

## **Notes on the fighting in the Upper Nile between the Lou- and the Jikany-sections of the Nuer in 1993 and 1994.**

*"In the 19th century, the prophet Ngundeng in whom all Nuer believe predicted a large military encounter between the Lou- and Jikany-sections. But he also predicted a lasting peace which would start somewhere in Nasr- area".*

### Preliminary Remarks

The roots of tribal conflicts are usually clear and well-known: there is a precise event or concrete cause which leads to fighting and raiding. "There is no war without a very good reason", people use to say, this "good reason" being normally of a historical nature (a happening in the past for which one has to revenge) but sometimes also internal (initiation of an age-group, a chief's attempt to overcome internal difficulties through military success which always goes together with economical gain in terms of cattle etc.). In most if not all cases, there is thus no mystery about the cause for an attack, though that cause is sometimes found in a rather remote past (several years) or in a relatively small incident which then brings a number of grievances patiently accumulated and endured in the past to sudden violent eruption.

Tribal wars always used to be violent but they seldom resulted in gain of territory let alone a permanent occupation of a foreign place (though it is true that continuous harassment and raiding of certain villages have led to the evacuation of these places and their slow occupation). The "best" of the "good reasons" for attacking another tribe (or section of a tribe) are *fishing-, grazing- and water-rights*". These rights are *traditional, well-known and generally accepted*: certain people have always moved in the dry season to certain places for getting water and grazing land for their cattle as well as fishing in the rivers before returning home for the wet season, and unless there is a serious problem between the owners of the place and the seasonal visitors, these traditional, habitual "rights" are respected and do not cause much problems (considering the great number of movements, one can even be amazed how rare major incidents actually are).

Nevertheless, accumulation of many people in a same region frequently and quite logically leads to *incidents*: individuals may quarrel and it may come to bloodshed or individuals or entire groups of people fail to respect certain specific rights of the landowners (often concerning the important *pools* where people can only fish *once*). There are such incidents which most of the time lead to fighting and eventually to the so-called "tribal wars".

Traditionally, incidents concern only the tribal group implicated in that incident. But when the incident and the fight which resulted out of it is very big, and if the own military strength to take revenge is not powerful enough, the tribal group may ask other related or friendly tribal groups for help. Such help is not given easily because the people are aware of the consequences and usually rather try to keep the fire to the region and the people concerned. But sometimes it is not possible to deny the help, perhaps because own interests are also concerned, perhaps because the traditional duty of solidarity towards relatives forces people to join in the fight, - and sometimes because one hopes to get also a share of the loot expected out of victorious fighting.

Normally, related people (sections) join, but it has also happened that certain sections of different tribes joined in fighting a "common" enemy to defend their regional interests (for example, the Anyuak and Nuer occasionally fought other Nuer sections).

It was always difficult to bring tribal fighting to an end. In fact, it was usually only the rainy season which saved the situation for a while, giving the responsible people an opportunity to solve the problem peacefully and to come to an agreement.

The history of the Southern Sudan is not only a history of tribal wars but also of tribal peace-making...

In modern times, such peace has often been enforced on the people by the government (who is always "foreign"). The British started the tradition to send "punitive expeditions" against "unruly people", teaching them with brutal force "how to be peaceful"... After independence and the first civil war, the Sudanese army (with its majority of Southerners) continued the tradition to punish - in sometimes extremely cruel ways - the people which were considered to be "guilty" of bringing tribal unrest to the region.

Interference in tribal affairs by military forces was often counter-productive, creating deep hatred amongst the punished or harassed tribes: many of the "successes" claimed by the Northern Army were in fact the consequence of such hatred, a long-awaited revenge by small tribes on bigger tribal groups or military movements (examples for this were the Topoetha in Kapoetha, the Murle in Pibor, the Mandari in Tarakeka). The fact that the *Gajak*-section of the Nuer in Ethiopia had (like the Anyuak) in the early years considerably suffered from the SPLA-presence in the area was to show consequences in the present "tribal" conflict.

It may be worthwhile noticing here that even during the years of "peace" in the Southern Sudan, certain small tribes were said to receive arms from the North with the aim to create unrest and instability in the region. What is sure that there was a considerable traffic between members of the army from the North and some tribes in the South, weapons and ammunition being exchanged against leopard-skins, ivory-tusks etc.

