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EFFECTS OF CONFLICT ON WOMEN. A CASE OF SUDANESE WOMEN IN DIASPORA (1990-2005)

BY

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DECLARATION

This dissertation is my original work and has not been submitted for a degree to any other University.

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This dissertation has been submitted for examination with my approval as University Supervisor

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DEDICATION

To all Women and Children of Africa forced to the Diaspora by conflict.

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Abstract

Women are not strangers to conflict. They have witnessed the direct impact of conflict on their families, friends and the community. Women have been abducted, raped in camps, forced into prostitution, gang raped and infected with HIV/AIDs. Stories of these horrors have been narrated and repeated worldwide from Palestine, Democratic Republic of Congo, Rwanda, Darfur and in south Sudan. Pain, trauma and psychological effects on conflict on women and children leave deep pains that cannot be erased in a lifetime. Conflict based on political, social, economic and religious causes have far reaching effects on women and their gender. Violence meted against women in conflict situations is meant to break and humiliate women, families and their communities, no matter which side of conflict they are on. Women have become the greatest victims of conflict, and the biggest stakeholders of peace.

This dissertation examines the effects of conflict on women from south Sudan in diaspora in Kenya. The women have been forced into diaspora by conflict in Sudan, whose root causes lie on the political, socio- economic and religious dimensions. Political turmoil has been a permanent aspect of Sudanese life since it gained independence from the British administration. Indeed, colonially created ethnic, religious and regional divisions undermined the unity of Sudanese state from its early beginning.

The dissertation had focused on diaspora, looking at the transformation of gender roles and identities in conflict situations and in the diaspora. People's identities in diaspora can be regarded as a constant process of negotiation between traditions of their homeland and those of host countries. The women are the ones who hold families and communities together during the worst of the fighting, in their country or even in the diaspora.

The dissertation has therefore looked at the role women are playing in peace building and reconstruction efforts that must not only be supported, but also recognized. Failure to include women in the peace processes will only undermine their gender roles in conflict management, but also fail to yield success. Indeed,"women are the majority of those affected in the conflict; hence they should be consulted in all conflict management, peace building process and post conflict situations. 'Women hold half of the world'!

LIST OF ACROYNMS

CEDAW	Convention on Elimination of Discrimination Against Women
CPA	Comprehensive Peace Agreement
DDR	Demobilisation, Disarmament and Reintegration
DUP	Democratic Unionist party
ICCO	Interchurch Organisation for Development Cooperation
IGAD	Intergovernmental Authority on Development
IRIN	Integrated Regional Information Network
NESINET	New Sudan Indigenous Non-Governmental Organisations Network
NSCC	New Sudan Council of Churches
SPLA	Sudanese people's Liberation Army
SPLM	Sudanese People Liberation Movement
SSLM	Southern Sudan Liberation Movement
SWAN	Sudanese Women's Association
UN	United Nations
UNHCR	United Nations High Commission of Refugees
UNICEF	United Nations Children's Fund
UNIFEM	United Nations Development Fund for Women
USAID	United States Agency for International Development

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1.0   Introduction

Worldwide, there is desire for people to live in peace, although the desired peace is not easily attainable. According to Bercorvich[1], conflict among individuals, groups and nations are pervasive and are part of the very process of interdependence that brings various actors together. As a result, conflictual relationships are part and parcel of human existence. At the international level, there are two types of conflicts, internal and external. Scholars in conflict management have identified various types of conflicts, which include external conflict referred to as internationalized conflict. According to Mwagiru[2], internationalization of conflict means that the previously internal conflict becomes endowed with many external characteristics, which is no longer purely internal. Although Africa is increasingly marginalized in global politics, the problems of Africa's internal conflicts remain the subject of intense mediation efforts precisely because no conflict in the contemporary world is truly internal. The problems[3] in African conflict are not conflict *perse* but the inability to manage and peaceably resolve inevitable social and other conflicts. Zartman,[4] is of the opinion that direct bilateral negotiations are not an effective way of ending conflict in Africa. He states that it is the trilateral or mediated bilateral negotiations that are the most effective. He gives the reasons as being the engrossing nature of African conflicts and their often functional aspects, African states or leaders in conflict are so taken up with unilateral pursuit of the dispute that they are unable to conceive of bi or multilateral solutions on their own, and hence need help. He further alludes that conflicts in Africa have not been bilateral because they have engaged factions within

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[1] J. Bercovitch, *Social conflict and Third Parties Strategies of Conflict Resolution* (Boulder: West View press Boulder Co: 1984) p. W2

[2] M. Mwagiru, "Conflict and Peace Management in the Horn of Africa", Paper Presented at the IRG conference on peace and security, in the Horn of Africa in Mombasa, 1996 p. 8

[3] M. Gunaar & P, Vales (eds) *Out of Conflict From War to Peace in Africa* (Nardiska Afrikainstitutet, Uppsala: 1997) pp. 21-35

[4] D. Rothschild & J, Harbeson (ed) *Africa in World Politics The African State System in Flux* (Colorado: Westview Press, 2000) pp 139 -159.

the continent and later European powers and to a larger extent the former superpowers. The characteristics of seeking allies prevented bilateral settlement, but paradoxically, facilitated mediation, thereby the involvement of other parties not within the conflict. Therefore[5], the conflicts and their consequences have become internationalized both analytically and empirically.

Internal conflicts have political, economical, social, religious and identity dimensions. The Sudan conflict has been internationalized because of the spill over of refugees in neighbouring countries. This has led to the conflict in the Horn of Africa becoming interationalised too. Mwagiru[6] defines the core Horn of Africa conflict system as that comprising of Ethiopia, Eritrea, Sudan, Somalia, Djibouti and Kenya. This system however overlaps with that of the Great Lakes conflict system to form the Greater Horn of Africa conflict system, encompassing states of the Great Lakes conflict systems such as Uganda, the Democratic Republic of Congo and other states of the North African conflict system such as Libya and Chad.

1.1.1   Background of the Problem

Sudan[7] has an estimated population of 37 million and a landmass of 2.376 million square miles and borders nine other countries. The resource abundant wealthy country's north is inhibited by Muslim Arabs and the less developed south is inhibited by Africans and traditional ethnic groups. Sudan became the first African country to achieve independence from Britain and Egypt in the sub-

[5] J. Rosenau (ed) *InternationafAspects of Civil Strife.* (Princeton: Princeton University Press, 1964) p.'15.

M. Mwagiru, Conflict: *Theory, Processes and Institutions of Management* (Nairobi: Watermark Printers Kenya Ltd, 1999) p.78.

D. Johnson, *The Root Causes of Sudan's Civil Wars* (Oxford: The International African Institute Oxford, 2004) p. 1.

Saharan Africa. For over four decades, Sudan, the geographically largest country in Africa has been the scene of intermittent conflict.

The Sudan has entered the twenty first century mired in not one, but many civil wars. The conflict between the Northern and Southern Sudan has usually been misunderstood, because the historical roots of conflict has been misrepresented. The conflict is therefore complex because of its various levels. The explanations[8] of the conflict are broadly given as the division between North and South and it is based on centuries of exploitation and slave-raiding by the 'Arab' North against the 'African' South or that the Sudan was artificially split by imperialists meddling, since Sudanese Islam, being both 'African' and 'Arab' imposes no natural or historical divisions between the two regions. The Sudan[9] is however a very complex country and its diversity in terms of culture, languages and dialects makes it difficult to explain the North-South conflict in simple cultural, ethnic or racial terms. The main conflict, which was between the North-South, is therefore a conflict of contrasting and seemingly incompatible identities. The war[10] has military, political, economical, social, spiritual and psychological components. The conflict in Sudan can be categorized in two main phases. The first phase lasted from 1956 independence, and it ended during the Addis Ababa agreement in 1972 negotiated between the government and the Southern Sudan Liberation Movement (SSLM). The second civil war began in 1983 and it is still continuing.

[8] ibid
[9] D. Johnson, *The Root Causes of Sudan's Civil Wars,* op. cit.
[10] F. M. Beng, *We must end War: A Soul Searching Quest for Peace in Sudan War, a Search of Peace.* Report on consultation convened by Churches and Christian Councils of the Great Lake Horn of Africa, Nairobi: April 7 -8 1998) pp 31 - 35.

Since the signing of the comprehensive peace agreement in Nairobi in January 2005, the conflict in Sudan shifted to Darfur region. Amnesty International[11] alludes that the current conflict in Darfur began in 2003, when insurgents founded by two political army groups, took arms against the government though the region was already under state of emergency for two years. These[12] groups claimed to have been left out in the north-south peace negotiations of Sudan peace brokered in Kenya. This study however focused on conflict in southern Sudan, on the effects of conflict on women, specifically the Sudanese women in diaspora in Kenya.

The women in diaspora are found in urban towns of Kenya and the Kakuma refugee camp. Amnesty International[13], reports that over the past fourty years, conflict in Sudan has resulted in the death of 2 million persons, over 4 million internally displaced persons. Kari[14] Karame and Prestegard put the number of internally displaced persons in Sudan at 3 million, and nearly one million are refugees in the neighbouring countries or elsewhere in the world, majority being in Kenya. They[15] further stated that in the absence of men, many women had to support their extended families: up to 60% of the households of displaced population are headed by women.

Women in Sudan live in extreme poverty and are denied essential subsistence services due to a weakened economy by large military expenditures, to counter the conflict in many areas of Sudan like Darfur and the southern Sudan. Amnesty International[16] has observed that there are widespread reports in Sudan of forced servitude, mostly of women and children and that the

[11] Amnesty International, Live^B/own *Apart. Crimes Against Women in Times of Conflict* ^Amnesty International Publication, London: 2004) p. 28

[13] Amnesty International, Lives *Blown Apart. Crimes Against Women in Times of Conflict*, op. cit.
[14] K. Karame et al *Impact of War on Women's situation* (Norwegian Institute of International Affairs, Norway: 2005) p. 10
[15] ibid
[16] Amnesty International Report 2001, op.cit. p. 226

estimated people being held in servitude vary from 5,000 to 100,000, majority being women. The

same report affirms that women have suffered from war and displacement. Women and children

form majority of millions of refugees and displaced persons fleeing situations of conflict, exposing

them to privations of many kinds and to further risks of sexual violence. The Fourth[17] World

Conference on Women in Beijing estimated that 80 percent of refugees are women and children,

yet refugee camps are often planned and administered in such a way that women living there face

discrimination and continued risk of sexual abuse.

Susan Martin[18] further observed that violence against women does not end or necessarily abate

when the refugee and displaced women reach an asylum country. She has alluded that statistics in

one African country showed that at one time, there were 33 attacks launched by irregular armed

forces against 21 out of the existing 26 refugee settlements in the southern part of that country,

over 150 women were raped. The perpetrators of such violence include not only military personnel

from the host country, but male refugees as well. The abuse may be as flagrant as outright rape

and abduction or as subtle as an offer of protection, documents or assistance in exchange for

sexual favours. Unaccompanied women from the conflict in Southern Sudan in the diaspora are

particularly at risk from this vice. At the same time, physical facilities in the camps increase the

likelihood of protection problems. Camps are often overcrowded and unrelated families may be

required to share communal living space. In effect, they are living among strangers, even persons

who could be considered traditional enemies. The Sudanese women in diaspora, living in Kenya

[17] Fourth yVorld Conference on Women, Beijing, September 1995, Action for Equality, Development and Peace, Beijing Declaration and Platform for Action UN Doc A/Conf. 177/20 1995) para. 136.
[18] S. Martin, *Refugee Women,* (New Jersey: Zed Books Ltd, 1995) p. 19.

are not immune to this situation, which has been handed over to them by the conflict in their country, and this makes them very vulnerable in the camps and elsewhere.

Further, in most southern Sudanese[19] communities, women play a very important role in reconciliation, peace making and building processes. They have a unique social role and ability to stop conflict or cause men to go to war. For instance, they are permitted to trade across enemy territories, prepare ground for peace negotiations, as well as marry across enemy lines to protect or maintain peace. The Sudanese women in the diaspora have been participating in conflict management in their own way during the peace brokered in Nairobi between the Khartoum government and SPLA. There has been significant change in role during the 18 years of the civil war. The Development[20] of Technical Assistance Office, reports that women's contribution to peace building, conflict resolution and reconciliation is more pronounced at the household and community levels. However, beyond their communities, for instance in IGAD, women have played minimal role. This[21] has been attributed to the cultural attitude, and structures of the SPLM leadership that regards women as incompetent or ineffective as peace builders and negotiators at international level.

It is against this background information that this study established the effects of conflict with specific focus on the Sudanese women in the diaspora. The period of the study, 1990 and 2005 was been chosen because of its significance in the flow of Sudanese refugees to Kenya. In 1989[22] hundreds and thousands of peoples form southern Sudan were violently and forcibly disenfranchised and displaced by insecurity, militia raids, government forces, famine and forced

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[19] ibid ,

[20] Development Assistance Technical Office & Women and Natural Resources Working Group, op. cit. p. 6.

[2f] ibid

[22] New Sudan Council of Churches, *The Story of People-to-People Peacemaking in Southern Sudan* (Nairobi: New Sudan Churches Publication, 2002) p. 11.

migration. Many crossed borders into neighbouring Kenya and Uganda from 1989 to the early 90's. At the same time, the fall of Mengitsu regime in Ethiopia led to the bombing of the refugee camp, in Ethiopia, leading to massive displacements of south Sudanese in the camps in Ethiopia into Kenya. The period, was also significant because it was the time of the split of SPLA/M, where two factions of southern Sudanese fighting each other, leading to massive civilians' displacement into Kenya. The two[23] factions spent an enormous time fighting each other and the people of the southern region, forsaking the struggle against the government. All these reasons led to massive influx of Sudanese refugees into Kenya, marking the start of peace process, which culminated into the signing of the Comprehensive Peace Agreement (CPA) in 2005 in Nairobi.

