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# Dodgy Paperwork and Theories of Citizenship on the Uganda, Democratic Republic of Congo, and South Sudan Borders

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This article reflects on conversations with cross-border residents in the northwest region of Uganda about local ideas of the nature of political authority and questions of identity paperwork. It notes that there is very little that is really ‘national’ or ‘state’ about the identification paperwork and practices that have emerged on these borders from the 1990s onwards. Instead of a conversation about rights and reciprocal relationships with ‘their’ state/s, residents emphasize the significance of class systems, globalized capital, and power relations in how citizenship works in this region; dynamics that are not often centered in academic literature on claim-making and state-subject relationships. The paper supports a wider move towards reframing studies of citizenship, the nation-state, diaspora, and ethnic community through local vocabularies and theory.

**Key words:** Transnational, migration, documentation, citizenship, regional diaspora, borders

## Introduction

Citizenship is a question of relationships: with often violent and exclusionary states and global legal regimes of migration controls; with local, regional, and international political communities beyond the nation-state; and with the accountability, responsibility, and paperwork

that these relationships imply. This wide field has built many different avenues of research on citizenship and belonging—not least the still-dominant literature tied to the problems and applications of legal rights emanating from state politics and international law.

Residents in the region where the national borders of the Democratic Republic of Congo (DRC), South Sudan and Uganda meet, the area this study focuses on, would recognize this wide field of debate, and the dominant liberal theory of the citizen and the state. Like migrants, diasporas, and borderland residents the world over, the borderland residents who I met during research in 2017 were involved in a complex local discourse on the theory and practice of political authority and belonging. In discussing citizenship, these residents emphasized the significance of inequalities and globalized capital, political patronage systems, and extended familial, clan, and language systems as defensive social security.

This article sets some of this discussion in conversation with recent theory on citizenship from the social, legal, and political sciences, and a wave of new scholarship on borders and borderlands. It details the emergence of the identification paperwork and practices on these borders from the 1990s onwards. This study supports a wider move towards framing studies of citizenship, the nation-state, diaspora, and ethnic community through local vocabularies. While residents generally articulate one, many, or no personal or practical affiliations to the three states around them, they also explain how this paperwork and practice is fundamentally bound up in how public authority, capitalist systems, and transnational and diasporic class structures work in this region.

## **Citizens, Migrants, and Authority**

The theory and study of citizenship is generally connected with the historical production (and problems) of the postcolonial, post-war nation-state (See [Martins 2016](#), 104). Liberal thought around citizenship and civic inclusion continues to frame scholarship in this area, and much of the migration and citizenship literature, particularly work produced within or centered on the Global North, continues to work around a statist definition of citizens as “members of nation states who enjoyed a bundle of rights and obligations that defined their identity, membership, legal rights of passage between societies, and access to welfare”—at least as a standard idea of citizenship to measure against (see [Turner 2016](#), 680; [Tonkiss and Bloom 2015](#), 838).

Borders research has evolved significantly over the last few decades, moving away from the artificiality of colonial borders and towards examinations of how borders are produced through daily practice, through various kinds of frictions that build both state institutions and wider ideas of political order and belonging ([Mathys 2021](#), 510). This has taken us into new understandings of space and authority as constellations, patchworks, and accumulations ([Leonardi 2020](#); [Leonardi, Storer, and Fisher 2021](#); [Cormack 2016](#); [Brambilla and Jones 2020](#); [Fevissa 2010](#); [Korf and Raeymaekers 2013](#)). A wide literature explores the construction of communities and ethnic citizenship to explain how people use the language, legal, and social apparatus of citizenship and belonging to create collective monopolies on resources and space, while excluding “others” ([Martins 2016](#), 100; [Nnabuihe 2020](#); [Geschiere 2009](#); [Marshall-Fratani 2006](#); [Leonhardt 2006](#)). Many scholars examine how this belonging is forged, and how collective identifications are used in carving out exclusive space and privileges, including through exclusion and direct violence against those collectively identified as non-indigenous, non-native members ([Fourchard and Segatti 2015](#)). Increasing pressures on resources, safe livelihoods in the

face of conflict and climate disasters, land commodification and market pressures on global and local scales, have variously promoted the rise and utility of sharply-drawn, ethnically-defined, and defensive ideas of inclusion and belonging (for example, [Metsola 2019](#); [de Vries 2020](#); [Nnabuihe 2020](#)).

Many scholars and political observers return to Mahmood Mamdani's arguments around colonial inheritance to explain this apparent failure to build equal, reciprocal relations between state and society. Mamdani blames this failure on the inheritances of colonial systems that dispensed only limited citizenship rights to a small urban minority, relegating the rural majority to (homogenized, tribalized, disenfranchised) subjecthood ([Mamdani 1996](#)). Despite criticism (see [Russell 2016](#)), this argument is still powerful; Ferenc Markó ([2015](#), 118) argues that, after independence in 2011, South Sudan "returned to the colonial understanding of subjects of easily definable and governable ethnic groups ruled by the citizens from the urban centers of power".

These advances in research on borderlands and political community form part of a wide literature on cross-border flows of people and their experience of marginality and informality. In practice many of these people carry a variety of identifying documentation, often out-of-date and from past states, with different names and details, or none at all, part of what [O'Byrne and Ogeno \(2021](#), 2) call practicing "agency amid unpredictability." Across the fields of borderland studies, political community, and migration more generally, researchers have either expanded their definition of citizenship beyond the state, or scrapped the state-citizenship link entirely. Christian Lund set out a broader definition of citizenship as a "shorthand for people's agency and recognized political subjectivity" within a "meaningful membership of an organized political body" ([2016](#), 1205). For Lund, and for this paper, citizenship is defined as the mutual recognition necessary to be part of a political and economic community, and generative of the

terms and authority that police this community. This study seeks to explore how all these various (liberal or generative) definitions of citizenship are in play and under debate by residents of a complicated tri-state borderland in east-central Africa.

