Even if the theological differences between the Catholic Church and the ECS are considerable, it is difficult to conceive of how these could be constructed to reinforce conflict between Madi and Dinka, as the larger differences are those between churches with a Madi majority themselves.

### *The roles of local churches in conflict*

Local churches have played three different types of roles in land conflict in Nimule. Rather than following the theological spectrum observed above, these roles are a reflection of the ethnic realities in the congregations. The Dinka congregations of the ECS are involved in conflict because some of their buildings stand on contested Madi ancestral land (1); the Catholic church and two of the Free churches have advocated for the further repatriation of Dinka out of Nimule (2); the remainder of the Free churches and the Madi congregation in the ECS have had no active involvement in conflict (3). Notably, the Free churches that have employed advocacy efforts against the presence of Dinka have a Madi-dominated church leadership, while in the churches that are inactive with regard to land conflict also people with a non-Madi or non-Dinka ethnic background, for instance foreign missionaries, are in leading positions.

A common denominator for all local churches regardless of the roles distinguished above is that their impact on land conflict is fairly limited. This is most clearly the case for the churches with the third of the roles above, whose impact is limited because they have paid very little attention to conflict and have focused more on non-political spiritual issues. The impact of churches that have been advocating on behalf of the Madi for the removal of Dinka towards Bor has also remained fairly limited. Just like local Madi government institutions, their efforts have remained largely without effect in the face of ignorance, an unequal distribution of power between the ethnic communities and, related, violence. As a consequence, most advocacy efforts by these churches have silenced over the years.

The Dinka congregations in the ECS have maintained a similar silence with regard to conflict. Interviews suggest that within these congregations conflict is more or less a non-issue. The seldom times conflict was mentioned in the church, people are discouraged to use violence and told to refer their issues to the local leadership of the ethnic community. The inactivity of Dinka ECS congregations differs from that of other churches however, in that some of the ECS buildings have been built on contested land. Paying little attention to conflict in this situation is a political silence. The amount of land concerned is limited compared to the entire space that Dinka inhabit in Nimule, so that the impact of these churches in conflict remains nevertheless limited.

Apart from local churches, one church-related religious actor on a national level has been involved in conflict in Nimule, namely the Sudan Council of Churches. The involvement of the SCC seems to have played a role in bringing down growing tensions in Nimule in 2008 over damage caused by the substantial amount of Dinka-owned cattle in and around the town. The SCC organised the first and so far only conference in which church and community representatives from the conflicting parties discussed the conflict situation together. After subsequent talks with government representatives cattle were transported from Nimule, to Bor, the place of origin of most Dinka in Nimule. Agreements that Dinka would also leave Nimule have not been implemented however. The experience of the SCC in peace-building efforts, and its partial success of the SCC in bringing the conflicting communities in a temporal dialogue, suggest that in Nimule's situation, communities and churches would benefit from a longer-term relation with external, peace-building actors .

In his book *The Rainbow People of God, South Africa's victory over apartheid*, the Anglican Archbishop of South Africa Desmond Tutu, winner of the Noble Peace Prize of 1984, asks himself: "How many times have I treated others... as if they were less than the children of God?" (Tutu & Allen 1994:218) In the theology of most denominations, the local church is a local part of the Body of Christ, a worldwide community of believers that includes people from many nations and tribes. From a perspective that wants to recognise the other, relations between people with various ethnic backgrounds in local churches are not a means to an end, but have spiritual value in themselves. As long as such relations, as in Nimule, remain largely absent, the potential of local churches to bridge ethnic divisions and seek common goods, remains limited.

### *Recommendations for further research*

Taken very literally, re-search means to search, and search again. Research implies that answers need to be questioned and questions need to be answered several times. Further research could first of all enter this process, so that the conduction of more interviews, in particular among Dinka, would add to the observations and findings of this initial, exploratory research. Research also raises new, related questions on which future research efforts may focus, so that our understanding of the research subject continuous to be enlarged. A number of such issues that are related to the current research are mentioned below. In my understanding, some of these issues, are necessary to research before recommendations can be made towards local churches in the situation of Nimule.

Firstly, it might be useful to explore the motivations behind past developments that have reduced tension between Madi and Dinka. Motivations behind the decisions of cattle-owners to take their cattle away from Nimule and the decision of at least one Dinka to buy land from a Madi may provide clues how more such decisions can be encouraged in the future.