1.1.2   The Problem Statement

Conflicts generally lead to displacement of persons, internal and external, which are major concerns in internal and international relations. Mwagiru[24] is of the opinion that the effect of conflict, wherever it is located, is to dislocate valued relationship and cause stress on the structure on which relationship is based. Racial and cultural prejudices and hatreds fuelled hostilities and heightened the Sudan conflict, with Arabic peoples and Islamic cultures versus black Africans and their cultures. The discoveries of oil reserves in the southern regions further exacerbated the conflict, with power struggles to control the oil. This led to conflict erupting and displacing civilians and forcing them into migration. The situation of women merits special attention as that segment of population has continued to suffer disproportionately throughout the Sudan conflict. Prendergast[25], in a report for the Women's Cqjnmission on Refugee Women and Children, estimates of 1993,

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[23] ibid p. 24.
[24]   M. Mwagiru Conflict: *Theory, Processes and Institutions of Management.* Op. Cit. P. 4.
[25] J. Prendergast, *Crisis Response: Humanitarian Band-Aids in Sudan and Somalia* (Pluto Press, Chicago: 1997) p. 188.

showed that as much as 85% of the southern Sudan's population, especially women had been displaced, and majority were in the neighbouring countries.

Group cohesion, has been threatened in the conflict displacement, and it has resulted to long-term dispersion of family and community. Conflict dispersion has caused the rapture of the social ties and kinships lines that form the central threads within the safety of their community, as well as loss of the traditional survival strategies. The failure of survival strategies for the diaspora to meet their nutritional demands has been ruptured immediately by the conflict and forced displacement. The diaspora have found themselves in a state of insecurity in the host country, as well as dependent on relief food. According to Mbote[26] conflict situations are a threat to security, especially for the vulnerable women and children. The diaspora normally do not know how long they would stay in the host country, and they tend to resettle in countries with completely different cultures and languages. Family and community structures are thus affected by the displacement, with women moving not because they want to but they are forced to leave and seek safety for themselves and their children.

Sudanese women in diaspora are threatened with potential even grave, if not less quantifiable losses at the foundation level of socio-cultural identity. The adaptation of certain survival strategies to the artificial support system of emergency food aid may indicate the resiliency in the safety net. Prolonged conflict is clearly capable of undermining traditional authority structures and eroding the symbolic framework of values and traditional beliefs. For women in diaspora, their traditional family patterns were disrupted, leavitftj them with neither the nuclear family, nor extended ones. This created a lot of psychological trauma in a foreign land. The diaspora had to assume extra roles as

[26] See P. Mbote in Mwagiru (eds), *African Regional Security in the Age of Globalisation* (Nairobi: Heinrich Boll Foundation, 2004) pp. 83 - 94.

heads of households, as well as caretakers of the physical security. They were separated from their husbands, when they fled to neighbouring countries as refugees with their children, while others have been widowed, or married to men who spent most of their time on the frontline. The Sudanese women have been used as targets of war in order to attack the honour of men of particularly the southern Sudanese. These women have undergone sexual assault and harassment not only in the refugee camps, but also during the flight as well as forced prostitution. Women and girls[27] as a group are especially vulnerable to violence meted out against them because of a women's sexuality and gender, her relationship to a man, her relationship to the social, religious or ethnic group in a conflict, or because of her social roles.

This study endeavoured to answer the following questions.

- What are the effects of southern Sudan conflict on the Sudanese women?

- Has culture and religion contributed to the marginalization of women in conflict management?

- What has been the involvement and contributions of the Sudanese women in the diaspora in Kenya, in the southern Sudan conflict management and peace initiatives?

1.1.3   OBJECTIVES OF THE STUDY OVERALL OBJECTIVE

The purpose of this study was to investigate the effects of the Sudanese conflict on women, specifically looking at the case of Sudanese women in the Diaspora (1990 - 2005).

SPECIFIC OBJECTIVES-

The sub-objectives of the study were:

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[27] Isis-WICCE *Women in Human Rights, Peace Building and Conflict Resolution* (Kampala: Isis-Women's International Cross-Cultural Exchange: 2003) p. 22.

a.　　To establish the effects of Sudan conflict on women.

b.　　To examine the role culture and religion play, that has contributed to the marginalization of women in conflict management.

c.　　To investigate the contribution of Sudanese women in diaspora in the Sudan conflict.

d.　　To establish the involvement of women in conflict management and peace initiatives.

1.2.1　LITERATURE REVIEW

This section examined the dominant writings of the study problem. It was broadly classified into various parts, dealing with different themes that run across the study. The first section dwelt on the conflict literature in general. This helped understand the root causes of conflict in Africa, and how gender disparities enhance the effects of conflict more in women than in men. Indeed, conflict occurs when societal structures and relations amongst groups within the society are placed differently, thereby bringing in inequalities. This section looked into the structures placing women differently than men, so as to help in analysing the effects of conflict on women and the gender disparities in conflict. The other section addressed the importance of gender integration in conflict management processes. This section helped in the analysis of the level of involvement of men and women in conflict management process, and in the recommendations on the mainstreaming of gender in conflict management and peace processes. The last section reviewed literature on effects of conflict on women, focusing on women in diaspora. The section helped the study in making conclusions on the diaspora participation in conflict and the peace processes.

a.   The Root Causes of Conflict

Conflict is endemic in society.   It will always be present and be an important part of human life. Conflict will always be there as long as human beings are in existence. However, in order to understand the effects of conflict on women, it is important to understand the nature of conflict and content. According to Mitchell[28], a conflict arises when two or more parties have incompatible goals. A conflict will thus occur between two people, when they have incompatible goals because they may have different perceptions, objectives, goals and ideas about how to achieve them. Mwagiru[29] states that in a simple conflict, for example between two people, the incompatibility arises because they may both have different perceptions, goals, and ideas about how to achieve them. Underlying that situation is a conflict of visions, and often an inability or unwillingness to see the other person's point of view. Mwagiru[30] further, alludes that conflict is about values, wants and interests which are negotiable and not susceptible to settlement. Dougherty and Pfaltzgraff[31] view conflict as a condition that exists when one group of human beings, whether tribal, ethnic, linguistic, cultural, religious, socio-economic or political is engaged in conscious opposition to one or identifiable human group because these groups are pursuing what are or appear to be incompatible goals. Zartman[32] too, asserts that a conflict refers to the outbreak of armed hostilities between parties. This means that there will always be conflict as long as nations and people pursue different interests and hence, to learn how to manage conflict and its effects on the people and nations is of paramount importance.

[28] C. R. Mitchell, *The Structure of International Conflict* (London: Macmillan, 1998) pp. 15 - 25.
   M. Mwagiru, *Conflict: Theory, Processes and Institutions of Management* (Watermark Printers Kenya Ltd: 1999) p. 3.   *
[J] M. Mwagiru, *The International Management of Internal Conflict in Africa: The Uganda Mediation, 1985* (PHD Dissertation, University of Kent at Canterbury 1994) p. 15.
   J. F. Dougherty & Pfaltzgraff, *Contending Theories of International Relations* (New York: Harper and Row Publishers 1990) p. 182.
   I Zartman, *Ripe for Resolution: Conflict and Intervention in Africa* (New York: Oxford University Press 1985) p. 8.

There has been an increase in conflicts in Africa, especially internal conflicts, which have become internationalized, as they involve various actors and according to Mwagiru[33], a previously internal conflict becomes endowed with many external characteristics. Paradoxically, however, Thakur's view[34], just as the complexities of war have changed so also has the wish for peace increased. This has been evidenced by the increased efforts being made to prevent and resolve global conflicts and Africa has featured prominently in these efforts. Zartman[35] further contends that one distinguishing factor of post Cold War conflicts in Africa is that they are mainly within the states. Many are as a result of long years of cultural, political, religious and ethnic marginalization and domination. While[36] more internal conflicts in Africa occurred in the post Cold War era than in any other manor world region, the continent is increasingly becoming marginalized in the United States and European foreign policies. As such, Africa needs to develop a regional capacity to prevent, contain and resolve conflicts relying on its own capabilities.

In situations of war and conflict, it is essential to analyse the social relations and gender disparities to understand the patterns of power and inequalities. There are inequalities, injustices and violence that are present in the social relations between men and women in most societies. The inequalities in social, economic and political spheres between men and women not only explain why conflicts affect women and men differently, but also the differential impact of conflict across different social groups. In different cultures, the social constructions and structures determine the gender power

[33] M. Mwagiru, "Conflict and Peaofc Management in the Horn of Africa", Paper Presented at the JRG Conference on Peace and Security, in the Horn of Africa in Mombasa, (1996). p. 8.

R. ThakUr, *Peace Research in Work in Progress* (Tokyo: United Nations University Bulletin, Vol. 15, No 3, Summer, (1999) p. 12.

I. Zartman, (ed) Collapsed States: *The Disintegration and Restoration of Legitimate Authority* ^Boulder Co: Lynne Rienner, 1995) p. 36.

World Military Expenditures, 1993 (Washington, D C.: World Priorities, 1993) p. 20.

relations and determine women's control and use of resources and their vulnerability during the times of conflict. Indeed, where[37] women are normally isolated within family unit they have less access to support from external social networks. The social disruptions in conflict provide women with opportunities to challenge the gender disparities, and enhance their active participation in conflict and political struggles thereby challenging the gender stereotypes in positive dimensions. At the Kakuma Refugee camp[38], women started questioning their non representation in the decision making committees. Men reacted by asking the women, whether the war has given them rights to think and talk like men. This showed that men still regard women as inferior to them, though women have come to challenge the structure, which has brought about gender inequalities in times of conflict, and they are now demanding the rights for representation in conflict management processes, because the conflict has affected them differently from men. At the same time, there are considerable[39] achievements by women who have gone to the urban areas, which has provoked reactions from men. These women have been able to mix freely with others, building their self esteem and confidence, and there are certain evolving attitudes and leadership qualities developing amongst them in the absence of men. They have been able to demand inclusion in the conflict management processes.

Zartman[40] sees conflict resolution as different from conflict management and to him; resolution is the elimination of underlying causes of the conflict with the agreement of the parties, whereas management refers to elimination, neutralization or control of the means of pursuing either the

Adams & Bradhury, *Conflict and Development, Organisational Adaptation in Conflict Situation (Oxford Discussion Paper No. 4 1995)* p. 23.

M. A. Fitzgerald, *Throwing the Stick forward: the Impact of Wars on the Southern Sudanese Women* (Nairobi: UNIFEM/UNICEF Publication, 2002) p. 61.

" Ibjd P-67.

I W, Zartman, *Ripe For Resolution,* op. cit. p. 8.

conflict or the crisis. According to him[41], management involves measures such as denying both sides the means of combat, neutralizing one party's means by slightly increasing the others. Mwagiru[42] however, identifies two approaches to conflict management as conflict resolution and conflict settlement. He contends that the relationship with power distinguishes settlement and resolution. Settlement is thus viewed as a process anchored on the ideas of power, while resolution disapproves power as the dominant framework for managing relationships in society. To Mwagiru, because settlement is not based on power relationships between the parties, it is not legitimized and therefore does not create an enduring structure of peace. In resolution, parties own the solution because they generate it, develop structures and hence they legitimize their post conflict relationships. Africans have been active in trying a number of collective mechanisms for providing conflict management and security in both internal and interstate conflicts. The utilization of sub-regional organizations for conflict management has an important potential future. These organizations tend to understand the conflict better than other international organizations.

The United Nations resolution 1325 of 2000 has reaffirmed the need for gender perspective in conflict, and conflict prevention and resolutions should include measures that support women's peace initiatives. Mbote[43]observes that gender considerations need to be integrated in conflict and peace management. Furthermore, the Fourth Conference on Women in Beijing in 1995 called for increased access by women to conflict prevention and resolution mechanisms, and raised consciousness of international policy makers about women's role in peace and creating conditions of trust and confidence among conflicting parties. The women in diaspora too need to be included

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42 M. Mwagiru, The International Management of Internal conflict in Africa op. cit. p.8.
    See P. Mbote in Mwagiru (eds), *African Regional Security in the Age of Globalisation* (Nairobi: Heinrich Boll Foundation, 2004) pp. 83 - 94.

in peace management so as to address the effects the conflict has had on them. The Beijing

platform of actions further states that

> 'In[44] a world of continuing instability and violence... the equal access and full participation
> of women in power structures and their full involvement in the prevention and resolution of
> conflicts are essential for the maintenance and promotion of peace and security'.

Mbote[45] further asserts that gender perspective should be an integral part in devising more

effective policies and to take into consideration the core causes of conflict, accounting for the

needs of all stakeholders, and assessing the potential interventions for different actors. She[46]

further asserts that women are often perceived as victims of insecurity rather than as actors with

the capacity to contribute to the maintenance of security and its restoration when insecurity

ensures. The international humanitarian law[47] states that, in a world where women are not equals

of men, and conflict impacts upon men and women in a fundamentally different way, a general

category of rules that is not inclusive of reality for women cannot respond to their situation. This

shows that for any conflict management to have lasting solutions, women and men should be

involved. There is a wrong assumption that women can do little, especially in conflict management

and peace building. The in-buit social structures discriminate against women in their endeavour to

seek peaceful solutions to conflict because of their gender. Longwe[48] sees women's equal

participation in the decision-making process, in policy-making and planning as key in any activity

since decisions made by the community and men would affect women as well. This enhances the

fact that for any conflict management and resolution, women must be represented since they are

actors in the community.

" UN, *The Beijing Platform for Action,* (Beijing: 1995).
^ **P.** Mbote in Mwagiru (eds), Op. cit.
47 See P. hlbote in Mwagiru (eds), *African Regional Security in the Age of Globalisation op. cit.*
  J. Gardam & M. Jarvis, *Women, Armed Conflict and International Law* (The Hague: Kluwer Law
International, 2001) p. 56.
  See Longwe in C, March et al *A Guide to Gender Analysis Frameworks* (Oxford: Oxfam Great
Britain Publication, 1999) p. 92.