## The DRC—Uganda—South Sudan Borderlands

The borderlands of South Sudan, the Democratic Republic of Congo, and Uganda have come under intensive study over the last fifteen years or so. This recent research has been partly shaped by immediate and urgent questions asked of the region: whether these states have failed, how their authority works at their violent edges, and what constitutes authority there? This research has developed new understandings of public “hybrid” authorities ([Titeca and Flynn 2014](#); [Hoffmann and Vlassenroot 2014](#); [Schouten 2016](#); [Tapscott 2017](#); [Hoffmann, Vlassenroot, and Marchais 2016](#)); of how central states work to project limited and personalized power to points on their borders ([de Vries 2013](#); [Schomerus and de Vries 2014](#); [de Vries 2013](#)); of how multiple local officials work to maintain their negotiated (and armed) authority by managing a constantly evolving “legal” order of taxation, customs, systems, and border posts ([Schomerus and de Vries 2014](#); [Schomerus and Titeca 2012](#)); and of state performance, how this public authority and state-building is signified and made visible to its supposed citizens ([de Vries 2012, 2013](#)). There is also growing literature on boundary-drawing, nationally and internally ([Leonardi and Santschi 2016](#); [Justin and de Vries 2017](#); [Leonardi 2020](#); [Leonardi, Storer, and Fisher 2021](#)).

This body of work details the evolution of the state in this borderland, and these state authorities’ evolving relationships with their residents. It looks at the power dynamics of residents’ efforts to define and claim belonging and rights to land, residence, access to resources, and state protection. The state here is tangled. In practice, it is a public (and hybrid) authority

made up of powerful local men and women and their networks which control trade relations and routes, run state military, security forces and border points, and staff the offices of humanitarian, UN and non-governmental organizations (NGOs) that provide many local services. But the state is also a wider concept of a national institution that should provide security, stability, welfare, and services.

As Chris Vaughan and Cherry Leonardi observe, local processes of making claims against (and evading) this state were “central to the very processes of state formation,” rather than produced by the establishment of the state itself ([Leonardi and Vaughan 2016](#); [Leonardi 2020](#)). The colonial government struggled to keep people ruralized, stop their petitions, and delimit access to the state; but people were always closely connected to urban spaces, attempting to manipulate or control state power in their favor. State territories and systems here have been produced via historical, processual contestations over local territoriality and space, and over access to local and national forms of power ([Leonardi 2020](#); [Hunter 2013](#), 258).

This article aims to add a short addendum to this research, looking more narrowly at this borderland’s own theories and debates around citizenship, and the recent history of the development of identity paperwork. It draws on interviews and informal discussions with refugees and residents in northwest Uganda, many of whom were displaced from South Sudan or who travelled and worked along the edges of South Sudan, the Congo, and Uganda since the 1960s. This allows us to explore the recent history of shifting authority over defining and recognizing members of political communities. It also develops studies on how the concept of citizenship has been reworked and argued over in transnational spaces, by focusing on these “non-elite” residents, migrants, and refugees ([Bernal 2006](#); [Alonso and Mylonas 2017](#)).



Until the 1960s, this region’s colonial and post-colonial utility was its impoverished marginality, supplying cheap labor to various militaries and private enterprises through the expansion of trade systems and armed authorities in the region since at least the 1700s. After a brief survey of this history, the article focuses on the “hardening” of identification paperwork, and the assertion of authority over people through this, since the 1990s. It then turns to local discussions of this recent history of identification and categorization, highlighting how residents draw a distinction between those who can navigate these shifting classificatory systems with ease—particularly those with wealth and transnational connections, who can access or evade multiple paperwork systems—and those who cannot.

The research for this study underlines the centrality of class and wealth within local theories of citizenship and identification. It adds to a growing literature that details how increasing ethnicized tensions and divisions within these borderlands are partly rooted in, and explained via, sharpening economic and political class inequalities (Leonardi, Storer, and Fisher 2021; O’Byrne and Ogeno 2021; Thompson, Mohamoud, and Mahamed 2021). The everyday practice of border maintenance—the paperwork, regimes, costs, dodges, collusions and favors—spotlight people living at both ends of the class spectrum: the very poorest, often attempting to evade these systems, and the wealthy and powerful, working to profit from border trade and tariffs while escaping these regimes themselves.

## The Evolution of the Triple Borderlands

The area where the borders of central-southern South Sudan, the far north-east of the Democratic Republic of Congo (DRC), and northwestern Uganda meet is—like the Sahel—a mobile space, where families move for labor, self-protection, trade, and opportunity (Walther



2009, 34). Movement, in this space, has been the best way to manage uncertainty over generations. Most families have long histories of flight, evasion, and involvement in complicated trade routes, migrant labor, and work in militaries and militias across the region. Most residents also have ties and claims to lands and spaces across borders, including in long-established refugee settlements. This is in part possible because the long-term residents of this borderland—the Lugbara, Madi, and Alur across Uganda's borders, the Kuku and Bari across the South Sudan border, and the Kakwa across the whole region and into DRC—form a relatively distinct economic and socio-linguistic (Sudanic) region from the other borderlands and more central areas around them. This is partly why the terminology used in research and scholarship on these borderlands is consistently and explicitly equivocal, describing informality, plurality, greyscale economies, and political authorities, beyond the state and non-state, legal and illegal.