What is important to note is the fact that since the outbreak of the second civil war, all the tribes can be said to be *well-armed*, the gun having definitively replaced the traditional spear. In consequence, the number of casualties of a tribal war is as high as in the "normal" civil war (if not higher: the tribes know their terrain better than the troops from the North) and the fighting often gets out of control, spreading the conflict more easily to other regions.

Finally, one must underline the fearlessness and bravery in front of death of many Sudanese tribes (and in particular the Nuer) where the notion of "retreat" is practically unknown, especially if losses of lives from the own side rather inspire people to take revenge than to give up in despair.

In the recent fighting between the Lou and the Jikany sections of the Nuer, many of the mentioned elements played a role; but in addition, the various interests of third parties (the SPLA, those who want to split the movement and Ethiopia who wants to control its territory) complicate the understanding of the conflict (to such an extent that outsiders simply *cannot* understand!).

### **Background information**

(Due to the lack of any OLS-library on the Sudan, the more complete and precise information on the Nuer from the writings of Sir Evans-Pritchard and D.Johnson could not be obtained. The following information may therefore be in need of completion).

To understand the reasons for the conflict, one has to know that *the Lou section of the Nuer is moving with their cattle during the dry season to areas occupied by other sections, mainly the Jikany, Gagwang and Gajak. (cf.map).*

### **The Lou**

are Nuer who live in the region of *Waat*, occupying an area which stretches from Nyirol in the North to Akobo in the South.

The *Lou* have got two sub-sections, the *GON* and the *MOR*.

The *Gon* are further divided into the *Gabal* (with the *Cieng Leng* and the *Cieng Yoal* as sub-divisions) and the *Cieng Jak* (with the *Cieng Jak*, the *Cieng Nyiaykany* and the *Cieng Palker* as sub-divisions).

The *Mor* have got the two subsections of *Jajok* (with the *Cieng Nyak* and the *Cieng Yoal* as sub-divisions) and the *Jimay* (with the *Galiah* and the *Jimay* as sub-divisions).

PS. From the GON are personalities such as John Luk and Dr. Riek Gai, from the MOR people like the late Samuel Gai Tut.

### The Jikany

are Nuer from the *Bentiu* and the *Nasr*-area, with sections in Ethiopia.

One distinguishes the "*JIKANY CIENG*" (Homeland-Nuer) in the area of Bentiu in the West of the Nile (best-known sub-section are the *Gawor*) and the "*JIKANY DOR*" ("Bush-Nuer") with the *Gajok* in the Nasr-area along the Sobat (sub-divisions are the *Cieng Wangkei* and the *Cieng Lang*) as well as the *Gagwang* and the *Gajak* who occupy the area between the Gilo- and the Baro-rivers on the Ethiopian side of the border.

PS. Dr. Riek Machar, the late Abdallah Chol and John Kulang are personalities from the Bentiu-area, while Gordon Kong and Philip Pidak are from the Jikany-Dor.

### Summary of events

In the dry season, the *Lou* Nuer of Waat/Akobo region use to move with their cattle to different areas for *grazing, getting water and for fishing*.

The *Gon*-section uses to move *westwards* to Ayod and Duk Padit area (where the *GAWAR* Nuer with its *Bar*- and *Nyang*-sections are staying), *southwards* in direction of Kongor to the Nanam-river (which they share then with the Murle) and *northwards* to the Sobat-river (which they sometimes cross), near places like Jinmir, Nasr, Olang, Jakwac, Abwong etc. Because of the problems between the two SPLA-"sections", the Nuer of Waat presently refrain from moving their cattle to the area near to Kongor.

The *Mor*-section uses to migrate with their cattle *south* of Akobo to the Pibor- and Geni-rivers (which they share with the Murle) and *eastwards* to the area around Wangding and Romyieri (where the Gilo-river meets with the Pibor-river), these places being occupied by the *JIKANY*, the *GAJAK* and the *GAGWANG*.

### (Note:

The here attached map of seasonal movements looks like the outline of possible points of conflicts... Considering the number of areas of potential clashes between people of different geographical or ethnical origin, one could also be amazed about the tribes' capacities of maintaining co-existential peace without having legal structures or administrative powers.)