The Sudanese women in diaspora should therefore be involved in looking for lasting solutions to the conflict in their country. The effects of conflict on them may impact on them negatively than men and therefore, it is imperative to involve them in the efforts of conflict management.

b.   Effects of Conflict on Women

Conflict brings with it terrible human rights consequences for all those involved (women, children and men). Indeed, conflict impacts on the civil, political, economic, social and cultural rights of women in particular ways, often devastating effects. In situations of conflict, it is important to analyze the social relations between men and women, in order to understand the power relations, as well as injustices and violence which, is inbuilt within the social structures. Indeed, Adams[49] notes that the social economic and political inequalities between men and women not only explain why war affects women and men differently, but also the differential impact of conflict across social groups. Most of African societies are highly patriarchal, and the culture determines the gender power relations between men and women, the access and control of resources. The women's social status determines their ability to interact outside their community and their vulnerability in times of conflict. However, increased violence against women seems to be not only endemic, but also a major concern in conflict situations. Throughout history, women-based violence has been an integral part of conflict. The Jewish women were raped during the World War 1, and the Korean women became sex slaves for the Japanese in the World War 11. The modern warfare[50] is characterized by use of methods of warfare that result in civilians being killed and injured on a massive scale. In many conflicts, civilians are deliberately targeted or fall victim because no effort

[49] Adams & Bradhury, *Conflict and* Development *Organisational Adaptation in Conflict Situations* ^Oxford: Discussion Paper 4 (1995) p. 6.
Amnesty International *Lives Blown Apart, Crimes against women in times of Conflict* (London: Amnesty International Publication: 2004) p. 49.

is made to distinguish between combatants and civilians. Women, children and the elderly generally constitute majority of civilian population vulnerable to attacks and are therefore in many instances disproportionately affected by such attacks. Women[51], who make 60% of the world's population, are the most targeted. They are not only vulnerable but also regarded to as property of men in the community. The silence exercised by women about their situations because of cultural and social demands put on them due to status in which they are regarded in the community has made them experience many abuses committed against them. Individual women[52] may be specifically targeted for torture or for killings because they are community leaders, because they have challenged social mores about appropriate roles for women or because of the activities of their male relatives. In many parts of the world, more and more women and girls are becoming combatants, whether voluntarily or through coercion. Many women have been forced to contribute to the conflict efforts in other ways, such as preparing munitions, uniforms and other military equipments.

The increasing international focus on sexual violence committed in the context of conflict, while necessary and important has tended to obscure other important aspects of women's experience of conflict. Women[53] and girls as a group are especially vulnerable to violence meted out against them because of a women's sexuality and gender, her relationship to a man, her relationship to the social, religious or ethnic group in a conflict, or because of her social roles. It is a fact that women fall victim to sexual violence because of their subordinate status in the society. According to

  Isis-WICCE *Women's World,   Violation   of   Women's   Rights,   Realities   Reviewed* No 38 (Isis-WICCE publication: 2004) p. 9.
[M] Amnesty International, op. cit. p.4.
  Isis-WICCE *Women in Human Rights,   Peace Building and Conflict Resolution,* op. cit. p.22.

Mbote[54], women and girls are deliberate targets of contemporary civil wars and sexual violence is an act of humiliation against women and male relatives. Indeed, Amnesty International[55], alludes that violence can take a variety of different forms, psychological as well as physical, resulting in extreme hardship and social deprivation which deny women economic, social and cultural rights, as well as their civil and political rights. Women often face particular barriers to access and redress, and endure social stigma in post conflict societies because of the abuses they have suffered. Stereotypical[56] or violent attitudes to women already prevalent in society are consciously inflamed or manipulated by those forces that such a strategy will be to their advantage.

The roles women are expected to play as carers and guardians of the family normally cause them to be particularly hit hard, both financially and emotionally, by loss of family or destruction of their homes. In conflict situations, many women must take on additional roles as sole heads of household providing for their families. Damage to the economic infrastructure and environment raises particular problems for women in societies where they have primary responsibility of providing food and water for their families. The damage caused by conflict often means, that women no longer have access to health care appropriate to their needs, whether in their communities, camps for refugees and displaced people or in demobilization camps established in the aftermath of conflict. In the Sudan[57] conflict, many women and children have been displaced from their areas and against their will, and they have left the country and gone to live in refugee camps in neighbouring countries like Kenya.

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[54] See P. Mbote in Mwagiru (eds), *African Regional Security in the Age of Globalisation* (Heinrich Boll Foundation, Nairobi: 2004) >p. 83 - 94.

Amnesty International *Lives Blown Apart, Crimes against women in times of Conflict* (London: Amnesty International Publication, 2004) p. 6.

[57] 'bid p. 7.

Isis-WICCE *Women's World, Violation of Women's Rights, Realities Reviewed* No 38 (Isis-WICCE publication: 2004) p. 9.

Attempts to address human rights consequences of conflict including particular impacts on women can only be comprehensive and long lasting if women play an active part in all relevant processes and mechanisms. However, to-date, despite the undoubted efforts by international agencies to ensure gender issues inform their work, particular needs of women have all too often been neglected in disarmament, demobilization and reintegration programmes. Indeed for the diaspora, repatriation and resettlement programmes, peacekeeping initiatives, and strategies to end future conflict and in reconstruction programmes, should involve not only men, but also the women. Women's participation in the planning and implementation of these processes is fundamental to ensuring that they address the human rights of all including women. For instance, the UN[58] Secretary General Kofi Anan has acknowledged that efforts to resolve conflicts and address the root causes cannot succeed unless there is empowerment of those who have suffered from it including and especially women. Indeed, the foundations for enduring peace can only be built if women play a full and equal part in conflict and peace process. He[59] reiterates that if women do not participate in the decision making structures of a society, they are unlikely to become involved in decisions about the conflict and the peace process that follows. The UN Resolution 1325 of 2000 builds on a number of initiatives that reflect growing awareness of abuses suffered by women in conflict. It draws attention to the particular impact of conflict on women and recognizes the consequent impact this has on durable peace and reconciliation. It recognizes women as the indispensable actors in finding lasting peaceful solutions. Mazrui[60] for instance, agrees that women as a force for peace would only succeed if their participation in warfare went beyond obeying

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[58] Amnesty International *Lives Blown Apart, Crimes against women in times of Conflict* (London: Amnesty International Publication, 2004) p. 71.

Secretary General Reports *Women, Peace and Security: pursuant to Security Council Resolution 1325* (2000J(New York: United Nations Publication, 2002)

A, Mazrui, *The Standard Newspaper,* (Nairobi: February 19, 2006) p. 11.

orders from the male. He asserts that if women are potentially a force for peace, no long-term strategy can succeed without paying attention to them, and their ability. Mbote[61], amplifies this idea, and contends that both classical and behaviourists theorists of conflict have neglected the gender dimension in their analyses, thus excluding a very important paradigm in the analyses of causes and impact of conflict and on the mechanisms of managing conflict. The inequities between genders have implications for stability and conflict as they shape the roles, expectations and interventions. Gender equity and equality are therefore essential in building sustainable peace and reconstructing democratic processes since they capture gender related issues in specific conflict situations.

The Sudanese women in diaspora in Kenya have been undergoing certain transformations of their gender roles as mothers, daughters, and wives. People's[62] identities in the disapora can be regarded as a constant process of negotiations between traditions of their homeland and the traditions of the host society. Indeed, the diaspora's identity is affected by the host society's gender roles, hence other roles are normally taken up alongside those from their country of origin. The women in diaspora have myriads aspect of life associated with resettlement, social and the transformation of gender roles. These women have had to cope with their new roles in the resettlement country, and yet manage to be involved in the peace process in southern Sudan. Indeed, Mbote[63] has reiterated that insecurity increases the number of female-headed households once men go to war. She further affirms that situation of women is far more worse where women

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^ See P. Mbote in Mwagiru (eds) *African Regional Security in the Age of Globalisation,* op. cit,
  A. Mustafa, *Wonderings: Sudanese Migrants and Exiles in North America* (Cornell: Cornell PU, **2002)** p. **5.**

  See P. Mbote in Mwagiru (eds), *African Regional Security in the Age of Globalisation* (Nairobi: Heinrich Boll Foundation, 2004) pp. 83 - 94.

are forcibly displaced into refugee camps, and diaspora, with limited resources and hence, further constrained in accessing basic resources including food, healthcare and education.

The study also sought to find the contributions of the Sudanese women in Kenya in the south Sudan conflict management, as well as in peace initiatives.

1.2.2 Justification

This study was timely since it addressed the effects of conflict on women in diaspora. Women and children form majority of millions of refugees and displaced persons fleeing situations of conflict, exposing them to privations of many kinds and to further risks of sexual violence. Indeed, the conflict in Sudan[64] has had a profound impact on children and women. Not only has it exposed them to all kinds of risks like sexual assault and insecurity, it has also eroded or destroyed the most important source of emotional security and stability that the women and children might have enjoyed - a family environment. It has separated families, exposing them to war and psychosocial trauma. For instance, the women and the children have been exposed to shelling, witnessed widespread burning, looting and killings. However, while sexual violence does occur in peacetime, the weakening social structures in times of conflict have increased the magnitude of violence against women. Abducted women have been systematically subjected to rape in the period of their captivity. The impact of these traumatic experiences is difficult to measure. This study hence attempted to establish the effects of conflict on women and at the same time, investigate their contribution in conflict management. Indeed, Fitzgerald[65] has underlined the role women have played in Sudan peace making at the grassroots level. Conflict affects men and women differently,

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[64] United Nations Children's Fund *Children of War: Wondering Alone in Southern Sudan* (New York: UNICEF production 1994) p. 6.

A. Fitzgerald, *Throwing the Stick Forward: the Impact of War on Southern Sudanese women (* Nairobi: UNIFEM/UNICEF Publication 2002) pp. 120- 123.

and women as a group they have particular needs, which differ from those of men as a group, not only because of the women's role, but also because of their subordinate position to men in most societies. Carolyne Moser[66] too, asserts that women as agents of change, must participate as managers, planners, advisers and educators within various levels of any intervention, be it conflict or otherwise. Angela King[67], a Special Adviser to the UN Secretary General too, had previously underlined the fact that though women have traditionally been looked at as victims, there is a new line of thinking of the role that women play as peacekeepers, in peace accords and rebuilding the society. She recognises that women are better negotiators and less hierarchical than men. Indeed[68], a report by the Development Assistance Technical Office, asserts that the role women play in Sudanese society, especially in peace and during times of conflict has been missed. This study therefore attempted to link the effects of conflict on women, and their involvement in conflict management and peace initiatives, as well as its justification on two levels; that is, its relevance to policy formulation and the academic value it carries.

a.   Academic Justification

There has been little research carried out on conflict and women's role in the diaspora. This could be explained by the relatively new areas of this study at the universities. Indeed, Mwagiru[69] has observed that the most alarming things in Africa, has been the problem of conflict and its management, are so glaring, and that there is little being taught in African universities and other

[66] See C. Moser in March et al, *A Guide to Gender Analysis Frameworks* (Oxford: Oxfam Great Britain Publication, 1990) p. 57.
[67] 'bid p. 128.
[68] Development Assistance Technical Office & Women and Natural Resources Working Group, *Factors Affecting Women's Participation and Access to, Control and Ownership to Social, Economic and Political Resources* (Nairobi: 2001) p. 4.
[69] M. Mwagiru, *Conflict: Theory, Processes and Institutions of Management* {Nairobi: Watermark Printers Kenya Ltd, 1999) p. vii.

institutions of high learning about the analysis of conflict. This study therefore attempted to give an analysis on the effects of conflict on women, and their contribution in conflict management in diaspora. The information derived from this study could be used by future scholars for reference, as well as being a springboard towards mobilizing more concerted efforts by conflict and peace making scholars in ensuring the participation of women in diaspora. The data from the research will be used for academic purposes, as well as for the empowerment of women by development organizations for conflict management and peace building initiatives.

b.   Policy Justification

The study is timely in the wake of the increasing need for mainstreaming gender into conflict management, thereby involving all stakeholders, affected by conflict, majority of who are women. It linked structures that cause conflict to the needs for women empowerment, especially for the Sudanese women in diaspora. The study established and recommended policy guidelines, which will assist in informing both national and international institutions to effectively involve women in diaspora in handling conflict management and resolution. This study will be invaluable to the current Sudan peace agreement negotiated in Kenya, where lasting solution to this agreement are being sought, and it would therefore contribute in the integration as a source of policy.

1.3   Theoretical Framework

In pursuing the objectives of this study, two theories were advanced to provide the^6*103'
guidance. These theories were the Structural Theory and the Social Relations Approach   3 theory-
The structural violence investigated in the Sudan conflict through the analysis of social *sir1* (otures
of the government, religion and culture that subject women to a disadvantaged position mtf **J** e **than**

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men. The gender perspective domination in the social structures was investigated to find out whether there are discriminating structures that place women at a lower level than men in the societies and hence affect their involvement in conflict management and peace processes. Women suffer much more than men in the situations of conflicts. Indeed, the political institutions do subject certain categories of people differently from others, thereby marginalizing some groups within the society. Kabeer looks at the power relations in the institutions that place certain people at different levels from others, hence adoption of her theory of social approach. The theory was used to analyse social structures within the Sudan government and the southern Sudanese culture, and their effect on women in conflict situations. The theory was also used to offer solutions that place women in the same positions as men, in order to minimize the inequalities between them.

1.3.1   Structural Theory

The notion of structural conflict[70] has influenced profoundly the study of conflict and has introduced new complexities and insights to conflict management. According to Mwagiru[71], structural conflict means that it is necessary to look beyond the immediate physical violence and take into account the structure that underlies social relationships, since it might be a source of conflict. The definition of structural conflict has much to do with the question of who or what is responsible for generation of conflict.

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[70] J Galtung, *Violence, Peace and Peace Research* Journal of Peace Research Vol 3 (1969) pp. 167-191.

M. Mwagiru, *Conflict: Theory, Processes and Institutions of Management* (Nairobi: Watermark Printers Kenya Ltd, 1999) p. 24.

Galtung[72] defines structural violence as existing in those conditions in which human beings are unable to realize their full potential: where their somatic and mental realizations are below their potential realizations. Where there is structural violence, there is no actor committing direct violence, but influences against people's realization of their full potential are the basis of structural or indirect violence. For Galtung[73], the centerpiece of structural violence is that there is no actor who actually creates violence, and neither does it hit directly and physically at the individual.