Secondly, it will be useful to better explore the social, economic and security conditions in refugee camps in northern Uganda, and in Bor. Conflict in Nimule is in part the consequence of the unwillingness of Madi to stay in Uganda and of Dinka to return to Bor. Paying specific attention to the situation in these places may provide a better understanding of the motivation of people's willingness (not) to migrate. This understanding may be helpful for the formation of policies that, by adjusting conditions, may enlarge people's readiness to settle outside Nimule and to reduce tensions within.

Thirdly, more attention may be paid to the religious discourses of churches in Nimule. The current research has suggested that within these discourses conflict between ethnic groups is seldom mentioned. Nevertheless, notes of the NSCC conference in 2008 confirm an observation made by Appleby (2000:...), that sources within the broad religious tradition called Christianity can become resources for peace-building and conflict transformation. An analysis of the existing religious discourses in churches in Nimule could show how future peace-building efforts may be framed to connect to these discourses.

Fourthly, recent developments in Nimule need closer attention (see also attachment 2). The recent establishment of Nimule Town Council, the subsequent murder of the Madi head chief of Nimule *payam* and a series of arrests among Madi are developments that change the situation in Nimule. This may have negatively influenced the mutual perception of ethnic groups, their expectations of and plans for the future. The murder of the chief is likely to have increased the risks of future escalation. In this changing context the roles and options of local churches may change as well.

Fifthly, in future research efforts should be made to show the extent of conflict among Madi themselves about land. Due to the existence of a politicised intergroup conflict, disagreements among Madi themselves in Nimule may currently gain less attention than is justified. Analysing these conflicts, their causes and their possible solutions, may also be helpful in countering tendency inherent to strong social identities to regard an 'us' as the embodiment of just behaviour, as opposed to an unjust 'them'.

Finally, and more generally, this research is being completed in a period of turmoil in South Sudan, in which tensions between the two largest ethnic groups, Dinka and Nuer, account for at least part of the violence (cf. HRW 2013). This stresses once more the violent potential of ethnically shaded conflicts in South Sudan, and underlines the importance of research in South Sudan that identifies tensions and seeks after ways in which escalations can be avoided. Researches comparable to the current may contribute to this effect.

## **Attachment 1 Incidents in conflict between Madi and Dinka in Nimule**

### *A1.1 Introduction*

During field research in South Sudan between April and August 2012 interviewees mentioned particular episodes in which conflict between Madi and Dinka became visible, where differences in interests and objectives resulted in behaviours that sometimes clashed literally. Those incidents that reached me during the fieldwork are listed below. As mentioned in the main text, the list certainly does not include all incidents in Nimule between Madi and Dinka in the period they take place, mostly between 2008 - 2012. Establishing such a list has not been a purpose in this research and would be a very time-consuming process, in particular if one is willing to investigate the truthfulness of accounts on various incidents. Also in the list below, it has not been possible to verify whether they have taken place, as described. Most notable in the stories below is that they suggest violence is used almost exclusively by Dinka. Although Dinka related almost none of these incidents to me, after being asked several Dinka interviewees confirmed a far more frequent use of violence by Dinka than by Madi. It would not have been practical to list all incidents below and remarks on them by different interviewees. To nevertheless, illustrate how sometimes, different interviewees commented independently on the same event, section three of this attachment highlights my conversations on one incident with different interviewees.

### *A1.2 Incidents between Madi and Dinka*

October 2008 – Beating, demonstrations, contested renting out of a petrol station, murder(?)

According to stories circulating on the internet as well as mentioned by various interviewees, October 2008 was a period of heated tensions between Madi and Dinka.<sup>113</sup> A Dinka army commander had rented a plot near Nimule-Juba road to a Somali businessman for a locally considerable rent. This became clear on the 6<sup>th</sup> of October, when the Somali started fencing the plot. Some people in the Madi community publicly contested the rent, ownership claims and presence of the Dinka IDP community during a demonstration. They were subsequently beaten by Dinka, supposedly by soldiers (John 2008; Sosa News 2008). On the night of that same day a tall member of the Lulubo tribe was shot dead by an unknown murderer. Because arms ownership among Dinka was more widespread, Madi said the murderer had probably been a Dinka. Dinka argued that Madi would probably have mistaken the Lulubo for a Dinka due to his size (ECS 2008). This view was also held by the ECS Archbishop who brought an already scheduled visit to Nimule on the 8<sup>th</sup> of October. That night Madi would likely also have slaughtered ten Dinka-owned cattle (Taban 2008). In a conference organised by the SCC in November 2008 (see section 6.3 and attachment 3), Madi denied this and other accusations, amongst others that Madi were responsible for a destructive fire in a Dinka ECS church and had allied with the LRA to oust non-Madi from Nimule.