In the middle of April, 1993, a big fight broke out between the Lou and the Jikany Nuer around Olang.

There were immediate and more long-term reasons for this fight.

The Lou, when returning from the Sobat-areas to their homes around Waat, use to pass through the fields of the Jikany. At that time of the year, the Nuer of the Sobat-area have already prepared their fields and planted their crops (the Jikany are proud of being good agriculturists while the Lou seem to give less importance to agriculture): the passage of the

Lou-cattle through the fields used to damage or to destroy the work of the Jikany. This happened year after year, making the Jikany more and more angry.

Last year, the Jikany finally reacted. When the Lou put their fishing-nets in a pool at Dwal Dap, the Jikany told them to remove their nets. Pools are always a very sensitive property of a well-known village (or several of them) because there the number of fish is limited and one can empty it only once.

Four young Lou went nevertheless to take fish out of their nets. When they came out of the water, the Jikany tried to take their fish. One of the Jikany started firing at the Lou, killing three of them.

The Lou came to take the dead bodies, but the Jikany tried to prevent them. But the Lou succeeded in taking the bodies and they buried them.

The following day, the Jikany had organized themselves and went to attack the Lou. It was a fight on a relatively small scale, but then the Lou went to attack the Jikany, and there was a big and very serious fight which risked to spill over to other places.

SPLA-Cdt. Dr. Riek Machar went to Olang and convinced the two sections to stop the fighting. The Jikany and Lou of Akobo-region agreed not to involve themselves. The area around Romyieri remained peaceful.

Because of the 1993 incident around Olang, the Jikany let the Lou know that they should not come there anymore for grazing and fishing. But the Lou said: "Better to die in fighting than to die because of thirst and hunger"; and they moved their cattle to the Sobat again...

At Romyieri, on the junction between the Gilo-and Pibor-rivers, Jikany and Lou Nuer stayed, as usual, at one place (on the right bank of the river which lies in Ethiopia). It then happened that the Jikany of that area received a message from the Jikany of Nasr-region: they were asked to join them in an attack on the Lou... The Jikany at Romyieri were reluctant to move, but after some deliberations they decided to go anyway. The Lou reacted angrily, saying "in that case we better fight here". In a one-day-fight, they chased the Jikany from the place.

A few days later, the Jikany launched a very heavy attack on the Lou staying at Romyieri. That was on February 5, 1994.

The Jikany on the Ethiopian side stayed with the Lou. There was no fighting. However, a few Jikany left with their cattle (nobody hold them back;) while others remained with the Lou.

It happened that the Ethiopian army was on its way to Tiergol (the Ethiopian military border post near Akobo). On their way, they met with those Jikany who had left the Lou and indicated to them the place where the Lou were staying. When the Ethiopians came to Tiergol, they were (wrongly?) informed that the Lou had taken cattle belonging to the Jikany. The Ethiopian Jikany then raided the Lou and run away with the cattle.

The Lou immediately crossed the river and started firing at these people: they were not aware that some of these forces belonged actually to the Ethiopian army. When they realized this, they withdrew to Akobo and settled along the banks of the Pibor. While still withdrawing, the Jikany pursued them together with the Ethiopian army, taking - according to Lou informants - 2000 heads of cattle from the Lou... The Gajak came also joined to take their share in the loot... (The Gajak and the Jikany were originally one people. As mentioned above, the Gajak had been suffering of the SPLA in the early years of the movement.)

On the Sobat, fighting between the Jikany and the visiting Lou broke out only at the end of the month, again around Olang *which was burnt down completely by the Lou*. The visit

of a Lou-SPLA-commander who is known to be close to Dr. Lam Akol (who just had been dismissed as Commander by Cdt. Dr. Riek Machar and had moved to Malakal) naturally led to speculations about his involvement. As the tensions between Lou and Jikany were well known and troubles could be expected, his presence in the area was most probably not a coincidence (though of course he could also have the function of a peace-maker).

## Remarks and Comments

### 1. A typical "tribal war"...

Though there is a part of slight confusion in the account, there seems to be clarity about the true cause to the fight: the cause is the Lou's necessity to find grazing-land and water for their cattle as well as fish for their own survival. A "stupid" incident led to hostilities which took within one year very large dimensions. People speak of one of the biggest encounter between the Lou and the Jikany, perhaps the biggest... ..and most certainly the one causing most casualties.