This region's borders are therefore another artificial set of colonial lines produced by its distinctly violent pre-colonial and colonial history as Western Equatorial Africa. Most literature on the region begins with at least the backdrop of this violent history from 1800s onwards. From the mid-1800s, predatory raiders and traders from the Turco-Egyptian Empire entered the region hunting ivory, teak, gold, and slave-soldiers. The region was already exploited for these resources by the Shilluk and Zande Empires since the 1500s, but the imposition of gun-backed, external powers, through local proxies, re-fashioned order in the region. Traders created privatized militias and fiefdoms of zaribas, raiding areas, slave routes, and ivory trade lines from the 1850s onwards. This violent geography was entrenched from the 1880s to the 1910s as Western Equatorial Africa, known by the 1890s as the Lado Enclave (Leopold 2009).

The region was successively claimed and controlled by authorities based in Congolese, Sudanese, and Ugandan territory. In 1906, the Belgians (Congo) and British (Sudan, Uganda)

agreed that the Lado Enclave would remain the Belgian King Leopold II's private property until he died; in 1910, on his death, Anglo-Egyptian Sudanese authorities inherited this “killing ground,” in the words of Mark [Leopold \(2009\)](#); no relation). The West Nile area was then carved into Uganda during border demarcation in 1914. Over this period, powerful local authorities were incorporated into these emerging colonial states, including Fadl el Mula, a major armed power in 1892, and Ali Kenyi, whose family's graves are alongside those of Idi Amin's family in Koboko and whose local family members have photographs of him from the 1930s.

While in the region in 2017, I shared Mark Leopold's academic article on this modern colonial history of the borderland with a dozen or so residents, some of whom were technically refugees from DRC and Uganda. Most of them found great amusement in the artificiality and nonsense of the colonial efforts at line-drawing, particularly Leopold's recounting of his interview with a British official who had delineated the border between Congo and Uganda, which in the treaty fell on the watershed line of the Nile and Congo rivers, and as such ran along a ridge of hills:

He asked his superior how he was to know which side was which, and was told that, where the streams ran west (towards the River Congo) this was the Congo side, and where they ran east (towards the Nile) that was Uganda. “What about where there are no streams?” he asked, and was told “Then just piss on the ground and see which way it flows.” A fine metaphor for colonial borders more generally. ([Leopold 2009](#), 470)

Locals emphasized that, in the words of a refugee politician, “the imposition of border lines is just artificial.”<sup>1</sup> But this imposition has been attempted since the late 1800s, as labor and vaccination pass systems were organized by various colonial authorities attempting to enforce

border controls to manage migrant workers and contain sleeping sickness epidemics. Those evading these systems were subject to imprisonment and fines. French, Belgian, and British colonial authorities balanced their need for migrant labor with their need to contain and delimit taxable residents. Congo needed mine laborers, and Uganda needed sugar, tea, and copper workers in Kilembe and the Rwenzoris. People crossed from South Sudan and Congo to the sugar factories at Lugazi and the Madhavani sugar factory at Kakira.<sup>2</sup> By the 1960s, with the independence of Sudan and the DRC, heading this far into Uganda still required labor permits for seasonal workers,<sup>3</sup> accessible as before through local “government” chiefs. This continued into the 1960s and 1970s, and many residents and refugees in West Nile worked on these various labor routes themselves. Many people emphasized (with some likely idealizing gloss) the free movement for work, romance, and opportunity from their grandfathers' time and into the 1960s: “in the early 1960s—I could see the bicycles, from my own area, people riding to Arua to take small trade to sell back in South Sudan. Fashionable Nyanza Jinja textiles were loved. The border was open.”<sup>4</sup>

As the Anya-Nya civil war escalated in the Equatorias in the early 1960s, refugees joined flows of Nubian ex-slave army families and other labor migrants in Congo and Uganda, expanding settlements at Bombo and Adjumani, but moving generally without restrictions. Local passes and travel permits were useful for asserting political neutrality and personal honesty in between these overlapping rebel movements and conflicts, and as such served primarily to allow people to move without being (in the words of one old migrant man) “regarded as an enemy.”<sup>5</sup>

The long conflicts of the 1960s to 1990s across these borderlands both built identifying categories of political affiliation, and reinforced cross-border linguistic communities and mutualities, as many people moved repeatedly to protect their families and reconstruct their

lives. At the same time, these wars constructed extensive cross-border trade systems, including the humanitarian and border industry of bus and lodging networks. The Idi Amin years in Uganda, and the disorder that his fall from power created in the West Nile borderlands, provided plenty of opportunity in trade and military labor for enterprising borderland residents and local refugees (Meagher 1990). Kristof Titeca notes that, during the early 1980s, “a number of traders made use of the opportunities created by the period in exile (relative lawlessness, the presence of Ugandan refugees on the different sides of the border and the large demand for goods in Congo and Sudan) to engage themselves in the profitable triangular cross-border trade.” (Titeca 2012, 52)

These border regimes and paperwork systems were worked out, in practice, by military and business cartels built during these conflicts. Many male residents in this region have long careers in the multiple national armies and local militias and rebel factions rooted in this period. One now-South Sudanese rebel fighter living part-time in Uganda stated, “I joined the Uganda army for three years—from 1977 to 1979—when we ran away [to Sudan following the overthrow of President Idi Amin in 1979]. While in Makerere University, I studied as a Ugandan, but I liked Sudan and I went back to my Sudan.”<sup>6</sup>

## Borderland Paperwork

Borderland paperwork has only grown real for many people living in this area since the armed rebellions of the late 1980s and 1990s across the DRC's Kivus, in Uganda, and in southern Sudan, particularly as the new, armed authorities of the National Resistance Movement (NRM) in Uganda and the Sudan People's Liberation Movement and Army (SPLM/A) in southern Sudan began to demand tax, monitor movements, and hold national elections.