The existence of structural conflict means that it is necessary to look beyond immediate physical violence and take into account the structure that underlies social relationships, since it might be the source of the conflict. According to Galtung[74], structural violence is embedded in the structure of relationships, and hence the actors might not immediately recognize it. He further argues that if there are no relationships in society, and then there would never be structural violence. The structures that cause conflict are economic, social, religious and psychological. The effect of these structures is to create inequalities in various categories and sectors including employment, gender, education, political representation and health amongst others. Conflict is as a result of the structure in the society. It occurs where the structural relationship is unjust and inequitable and human beings cannot realize their potential in such a situation. Structural inequality is based on subjugation and inequality that is rooted in hierarchy, domination, and the use of force. Indeed, the structural system of male domination sustained through the persistence of gender stereotypes, which are themselves socially endowed labels. Structural violence is therefore a systematic exploitation that becomes part of the social order. Structural violence is maintained through

[72] J. Galtung, op. cit.
[73] J. Galtung *Violence, Peace and Peace Research, op cit*
[74] J. Galtung, *Violence, Peace and Peace Research* Journal of Peace Research Vol 3 (1969) pp. 167-191.

socialization, gender stereotyping, and a constant threat of violence, all of which insidiously identify women as inferior.

To understand the southern Sudanese conflict, this theory has to be adopted because of some of the root causes of the Sudan conflict are embedded in the structures that have been set up. In the[75] colonial period, which extended from 1889 to 1956 there was consistent negligence of the development in the south and other marginalized areas. Similarly, Khartoum government after independence adopted policies that undermined any form of governance and focused on Islamisation, Arabization and sustained ruthless exploitation of resources at the expense of the south. These policies, therefore lead to conflict with the south Sudan seeking freedom because of the inhibiting structures. The theory alludes that violence occurs where the structural relationship is unjust and inequitable and human beings cannot realize their potential. In such situations, for example, where one ethnic group is favoured as the case of northern Sudanese, and then one is discriminated, in case of southern Sudanese, in terms of unequal distribution of resources, this group in the south cannot achieve its potential, thereby creating violence as it has been in the southern Sudanese conflict.

Writings by Johnson[76] state that the conflict in southern Sudan has been as a result of successive Sudanese states in producing regional underdevelopment and racial and cultural antagonism. This has emphasized the structural violence theory that the conflict has been as a result of unequal distribution of resources, and the structures put in place by the Khartoum government against the

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[75] Development Assistance Technical Office & Women and Natural Resources Working Group, *Factors Affecting Women's Participation and Access to, Control and Ownership to Social, Economic and Political Resources* (Nairobi: 2001) p. 4.
   D. Johnson, *The Root Causes of Sudan's Civil Wars* (Oxford: The International African Institute Oxford, 2004) p. 6.

south. There has been inequalities in power distribution in Sudan, with disequilibrium in power distribution; therefore leading into conflict because of unfair power distribution. Indeed too, gender relations are structural and systemic; hence, women may not easily recognize the discrimination imposed to them by their culture. On the other hand, Mbote[77] confirms that cultures that limit women's access to resources and decision making power, and which characterize women as inferior to men, treat women as property and accept domestic violence as a norm have, for instance been said to be more prone to repression and violent conflict in public arena. The Sudanese women in diaspora have had to endure structural conflict, because their culture, religion and government have put in place conflictual structures, which have caused conflict, thereby displacing them from their natural environment. The study will apply this theory in trying to establish whether conflict has been caused by the structures within the Sudan government, and how women in diaspora in Kenya are responding to their new situation.

1.3.2 Social Relations Approach

The second theory, used in the study, was the Social Relations Approach to gender and development. This theory was developed by Naila Kabeer in 1994. The[78] Social Relations Approach is intended as a method of analyzing gender inequalities in the distribution of resources, responsibilities, and power, and for designing policies and programmes which enable women to be agents of their own development. The framework[79] uses concepts rather than tools to concentrate on the relationships between people and their relationship to resources and activities. In the Social Relations Approach, development is primarily increasing human well-being. It is not simply about

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[77] Ree P. Mbote in Mwagiru (eds), *Regional Security in the Age of Globalisation* (Nairobi: Heinrich Boll Foundation, 2004) pp. 83 -94.

C. March et al *A Guide to Gender Analysis Frameworks* (Oxford: Oxfam Great Britain Publication, 1999) p. 102.

ibid

economic growth or improved productivity. In advancing this theory, Kabeer divides the Social

Relations Approach into three levels; namely, development as increasing human well-being, social

relations and institutional analysis.   Kabeer's approach concentrates on the relationship between

people and their resources and activities. This approach analyses the existing gender inequalities

in the distribution of resources. The approach also stipulates that unequal social relations, which

dictate unequal relations to resources, claims and responsibilities and power, bring about poverty

amongst people. It therefore stipulates that there are differences in positioning women and men in

social processes. Hence it is involved in the redistribution of power between men and women.

a.   Social Approach Concept: Development as Increasing Human Well-Being

According to Kabeer[80], human well-being is seen as concerning survival, security, and autonomy,

where autonomy means ability to participate fully in those decisions that shape one's choices and

one's life chances, at both the personal and the collective level. Therefore, development

interventions must be assessed not only in terms of technical efficiency, but also in terms of how

well they contribute to broader goals of survival, security and human dignity. This concept argues

that production does not necessarily include market production but also all other activities, which

contribute to the human well being, and this includes caring, nurturing and other activities, which

the poor undertake to survive. To address the effects of the Sudan conflict on women, issues

concerning security and the survival of women must indeed be addressed, even for those in the

diaspora, in Kenya since they all contribute to the development of peace in their territory.

[80] March et al *A Guide to Gender Analysis Frameworks,* op. cit. p. 103.

b. Social Relations Approach Concept 2: Social Relations

Kabeer[81] uses the term social relations to describe the structural relationships that create and reproduce systemic differences in the positioning of different groups of people. Such relationships determine who we are, what our roles are, our rights and the control that we have over our lives and those of others. Social relations produce cross cutting inequalities, which ascribe each individual a position in the structure and hierarchy of their society. Social relations are not fixed and they can change. It is on this basis that Galtung[82] alludes that structural violence is embedded in the structure of relationships, and hence the actors might not immediately recognize it. These two theories bring out the different social structures contributing to inequalities and violence, which can be seen in the way women have been affected by the conflict in Sudan. The structures and social relations must be addressed in order to secure not only long lasting solutions in Sudan, but also solutions that are realistic. The efforts must therefore focus on women and the social structures that discriminate against them, as well as dismantling those structures that enhance violence against women. Kabeer further recognizes that gender inequality can be reproduced across a range of institutions, including the international community. Like Galtung, Kabeer[83] argues that to understand how social inequalities are produced and reinforced through institutions, we must scrutinize the actual rules and practices of institutions to uncover their core values and assumptions.

[81] ibid '
[82] J Galtung, *Violence Peace and Peace Research* Journal of Peace Research Vol 3 (1969) pp. 167-191.
   C. March et al *A Guide to Gender Analysis Frameworks* (Oxford: Oxfam Great Britain Publication, 1999) p. 104.

c. Social Relations Approach Concept 3: Institutional Analysis

This level states that the underlying cause of gender inequality is not confined to the household and family, but they are reproduced across institutions, including international community, the community and the state. According to Kabeer[84], the social relations approach challenges two myths about institutions on which much prevailing planning is based. She argues that institutions produce, reinforce, and reproduce social difference and inequalities. She further argues that institutions are responsible in the creation of gender blind policies. Fitzgerald[85] confirms that women did not play a significant role in peace process. IGAD has been dealing exclusively with the Sudanese government and the SPLA, which were heavily male dominated. She urges that[86] experiences that women have gone through in the conflict make them have first hand experiences of the brutal consequences of conflict, and that it can be argued that women have a better understanding of the concept that successful peace lies on grassroots participation and consensus.

The social relations approach gives insights into the roots of powerlessness, poverty and women's subordination and it emphasizes the connectedness of men and women through their social relationships, and ways in which these relationships affect them. The theory shows that women are indeed a vital resource and a force, which must be never ignored for any reconciliation, peace building, social reconstruction and development interventions to succeed in the Sudan. The southern Sudanese cultures are vigorously patriarchal and they have a marked disparity between males and females. Thus women are hostage to power structures that are underpinned by economic, social and political resources. The study has strong convictions that Sudanese women,

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^ ibid p. 105.
  A. Fitzgerald *Throwing the Stick Forward: the Impact of War on Southern Sudanese women*(Nairobi: UNIFEM/UNICEF Publication 2002) pp. 124 -125.
  See Prof Riak in Fitzgerald, ibid

whether in refugee camps in Kenya or in Sudan or elsewhere, have a role to play in conflict management and peace building since gender roles and power relations change because of the effects of conflict.

Indeed the link between structures and conflict is very strong. The social structures, which have been in built in, the society, may lead to conflict. On the other hand, efforts that do not take into account the women participation in conflict may prevent appropriate conflict management process. The social relations approach theory helps in analyzing the immediate, underlying and structural factors, which cause problems, and their effects on various actors involved. This theory is therefore ideal in analysing the effects of conflict on women and at the same time look into ways of involving all the actors affected by the conflict. Although women are often regarded as a homogenous group, yet they have multiple roles, it is difficult to draw a line between the women as victims and women as agents of change within the society. Their roles merge and make it a complex task of requirement to be recognized not as victims but as autonomous individuals who are capable of taking action and demanding or causing change. Women in diaspora are often seen as victims and therefore excluded from conflict management processes. This theory brought out women as fair participators in conflict management because of the effects conflict has had on them.

Thus, the two theories were expected to help in understanding the effects of conflict on women and the Sudanese women in diaspora, as well as in informing the policy makers of the conflict effects and measures that can be taken to address the gaps, especially for the women in diaspora.

1-4 Hypotheses   ,»

•n pursuing the outlined objectives, this research set out to test the following hypothesis:

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- Women in diaspora have been marginalized in conflict management and peace processes.
- Culture and religion are overwhelmingly responsible for gender disparities in conflict management.
- Involvement of women in conflict management and peace processes is paramount to achieving lasting peace solutions.

1.5 Research Methodology

The research study was informed by primary and secondary sources. The primary data was derived from oral interviews, interaction with refugees informally, focus group discussions and observations. The interviews covered a wide range of choice that is, Sudanese women in Kenya and non-Sudanese women involved indirectly in conflict, and post conflict and peace management process. The study interviewed other category of women and men who work in southern Sudan, or with Sudanese, namely with UNIFEM, Interchurch Organisation for Development Cooperation (ICCO), UNHCR, SWAN amongst others. These groups of people have been involved in the work of women in south Sudan conflict and their information was paramount to this study.

The research site was mainly Nairobi focusing on urban refugees, and key informants, working with development organizations, international non-governmental organizations, and other humanitarian agencies, based in Nairobi, as well as women undertaking income generating activities or studying elsewhere in the city. Nairobi, being a capital city of Kenya has been infiltrated by women refugees who were displaced by the conflict, hence the reason for the choice.

The sampling technique was purposive. Babbie[87] defines purposive sampling as a form of non-probability sampling method, in which the researcher uses his or her judgement in the selection of sample members. The method was preferred in the study since the respondents were felt to have the required information for the study. Snowball method of sampling was used to identify few subjects who named others that they knew who had the required information for the study. Mugenda[88] states that this method is useful when the population that possesses the characteristics under the study are not well known and there is need to find subjects. Although the refugees are known to stay in Kakuma, it would have been difficult to find the subjects in the urban area like Nairobi and hence the use of snowball. The subjects were mainly those have been affected by the conflict in Sudan and they have been in diaspora for the study period. For qualitative data, 6 key informants were purposively selected from the organisations addressing refugees and working in south Sudan, namely UNHCR, GTZ, World Vision-south Sudan and ICCO amongst others. At the same time, 40 women, among them 5 key informants were selected because they were felt to have the relevant information on the study subjects, especially from a women's perspective. 10 men, amongst them one key informant were selected to provide the study with their view on the effects of conflict on women in diaspora.

The interviews were conducted using a semi-structured questionnaire. This method involved the use of closed and open-ended questionnaires. The questionnaire was divided into four sections, which addressed the research objectives. The first section involved background information of the interviewee, and the other three sections addressed the objectives. This method was preferred for

[87] É. Babbie, *The Practice of Social Research,* (Wadsworth Publishing Company, NY: 1995) p.27.
[88] 0 Mugenda & A. Mugenda, *Research Methods, Quantitative and Qualitative Approaches,* (ACTS Press, Nairobi: Revised Ed, 2003) p. 51.

its depth in probing of the interviewees. It also allowed a wide coverage of the sample. However, the method is time consuming and not many people are always willing to be interviewed.

At the same time, one group of twelve women was subjected to focus group discussions. The group was identified through random sampling, thus giving equal chances of each woman to be in the research sample. A focus group discussion questionnaire was developed for this purpose. The focus group discussion was chosen because of its deep probing and it helped compare the results from the interviews with the focus group discussions results. However, this was very involving in questionnaire preparations and the moderation. Though the moderator should be good in moderation, the researcher, having undertaken such a task before, was able to achieve the expected information from the discussion. In focus group discussions, there is always a possibility of diverging from the objectives, especially when the group discusses issues outside the focus group.

The study engaged services of two research assistants, who assisted in the collection of data.

The secondary data included journals, periodicals, books; relevant websites, publications and previous research on the Sudan conflict published and unpublished, and secondary data from Kakuma refugee camp to inform the situation of women refugees there was also reviewed. Interaction with refugees from Kakuma during Windle Trust Cultural Day, too provided the researcher with primary information of their situation in Kakuma.

The study undertook data collation using the methods stated above. The information was analysed to provide crucial as well as relevant information for the sake of interpretation and presentation of research findings. This involved sorting, classifying, identifying, describing,

assessing and defining the collected data. All variables generated from focus group discussion, interviews, observations and library research were categorized and analyzed individually using tables and pie charts. The data was thereafter interpreted and presented, with an aim of answering the questions raised in the research problem. Data presentation too, was carried out in this study, with a major purpose of communicating the results acquired from the research to the reader. The end product was expected to be used in gender and conflict studies academics, and also by policy makers in Sudan for planning for lasting peace solution in the Sudan.