2009 – Releasing cattle

In 2009 Madi became upset about the number of cattle that Dinka had in Nimule and its surroundings, that were putting their crops under danger. In response some cattle was released from their kraals in Mugali and chased away. During the repatriation of cattle owned by Dinka to Jonglei state the same year, some cows owned by Madi were also taken. Some people followed up to the river Ashwa, but were threatened not to cross the bridge there, with guns.<sup>114</sup>

2010 – Disagreement, contested ownership of a shop building

<sup>113</sup> Amongst others in Juba, 11 July 2012, Madi interviewee, SCC official.

<sup>114</sup> Nimule, 18 June 2012, Madi interviewees.

In a group interview people a number of other incidents were recounted. In the course of 2010 there was an instance of conflict in the market. An old Madi man used to own a shop in the market, but upon return after the war found it occupied by a Dinka man. The man had repaired the roofing and was unwilling to give the place up. He claimed the building to be his property now, as “he had liberated the place anyway.” The issue was taken to the Magistrate’s office, but without consequences.<sup>115</sup>

#### March 2011 – Beating, failed return to Motoyo

In March 2011, when a Madi returnee wanted to settle in Motoyo-west. He and his family as well as Madi returning from the early Madi-language church in the nearby Roman Catholic church, were assaulted by Dinka living in the area. Conversations with the police and the governor of Magwi county would have been fruitless, and the returnee was unable to settle. Moreover, according to one of the Madi interviewees “church people [people returning from the church service] were beaten, the army was called, but these high-ranking commanders most of them are Dinka. They sent soldiers to beat rather than protect the community...”<sup>116</sup> A Dinka interviewee possibly refers to the same incident, taking place on a Sunday in 2011 in Motoyo. He comments: “That area was a Dinka area, a Dinka home. They were demarcating, just making a fence, allocating the compound. When these people from Madi, they came and say that ‘now, ok you don’t make the fence,’ Of course, this one is our area, and we are coming to construct our houses. It was a Dinka Bahr-el-Gazal.” According to him beating resulted in a Madi man being taken to the hospital.<sup>117</sup>

#### April 2012 – Beating, conflict about territory boundary

In another incident, half April 2012, a Madi man was reportedly beaten up and had to visit the hospital. He was digging a latrine that a neighbouring Dinka man considered to be on his territory. Police investigation remained without consequences, according to the Madi interviewee relating the incident because “all high ranking police officials are Dinka.” He thought incidents of likewise gravity to happen on average once a month.<sup>118</sup>

#### May 2012 – Beating, conflict about selling land among IDPs

On 17 May 2012, the Madi chief of Nimule central *boma* was also “beaten seriously” when he told a Dinka IDP he could not sell land to another IDP, as it was not his property. According to my interviewee, a Madi community elder, several people had wanted to shoot the chief.<sup>119</sup>

#### May 2012 – Beating, conflict about renewed occupation of house

Another instance of conflict that several Madi interviewees told me, was a conflict in which a returning Madi family had agreed for a Dinka soldier to remain living on their compound until he would be transferred. He died in 2011, but in May 2012, family of the man started to assemble grass near the house in order to repair the roof and inhabit it again. Somehow the grass disappeared and they started to grudge against the old Madi woman about this. A day later, when the son was in the market, he was first beaten by Dinka man and then taken in the market and then taken into safe custody. A cousin of this man explained the situation to the police, who said they would warn the Dinka man. The Madi man would be kept in custody for three days in order to protect him.<sup>120</sup>

<sup>115</sup> Nimule, 29 June 2012, Madi interviewees, Catholic church officials.

<sup>116</sup> Nimule, 29 June 2012, Madi interviewee, Catholic church official.

<sup>117</sup> Nimule, 17 June 2012, Dinka interviewee.

<sup>118</sup> Loa, 1 May 2012, Madi interviewee, pastor SGM.

<sup>119</sup> Nimule, 22 May 2012, Madi interviewee, community elder.

<sup>120</sup> Nimule, 28 May 2012, Madi interviewee, pastor SGM.