The early 1990s saw major changes in this borderland. In 1992, the SPLM/A controlled the northwest part of the South Sudan–DRC border (Schomerus and de Vries 2014, 283). At the same time, 1992–1993, Ugandan residents started to deal with identification paperwork in the form of voter registration cards for the 1993 election (national ID cards only came later).<sup>7</sup> Business registration under the Uganda Revenue Authority (URA), established in West Nile in 1996, extended national identification paperwork, and Land Committees were also created the same year (Titeca 2012, 52). In 1997, the SPLA's capture of Yei town gave the rebel movement complete control of the South Sudan–DRC border and key Ugandan border crossings. The SPLA immediately established checkpoints, signposts, offices, flags, and other assertions of authority along the two borders (See de Vries 2012, 3, 7, 2013; Schomerus and de Vries 2014, 283). Yei was established as the seat of the SPLM secretariat of New Sudan, organizing local councils as the basis of rebel government authority (Leonardi and Santschi 2016, 55–7). The SPLM/A began to check people's movements (but not specifically question people's nationality) (de Vries 2012, 3, 7; as explained by Peter, Arua town, 12 March 2017). From 1998, the Ugandan army's involvement in the DRC created more border and trade controls (and military involvement) on the DRC–Uganda border (Titeca 2012, 53). This “localisation of state power and territoriality” (Leonardi 2020, 241), through local council and border post organization, is why residents pinpoint 1997 as when “they put government in place, and it became difficult.”<sup>8</sup>

The majority of locals, though, continued to navigate the borders for day-to-day work and life, such as students moving across from Kaya to Orama to go to school.<sup>9</sup> Paperwork (*waraga* in Sudanese Arabic) was still about “controlling so that enemies could not penetrate.”<sup>10</sup> Most of these papers were handwritten,<sup>11</sup> and about “where you are coming from, where [you are] going, and [who] you paid.”<sup>12</sup> One man who worked at an SPLA border post in Kaya from 1997

explained: “we would want to know who they were and where they were going, not their nationality, we would just check everybody.”<sup>13</sup> The Sudanese Comprehensive Peace Agreement in 2005 cemented these systems and saw the West Nile borderlands become a key trading point and a new center of SPLM/A power, with SPLM/A officials dominating border affairs and creating problems for Ugandan and DRC local authorities (Schomerus and Titeca 2012, 5 and explained by Ayume, Koboko town, 6 April 2017).

## What Paperwork Mattered?

The wide body of research cited above is most focused on the development of political authorities on this borderland since 1997, particularly on the SPLM/A and on cross-border trading groups. In this literature, discussions of border documentation focus on how residents have played the paperwork system, including UN refugee paperwork. This literature recognizes refugees and poor people as experts in how to access and navigate these regimes of recognition, and how to operate outside of them (see Kaiser 2010). Not much of this work looks at how the specific demands of this paperwork helped develop local theories of citizenship.

Well into the 2010s, the most useful documents on these borders were political party membership cards, voting cards, and government or military identity cards—the paper that proved a person's (particularly men's) membership and ostensible support of a political-military power. As an ex-SPLM official explained, “during the time of the liberation struggle, the SPLM membership card was used as a document of identification, and Southern Sudanese, as well as other people from the other parts of the Sudan who identified with the SPLA/M, used the document while in countries like Uganda and Kenya.”<sup>14</sup>

These party membership cards conferred the practical equivalent of citizenship rights. As two Ugandan-South Sudanese border residents noted, after 2005, “someone in possession of the SPLM membership card would be allowed to use it as a document to open a bank account. It was also an added advantage in getting a job, especially in government employments. It was also used in border crossing if one did not have another document. When the SPLM/A placed security checkpoints, the SPLM membership card would provide a safe passage. The SPLM is the ruling party and authority; hence to have a voice, you must be a member of that party.”<sup>15</sup> An ex-SPLM official agreed: “Letters issued by chiefs were recognized as legal documents for identity as well, but within the boundaries of Southern Sudan. The SPLM membership card still remained valid.”<sup>16</sup>

SPLM membership cards were therefore particularly useful bits of paper. The SPLM youth secretary of the area controlled registration, at a cost of 20 Sudanese Pounds in 2005, for party members, including for people living in Uganda and migrants and fighters coming from areas within northern Sudan. As the ex-SPLM official explained, “the document had the purpose of identity and citizenship and people paid to acquire them.”<sup>17</sup> In 2010, most rural residents used SPLM party cards to obtain their Sudanese national election voting cards, “to show their identity as South Sudanese,” and these party cards were also used for the 2011 referendum.<sup>18</sup> Local councils continued to provide specific village-area identification for regional migrants, and residents of the borderlands could often access multiple local councils due to family connections and old community lands across the region.<sup>19</sup> Many people continued to simply dodge the checkpoints, or use (sometimes multiple) voters' cards.<sup>20</sup>

Even after South Sudanese national ID cards were introduced in 2011, they did not replace the party membership cards or the voter ID cards issued for South Sudan’s 2010 election



and the 2011 referendum on secession. National ID cards for the new state of South Sudan were expensive, and therefore exclusive. Getting one was (and remains) essentially a middle or upper class priority, as a step towards obtaining a national passport for international travel or an NGO or international agency employment, for which formal national ID is required across all three borders. By 2021, only about half a million South Sudanese national IDs have been issued, out of an estimated 12 million nationals.<sup>21</sup> Michael and Julius explained that the most useful documents for the majority remained the SPLM membership card and voter cards; Michael explained that “the nationality card was also important, but was mainly in possession of the working class. Most citizens did not get the nationality card because it was far away from their reach and as such they did not get them.”<sup>22</sup> Michael’s “working class” refers to residents employed in formal waged work for companies, UN agencies, and NGOs.