1.6 Definition of Concepts

Conflict: *confligere* in Latin means to strike together. It arises when two or more parties have incompatible goals about something.

Condition: The term[89] refers to the immediate, material circumstances in which women and men live, related to their present workloads and responsibilities.

Control: This is the power[90] to decide how a resource is used, and who has access to it. Women's subordinate position can limit their access to and control over resources and benefits.

Diaspora: dispersion of people already belonging to one nation. This is forced relocation of any people away from their homeland, and into foreign lands. AU[91] defines African diaspora as comprising people of African origin living outside the continent, irrespective of their citizenship and nationality and who are willing to contribute to the development of the continent. These are the indigenous peoples of Africa and their descendants, wherever they are in the world.

Gender: The state [92]of being either male or female. It refers to all the socially given attributes, roles, activities and responsibilities connected to being a male or female in a given society.

Gender aware: the recognition[93] that women are development actors as well as men, that the nature of policies, women involvement is determined by gender relations, which make their involvement different, and often unequal, and that consequently women have different needs, interests and priorities, which may sometimes conflict with those of men.

Patriarchy: A society is patriarchal to the degree that is male dominated, male identified and male centred.

C. March et al, *A Guide to Gender Analysis Frameworks* (Oxford: Oxfam Great Britain Publication, 1999) p. 19.

[91] 'bid p.'97.

[92] African Unity Charter

C. March et al,*A Guide to Gender Analysis Frameworks* (Oxford: Oxfam Great Britain Publication, 1999) p. 18.

•bid, p. 29.

position: Describes[94] the place of women in society relative to that of men. Changing women's position requires addressing their strategic gender interests, including equal access to decision making and resources, getting rid of discrimination in employment, land ownership.

Violence against women: Any[95] act of gender based violence that results in, or likely to result in physical, sexual or psychological harm or suffering to women, including threats of such acts like coercion or arbitrary deprivation of liberty, whether occurring in private or public life.

CHAPTER OUTLINE

Chapter 1:   Introduction, research problem, objectives of the study, literature review, justification, theoretical framework, hypothesis and methodology.

Chapter 2:   Historical Background on the Southern Sudan Conflict: Its Root Causes and Effects on the People of Sudan

Chapter 3:   Primary Data collection, Analysis and Presentation on effects of conflict on women in the Diaspora.

Chapter 4:   A Critical Analysis of Effects of South Sudan Conflict on Women

Chapter 5:   Conclusion and Recommendations.

        Bibiliography

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r$_s$°P- Cit. p. 18.
  Amnesty International *Lives Blown Apart, Crimes Against Women in Times of Conflict* (London: Amnesty International Publication, 2004) p. 6.

CHAPTER TWO

HISTORICAL BACKGROUND ON SOUTHERN SUDAN CONFLICT: ITS ROOTS AND EFFECTS ON THE PEOPLES OF SUDAN

2.0 Introduction

To understand the effects of the Sudan conflict on women, it is important to look at the political history of Sudan and the genesis of the long civil war. This chapter therefore traced and discussed the origin; and the background of the southern Sudan conflict. It provided an analyses of the events leading to the outbreak of the current conflict, the changes in the regime in Sudan, the impact of conflict during these times and processes of addressing the conflict. It looked into the structures that have led to the Sudan conflict, and how these structures have been used to perpetuate Africa's longest civil conflict and its effects on women in the diaspora.

Amnesty International[96] reports that conflict often creates conditions of severe economic deprivation where the civilian population - and in particular women, becomes almost totally dependent on certain authorities for their survival, leaving them acutely vulnerable to sexual and other forms of exploitation. Indeed, women though victims of the conflict they too, are survivors. Gender based violence intensifies in times of conflict and women normally become battlefields and objects of severe tactics from male warriors. Deliberate layers of discrimination that already exist in a society allow women to be targeted and experience violence, sexual abuse, slavery, and pre-existing cultures of discrimination are often exacerbated. Indeed, conflict brings a culture of lawlessness that inculcates in young soldiers a code of violent behaviour towards civilians. This chapter helped in the analyzing of the structures causing conflict in Sudan as well as guiding in

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[96] Amnesty International, *Lives Blown Apart: Crimes Against Women in Times of Conflict* (London: 2004) **p. 17.**

addressing the policies that need to be put in place for the inclusion of gender in conflict management systems in the Sudan. Indeed, there is a lot of information on women as victims of conflict, and little on the immense increase in women's independence and self-confidence triggered by conflict. The public image of women as victims and losers seriously affects awareness of the different impact conflict has on women and men, and impedes the recognition of unique solutions that women might propose.

Abusharaf[97], has stated that Sudanese women are challenging their traditional status in diaspora. In Sudan and in Diaspora, they have established networks and organizations that raise awareness of human costs of the conflict and calls for an inclusive approach to the implementation of the peace agreement. As breadwinners in diaspora and decision makers, women feel that no plans for voluntary return, resettlement and rehabilitation of refugees can succeed without their involvement. Thus the networks and organizations formed have supported the women in income generating activities, and community activities such as those addressing peace building.

A report[98] by New Sudanese Women Federation in Nairobi indicates that women and girls both in Kenya and in Sudan have joined the military and trained as combatant, showing their direct contribution as combatants in the conflict. They formed associations with the objective of helping the needy by distributing food, running clinics and caring for the wounded in south Sudan, using Kenya and other neighbouring countries as their base. As a result, this study looked at the effects of conflict on women while addressing the empowerment they have had as a result of their involvement in the conflict and the negative effect the conflict has had on them. The chapter helped

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[97] R Abusharaf, *Sudanese Women Waging Peace Report,* (Washington D.C. and New York: 2004) p. 10.
[98] New Sudan Women Federation, *Overcoming Gender Conflict Bias: The Case of New Sudan Women and Girls* (Kenya Litho, Nairobi: 2001) p. 23.

the study to analyse the fears that have been reinforced in Sudan through the use of religion, resource distribution and how these have affected the marginalization of women in conflict situations.

2.1   Historical Background of Sudan Conflicts

The genealogy and dimensions of conflicts and civil wars in Africa are complex and varied. Underlying most conflicts is the issue of rights of the citizens. Kofi" Anan, has stated that the construction and nature of the state in Africa, which is rooted in the pedigree, tend toward the institutionalization of ethnic entitlements, rights, and privileges, which has created differentiated and unequal status of citizenship. He further stated that the state, rather than provide a common bond for the people through the tie of citizenship, with equal rights, privileges, and obligations, peoples loyalties are bifurcated. This has resulted to tensions and marginalization, exclusion and domination by certain groups over the others, which has a bearing on the conflicts in Africa. In Sudan, groups have taken arms against the government to claim for their rights as part of citizens in that country. However, the root causes of the Sudan conflict are believed to be grounded in its history, its formation and characteristics.

Historically[100], the word Sudan comes from the Arabic expression *Bilaad El Sudan,* which literally means land of Blacks. This expression was used by the early Arabs who came to Africa in search of trade, to refer to all territories in the sub-Saharan Africa. The country's geographical location and historical heritage consolidated its place in history as a meeting point of Arab and sub-Saharan

[100]A. Kofi, *Causes of Conflict in Africa,* UN Secretary General Report:, New York: 1998) p. 113.
    D. Johnson, *The Root Causes of Sudan's Civil Wars* (Oxford: The International African Institute Oxford: 2004) p. 1.

worlds. In 2002[101] Sudan had an estimated population of 37 million people, and it [102]is the largest country in Africa with an area of nearly 2.376 square miles, and bordered by nine other countries. One[103] cannot really understand the intensity and duration of the war without having some sense of character of the nation of Sudan. Most of the last fifty-five years, peace has eluded the peoples of southern Sudan and there has been a long rooted rebellion of the southerners against the arabisation of the north. The origins of the civil war has ancient history which dates back to the times of the Turko-Egyptian rule, while the modern conflict has its roots in colonial times when Sudan was ruled by the British and the Egyptians from 1899 to 1956. At the same time, the composition, history and characteristics of Sudan are extremely diverse and complex, hence important to understand as they underlie and contribute to many dimensions, the duration and the intensity of the on going conflict. There[104] are over 570 different ethnic groups, of whom 40% are native Arabic speakers who live in the northern and central Sudan. The great majority of about 60% are the Bantu Nilotic Sudanese who live in the south, and of this total, more than half are women. The ethnic divide between the north and south is accentuated by the distinct variance of geography, religion, political ambitions and rate of development. Northern Sudan has been given preferences in terms of resources, power and development while the southern was largely underdeveloped and impoverished, right from the times of the Turko-Egyptian rule, to the current ruie. Therefore, religion, local perception of race and social status, economic exploitation, colonial and post colonial interventions are all underlying elements in the Sudan's conflict.

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[102] J Ramsay, *Global Studies: Africa 1(f*h* ed,* (Guilord, CT: McGraw-Hill 2003) p. 99.

[103]D- J°ʰhson, op. cit p. 1.

The New Sudan Council of Churches, *Inside Sudan, The Story of People-to-People Peacemaking in Southern Sudan*, (Nairobi: New Sudan Council of Churches Publication, 2002) P.[16]-

[104] ibid p. 3.

2.1.1 Underlying and Root Causes of Sudan Conflicts

Tracing the genesis of Sudan conflict from the Turko-Egyptian shows a country, which has been volatile, socio-economically and politically. The Sudanese people's diversity can be traced throughout history of the region as well as the events leading to the definition of the current Sudan. As underlined before, Sudan encompasses a variety of traditions and wide diversity of cultures among the peoples of the Sudan. The root cause of the Sudan conflict can be worked in a socio-economic, political and historical framework. In Anthropological and historical terms, peoples within the Sudan adhere to many different cultures, each with its own historical orientation. They practice different religions and ascribe to different heritage. There is no common value, history and heritage in the Sudan and the belief that there are common values has contributed to the root cause of conflict in the Sudan. However,[105] it is possible to identify two large categories of the many people of Sudan, particularly as they relate to the conflict in the region. These groups are relatively distinct and identifiable with their traditional homelands - the northern and southern Sudanese. The Sudan[106] Council of Churches underscores that this line of basic diversity has become polarized historically, economically, socially and politically by the different powers and rulers in Sudan so that it is indeed one of the root causes of wars in Sudan. This was reinforced by the northern kingdoms preceding colonialism and popularized by colonial powers especially the Anglo-British era, in which north and south Sudan were administered separately and treated differently with the north being developed and southern being underdeveloped. At the same time, racial and cultural prejudices and hatreds have fuelled hostilities and have heightened the conflict between the north and the south. Different factors are therefore Responsible for the emergence and development of protracted

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[105] .. New Sudan Council of Churches, *Inside Sudan, The Story of People-to-People Peacemaking '''Southern Sudan,* (Nairobi: New Sudan Council of Churches Publication, 2002) p.16.
•bid p. 17.

social conflict, in Sudan. These are religious, economic, political, cultural, institutional (basically, this is state structures, inert group politics amongst others), and colonial factors. These factors are structural because essentially, they are an outcome of incompatible interests based on competition for resources.

Structural theory, emphasis the competing interests, or groups as prime motivations of conflict. It identifies the primary sources of conflict in the social, economic and political organization within a society, and in the nature and strengths of ties within and between communities. In using the structural approach to the Sudan conflict, the study aimed to present a range of underlying factors, which are the cause of the break out of the conflict.

The hostilities in Sudan predominantly pit the northerners against the southerners, mainly because of perception and structural issues. The south perceives the north as dominating and they feel marginalized by them, politically, economically and socially. This has been so, since the early Islamisation of the Sudan in the 1340. Indeed, power structures in the Sudan, have always been polarized pitting the Muslims north against the Christian and Animist south.

Another underlying source of conflict is the demarcation of the Sudan borders. Mwagiru[107], states that the realities of the African ethnic context were enshrined at 1884-5 Berlin Conference, where Africa was curved up by the imperial powers. He further states that the imperial powers did not pay attention to ethnic, cultural and geographical or other factors. This view is manifested in the Sudan conflict as the imperial power paid little attention to the ethnic diversity in the Sudan, when curving °ut the borders. Therefore, the boundaries were drawn without heed to different religious and

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M. Mwagiru, Conflict: *Theory, Processes and Institutions of Management* (Watermark Printers Ker>ya Ltd: 1999) p. 65.

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ethnic groups that already inhabited the territory. They do not follow any natural features neither do they define a particular grouping, hence setting the stage for showdowns between the north and the south, which have been a source of conflict in Sudan. However, the north and south borders, though, do loosely correspond with the borders, which previous Islamic and traditional rulers attempted to demarcate when establishing their empires in the region. Even at that particular time, the borders were drawn for trading purposes and they did not heed to any ethnic or regional diversity.

As previously stated, the former colonial power, Britain, drew up the current Sudanese borders, during the time of its administration in 1898, when the British and Egyptian governments signed a Condominium Agreement that provided for their joint sovereignty in Sudan. The agreement designated territory south as the Anglo-Egyptian Sudan. It however failed to clarify the juridical relationship between the two condominium powers in Sudan or to provide the legal basis for continued British presence in the south. The Governor General exercised extra ordinary powers and directed Condominium government from Khartoum as if it were a colonial administration. There were breaches of peace within the condominium, which usually took the form of revolts, because of the problem of the Condominium's borders. At the same time, during the Condominium period, economic development only occurred in the Nile Valley's settled areas. The development did not; reach the remote areas of south Sudan, hence dissatisfaction from the people of the south. The north and south were administered separately and treated differently by the British, despite the boundaries being determined as those of a single state. The British administrators harboured the Idea that the African south should^e hived off to become part of East Africa. This decision may tave stalled development in the south during the reign of Britain in Sudan. The decision to forestall re9ional integration between the north and the south accentuated the disparities of economies,

religious and cultural beliefs between the north and south, and this has had long implication into the future of Sudan.