## June 2012 – Claiming property

According to a Madi interviewee a uniformed Dinka man claimed a piece of land of a Catholic pastor in June 2012. The Dinka cut a sign in a tree, referred to it and said that this has been his place since 1992.<sup>121</sup>

## July 2012 – Beating, conflict about destructive cattle

In July 2012, a Madi man was chasing cattle away from his maize fields just outside Nimule when he was subsequently beaten by the Dinka people herding the cattle.<sup>122</sup>

### A1.3 One incident, several perspectives

#### Burning of house, shooting – April 2012

During a group interview with a number of Madi at the Catholic Church compound in Nimule I am told the following story:

*"My name is ... I want to add upon this also. From 1990 up to now, these [Dinka IDPs] are not the same people. Some were transferred away because of work location, I am meaning, the soldiers. They sold the land that they left behind to their brothers. This problem happened to me, when I wanted to construct on my parents site. A brigadier came from Juba and said the land belongs to him. He said he had bought it from a Dinka man in '96. It was a Sunday, I was for prayers. At 10.30 people heard shooting in the compound. They found the house burned. I came closer, and it was the brigadier who was shooting. He was armed, so I stayed away. I informed the police. They referred me to the military police. But he was higher in rank, so they could not arrest him. I went for prosecution to the head chief, but this man's rank is garrison commander. After three days he went back to Juba. He even shot into the tomb of my grandmum, who died in exile in Uganda, and vandalised the compound. And the government remains quiet. The magistrate told me to wait for preliminary investigation; he was not around at the time. And that what he has told ever since. The UNMISS police was there, this could count for preliminary investigation. And even they were harassed away forcefully. The place is becoming bushy now."*<sup>123</sup>

Our conversation is continued a few days later with an on-site visit:

*"This hut was constructed my grandfather, these two were mine, one was burnt." "How about the other three buildings?" "This used to be a feeding centre for the Catholic Relief Services, I gave it for them to be used." "Are you living here now?" "I am not, I stay somewhere else." "And these trees, who planted them?" "My family did. This is the grave of my grandmum. I repaired it, first it was different, with less tiles, but it was shot." "Has the Dinka army commander seen it since he shot it?" "I think not. You see our situation is difficult. All of Motoyo used to be especially for my clan, but at the moment few families are living there, four or five." "What is the size of the family?" "Man, wife and children." "And how many families are in the clan currently?" "Over 120. You see, it is very hard, some live in Malakia, Juba, or somewhere in Nimule." "Do you pay rent for the place where you stay?" "No, but the man has told me I should leave by next year, as the need for land is very high. So hard times are coming. I have to leave my buildings for him as a form of payment." "How many are they?" "I constructed four."*<sup>124</sup>

<sup>121</sup> Nimule, 29 June, 2012, Madi interviewees, catholic officials.

<sup>122</sup> Nimule, July 2012, Madi interviewee, pastor Cornerstone Evangelical Free Church.

<sup>123</sup> Nimule, 29 June 2012, Madi interviewee, Catholic official.

<sup>124</sup> Nimule, 4 July 2012, Madi interviewee, Catholic official.



Details about this story, about the burning, shooting, the tomb, the location and the culprit being a Dinka army commander from Juba, reached me in different versions from various persons.

One of the interviewee's friends, an official in the Catholic church, commented on the issue:

*"It was taken to the magistrate, but he told us to be lower in rank than this man. We went to the army, the same issue. They have no capacity against a high-rank person. There have been many of these incidents, the whole of Motoyo-west is actually occupied by IDPs, and they are building permanent buildings. I think it is a time bomb for our communities."*<sup>125</sup>

A Madi official at the magistrate's office commented:

*"IDPs themselves even threaten, but they have never shot someone down. They shoot the air or the ground, or burn a tukul, that's what I heard happened this year by a high-rank officer." "I also heard it, and there was shooting into a grave, have you heard about more instances of shooting on tombs?" "No, chasing away from a place with ancestral graves has happened, but not shooting into the grave."*<sup>126</sup>

The incident also appeared in a conversation with a Madi community leader:

*"Are there except for local efforts also other efforts to solve the issue, for instance international?" "We do for several time. At the issue of harassing they [UNMISS] come and solve. Even in April a major general escorts his force, beating people, burning houses and saying that if anybody came he will shoot him off. And then this UNMISS came to solve, the man came out with gun and then just went away." "This was also a Dinka?" "Yes, a Dinka."*<sup>127</sup>

Another interviewee possibly refers also to this incident:

*"Have you ever been to the chief's office?" "Yes, when they call me to attend a meeting, on issues of security, community, money... One day I went to court a Madi home had been burnt by a Dinka."*<sup>128</sup>

Finally, the story was also mentioned in an online forum of the 'Madi of North America':

*"Mr. ... being a civilian is now effectively displaced from his home and is squatting with his family at a church compound in Nimule. He is desperately, looking for help so that he can return to his house, that he build in their ancestral land, the place where grandparents and relatives have lived and buried."*<sup>129</sup>

In this forum post, it was suggested that people had attempted to kill Mr ... and his family, but being at a funeral place and not at home, they would have escaped. The post also differed in some other details from the original story, in that it was suggested that the victim had built the burnt houses himself and had lived in them. It also said the incident had happened on a Wednesday rather than Sunday.