Since the 1990s, people have collected a plethora of other forms of paperwork, including land titles and—also since the 2010s—new Ugandan and Congolese national ID cards.<sup>23</sup> Different border points and areas have come under national and international pressure at different times over the last twenty years to formalize migration controls, variously for taxation, security, or epidemic control. This has meant that travellers and communities have needed to invest in national and refugee IDs. This includes Ugandan refugee authorities’ shifting requirements for refugees to register biometrically at specific border points or at particular times in settlements (O’Byrne and Ogeno 2021, 17).

This combination of national ID cards, letters from local and traditional authorities, state and customary land titles, refugee ID cards, and party membership cards are a shifting arsenal of borderland paperwork, and not new or specific to this borderland. These papers demonstrate participation in local and broader political communities of various kinds. Most people across the

region still rely on Sudan referendum cards, Ugandan voting cards, and/or various other political party membership cards as their practical paperwork to demonstrate these necessary subjectivities.

National identification has consistently been of secondary importance in determining rights to movement and living across this borderland, particularly for local travellers, cross-border residents, and traders who have generations of experience (and decades of the papers noted above) in navigating these emerging paper regimes. For these people, the dominant language of travel, residence, business, collective organization, and conflict is of clan and specific ethno-local identification, which allows people to build lives, investments, and social securities through mutual trust and recognition (another version of Lund's citizenship definition; see the other communities section below). All three national IDs for South Sudan, Congo, and Uganda do not explicitly list ethnicity on them—South Sudan notes a place of origin, and Uganda's notes village and parish—and the application process for all three involves identifying your ethnic group, and in Uganda, your gazetted clan.<sup>24</sup>

The NRM and SPLM/A authorities' development of paperwork has been primarily focused on maintaining the military-security apparatus of these powers, and the control of trade and cash.<sup>25</sup> Local authorities have consistently worked to alter the rules among themselves, balancing and re-balancing power relationships between government and non-government authorities and residents, and maintaining these authorities' dominance over this borderland region (Titeca 2012, 47–8). This was and remains a useful way of maintaining control and monitoring movement and goods, and a source of small profit. For these authorities, the utility of paperwork is that it shows membership (and thus recognition of, and ostensible loyalty) to a specific political authority, whether it be a land committee, an SPLM/A revolutionary council or

party branch, or the URA. Making this paperwork essential—for accessing jobs, doing cross-border trade, and so on—forces people to behave and prove their loyalty and subjectivity; it also gives these authorities the right to exclude people and charge for paperwork. This has reproduced wartime prejudices against those who supposedly did not fight for or support the South Sudanese cause, particularly for Dinka and Nuer authorities positioned at these southern borders who fought against Latuka or Zande militias, or those who otherwise believe that these borderland residents are not truly part of the Nilotic-dominated (Dinka, Nuer) SPLM/A-led South Sudan, and could thus make racial claims based on often inaccurate physiognomic differentiations: “they consider us along the borders not to be South Sudanese. They see you from outside, especially if you are light skinned.”<sup>26</sup>

This threat has been consistently useful in these borderland militarized authorities’ efforts to remove poor or squatting residents, refugees, and any perceived troublemakers, regardless of their actual rights to residence. Many residents and refugees today still remember the events of 1966 in northern Uganda when, “during the Anyanya rebellion, the government of Uganda captured by force the Southern Sudanese and took them to the refugee settlements. Obote [then president of the republic of Uganda] was asked by the Khartoum government to arrest the Anya-Nya [the Sudanese rebels] and deport them to Khartoum. We were dumped to Agogo refugee camp in Kitgum–Teso border. That was for both Sudanese and some Congolese.”<sup>27</sup> The Ugandan-papered wife of a veteran of the Southern Sudanese Anya-Nya guerrilla war was almost deported. “The army went wild, uprooting people from Kerikwe, Nyambiri, Kagoropa, Iba; some people succumbed and were taken to the Nakipiripirit and Moroto areas; and others went to Congo. My family went to Komore in Lako, in Congo. The army searched for Sudanese

up to Arua. My wife Joyce was rounded up as a Sudanese—education officers had to go and pull her out of the lorry (she was a teacher at the time).”<sup>28</sup>

This collective identification has been particularly useful for local armed authorities since the 2013 South Sudanese civil war and ensuing economic collapse. The war has highlighted conversations around national belonging and collective futures, and reinvigorated attempts to document and describe displaced and fleeing people, both by NGOs and UN agencies, and by states and militaries. The South Sudan government and its fragmented armed opposition groups have both instrumentalized complex ethnic communities as exclusivist and hardened political “tribes,” and sub-divided territories based on putative tribal lines. This has been both part of the commodification of land as private property over the last ten years—making ethnic community land holdings and their borders financially significant (Leonardi 2020)—and part of a tactic of local co-option and in-fighting. As the borderland became a site of growing rebellion since 2016, local cross-border communities and refugees became subject to increased collective political identification and suspicion accordingly.