Scholars allude that the Sudan conflict is a value conflict. South Sudan feels their religion and culture should have been accepted by the north and the north should not have forced the people of the south into Islamic religion and their culture. There is a deep feeling that values and traditions of the north are forced onto the southerners. In Africa, ethnic differences make enormous impact on political activity. Scholars like Michael Brown[108] states that ethnic conflict is inherent in multiethnic societies and that groups will inevitably disagree about political, economic, and social issues and in multiethnic countries, the fault lines will often be defined in ethnic terms. Esman[109] further states that ethnicity cannot be politicized unless there is an underlying core of memories, or meaning that moves people to a collective action. This common foundation, he alludes may include historical experiences such as struggles against outsiders for possession of homeland, or cultural markers, especially language, religion and legal institutions that set one community apart from others. Therefore, in the ethnic based conflict, when groups have negative perceptions of each other, any provocation leads to conflict. Every ethnic group in any state would want to be recognized in matters of leadership irrespective of their size. Indeed, ethnic conflicts will arise when an ethnic group believes it has been marginalized by one or all other on matters of national well-being. The supposedly victims people develop a communal resentment and prejudice which culminate in political unrest. The ethnic interests of the south Sudanese have been trampled on by the government of Sudan. According to Brown[110], resentment can build if some ethnic groups are not

[108.] **m**. Brown, (Ed) *The Causes and Regional Dimensions of Internal Conflict* (Cambridge, Massachusetts: MIT Press, 1996) pp. 571 -601

[110]M. J. Esman, *Ethnic Politics,* (Ithaca, N. Y.: Cornell University Press, 1994) p. 14.

M. Brown, (Ed) *The Causes and Regional Dimensions of Internal Conflict* (Cambridge, Massachusetts: MIT Press, 1996) p. 216.

represented in the government, the military, and other state and political institutions, like the case of Sudan. Violent conflict is likely to occur if the oppression and violence are employed by the state. This is amplified by the fact that in Sudan, distribution of resources is based on ethnic distinctions, rather than on the fact that every citizen in the Sudan is entitled to the same basic rights and state protection. Within the state, sovereignty is challenged by internal conflicts that demand to establish and apply an effective system of conflict prevention, management and resolution. The other challenge is to provide support for those affected. When the government is party to a conflict, it may not provide protection and assistance to the needy and help in the search for peace. Such a government may resist outside involvement justifying itself by invoking article 2 (7)[111], of the UN Charter that defend the national sovereignty while avoiding carefully the ending clause of the Chapter 7, which sanctions the UN intervention when a state's behaviour is considered to be a threat to peace. In Sudan therefore, since the state is party to the conflict, it cannot ensure protection and the provision of human needs. This has led to the massive displacement of people within the country and other neighbouring countries as refugees.

The sources of conflict in Sudan are complex, deeper and more complicated than indicated by the claims of political leaders and some observers. Modern religions in Africa, Christianity and Islam, either just confirmed the existing ideology and predominantly male leadership or introduced the patriarchal dominance even in the cultures that worshipped female gods. God is presented as a man, which the control and interpretation makes men feel superior. Besides, the control of, interpretation of the Holy Scriptures by men has ensured a tradition of highlighting foe Devine legitimacy of male authority. Hence religion

United Nations Charter, Chapter 7 (states that intervention in internal matters of any state except for actions with respect to threats to the peace, breaches of the peace and acts of Agression).

has been used in Sudan to propagate male dominance and women have got no right to question 'Devine' writings.

The north is basically inhabited by Arabs or Islamized people, mostly subscribing to Islam and the south is inhabited by 'Africans' from many ethnically diverse groups, who are animist or Christians. Over the centuries dating back to the advent of Islam in the sixteenth century, the north has produced a genetically mixed African- Arab racial cultural hybrid. This was as a result of intermarriage between the Arabs and the Africans. Despite the intermarriages and mixture of culture between the two, in the north, people see themselves as Arabs and deny African element in their skin colour and physical features. There is evidence that there was integration between the north and the south through intermarriage, which ensured the acceptance and unreserved inclusion of Dinka, Nuba, Fur and other non-"Arabs" to the "Arabs" culture. Hence, those siblings from such intermarriages have tended to regard themselves as Arabs and maintain an illusion of "Arab-ness" regardless of the ethnic background they came from.

Deng[112] makes the point that in Sudan, the concept of "Arabism" operates fluidly and that, as long as one spoke Arabic, was culturally Arabized, and was preferably a Muslim, the colour of skin was not a significant obstacle to the enhancement of status. As no individual can ever completely lose the culture they had possessed, even when they inherit another, the influence of the cultural characteristics of the integrated party(s) on the group impacts in such a way as to create distinctive cultural variants of "Arabism" throughout the Sudan. In many cases the physical characteristics of most Sudanese'demonstrate this hybridization of "Arab" culture with the countless indigenous

[112] Deng, F & P. *Gifford Myths and Reality in Sudanese Identity* (eds) *The Search for Peace and Unity in Sudan* (Washington, DC: Wilson Centre Press, 1987). P. 13.

legacies throughout the Sudan. However, the importance of the examples provided is to emphasize that the tendency towards peaceful expansion and assimilation was far more common than that of violent conquest and conflict. The Sudanese in north are therefore united by Islam, and maintain the Arab culture. Their perception of the southern Sudanese is of being inferior to them, though they form only about 40%[113] and southern Sudanese 60% of the population. Religion therefore has become another major factor of conflict because of the Islamic fundamentalist agenda of the current and previous government, dominated by mostly Muslim Arab. Southerners, who are Christians and traditional believers, favour a secular arrangement. According[114] to the New Sudan Council, fears are reinforced by the Government action towards the non-Islamic persons, imposition of *Shariah law*, threats to seize the churches, hospitals and schools among the civilian targets in south Sudan, thus fuelling the conflict. This[115] basic line of religious diversity has become polarized historically, economically, socially and politically by those in power is Sudan, and it has become indeed one root causes of conflict in Sudan.

The economic factors too are another potential source of ethnic conflict. In Sudan, the unequal[116] economic opportunities, unequal access to resources such as land and capital, and the vast differences in standards of living are signs of economic systems that disadvantaged members of society will see as unfair and illegitimate. This has been certainly the case in the Sudan, where the distribution of resources is unfair between the north and the south. The historical and cultural conflicts were exacerbated and made more deadly by the discoveries of oil reserves in the southern regions. The Khartoum government attempted to transfer the rich oil, agricultural and

[113] . . . .
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[115] New Sudan Council of Church, op cit. p. 22.
H6 Ibid
       M. Brown, (Ed) *The Causes and Regional Dimensions of Internal Conflict* (Cambridge, Massachusetts: MIT Press, 1996) p. 216.

grazing lands of the Upper Nile and Bahr el Ghazal to the north by redrawing the map. This sparkled off riots in the south and in 1978, Chevron discovered oil at Bentiu in south Sudan, and the northerners claimed this discovery. This intensified the Sudan conflict exacerbating war in 1980 between Sudan People's Liberation Movement/Army and the government of Sudan and attracted external oil merchants into the conflict. Power struggles to control oil made the polarity of cultures a point of power struggle, instead of uniting the two regions. The competition for oil has also often arisen over local companies that the community does not adequately reap the benefit of such resources like oil. Oil discoveries in the south have been a cause of tension between the Khartoum government and the southern Sudan and a serious source of actual conflict. To-date the south[117] remains underdeveloped and removed from the outside world that barter trade is still in practice. Indeed, Galtung has stated that economic and social factors are the main determinants of conflict, because of unequal distribution of resources.

Discovery of oil, cash crops and other economic activities are supposed to benefit all Sudanese regardless of their gender. Women, especially in south Sudan have been neglected and they are far from being economically empowered. The discrimination by the Khartoum government and the patriarchal culture that exist in south Sudan does not allow women to own anything, and this leads to further marginalization of women, not only because they are from south Sudan, but because of their gender. Men are allowed to own land and other factors of production, but culturally, women are not supposed to own land. The socially constructed structures in the south inhibit women from possessing any wealth. Hence, the underlying social and economic disparities are major contributing factors to the discrimination of women, and they cannot adequately participate in any

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[1] ne East African, *Blood Oil: The Real Story Behind the War in Sudan,* (Nairobi: July 28 - August 3, 2003) pp. 8 -9.

meaningful negotiation in conflict because of their disadvantaged position. To further consolidate the belief that women should not own anything, a story is often recited in Sudan, of a Dinka[118]man, as follows:

> *There has been a lot of rain, which has flooded your house. Your cow and wife are drowning and you can save only one of them. Which one of them will you save? The man answers that you save a cow because it will give you more cows to marry more women.*

One cannot help noticing the equation of a cow and a woman, which in itself is dehumanizing, and at the same time, the assumption here is that women do not really matter, especially compared to livestock. Women are seen as worthless and hence even owning anything is far from achievable in terms of their economic empowerment. Women are hence in-subordinated; hence they cannot participate on equal footing with men. Indeed, Naila Kabeer[119] has stipulated that structural relationships create and reproduce systemic differences, which have positioned women in a subordinate position as compared to men. She further alludes that these kinds of relationships, will always determine who owns and controls what in the society. Hence social relations produce inequalities that have contributed to the women in Sudan being regarded lower than animals, hence their contribution at home, state level and even during times of conflict, has not been recognized.

Apart[120] from war fatalism, Sudanese refugees are a product of drought and famine, which, through natural disasters, were aggravated by the government policy of repression of afflicted populations and refusal by the international humanitarian community to enforce the fundamental right for food.

M. Masheti, W. Kabira, et al (eds£ *Delusions, Essays on Social Cosntruction of Gender* (Nairobi: FEMNET Publication, 1994) p. 11.

C. March et al, *A Guide to Gender Analysis Frameworks* (Oxford: Oxfam Great Britain ^cation, 1999) p. 104.

S. Devereux, *Famine in the Twentieth Century,* IDS Working paper 105, Institute of ᵘevelopment Studies, University of Sussex (2000) p. 16.

The government forces[121] and the SPLA too targeted the civilian population, blocked and manipulated humanitarian relief operations, resulting to countless deaths and massive displacements. The Sudanese people thus found themselves trapped in their own country and left their homes, escaping the conflict between government forces and SPLA as they were being used as targets and human shields. The civilians and non-combatants in the Sudan have been caught up in the conflict, and the government, which should shield them from the conflict, in accordance to the UN Humanitarian law, has indeed turned against them.

2.2.1 Gender in Conflict Situation

Gender identity in conflict is shaped out of whether one takes on one of the complementary roles, as a combatant or non-combatants. The protector or the protected, being home or at the frontline. Therefore, the notion of the protector and the protected in conflict hence should be considered as a myth. In conflicts[122] of today, with the Weapons of Mass Destruction, in use leave no clear line between combatants and non-combatants and everyone seems to be unprotected. The[123] 1907 Hague Convention stipulates that parties to a conflict should distinguish between combatants and non-combatants and to treat people not directly taking part in the war humanely, and without discrimination. The Sudanese women and children were not spared during the conflict, when the Khartoum government bombed them on the flight from Ethiopia. This categorically violated the Convention, yet Khartoum government was not held responsible. At the same time, in 1948[124], the United Nations took the firm position that genocide and slavery were world crimes, and they should

A- Hassan, *The process of Famine: Causes and Consequences in Sudan: Development ago1 Change,* Vol. 19 No 2 (1998) p. 7.

Hogland, *Gender and War,* in New Routes, - Journal of Peace Research & Action, Vol. No. 3. MSQ a L'fe and Peace Institute: 2002) P 6-

124 JJid haw> tnternational Law, (Grotius Publication, 4th Edition, Cambridge: 2003) p. 209.

be eradicated and those engaged in it should be put on trial by the world court in The Hague, according to (Resolution 260 (111 A), UN General Assembly. Yet the world has not addressed the crimes being committed in southern Sudan. Indeed, it did not even acknowledged that crimes were committed in this conflict.

The conclusion therefore is that the root causes of most of Africa conflicts are found in wanton disregard of respect for rights of the individual citizens. The combination of weak states structures, the absence and or virtual negation of rule of law and of the basic human rights norms, the scramble for rich natural resources are all hallmarks of bad governance. The competition of shared resources has actually continued to be a triggering factor for the escalation of conflicts that have taken regional dimensions. This in fact solidifies the Galtung's structural conflict theory, that when there is unequal distribution of resources, conflict will occur.

2.2   Historical Genesis of the Conflict

To understand the effects of the Sudan conflict, this study will focus on the genesis of the Sudan conflict from 1820, during the regime of the Turko-Egyptian to the current period. This period is seen as the start of religious domination of the south by the north, and it is a period when the southerners were captured by the northerners to be slaves, thereby starting the inequalities amongst the northern and southern Sudanese. The dehumanizing practice of abduction and taking southern Sudanese men, women and children as war booties by the north and forced to work as slaves in the farms and homes in the northern Sudan, was the beginning of constrained relationships between the north and trie south Sudan. Tracing the history of Sudan from this time has informed the study on the root cause of the current conflict in Sudan. The other factor is that there is little recorded history of southern Sudan until 1800's and the advent of the colonial era, and

much of the written history mainly focused on the north of Sudan by then. It was therefore crucial to understand that, the formal history before the Turko-Egyptian focused upon the north Sudan and its Kingdom, which was based on common language, religion and ethnicity, hence laying foundation for conflict.

2.2.1   The Turko-Egyptian Regime, 1820 -1885

The relationship between Egypt and Sudan is long and complex. The two are linked by the threads of common heritage from Arab tribes, and shared religion, particularly the emergence of Islam and its dominance of northern Africa. In 1820®, Mohammed Ali Pasha of Egypt invaded the Sudan and established his rule in the country with the headquarters in Khartoum for operations into the rest of the country. The aim of this regime was mineral, slaves and the control of the source of river Nile. The northern would make raids in the south and capture men and women, children and youth, who would be taken to the north to work as house or field servants. The new government remained little more than a tax collecting body, and a prosperous slave trade was ensued between the Sudan and Egypt. Little was done, however, to develop the resources of the country. Women were captured, mostly as slaves and at times used as sex slaves. This was an indication that there was a lot of cruelty meted by the northern Muslims on the Christian and Animist south, whom they considered unclean and an inferior people.