Recurring details in most stories, are that it concerned an incident in April 2012, it involved a Dinka army commander, guns were used and a *tukul* was burned. Details that differ in the various stories concern the day it took place, Stephen's housing situation and the role of the tomb/funeral. Despite these differences however, the main story, that of a violent claim of a Dinka army commander on land that a Madi regarded to be his property, is present in all conversations. The above illustrates

<sup>125</sup> Nimule, 29 June 2012, Madi interviewee, Catholic official.

<sup>126</sup> Nimule, 2 July 2012, Madi interviewee, magistrate official.

<sup>127</sup> Nimule, 22 Mat 2012, Madi interviewee, community elder..

<sup>128</sup> Nimule, 18 May 2012, Madi interviewee.

<sup>129</sup> Accessed December 2012, unfortunately no longer online available.

that different and fragmented stories in a society can sometimes be traced back to a singular event. The various fragments suggest that there has been some truth in the victim story of the first interviewee in this section (cf. Edmonds and Eidinow 2001).

## Attachment 2 Killings in conflict between Madi and Dinka?

Have people been killed in land conflict between Madi and Dinka? The answer to this question is quite important, as it provides a rough indication of the severity of conflict(s) since 2005. It is also relevant to know whether conflict has become a matter of life and death for people or organisations wanting to work for conflict transformation, for instance churches. Claims of interviewees showed considerable diversity and varied from many to zero victims of conflict. In what follows these answers and their likely truthfulness are discussed. In the last section it will be concluded from online sources that likely one and possibly two people have died in conflict over land.

### *A2.1 Claims of killings lacking detail*

A minority of interviewees claimed that people had been killed in conflict between Madi and Dinka since 2005 about land. The majority of these claims seem implausible because they lack detail. This becomes apparent in particular if they are compared with people's memories of well-established killings late 2011 forty kilometers northwest of Nimule (see ..). In a conflict over the border between the tribal homelands of Madi and Acholi area the Interchurch Committee for Eastern Equatoria State (ICC, EES) produced a detailed research report after several on-site visits. It established that five persons had been killed and one was missing and had likely also been killed. People in Nimule acquainted with the conflict were often able to provide details about these killings, such as dates, places and names. Also, accounts of this conflict and its victims can be found on internet fora and media websites.

In comparison the claims of Madi and Dinka about victims in conflict in Nimule go largely unsubstantiated. Notably, in most of these claims the own ethnic group poses as victim, the other as perpetrator. The highest estimation of death people, "more than fifty", came from two Madi interviewees. Members of the Dinka community would have shot five or ten Madi "at times when you are seated like us here."<sup>130</sup> The Madi would have continued to keep calm and show "exemplary" behaviour towards Dinka. The men also held that conflict with Acholi would have cost the lives of thirty up to one hundred people. The second-highest estimation, "more than five deaths" from a Madi community leader, is already scaled down considerably.<sup>131</sup> Nevertheless also this estimation was not supported with detailed evidence. The absence of such information is also remarkable because interviewees were able to provide a number of detailed accounts of non-deadly violence that are the subject of attachment 1.

The claim of deadly victimhood is not restricted to the Madi community. A group of Dinka youth for instance, suggested "some" Dinka had secretly been murdered by Madi because of land conflict. As one Madi interviewee put it "maybe once in a while, it happens in like an ambush. Like when in the disco place or in a bar when they have that confrontation, you find quietly one person may die like a Madi. Later on you find also one Dinka dead, but you will not know the root cause." It is hard to ascertain whether such asserted deaths killings have indeed taken place, and if so whether they were related to land conflict or not. Other Dinka interviewees did not confirm such killings. Other rumours concerned Madi-sent snake attacks on Dinka IDPs, mediated through ancestral elders, in nearby Mugali payam. This would have chased Dinkas towards Nimule. The claims are less idiosyncratic than they sound, because snakes and poisoning do play a role in Madi history.<sup>132</sup> But like the accounts on secret killings, interviewees relating them could not provide further details. It was also not possible to retrieve more information about it online.

