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Land policy is crucial to peacebuilding in South Sudan

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While leaders in South Sudan present the current moment as a period of relative peace, underlying issues driving conflict in the country are going unaddressed. By charting the history of Kuajok town, Arop Anei Garang explains how shifting understandings of land in South Sudan have fuelled local tensions and perpetuate inequalities.

This post is part of a series exploring 'public authority' based on research at LSE's Centre for Public Authority and International Development at the Firoz Lalji Centre for Africa.

As South Sudan starts the new year, peace agreements have been signed, Protection of Civilian sites are being handed over to the government from the United Nations, and international and South Sudanese leaders in Juba are eager to present a state of peace. The last time the country had a similar period marked by an apparent lack of conflict, and an effort towards state-building, was after the 2005 Comprehensive Peace Agreement (CPA) which tried to end decades of conflict. During this period, a

key way that the government built its authority was through the surveying and resurveying of urban and quasi-urban land.

The institutional challenges that breed violence and insecurity in South Sudan have largely arisen from the government's land management policy, and the ways these policies conflict with a traditional understanding of land acquisition by locals. For instance, many indigenous peoples believe their ancestral land cannot be surveyed, resurveyed or acquired by someone outside their family lineages. Insecurity and perceived injustices in many areas have been historically centered on land repatriation processes and forceful non-legal means of land acquisition, which have even led to the loss of lives.

The town of Kuajok is a useful example of a place where these challenges have caused tensions among its inhabitants, and how perspectives on land rights have shifted over particular historic periods.

Land ownership in Kuajok

The Kuajok settlement was started in the early 20th century, when Catholic Christian missionaries founded the Elementary and Intermediate Schools (the present day Kuajok National Secondary School) and erected a church known today as St Joseph Cathedral. Missionaries settled in Kuajok as it was close to the River Jur and on the government route from Wau to Gogrial towns. By the late 20th century, the town was significant for its education and religion.

In the early 2000s, as the CPA was negotiated, South Sudan was divided into ten states. Kuajok was designated as the capital of the new Warrap State. Because many politicians had been to these Kuajok schools, the town held a symbolic sense of unity, education and development. People quickly arrived to make it their home, as did administrators to run the new state government. The government demanded NGOs relocate their offices to this town, and the business community followed these people and the money. South Sudanese leaving Sudan also settled in the area. After the CPA in 2005, Kuajok turned from a small settlement into a major town.

Before the CPA, and in previous times when people lived in the old Sudan, many Southerners did not own land in the town, which was seen as free of charge. The majority lived in villages and on ancestral land, on which they farmed and herded cattle. In the 1980s and 1990s, during the wars between the Government of Sudan and the Sudan People's Liberation Army, people near Kuajok also fled to rural areas. Many

towns such as Wau and Gogrial had become Sudan government garrison towns – dangerous both because of this large, militarised government presence and Sudan People's Liberation Army (SPLA) attacks to capture the towns. Places like Kuajok, on the road between other destinations, were dangerous because of the movement of Sudanese troops. Kuajok was frequently accessed by Khartoum regime soldiers and people fled to safety, including to nearby rural areas, leaving a more limited desire to live in the towns.

After the 2005 CPA, land in towns started to mean something different. When in 2011 South Sudan became an independent entity from the rest of Sudan, South Sudanese people had to restructure their lives and adapt to new realities. The post-independence period was accompanied by the influx of returnees repatriated from northern Sudan and the returning South Sudanese diaspora. The conglomeration of South Sudanese educated elites and these people returned with a new perspective on land use and what a thriving economy may mean for them. As elsewhere in the country, the value and meaning of land was changing.

People I have spoken to told me that Kuajok was surveyed by the first Warrap State Minister of Physical Infrastructure Hon. Ayai Kon in 2006, which allowed the expansion of the old Kuajok town. This survey was accompanied by the government designation of specific areas. For instance, land called Khartoum Jedid (an Arabic word meaning New Khartoum) was allocated in Kuajok for the returnees who returned from the city. This started debates between the government and Kuac community, the original inhabitants of Kuajok, on the land allotment process and the right of the government to allocate certain areas to non-Kuac community members.

Land suddenly went from being of little importance to a crucial part of everyday life – a transformation throughout South Sudan that has, generally, created confusion over land ownership. Many South Sudanese claim as fundamental the old SPLA promise that land belongs to the community, making surveys on Kuajok difficult. Yet, this concept remains vague and its relationship to the constitution and other laws unclear.

Similar claims are common across the country, including in the capital of Juba. Land is not being accessed equally by all citizens.

Land allocation, moreover, has also been filled with accusations of corruption. Institutional challenges relating to access of land, as well as the role of intermediary brokers, have proved to make the process incompetent and open to malpractice. Government ministries have been known to give the same plot numbers to different

people, thus contributing to land disputes directly, which has caused conflict and claimed many lives. Local authorities are also challenged by cases of land disputes that negate the authority of a community's influential leaders, encouraging corruption as powerful men and women are always the winners of these disputes, given their influence among the political class or military.

Gender inequality and unresolved conflict

Despite these revolutionary shifts in how land is valued, women have not gained greater access, with new land acquisition practices incorporating pre-existing gendered norms about property. In South Sudan, men have been greatly privileged to land access and inheritance and, based on my interviews conducted, I found that parents usually prefer buying or willing their land-title deeds for their sons over their daughters, leaving an immeasurable economic inequality between them. According to this view, a girl child is viewed as someone who will be married off and move to a different family, highlighting the need to introduce homegrown campaigns promoting gender equity in terms of inheritance of family properties.

If we want to create lasting peace in South Sudan, land is a central issue to resolving many conflicts. Undoubtedly, a land management system or land use policy is likely to contribute to peacebuilding in Kuajok, and in South Sudan at large, or at least a poorly performing system would achieve the opposite. Certainly, if we refuse to see the significance of land to issues of peacebuilding, we will remain unable to diagnose the South Sudanese problem.

About the author

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