Gabriel[126] has also stated that the control of the source of the Nile and the destruction of remnant of the Mamluks who had escaped to Sudan and established petty states in the Dongola province, were another cause of the Pash/invasion of Sudan. This resulted in peace accord with the

G. Jal   The *Sudan Question in Anglo-Egyptian Treaty of 1936* fJuba: Juba University press,

ibid

Northern people of Nubia and other tribes along the Nile. The Accord granted free movement of the Arabs and protection of their routes to trade. Geographically, this unified all the Sudanese small independent states, which were ruled by traditional Muslims and hereditary tribal leaders. The Egyptian invaders continued their occupation and established their control and consequently Arab-Islamic traditions emerged through intermarriages, which indeed was seen as the start of the Islamic culture in the Sudan. The Turko- Egyptian settlement in the south of Sudan was not easy because of the harsh tropical climatic conditions. Generally speaking, the Turko-Egyptian government of the Sudan was doomed to failure. The appointed officials lacked public spirit, were unpopular among the people and were considered as a burden for the country. Their occupation in the Sudan later became unpopular and the Sudanese revolted under the leadership of Mahdi in 1881. The causes of the Mahdist revolt have been the subject of ongoing debate. However, the overwhelming consensus has tended towards explaining the widespread rebellion as a reaction to the exploitative Egyptian regime installed throughout the Sudan. Samir Amin[127] argues that,

> *The Madhist revolt, 1881-98, was a rebellion of those oppressed...the people of the village communities, the slave-peasants of the estates and the craftsmen, slavers and beggars of the market towns.*

The force of the rebellion across the Sudan emphasizes the dissatisfaction of the laid down structures and it was felt across the entire area dominated by the Turko-Egyptian regime.

2-2.2   The Mahdist State 1885 - 1898

Mohammed Ahammed ibn Abdalla from Dongola region led a holy war, *Jihad* and he gained support from the Northern Sudan ^and he used Islam to demonstrate the power of religious order.

[127] Q
^ee Samir Amin in Cohen D. L. & Daniel, J, (eds), *Underdevelopment and Dependence in* ack Africa- *Origins and Contemporary Forms' Political Economy of Africa:* (London and New ork: **Longman** Group Limited, 1981) p. 13.

According to Deng[128], Mohammed Ahamed leading the Mahdist became convinced that he was the awaited Sudanese messiah, and the Sudanese masses accepted him to establish an Islamic Kingdom. The Mahdists armed themselves with swords and spears, against the Turko-Egyptian regime and won the battle and overthrew the regime in 1885. Mahdi died after a short while and when his successor, Khalifa Abdullahi came to power; he continued with the holy war against Egypt, applying Islamic laws in its literal sense during his rule. The country was divided into between the followers of the Mahdi known as the Ansar[129] and unbelievers, whether Muslim or non-Muslim, especially those from the south. According to Johnson[130], a conclusion has been advanced that the origins of the Sudan's current problems predate unequal legacy of the colonial system in the twentieth century. These problems are found in the ideas of the legitimate power and governance developed in the Sudanic states of the eighteenth and nineteenth centuries, were incorporated into the structures of the Turko-Egyptian empire, achieved new force in the *jihad* state of the Mahdiyya, and were never fully replaced, but rather adapted in the twentieth century colonial state. The exploitative nature of the central government towards its rich but uncontrolled southern Sudan, coercive power in economic and political terms and ambiguous status of persons who were not part of the southern heritage continued to draw conflict between the north and the south, each trying to maintain control over its region. Administrators in the Mahdist state were appointed to govern the rural areas and these ones did not come from the local areas they governed, but from local rulers and the ruling families, which brought divisions between them and the local area People. For this reason, the Anglo-Egyptian overthrew the Mahdist state assisted by local groups who, though often Muslims, were opposed to the Mahdist government.

[128] P. Deng, *War of Vision: Conflict of Identities in Sudan* (Massachusetts: Brooking Institution publication, 1995) p. 49.

D. Johnson, *The Root Causes of Sudan's Civil Wars* (Oxford: The International African institute Oxford 2004) p. 7.

ibid

2.2.3 Anglo Egyptian Sudan 1898 - 1956

The governments[131] of Britain and Egypt signed agreements known as the Anglo-Egyptian condominium agreements for the administration of the Sudan, and these became the character of the Anglo-Egyptian Sudan for the period of fifty-seven years from 1899 - 1956. Britain's dominant position in the Sudan was therefore formalized in the Anglo-Egyptian treaty of 1899, which recognized Sudan as an Egyptian possession administered by British officials on behalf of the King of Egypt. However, though the re-conquest of Sudan was undertaken in the name of Egypt, the real architect of this was Great Britain. Mohamed[132] alludes to the fact that without the British assistance in form of men.... and general guidance, Egypt could not have been able to conquer the Sudan. The Anglo-Egyptian re-conquest of Sudan followed distinct patterns in the north and in the south. In the north, they were able to use of large sections of disaffected Muslim Sudanese population. Thus, the new Anglo-Egyptian Condominium government secured itself from any threat of resurgent Mahdism in the north by installing tribal leaders who had been replaced by Mahdist agents before.

However, in the south, the political pattern was different. Most [133] people of the south actively repudiated the Turko-Egyptian government by rising against it in the 1880's. They saw the Anglo-Egyptian regime similar to Mahdist regime it had replaced. The establishment of governor Generalate for the whole of Sudan centred in Khartoum, which was remote from the south both in Physical distance and its guiding preoccupations, was another reason for the south dissatisfaction w'th Khartoum. As a whole, south SiJdan remained in the periphery of the central government

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132   *Jal> The Sudan Question in Anglo-Egyptian Treaty of 1936,* op. cit., p. 8.
133 M. O. Beshir, *Revolution and Nationalism in Sudan,* (London: Rex Collings Ltd, 1974) p. 20.
    D **Johnson** op. cit., p. 10.

thinking throughout the Condominium period. It remained isolated, underdeveloped, as the principal objective of the colonial rule was the establishment and maintenance of law and order with separate administration to operate in the north. One positive feature of the Anglo-Egyptian rule to the southerners is that, it had prevented the northerners from abducting, enslaving and oppressing the southerners in the open. Yet, when the colonizers left Sudan, the northerners continued with their old abusive habits towards the southerners. The abuse of power and human rights on the government of Sudan contributed to the triggering and sustaining the uprising and conflict, which has lasted for over 50 years in the Sudan. The southerners were marginalized and denied their rights to democratic space before independence. Johnson[134] alludes that the 'southern policy' in 1930, declared that the administration of the south was to be developed along 'African', rather than 'Arab' lines, and that the future of southern Sudan might ultimately lie with the countries of British East Africa, rather than the Middle East. Hence there was thus a clear policy of administration between the north and the south.

According to Mohammed[135], the Sudan applied a closed district Ordinance to most districts in southern provinces from the mid- 1920's, regulating the movement of non-native persons in the south. Thus the administration of the North and South, already based on different foundations continued to diverge in practice. The south continued to resist and this resistance to the Arab domination and assimilation resulted in the north-south war of August 1955, shortly before independence of Sudan in 1956. The Sudan was the first African territory administered by the British to be granted independence after world War 11. During the colonial times, the Arabs and the Africans lived in relative peacej.»but from independence, Britain gave power to the Arab elites in

liTT!
135'b'd P 11.
   M- O. Beshir, *The Southern Sudan: Background to Conflict* (London: Boulder Press, 1968)
aPpendix 1

1956, probably because they were much more educated than the southern Sudanese, who had been denied resources by the north for too long, thereby creating one of the longest African internal conflicts. From 1930[136], colonialists secretly introduced a southern policy meant to isolate the south culturally and linguistically from the north. Cultural discrimination created problems that included inequitable educational opportunities; legal[137] and political constraints on the language and constraints on religious freedom. In the extreme cases, draconian efforts by the north to assimilate the south has resulted serious conflict in the Sudan. As such,[138] when two groups in proximity have mutually exclusive, incendiary perceptions of each other, the slightest provocation on either side confirm deeply held beliefs and provide the justification for a retaliatory response.

The south had at the time of independence hoped that they would be granted self-government by the British. The Sudan borders were hence decided upon between the British and the Arab north, excluding the south people. In conflict, when one group is not represented in any negotiation on matters that would affect them, it would be dissatisfied and use that exclusion to ignite conflict. This structure hence causes conflict as at the case of independence the south felt betrayed because of the exclusion. At this time, there was to be a referendum for the two regions, north and south, on matters of unity and government, which did not happen. Indeed, south Sudan felt betrayed as they had understood that there would be a federal system giving the south a higher degree of autonomy and self-governance. This betrayal in fact, ignited the first phase of the civil war. The British left a vacuum of political power that was taken by the north.

M. Brown, (Ed) *The Causes and Regional Dimensions of Internal Conflict* (Cambridge, Massachusetts: MIT Press, 1996) p. 218.
ibid

2.3 Independence of Sudan 1956

From[139] the treaty of Westphalia in 1648, absolute sovereignty evolved creating the territorial state that enjoys exclusive acts making international politics anarchic because each state had equal status and could not be controlled by other states. The secular state, created by the treaty, was charged with the responsibility of providing security, peace and order within its territorial borders overriding other institutions such as the family, community, religious organizations, racial affiliations or external interference. Hence, individuals or groups whose interests conflict with those of the state were forced to take refuge in other countries, say nothing or live in conflict. This is a realist way of dealing with matters of the state in its quest for power and survival in the anarchic international society. State power absolutism has led to bloody world wars and a cold war, all producing human sufferings.

For Sudan, from the mid 1950s, in a period of four decades, it has been the scene of intermittent conflict. Since the current conflict erupted, more than two million people have died from conflict related causes and an estimated four million people have been displaced. Indeed, the Sudanese refugees and those in the diaspora are not only a product of racial hatred, but also of decades of underdevelopment and a series of devastating conflicts over the control of fertile land in the south and oil between the southerners and the Khartoum government. The ills that have translated into hatred and war in Sudan can be traced to the 8th century. Arabs[140] came to the land of the black people *Bilaad El Sudan,* the home of the Nuer and Dinka worrier tribes who lived along river Nile, took them into slavery and sold others to Zanzibar and America. This was met with fierce

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[139] See M. Mwagiru et al *Understanding Conflict and its Management,* (Nairobi: Centre for (^search, 1998) p. 4

P- Woodward, *Sudan, 1898 - 1989, The Unstable State* (Boulder: Lynne Rienner Publishers 1"0) PP. 5-15.

resistance by the natives from the south. However, a prosperous slave trade was thus started, fuelling conflict between the north and south almost up to the time of independence.

At the time of independence,[141] the northern politicians took full advantage of their majority in the legislature and executive institutions branding southern protests illegitimate and treasonous. They did not perceive these protests as reasonable for the people of the south, who felt left out in the political transformation of their country. This situation proved as a clear demarcation of the north and south. In the political aspect of ethnic conflict, conflict would be likely if objectives are incompatible; groups are strong and determined and inter group comparisons lead to competition, anxiety and fears of being dominated. This situation[142] provided a clear case of one ethnic group imposing its values and symbols as the country's ethnic-nationalism rather than embracing an inclusive territorial nationalism that was to encompass the Sudan's diverse peoples, which has been the case historically in Sudan.

In the[143] 1950s Islamization and Arabization had been presented as necessary policies to create national unity, without the consent of the southerners. More parties evolved in 1960s advocating for an Islamic state and it was opposed by the southerners, as it would deny full legal and political rights to non-Muslims. Sadiq al-Mahdi the ruler by then supported the draft for an Islamic constitution. However, despite these efforts, conversion to Christianity in the south accelerated and foreign missionaries were expelled from Sudan and hence Christianity became under assault from the government.

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 A. Mosely Lesch, *The Sudan, Contested National Identities* (Indianapolis: Indiana University P/ess 1987) p. 36-37.
[142] 'bid P- 36.
 D Johnson, *The Root Causes of Sudan civil Wars* (Oxford: The International African Institute Uxford, 2004) p. 35.

The Arab north continued developing the north at the expense of the south, even after independence, which was inhabited by the blacks. Indeed, there was a lot of discontentment in the south even before independence, as a result of the 1954 elections, which excluded majority of the southerners in the legislature and the Sudanisation process, which was seen as Islamisation. There was also rapid increase of the northern administrators in the south, as senior officers in the army, teachers and merchants, which increased southern fears of the domination from the north and colonization. In 1955, as a result of islamisation and Arabisation in the south, soldiers mutinied and they were joined by students from various schools in the south, and they took to the bushes due to the harsh policies imposed on the south by the north. This led to what was referred to as the Torit Mutiny, and its movement referred to Anya-nya (poisonous scorpion). This movement's main objective was to fight for the independence of south Sudan. This led to the first Sudan's civil conflict and the first in the postcolonial Africa and it began a few months before independence in January 1956.

The Torit Mutiny, spread to the garrisons of southern soldiers and they killed the northern administrators, merchants and few southerners. The activities of this mutiny against the Sudan army saw mass destruction and killing of innocent people from the south, leading to the southerners arming themselves against the Sudan government. British missionaries fled to Uganda and urged the Britain to re-assert its authority in the south to avert a possible retaliation from the north, but refused. Southern Sudanese regarded the mutiny as the beginning of the southern struggle against the northern oppression. This mutiny hastened the Sudanese dependence, with various issues of its nationhood unresolved. Britain drafted a temporary constitution for Sudan, and two issues arose, which prevented the agreement on a permanent

constitution, namely whether Sudan would remain a unitary or federal state, and whether it should have a secular or an Islamic constitution. The southerners favoured federalism as a way of protecting southern provinces from being subordinate to the northern dominated central government, whereas the north saw federalism as the first step towards separation. Mohammed Mahjoub, a northerner, in Francis Deng[144] article alluded that due to the advocacy of Clement Mboro and other collaborators from the south, the southerners accepted the idea of single legislative assembly for the whole country. Therefore, the government policy of associating the Sudanese with administration of their country excluded the south and it contained many sanctions as the southern Sudan was regarded not to have reached a degree, to which it could send representatives to the legislative council. Mohammed Mahjoub[145], further states that they encountered some difficulty in convincing the southerners, so, they inserted a special resolution to please them..., giving full consideration to federal government of the three southern provinces. This further consolidated the powers of the northerners over the southerners. Thus, Sudan became independent, and became a member of the Arab League, which was clear that the policy of Arabisation and Islamisation would be imposed because the Arabs concepts for the south were that of building their political parties on Arab-Islamic foundation.