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<sup>130</sup> Nimule, 12 May 2012, Madi interviewees.

<sup>131</sup> Nimule, 22 May 2012, Madi community leader.

<sup>132</sup> Not without reason for instance was the first revolt against the Sudanese government called 'anyanya', Madi for snake venom.

## A2.2 Claims of no killings

The interviewees above suggesting a death toll for land conflict in Nimule constitute a minority. During my fieldwork period the majority of Madi and Dinka interviewees did not think any person had died in such conflict since 2005. Many Dinka interviewees did not mention any use of violence by Madi, let alone deathly violence. If explicitly asked about it, responses included “they [Madi] don’t fight” and “they just shout”.<sup>133</sup>

Given more widespread arms ownership in the Dinka community and the more common use of non-deathly violence such as beatings by Dinka (see attachment 1), some more attention to Madi denials of killings is justified. Among those Madi interviewees denying that Dinka had killed people of the Madi community were Madi in relevant professional capacities. With a Madi official at the Magistrate’s office for instance, I had the following conversation:

*“Did people die because of this conflict?” “They didn’t.” “When did you arrive in Nimule?” “In 2003, so I can know it, that’s when I returned from exile.” “Yesterday I was told about the murder of IDPs locally, because of land issues, murderers have not been found. Do you know about it?” “I haven’t really heard.” “Would it have reached the magistrate?” “Certainly. But it will not have been about the land issue, it will be because of drinking, disco places and so on. IDPs themselves even threaten, but they have never shot someone down. They shoot the air or the ground, or burn a tukul, that’s what I heard happened this year by a high-rank officer.”<sup>134</sup>*

Killings of Madi by Dinka were also denied by a Madi who was personally involved in land conflict and as such might feel inclined towards a negative depiction of Dinka. The incident in which this Madi man was involved is mentioned more extensively in Attachment 1b. In short, a Dinka army commander burned the *tukuls* on a compound belonging to the Madi and violated the tomb of his recently buried grandmother by shooting into it. I asked him:

*“I can imagine that in comparable situations as yours, people have died as they protested, has this happened?” His response: “No, I don’t think it has happened, although three people were once beaten to almost death, but the hospital saved them.”<sup>135</sup>*

## A2.3 Deathly incidents

Despite the lack of detail in the above claims that people have died in conflict in Nimule and many claims towards the opposite, two people may have died in conflict between Madi and Dinka. Notably, but as we shall see also understandably, none of these deaths have been mentioned to me during field research, both have reached me through internet sites. First, attachment 1 mentions how in October 2008 during a period of several incidents between Madi and Dinka a man from the Lulubo tribe was murdered. Dinka have suggested the murder was a mistake by a Madi who became violent in land conflict. Despite mutual accusations the murderer and his motivations have not become publicly known, so in the end it is hard to establish whether land conflict really played a role. That during my field work three and a half years later people did not mention the incident may be understandable. The victim was not a tribesmate of Madi or Dinka and the situation was followed by strong tensions between the two communities which people might want to avoid. Also, whether the murder really was related to land conflict remained unresolved. Nevertheless stories on and interpretations of the murder can still be found online, that is why it can be mentioned here (cf. ECS 2008; Taban 2008).

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<sup>133</sup> Nimule, 17 June 2012, Dinka interviewees.

<sup>134</sup> Nimule, 2 July 2012, Madi interviewee, magistrate official.

<sup>135</sup> Nimule, 4 July 2012, Madi interviewee.

The second person that may have died due to conflict over land is the Madi head chief of Nimule payam, George Livio Ajugo. His death also reached me through online news articles, comments and forum posts. Interviewees could not yet have mentioned his death because it took place after my field research, on the 8 of September 2013. Mr. Ajugo died in circumstances somehow similar to the other casualty: he was shot by unknown gunmen in a period of upheaval over land. This upheaval concerned giving Nimule the status of a town council. Below an overview is given of what online sources write about it.