Since the start of the civil war in 2013, and during its escalation in the region from mid-2016, the increase in policing of supposedly “national” identification also became a useful tool for disputing economic opportunities. National identification—in South Sudan, *jinsiya* (literally meaning nationality in Sudanese Arabic, but generally meaning national paperwork)—only really comes up in conversation on this borderland when people discuss the growing South Sudanese ethno-nationalist regime since the 2010s. South Sudan-side residents who have been displaced onto old community lands or into refugee camps in Uganda emphasized that “only recently young politicians are identifying people as coming from [some]where,” defining people by specific ethnicities and homelands, to mobilize constituencies and build narratives around

land ownership and rights to services.<sup>29</sup> Increasing ethno-national identificatory language and practice is useful also for political competition and policing people who may be—for some observers—overly profiting from the flexibility of identities and communities, especially middle and upper class political workers. Several Ugandan politicians have accused opponents of not being Ugandan.<sup>30</sup> One man, whose grandfather was a Belgian colonial administration chief and then a British colonial government chief on the borderland, tried to campaign for a councilor position in Uganda and was called Congolese: “I said, what the hell is this.”<sup>31</sup> A lawyer was accused of not being Ugandan, and not being South Sudanese, by both sides in an argument over a local government appointment; she had previously worked in both the Ugandan and Southern Sudanese governments before South Sudan’s independence in 2011.<sup>32</sup>

## Different Paperwork for Different People

Belonging and subjectivity is therefore subject to a shifting variety of tests and standards depending on one’s socio-economic and political class, applied in social circumstances and by various arbitrating authorities. As Augustine, a refugee from Yei, explains, “they questioned my daughter while processing her national card and passport as they claimed she was not a South Sudanese. Some of us are considered to be in third class. Dinkas are first class, their wives are second-class, and we are third class; all the other 63 tribes, but especially those along the borders.”<sup>33</sup>

This class terminology has frequently been applied to citizenship in the region, most notably the late SPLM/A leader John Garang's statements that southern Sudanese people were second class citizens in their own country (Muortat 2015). This specific language of class has a complicated emotional history. Augustine's definitions above echo a wider critique of citizenship

that uses this language of class, not just in South Sudan but more generally in the region, to imply that the only truly free citizens, liberated by the last thirty years of freedom-fighting across South Sudan, the DRC, and Uganda, are those who now have multiple state passports, cash, and connections, and thus the ability to move through (and past) the paperwork of this new nation-state world because of their wealth and patronage. These are the dual nationals, the people who have access to South Sudanese and other passports via their political connections and transnational capital, and can therefore navigate (and escape) these borderlands more safely, profitably, and easily compared to the vast majority of residents (see Kiir and Carver, this issue). As one man put it, “in [being a dual citizen], one tends to be like the bat—which is neither a rat nor a bird. The bat has wings, which the rat lacks, and at the same time has teeth and fur which the bird lacks, and [so these bats] always dodge when identity comes at a cost—such as in paying taxes.”<sup>34</sup>

These discussions are tied to the development of the patronage state in South Sudan, particularly since 2005, with some residents drawing comparisons to the NRM state in Uganda. As the state formed around SPLM/A patronage networks of powerful commanders and regional strongholds, those who were closer to centers of power had more opportunity for building wealth, inside and outside of South Sudan. Many of these men and women had worked at SPLM/A bases on the Ethiopian and Kenyan borders, or in Khartoum's state systems, where they and their families had differential access to international resettlement programs via Cairo or Kakuma. This was not really drawn on ethnic lines; rather, as Rens Twijnstra, Dorothea Hilhorst and Kristof Titeca emphasize, “SPLM/A networks are based much more on associative and historic ties that generate political capital rather than ethnic or communal ties” (2014, 393–4). Many Uganda-DRC border residents worked their way into these elite systems.

Residents and refugees on the border emphasize that these first class citizens have political ties that generate transnational wealth and diaspora lives of luxury, and which then allow them to evade the everyday violence of state exploitation, taxation, and paperwork, while imposing it on their poorer subjects. This hypocrisy is the subject of casual gossip, such as South Sudanese ministers getting nationality paperwork for their foreign girlfriends; “how do you sell your country for a relationship of one month?”<sup>35</sup> Many people also note that a lot of these elites never fought for liberation themselves. As in Vasco Martins’ study of Angola, despite high political rhetoric, those who have access to these political and state-dispensed rights and opportunities are not necessarily former guerrilla fighters, rural villagers, or other apparently loyal defenders of the liberation movement, “but the individual who contributes to the maintenance of the present political status quo of the elites who control access to citizenship rights” (Martins 2016, 101). Maintenance of the central power of this status quo means opportunities for amassing wealth and business opportunities; “if you have money you can do anything. I don't even see it as a corruption.”<sup>36</sup>

This is a citizenship analysis that does not hinge on multiple or dual nationality per se, which many people here essentially have, but on a class divide based on transnational wealth. When people criticize these dual nationals, they are rarely talking about villagers who run through unmonitored cross-border trails, or comparatively poor locals with multiple papers. These things are bound by what Lotje de Vries calls “unwritten, unspoken codes of conduct” rooted in local moralities (de Vries 2013, 164); for instance, many Kakwa residents and refugees from Uganda and South Sudan registered for the DRC elections because they felt, likely correctly, that the elections would have borderland and in turn deep community implications, and that they should therefore be included. Poor migrants found with multiple paperwork are often



punished for it, unlike their wealthier counterparts: “some people found with both documents by the immigration officials are demanded to make a choice—[whereby] choosing one country [national identification] would mean removing [the other document] and reporting them to the counterpart country, and vice versa.”<sup>37</sup> Residents' criticism of dual nationality is thus a wider critique of an increasingly globalized political society and its class structures, disloyalties, and disconnections from the mass of poor citizens that this society claims to be rulers of. As Manyjuin, a Nuer refugee resident in Uganda, observed,