The fact that people believe that this is the fight the Nuer prophet Ngundeng had predicted shows well that *at least in the understanding of the people concerned*, this fight was really of a tribal nature and not of foreign import or inspiration.

### 2. The importance of "Nuer prophets"

My informants rejected the idea that "Nuer prophets" could have influenced the course of the events, saying that "they are just magicians (*kujur*) with no or little real power" . This is difficult to ascertain. The arrival of such a "spiritual leader" near Nasr in February was, in any case, considered to be an event and he had not only some followers but also displayed his powers by magically killing "thieves" which were left lying naked around his shrine... He attracted a lot of people, amongst them the SPLA-commanders Gordon Kong and John Luk who - to say the least - could or did not want to ignore that "spiritual leader"...

As mentioned in the initial note, Ngundeng, the best-known Nuer prophet, had prophesized a terrible fight between the Lou and the Jikany, and as this had not yet realized, the Nuer believe that it is the present fight he was referring to in his song. The peace he prophesized will still have to be arranged...

### 3. The importance of "tribal peace" for the SPLA and possible implications.

Both in 1993 and 1994, the SPLA (United) showed greatest concern for what was happening. For obvious reasons, they could not tolerate that the internal "peace" would collapse and open easy doors to all possibly enemies. Also, the SPLA of course has to avoid taking sides and must, at a same time, avoid - if possible - any military force when trying to separate the fighters. This is an extremely difficult task when the minds of the people concerned are heated up and bother more about their own and immediate problems than the more distant goal of liberation from the North...

In 1993, Cdt. Dr. Riek Machar seemed to have succeeded in convincing the people to give up fighting. But as it often happens, people agreed just in order to plan for another time...

In 1994, the fighting took so big dimensions that the SPLA got extremely worried, well aware that it would be impossible to control the fighting militarily without hurting the people and that it would be difficult to bring the sections to reason. This especially as Ethiopian Nuer now got involved as well.

I do not know if there are any structural military links between the tribal sections (Jikany and Lou) and the SPLA, but seeing the great number of able-bodied men amongst the cattle-herders, I could easily imagine that they may well function - in case of urgent necessity - as a kind of militia for the SPLA. Such guessing could explain why my informant referred to the suffering of the Gajak from SPLA presence "at the time" (of the SPLA-presence in Ethiopia), indirectly suggesting that at least the Gajak were eager to take revenge - not so much on the Lou but on the SPLA...

### 3. Interference from other parties in the Sudan

This is of course a question which can't be answered as such interventions would have to be extremely discrete. But whenever tribes or tribal sections are fighting each other, other tribes or people are rejoicing, hoping to see those people get weaker. This could well be the case this year, and there are indications for it. Nevertheless, a fight of this dimension - between brothers - cannot have been organized (nor really prevented in its initial stage) by anybody, the people's direct interests being more vital to them than any political goal.

Having said this, one has to mention that the conflict took place just a few weeks after one of the more prominent members of the SPLA-United-leadership, Dr. Lam Akol, had been dismissed by the Commander-in-Chief Dr. Riek Machar, a fact which naturally brought about speculations about possible involvements of known or unknown "dissidents" or even third parties to the mind of many people. In a time where rumours and accusations are epidemic, one is well advised in sticking to established facts and in avoiding to add to the confusion. If one lesson is to be drawn out of the fighting between the two Nuer Lou and Jikany sections, it is the "discovery" (or rather the confirmation) that tribal (and generally human) realities continue to play their significant role even in times when all the people are supposed to be one and *in spite* of merely political convictions and goals.

### 4. Relationship with Ethiopia.

This is another very delicate point of discussion or rather of guessing. The relationship between the SPLA and the new Ethiopian government having been very bad indeed (capture of Pochalla in march 1992), the SPLA-United tries to establish a less destructive relationship. When the Lou fought the Jikany, Ethiopia was reported to have protested to the SPLA-United, holding them responsible for the incident. The reaction of the SPLA-United is of course not known officially, but one can guess that the Ethiopians were encouraged to maintain peace in their own territory and to return some kind of stability to the border-area. This was done, in any case, the Ethiopians fighting the Lou and chasing them back over the border. Presently, about one battalion is said to be stationed in Tiergol (20 min. from Akobo).