Giving Nimule the status of a town council was and is a controversial political issue in Nimule. For a long time, Madi people in Nimule, Mugali and Pageri payam have looked forward to the creation of their own county. Up to date Madi and Acholi share Magwi county. A county for the Madi alone would imply the creation of a new administrative unit and many Madi hope, more political self-government. Officially out of budget concerns, the central South Sudanese government has postponed the creation of new local government units by presidential decree, until further notice. On the 28<sup>th</sup> of August 2013 the Madi did not get a county, but a town, with the official creation of Nimule Town Council (NTC) by the regional assembly of Eastern Equatoria State (EES) in Torit. Many Madi opposed this decision because it would imply less influence of the ethnic community over local government. Madi fears concern in particular to future access to ancestral land, as becoming a town implies an official registration process of land ownership. If this process is not in the right hand, it might legalise the current situation in which Dinka live on large residential areas in the town and non-Madi businesspeople dominate the border area. In the words of one observatory online: "Seeking for a Town Council is another way of seeking consent to legalise ownership of Madi land of Nimule, a dirty game in politics" (Amuru 2013).

At first it seemed as though the creation of the NTC would be halted. Governor Lobong of Eastern Equatoria State received a mandate from the central government for Nimule, Torit and Kapoeta in EES to officially become towns. The head chief and several other politically active Madi would have been secretly confronted with a delegation from EES and the mandate somewhere early 2013 and signed for approval without consulting the Madi community. Online, Madi argue they were either misled so that they did not see the full implications or forced to sign. Among the delegates trying to convince the chief to sign for the creation of the NTC was the Madi Member of Parliament (MP) for Nimule Payam, Aventure Amure Bilal. When the decision became public among the Madi community they protested against the proceedings of their chief and convened a meeting in nearby Loa about it on the 16<sup>th</sup> of March. Fourteen out of 609 Madi voted for the creation of the NTC, 539 voted against. On the 12<sup>th</sup> of April a Madi delegation visited the governor to raise their complaints. The delegation was reassured that the NTC would not be created without consent of the Madi community.

In August 2013 controversy arose because the NTC was created against the will of the majority of the Madi. Moreover, it seemed that some politicians had taken a pro-NTC stance out of personal interests. On the 28<sup>th</sup> of August the regional parliament for EES passed a bill in which amongst others the the NTC was announced. Madi commentators online argue that this suited the interests of EES governor Lobong. The creation of the NTC would likely be beneficial to Dinka, and Lobong's own position was dependent on the goodwill of a Dinka-dominated central government (Swaka 2013). Soon after the death of chief Ajugo, Lobong installed David Eriga, his Madi brother-in-law in the new position of Nimule Town Clerk (Aju 2013b; Ojjali 2013a). During a meeting on the 24<sup>th</sup> of August chief Ajugo "named and shamed all those who paid bribes in order to see to it that the NTC is urgently imposed on the Madi as soon as possible" (Ojjali 2013a). By then Ajugo had changed to an anti-NTC position. Among the people he shamed was the MP for Nimule *payam*, mr. Bilal, who immediately lost the political support of the Madi at the community gathering (Aju 2013b). Mr. Bilal was reportedly spotted frequently in the office of Salva Mathok Gengdit, the deputy minister of the interior, a Dinka from Warrap state (Ojjali 2013b). The creation of the NTC would have been in the interest of Gengdit because he had become "by proxy" landowner of a plot of land near the border,

as one commentator online puts it (Ojjali 2013b). Mathok had ordered the eviction of businesses from this area because it would be needed by the government in a cooperation with the DFID to improve the customs control system (ST 2013a). Because these businesses were ran by non-Madi, the Madi community had approved of the eviction and argued against compensating the businessmen with land elsewhere in Nimule (SSN 2013). The Madi community may not have reckoned with the possibility for Mathok to profit from the land in illegal ways, that are certainly present.<sup>136</sup>