If you have two passports, security personnel can arrest you and can look at you as a criminal. However, it is easy for top leaders to get citizenship from other nations. But for the ordinary citizens, it is expensive and there is no use to have two passports. [But these people] think about their own protection—so that they can easily escape to embassies of the countries from which they have passports. There is a difference between holding many people's resources, such as oil money and all the resources of South Sudan, and being an ordinary citizen. That is why the leaders look for protection. For the ordinary citizen, he or she just takes care of the little resources.<sup>38</sup>

Analyses of class and wealth in migration and citizenship literature often focus on processes of exclusion and the “making illegal” of poor and undocumented people. Class dynamics are widely under-researched, and generally concentrate on the financial and social inequalities of access to legal and safe migration and documentation, or around the economic priorities of states setting legal hurdles of wealth and merit (Bonjour and Chauvin 2018; Sadiq 2008). There is however a growing discussion of the class dynamics of capital controls. Sophia Balakian, in her study of Somali migrants in Kenya, details how “during a 2014 security operation in Kenya known as

Operation Usalama Watch, Somali refugees spoke of money as their only valid ID, knowing that only cash, in contrast to identity documents, would be accepted by police and military.” Balakian argues that this is not just an example of exclusion from citizenship rights, but a “global diasporan identity tied to free flows of capital. By using money as a substitute for identity documents, refugees appealed to a notion of rights untethered to the state. At the same time, by speaking of money as their government, they articulated a critique against a political system that excluded them” (Balakian 2016, 87).

## Other Communities

As in academia, residents of northwest Uganda’s borderlands continue to debate what membership of a political community might mean, but most agree that ordinary citizens are looking beyond the nation and state for political community and collective futures. Both Dinka and Nuer refugees, and regional displaced or cross-border Bari-speaking residents, described this nation-state politics as “that small stupid politics.”<sup>39</sup> People emphasized that it was more important to build political communities outside the state, with mutual recognition and trust, reciprocity, and social security, which would stretch beyond (and after) the post-colonial nation-state (Hunter 2013, 258). This would allow people to benefit from these borders, but also to live beyond them and their punitive authorities and petty, temporary paperwork.<sup>40</sup>

This idea of emergent, alternative citizenships—forms of political community that work outside of, and challenge or protest, nation-state and international legal regimes around rights and rules, particularly of movement—is increasingly significant across political and social sciences. Geschiere notes that, “despite being told that we now live in a cosmopolitan world, more and more people have begun to assert their identities in ways that are deeply rooted in the

local” (2009, abstract). Across Africa, Rodima-Taylor and Bähre argue, “communities are witnessing a perplexing proliferation of diverse arrangements of mutual security that draw upon old and new solidarities and inventively merge market logic with reciprocal forms of distribution and sharing. The dynamics of such voluntary arrangements and their broader social impacts emerge as increasingly important topics of study ... there is still scarce anthropological study of mutual help in its contemporary forms” (2014, 507–8).

In this borderland, some members of the Kakwa ethnic group, which spans the meeting point of the three borders of the DRC, Uganda, and South Sudan, have set out an irredentist-style assertion of precolonial Kakwa community and ownership of these borderlands as “their own borders,”<sup>41</sup> by establishing cross-border political organizations, creating an ethnic free trade area, and competing for control of powerful border trade networks (de Vries 2012; this is similar to the Dhulbahante and Warsangeli communities on the Somaliland-Puntland border: see Walls 2016). Only members of Kakwa or Zande clans really have the linguistic tools to differentiate Azande or Kakwa accents and dialects from across the region.<sup>42</sup> Communities who regularly access (or are denied access to) multiple state citizenships and services, or who commonly use a shared language and personal connections to navigate borders, can “[construct] a global ‘stateless nation’ and a diasporan identity tied to transnational families and free flows of capital” (Balakian 2016, 89).

Kakwa people are accused by other borderland residents of being particularly flexible in their national identifications, shifting paperwork depending on circumstances, such as opportunities for military employment under Idi Amin who was originally from the area.<sup>43</sup> Many Kakwa people moving to Uganda from South Sudan and DRC are currently reorganizing their paperwork in favor of Uganda; they have “chosen Uganda because of good management.”<sup>44</sup> But

regardless of this paperwork, one resident laughed, “we are the border, we can be both.”<sup>45</sup> People who are members of this borderland political community, though, are often dismissive of emphatically Kakwa national secessionist projects, like the Lado State proposed by Bart Agami, who is from Terego and resides in Denmark. In the words of one South Sudan-Uganda border resident, this is the “colonial baggage of destroying ethnic groups by so called international borders; the whole thing about [state] ‘independence’ is not my cup of tea.”<sup>46</sup>

## Conclusion

This study offers a brief survey of discussions around citizenship on the South Sudan, Democratic Republic of Congo, and Uganda borderland. It argues for two things. Firstly, it emphasizes the need to historicize the evolution of paperwork and identification systems in the study of citizenship and diaspora formation, to better understand how specific and vernacular political theories of citizenship have evolved as people have had to prove their access to basic rights from political and military authorities and border regimes.