As the Lou had not only fought the Jikany in Ethiopia but also the Ethiopian army (it is said that this was done by mistaking them for Jikany forces), there is a case to be settled between the Ethiopians and the Lou (for whom the SPLA, the "government" of the Sudan side of the border, is expected to assume responsibility). It is astonishing to hear that the Lou seemed to have captured a considerable number of weapons (50?) from the Ethiopian army, a loot which the SPLA is now trying to collect from the Lou and to return to the Ethiopians. This very fact of having been able to capture arms from a regular army is an indication for the considerable military strength of the Lou tribesmen, - and also of the violence of the fighting and the possible casualties (the number of people killed in the fighting is not yet known on any side, but some of the wounded were flown to the ICRC-hospital in Lokichokio).

### 5. Tribal conflicts and consequences for relief-activities.

Tribal fighting is, unlike the military fighting, normally not interested in towns and other important, strategic centres: it "simply" aims to destroy and to chase the enemy, - not to occupy his territory. Tribal fighting is not inspired by any ideology but implies people of a same or similar mind and its goal is a practical one - either action or revenge for the other's action. This is to say that the people staying in "relief-centres" inside the Southern Sudan should not be in danger because they are in no way associated with the enemy; during the former tribal wars, they would have been in a quasi-total security, but as nowadays even tribal wars are fought with guns, accidents can not be excluded. It can't be excluded either that relief-centres become a casual attraction for people crossing the area, because of food-stocks expected there or perhaps even for more purely military reasons (ammunition-stores etc.). This is why relief-workers should keep at least some physical distance to the fight and of course not associate with one group or another. The situation may change if a tribe should have suffered formerly from a "punitive action" (undertaken by the army) and feels to be strong (or desperate) enough to seek revenge: even during the ten years of "peace" (1973-83) in the Southern Sudan, it happened that small tribes dared to attack and to shell (!) army-headquarters in retaliation for such attacks. Tribes (like individuals) often attack without being aware of the physical or military limits of their aggression.

The consequences of tribal wars are similar to the ones caused by the current civil war in what regards the destruction and the displacement of people. They are extremely severe as they usually imply the loss of the people's livestock (what means the loss of the *entire* food-security) and include loss of territories which were *vital* for the people's existence; because of this, *they are bound to lead to a next war* in which people hope to get their cattle back, to re-occupy their lost territories and eventually to resume their grazing- and fishing-raids.

Because one tribal war is only leading to a *temporary* victory (though the victorious people, when returning with captured cattle and a lot of satisfaction will be happy with the result) and be followed by a next one (in which the people who lost will seek revenge), *regional unrest in expectation of the next fight* is one consequence: this may lead to movements of people in times of apparent peace to places thought (or actually known) to be non-problematic. Such movements are difficult to understand by relief-organizations because they seem to lack any apparent reason. (For example, foreigners were amazed to see that a lot of people apparently had left the region on the Sobat; this led to speculations about possible attacks from the North, while in fact they may - at least partly - have been caused by tribal tensions to be expected in the future).

Unlike military wars, tribal fighting is ended -or at least interrupted for a while- by a peace-agreement (enforced on the people by a third party or reached by the people themselves), but in times of a civil war many parties not concerned by the conflict may not be interested in tribal peace-making, instigating rather than appeasing. In such a situation where a peace-making authority is absent or not powerful enough to mediate successfully, it is not only the tribes to be blamed, and in what concerns relief, *the victims of such "tribal" wars should be considered as normal victims of the civil war*, suffering not only of the causes of the civil war (which strikes them as much as anybody else) but also of a lack of the means to find positive solutions to their problems of land, food and water. (Note that the Mor-section of the Lou is - because of the tensions between the two SPLA-factions - not moving in direction of Kongor anymore and has to bring their cattle to the grazingland found in Jikany-area).