The circumstances of the death of chief Ajugo on the 8<sup>th</sup> of September and subsequent arrests raised further doubts within the Madi community about the “dirty politics” surrounding the NTC. Ajugo was gunned down on the 8<sup>th</sup> of September, and according to one forum post the bullet that was recovered from Ajugo’s body was of the same type as the ones from weapons the police in Nimule had recently acquired (Ojjali 2013b). The police has however not disclosed information on the bullet. Ajugo’s killing took place after he returned home from a night out watching football with friends and after having left the company of a businessman, Daudi Kisire (Ojjali 2013b). Kisire in turn has been said to be representing the business interests in Nimule of dr. Anna Itto. As Secretary-General of the SPLM, the dominant South Sudanese political party, she is an influential position. After the killing of the chief, newspaper *Juba Monitor* published an interview with dr. Itto in which she pointed to the Madi’s highest community leader, Lopirigo Angelo Voga as main suspect (Aju 2013a). These remarks angered Madi who inferred from it that Itto would care more about her position than about the interests of the Madi community. Later Ms. Itto said to have been misquoted (Aju 2013c). Whether this was the case or not, during the following week, the Lopirigo, his deputy, a number of elders, some of the former chief’s family members and his secretary were arrested (Aju 2013a). According to some, the arrests were not done by the police but by the army and a private security company owned amongst others by Kisire (Aju 2013b). Another Madi heavyweight, former ambassador John Adruga Duku would also have played a role in orchestrating the arrests (Aju 2013b). At least one of the arrests took place across the border in a refugee camp in Uganda, where a man visited his family (Taban 2013b). Some of the arrested people were held in the army barracks rather than at the police station (Swaka 2013). Later they were transferred to Torit and would have needed hospital care because of being tortured (Taban 2013b).<sup>137</sup> The latest online news, of 13 november 2013, makes clear a number of the arrested Madi suspects were in custody at least up to that date (ST 2013b). Very remarkably all of the arrested persons are Madi that had opposed the creation of the NTC (Aju 2013b). After Ajugo had changed position against the NTC, incentives to kill him would more likely come from proponents of the creation of the NTC, certainly given his recently disclosure of corruption.

#### A2.4 Conclusion

Have since 2005 people been killed in land conflicts in Nimule between Madi and Dinka? In 2008, one person was possibly killed in relation to land conflict. This remains uncertain however. Possibly because the victim concerned not a Madi or Dinka, people did not refer to it during my fieldwork time in 2012. After this fieldwork period, in October 2012, a Madi chief, whom I had spoken to personally died, and amongst others two of the interviewees of this research have been arrested in connection with the murder.

The political situation just before the murder of the Madi head chief of Nimule *payam*, suggests that land conflict may have been a motivation behind him being killed. This remains difficult to judge however, certainly given the use of limited and biased online sources. What these stories make clear,

<sup>136</sup> See DFID 2011. Customs work with licensed agents. The process of providing a license in a country with weak institutions such as South Sudan, is corruption-prone.

<sup>137</sup> [http://thesosaneews.com/2013/10/19/s-sudan-nimule-the-first-s-sudan-gov-abduction-practice-in-uganda/torture:](http://thesosaneews.com/2013/10/19/s-sudan-nimule-the-first-s-sudan-gov-abduction-practice-in-uganda/torture) <http://www.southsudannation.com/2013/09/>

whether the murder is related to conflict between Madi and Dinka or not, is the potential of such events to increase local tensions between Madi and Dinka. In the words of one commentator, “the murder of Nimule head chief is causing hard feelings and divisions” (Oliha 2013). Because these events have taken place after the fieldwork for this thesis, more research will be needed to assess the changing situation in Nimule and, with it the possibly changing roles and opportunities of churches.

### **Attachment 3 Summary of resolutions and recommendations of the Community Peace and Reconciliation Conference in Nimule, Magwi County, November 10-12 2008.**

Below a summary of the resolutions and recommendations of the conference that was organised by the Sudan Council of Churches in Nimule about conflict in 2008. The full resolutions and recommendations, the communiqué of the conference and notes of the conference's proceedings are available with the author.

#### *On land*

- The land is owned by the Madi community.
- The Madi should be ready for change and development.
- It is forbidden to build permanent structures without agreement of the Madi landlords and chiefs.

#### *On cultures*

- The elders of the various ethnic communities should set up guidelines for intermarriage and try to harmonise bride prices.
- The youth of the Madi community should not be biased towards others.

#### *On the rule of law, order, security & human rights*

- All citizens must respect the laws.
- The armed forces, police and SPLA should protect the lives and property of the citizens.
- Civilians owning arms should hand them over to the government.
- More police is needed to maintain law and order.
- A possible relocation of the army barracks away from the town should be left to the government.

#### *On land utilisation by cattle keepers and farmers*

- A future meeting with chiefs, elders and administration should allocate temporary land for pastoralists.
- Cattle should be located in designated cattle camps, cattle-owners whose cattle destroy crops are fined, the height of the fine is determined by the Madi chiefs.
- Bylaws set by the Madi community should be enforced by the authorities and police.

#### *On the repatriation of IDPs*

- IDPs are bon fide citizens.
- IDPS are willing to be repatriated and GOSS should organise repatriation before elections (for the regional parliament and presidency that were planned for and held in April 2010).
- Social and basic services in places where IDPs return to, relief for six months at least.
- IDPs in Nimule should negotiate amicably with land owners to acquire land for temporary settlement.



- It is necessary to cater the needs of returnees that have no access to land due to IDP presence.

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