Secondly, it argues for the centrality of class dynamics to citizenship, diaspora, and transnational research. The ideas and critiques of citizenship and paperwork on this African borderland are part of a wider discussion of global capital orders, migrant and diasporic political classes, and systems of power and wealth. Current research on diaspora politics, social connections, and remittances often overlooks class divisions and discourses. This study, however, demonstrates that the dynamics and politics of class and wealth are at the heart of local conversations about global mobility and citizenship.

This does not mean that people do not also discuss what state citizenship and rights could or should be like. Poor residents and refugees on this borderland are fully aware of both the

Marshallian theory of state and citizenship—the idea of an equality before some kind of common law, and the idea of a common collective of persons with rights and responsibilities to each other—and the actual historically and practically contingent practices of getting by on the edges of the SPLM/A, NRM, and UNHCR paperwork systems. As [Leonardi and Vaughan \(2016\)](#) note, people are multilingual and speak various languages of authority.

These conversations reflect current debates in critical citizenship studies “around rights making, the constitution of political subjectivities, and re-defining notions of political community” (Ataç, Rygiel, and Stierl [2016](#), 530). This work challenges older ideas of what constitutes citizenship (i.e., a territorially delimited political community with exclusionary rules and membership), but also recognizes and re-articulates what many scholars have called non-citizenship for those often-invisible people who cannot engage with these legal regimes and memberships according to their supposed rules. This paper supports the suggestion that scholars and theorists of migration and citizenship should expand a vocabulary beyond this limiting taxonomy of non-/after-/un-citizenship: of political community, how it is formed, and how people create and understand belonging (following [Tonkiss and Bloom 2015](#), 841). This paper suggests that this wider vocabulary is already in use by borderland residents.

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## Notes

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<sup>1</sup> Interview with Clement, Arua town, 5 April 2017.

<sup>2</sup> Interview with a local priest, Arua town, 6 March 2017.

<sup>3</sup> Interview with Aloro, male refugee resident, Arua town, 18 May 2017.

- 4 Interview with a local priest, Arua town, 6 March 2017.
- 5 Interview with Aggrey, refugee from Yei, near Arua, 5 May 2017.
- 6 Interview with Aloro, Arua town, 18 May 2017.
- 7 Interview with small group of male Koboko residents in their 70s–80s, 12 April 2017.
- 8 Interview with Honorio, local official, Koboko town, 7 April 2017.
- 9 Interview with a local priest, Arua town, 6 March 2017.
- 10 Interview with Lona and Esther, two refugee women from Yei area, Koboko town, 11 April 2017.
- 11 Interview with a local priest, Arua town, 6 March 2017.
- 12 Interview with Honorio, local official, Koboko town, 7 April 2017.
- 13 Interview with Peter, a local official, Arua town, 12 March 2017.
- 14 Interview with Toti, Arua town, 20 April 2017.
- 15 Interview with Michael and Julius, Arua town, 5 April 2019.
- 16 Interview with Toti, Arua town, 20 April 2017.
- 17 Interview with Michael and Julius, Arua town, 5 April 2019; quoting interview with Toti, Arua town, 20 April 2017.
- 18 Interview with Michael and Julius, Arua town, 5 April 2019; quoting interview with Toti, Arua town, 20 April 2017.
- 19 Interview with Elias, local resident near Arua, 3 July 2017.
- 20 Interview with Aggrey, refugee from Yei, near Arua, 5 May 2017.
- 21 I am grateful to Ferenc Marko for this information; see [Marko 2015](#).
- 22 Interview with Michael and Julius, Arua town, 5 April 2019.
- 23 Interview with member of chiefly family, Koboko town, 6 April 2017.
- 24 I'm grateful to advice from Ferenc Marko and Yosa Wawa for these notes.
- 25 Interview with Lona and Esther, two refugee women from Yei area, Koboko town, 11 April 2017.
- 26 Interview with Augustine, refugee from Yei, Arua town, 18 April 2017.
- 27 Interview with Aloro, Arua town, 18 May 2017.
- 28 Interview with Clement and Wawa, South Sudanese document holders, Arua town, 4 April 2017.
- 29 Interview with female lawyer, Koboko town, 10 March 2017.
- 30 Interview with female lawyer, Koboko town, 11 March 2017.
- 31 Interview with George, local official, Koboko town, 11 April 2017.
- 32 Interview with female lawyer, Koboko town, 11 March 2017.
- 33 Interview with Augustine, refugee from Yei, Arua town, 18 April 2017.

- 34 Interview with Michael and Julius, Arua town, 5 April 2019.
- 35 Interview with female lawyer, Koboko town, 11 March 2017.
- 36 Interview with ex-politician from South Sudan on his farm near Koboko, 10 March 2017.
- 37 Interview with young migrant worker Alex, Arua town, 26 April 2017.
- 38 Interview with Manyjuin, Nuer refugee in Ofua refugee camp, 4 May 2017.
- 39 Interview with female lawyer, Koboko town, 3 April 2017.
- 40 Interview with local politician, Koboko town, 6 April 2017.
- 41 Interview with Elias, local resident, Koboko town, 3 July 2017.
- 42 Interview with Moudia, resident outside of Koboko town, 8 May 2017.
- 43 Interview with female lawyer, Koboko town, 11 March 2017.
- 44 Interview with small group of male Koboko residents in their 70s–80s, 12 April 2017.
- 45 Interview with Ibrahim, local resident, Koboko town, 12 April 2017.
- 46 Interview with Clement, Arua town, 5 April 2017.



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