### 6. Immediate consequences

Tribal conflicts - and in particular tribal wars of such dimensions and consequences - cannot be ended by immediate peace-talks: it needs *much time* to come to one's senses if many relatives have lost their lives: anger and hatred are not buried easily, sores need time to close and to heal. It takes at least one year until one could be ready to settle the dispute and to resume "normal" life. Many things are implicated in peace-making - return of cattle, compensation for lost lives and goods, etc. and these matters are quite complicated; in the aftermath of a big fight, conditions for a real peace are not given. But peace will come because of necessity and mutual interests. Peace and war have sometimes similar causes.

For the time being, "peace" can only be made (or rather: further fighting can only be avoided) by separating the sections, a very difficult problem because of the scarcity of grazing-land during the dry season in Lou-country.

The Gon-section of the Lou has been advised by the SPLA not to move towards Olang and Nasr but to stay around places around Nyanding, Barmac and Yiakwac and to move instead in direction of Khorfluss and Abwong.

The Mor-section of the Lou are staying at present at Akobo and South of it, at Mer, Thiel, Kony, Ober, Olam, Obo, Weiluak, Chiko and Burmath, bordering the Murle area of Nyandit. There, they face mainly the problem of co-existence with the *Murle* who traditionally brought their cattle for grazing there and who - following a peace-agreement - have returned there this year for the first time since long ago. After the end of the rainy season, the Murle will return to Pibor area while the Lou are expected to stay.





The Lou in Akobo-area may expect great difficulties, for though there is (at present) still water and fish in the Pibor-river, grazing-land is not available. One can hope that the approaching rainy season may save the cattle from dying by hunger; if rains are not early, grazingland may not be sufficient and people may have to move to other areas already now. The people who have lost most if not all of their belongings will be in need of assistance for the coming months (*Cf. Assessment report of March 3, 1994, by T. Battain*) - but only stability in the area can give the people the much needed grazingland.

If the Lou will not return to Romyeri area next year (as it is said), there will be the question where to graze and to get fish. At the moment, there is a kind of peace between the Murle and the Nuer, but such peace is, if people stay close together, most likely to break one day or another.

The Lou say that about 20'000 heads of cattle have been abducted. If this is true, one can expect more problems ahead, perhaps not this year but certainly during one of the next dry seasons.

The current talks between the Ethiopians, the SPLA-United and representatives of the Lou and the Jikany which are held in Tiergol are to discuss all these items in an attempt to bring peace back to the area. Great cooperation between the Ethiopian government and the Sudanese authorities (SPLA) will be needed to give peace a chance.

## 6. Conclusion

The fighting between the Lou and the Jikany started with one single incident regarding fishing-rights in a pool but was in fact the result of an accumulation of other, minor incidents. In this sense, it was real "*tribal war*", and this of an extraordinary scale.

The fact that the authorities of the areas, the SPLA-United on one side and the Ethiopian army on the other, interfered in the Nuer-internal clashes is to be understood as a kind of "police-action" to keep law and order in the area and to limit damages to a minimum. Such a policy (as well as the policy of cooperation between the Sudan and Ethiopia in such cases) has existed since the times of the Anglo-Egyptian Condominium (the arrival of foreign governments and the creation of a border!) and is nothing new. Such cooperation is, nevertheless, more delicate in times of cold relationship between the two sides and, in particular, in times of a civil war where many parties pursue their own interests.

In times of a civil war, even essentially non-political "tribal wars" are of a political significance as they cause displacement of people, loss of human life, livestock and property, and as they further increase all the usual problems of civilians affected by war - specially women and children. If relief efforts may not help to solve fishing- and grazing-problems, they certainly help the people to look for other solutions than going to war out of mere despair.

Finally, the more theoretical "conclusion" of the recent (and ongoing?) tribal fightings in Upper Nile reminds us of the (sometimes forgotten) fact that in spite of the civil war, "traditional life" with its various activities is going on, following the traditional rules of behaviour which - though not undisturbed by political events -, often are conditioned not so much by political considerations but by concrete physical needs (such as water, grazingland etc.) and precise problems of survival. Because relief-agencies cannot provide neither

grazingland nor tribal peace, their task of assisting the victims becomes particularly delicate and difficult but remains nevertheless very important and urgent. The longer the civil war lasts with the continuous displacement of people to "foreign" territories, the more often inter-tribal or inter-regional conflicts are likely to arise.