The new government was therefore extensively controlled by the north Arab Muslims. They asserted their powers of political dominance, indeed, bringing in inequalities and injustices in the relationships between the northerners and the southerners. The absence of recognizing the diversity of the Sudan, history, values and aspirations amongst all Sudanese, the dominant-

. *h* °eng, *War of Vision: Conflict of Identities in Sudan* (Massachusetts: Brooking Institution, J<?95) P. 129.
'bid p. 133

subordinate relationship prevailed between the two regions. In reality, the binding relationship between the two regions is based upon historical injustices, dominance and continued inequalities.

Parker[146] contends that a report earlier by the secretary of the committee on July 1956 had stressed the ending of the influence of churches, and allowing Arabic Language to replace English in schools,......forbidding religious activities, preparing a list of Muslims and other non Christians to be favoured, and to know the sources and amounts of missionaries funds, further spelt a step to the policy of Islamisation in the south. This caused many southerners to flee Sudan and became refugees in the neighbouring countries, thus resulting to intensified destruction of the south by the northern forces. Missionaries were expelled in south and they were accused of fueling rebellion, and Koranic schools were opened all over in the south. In 1964, the Anya-nya were controlling large areas in the south especially Upper Nile and Equatorial provinces. It was clear that the southerners were against the northern policies. The activities[147] in the south influenced the north, and the north started demanding for return of civilian government. Further demonstrations in Khartoum by university students and strikes by professionals paralysed the government machinery. General Abboud's regime collapsed in October 1964 and a caretaker government under Sayed el Khatim Khalifa as Prime Minister came to power. His government was very much anti-southern and he continued repression in the south, and the army fighting Anya-nya, led to various massacres of civilians in towns of Juba Wau.

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[M] Parker, *Guardians of the Ark: A Sudanese Pilgrimage of Faith* (Nairobi: Unpublished ^fjyiinar paper, February 16 -22 1997) p. 30.

P- Woodward, *The Horn of Africa's Politics and International Relations* (Tarus Tanis **Academic** Studies, 1996) p 19.

Tension between the government and the south continued and in February I960[148], the Khartoum government imposed Friday, as a holiday while Sunday was a working day in the whole of Sudan, leading to demonstration of students from the south. Monsignor Ireneo Dud[149] in an interview in Rome in November 1963 confirmed the injustices in the south, saying that there was no freedom of religion allowed in Sudan and that persecution was making the church and Christian life very, very difficult. In 1962, the government was accused of assassinating governor Joseph Garang, fuelling a guerilla war in the federal south that sent refugees to Uganda, Ethiopia and Kenya until 1972, following the peace talks in Addis Ababa. A Round[150] Table Conference in March 1965 had sought to address the problems of the south and their fundamental rights, and freedom, which according to Beshir, passed that all citizens in Sudan should not be deprived of citizenship and equality of all people before the law. It further stressed that all citizens, without distinction of races, national origin, birth, language, sex, economic or social status should be accorded equal rights and duties before the law. However, the northern leadership failed to recognize the diversity in the Sudan, respect it or suggest appropriate structures. This failure no doubt led to the acceleration of the conflict at that time between the coalition government of Mohamed Mahjoub and the south.

From June 1967[151], the conflict in Sudan had become dangerously internationalized, when Sudan supported Arabs during the Arab Israel seven days war to win favours. Israel responded by becoming a major financier of Anya-nya, and after this war, they shipped weapons to Anya-nya, which they had captured from Egypt. They also opened a training base for Anya-nya in Uganda, w'th the hope that their action would stop Sudan from the Middle East link. Soviet Union came into

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150^- Parker, *Guardians of the Ark: A Sudanese Pilgrimage of Faith,* op. cit. p. 42.
, M O, Beshir, *The Southern Sudan: From Conflict to Peace* (Khartoum: Khartoum Bookshop, JS75) p. 166.
International Crisis Group, *God, Oil and Country Changing the Logic of War in Sudan* (Report no 39 2002) p. 10.

the scene too, increasing support to Sudan. The sense of division of the two regions has been

persistent through the series of governments since independence.

2.3.1   Jaafar Numeiri 1969 - 86

The North-south struggle continued until the eve of a military coup in May 1969, when Numeiri

made a declaration, which had great emphasis on building a socialist movement in the north.

Numeiri was opposed by the traditional parties, and he made an incentive to reach out for the

south. The Sudanese guerilla movement improved dramatically after this. A declaration[152] of June

1969 outlined plans for regional self-government, and a few southern Sudanese included in the

cabinet. However, self government for the south by the government was soon seen as an obstacle

since it was realized that this easily encourage other regions in the country with distinguished

ethnic and social-cultural identities to have similar political administrative arrangement. Numeiri

later dissolved regional governments in 1980, 1981 and 1983, dismantled and changed the

boundaries of the southern provinces and divided the south into three regions. In 1983[153], his

regime unilaterally introduced *'shariah laws'* in Sudan intensifying the north-south conflict.

Religious dimension in ethnic conflict divide societies into two groups[154], those who subscribe to a

theologically derived political, economic and social order and those who do not. The Sudan

therefore has been divided not only on cultural and political lines, but also religious. At the same

time, the interpretation of *Shariah law* often does include repressive social and physical practices

controlling women's behaviour, dress and mobility. Women from the south were criminalized for not

[u] Johnson, *The Root Causes of Sudan's Civil Wars* (Oxford: The International African institute Oxford.2004) p. 37.

[p]. **Woodward,** *Sudan, 1898- 1989, The Unstable* State, (Boulder: Lynne Publishers, 1990)

M. Brown, (Ed) *The Causes and Regional Dimensions of Internal Conflict* (Cambridge, [a]ssachusetts: MIT Press, 1996) p.216.

dressing in the Islamic way, enhancing the structures and power to control women through religion. Abusharaf[155] has indeed stated that women under the Islamic regime cannot occupy formal political positions. *Sharia law* she further alludes, that it enhances guardianship of men and women must always have a lower status under this regime.

The Khartoum government, by imposing *shariah laws,* clearly and intentionally undermined women's rights in the name of Islam. Women were subjected to discriminatory practices, and whipping too, was introduced and women were specifically targeted for this harsh treatment. The US[156] Department of State report states in that February 2002, Abok Alfa Akok, an 18-year-old southern Christian woman, was sentenced to death by stoning for having an extra-marital affair and becoming pregnant. The Vatican interceded, and her sentence was commuted to 75 lashes; she was flogged following the birth of her child, with total disregard on the effect this would have on her body immediately after birth. However, there are no reports of court-ordered Islamic law punishments, other than lashings, in government-controlled areas of the south. The law legally can be applied in the south, if the state assemblies approve it. Fear of the imposition of Islamic law is one of the factors that has fueled support for the civil war among opposition forces in the south. This too indicates the powerlessness the southern women have despite not prescribing to Islam; the Islamic law is meted on them, denying them their human rights. Women therefore need power of decision to enable them defend their dignity under any circumstances, irrespective of the laws in place.

A. **Mustafa,** *Wanderings: Sudanese Migrants and Exiles in North America.* (Cornell PU, 2002) 156.:
us **Department** of State, *Status of Religious Freedom in* Suc/aA7(Washington: 2002) p. 5.

Gendernisation of the *sharia laws* would put them at least in a level playing field together with the men, thereby defending their human rights. The UPeace[157] stipulates that countries whose cultures are based on Islam and Christian model, exact political and religious power over the rest. Islamisation continued to be imposed on the south and racial and cultural prejudices and hatred continued to fuel conflict in the two regions, with the Arabic peoples and Islamic cultures versus the black Africans and their cultures. The move exacerbated the rift between the Arab North and the African animists and Christians in the South, who were against the *'shariah law'*. Indeed, religion has become an excuse for one group to dominate another. According[158] to the New Sudan Church Council, Islam has been misused to declare a *jihad* against non-Islamic people, and this makes it difficult to solve the conflict as it includes elements of religious righteousness and a sense of God's calling in continuing the conflict. From 1983[159], it is estimated that at least two million people have been killed in this conflict, mostly Christians, for sure civilians. The enslavement being practiced on the Dinka people and southern Sudanese by raiders from the north were barbaric. They were killing the men, taking women and children and into slavery in the north.

The conflict hence disrupted livelihoods, internally displaced persons, and at the same time, women especially have had to deal with oppressive tradition and practices imposed to them by the religious and cultural structures. Women's vulnerability derives not only from a threat of direct; rather, they are part of the historic continuum where they have been denied access to social, economic and political power structures. It is difficult to understand gender-based violence outside the framework of culture and religion in Sudan. The relation of culture/religion to subordination

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157.
158 UPeace, Africa University Publication, *Gender and Conflict, on* (www. Africa.unpeace.org).
. New Sudan Council of Churches, *Inside Sudan, The Story of People-to-People Peacemaking Southern Sudan,* (Nairobi: New Sudan Council of Churches Publication, 2002) p. 28.
 F. Deng, F & P. *Gifford Myths and Reality in Sudanese Identity* (eds) *The Search for Peace nd Unity in Sudan* (Washington, DC: Wilson Centre Press, 1987)

and marginalization is central to understanding gender. According[160] to the University of Peace Africa publication, culture/religion is inextricable from not only the historical and political structures of a country, but also economic structures, where hierarchy exists, placing south Sudanese women at the bottom of the scale, both in economic and in patriarchal terms. It further stipulates that violence against women and poverty go hand in hand and economic exploitation in Sudan has ensured higher levels of poverty for the south Sudanese women.

2.4   Current Sudan Conflict

The current conflict in Sudan can be traced back to the regime of Numeiri in 1983, when the southern troops of the 105th battalion refused orders to abandon their weapons and be transferred to the north. This battalion feared that it would be sent to the Middle East, in Iraq to join the Sudanese forces that were fighting in that country. The unit, of the southern Sudanese fled and took away weapons and equipment and this led to desertions and mutinies in the south throughout the year. By July 1983[161], about 2,500 soldiers had defected to the new guerilla base established in Ethiopia and another 500 remained in Bahr al-Ghazal. These soldiers united and formed the SPLA. The abrogation in 1983 by Numeiri of the 1972 Addis Ababa Agreement, which ended the first phase of the civil war in the south, is considered a major triggering factor to the current civil war.

The result of this was intensification of conflict between the north and the south through 1970 and rouch of 1971. This lead to the negotiation of peace process negotiated in Addis Ababa, leading to signing of the Addis Ababa Agreement in 1972 between the south Sudan Liberation Movement

Rodrigues et al (eds), *Gender and Peace Building in Africa,* (Addis Ababa, University for Peace Africa Publication, September 2005) p. 57.
D **Johnson,** *The Root Causes of Sudan's Civil Wars* (Oxford: The International African Institute Oxford, 2004) p. 62.

(SSLM) and the government of Sudan. The Agreement created a reasonable regional autonomy in the south. The political arrangement in the region made the region more democratic than the north. The political provisions allowed the south to participate in national politics though the north dominated. The Agreement addressed various issues, which included nationality and culture, economic equality, physical security of the nation and the individual citizen and democratic rights and freedom. It provided[162] for cultural and political autonomy for the south and the development and promotion of cultures including languages. At the same time, it provided for powers to be assigned to the regional legislature that allowed it to make laws based on traditional law and customs; and this provision allowed the south to determine which laws would be compatible with their values. According[163] to the Agreement, there was a provision allowed for the establishment of an independently regional civil service, police and prisons forces. Hence the recognition of south participation in the civil service and in the police thus ensured their security. The agreement settled most issues, which were addressing the needs of the south. It[164] created a regional government with a Regional Assembly, which was empowered to elect and remove a president. The agreement further granted the Southern Regional Government powers to raise revenue from taxation. This role of Southern Regional Government was critical in the development of the region's resources, and more particularly, the benefits that were to accrue to it through the exploitation of its oil fields. The regional government was denied the right to legislate or exercise power over economic planning. The security component of the agreement was the most contentious since it called for the implementation of cease fire and gradual absorption of the Anya-anya soldiers into the army. Many guerillas from the south fighting the government were unwilling to comply with the security Provisions in this agreement.

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162 .
163 Addis Ababa Agreement on the Problem of South Sudan (Addis Ababa: 1972) p. 20.
i64 .bid Chap. V
Addis Ababa Agreement. Op. cit. 40 - 41.

jhe Addis Ababa Agreement did not work mostly because all the parties were not involved in the process towards the agreement. The SPLM was not involved in the agreement and the remnants of Anya-anya soldiers did not want to be incorporated into the Sudanese Army. According[165] to Mwagiru, if actors who have direct interests in the conflict are not involved in its management, their interests are unlikely to be catered for. The effect of this scenario is that they can sabotage any agreement reached. He further states that this was one of the main problems that ailed the settlement of the Sudan conflict in the 1972 Addis Ababa Agreement, and that peace process failed to take into account the systemic setting of the conflict.

However, in June 1983[166] Numeiri issued the decree dissolving the institutions of the Regional Assembly and High Council. This decree[167] dissolved the southern regional government, repealed specific clauses of the Regional Self-government Act, (1972) and set up three regional governments in Bahr al-Ghazal, Upper Nile and Equatorial instead of one southern region. This was viewed as a way to weaken the south and their unity and transfer the Anya-nya soldiers to Khartoum where they were absorbed and integrated into the national army. The decree further announced the appointment of three regional governors and their cabinets.

The southerners mobilized around the SPLA and Mading de Garang emerged their leader. Unlike the Anya-nya, the SPLA defined its objectives more broadly than southern autonomy, consolidating their manifesto to focus on specific grievances of the south. However[168], the language of

M. Mwagiru, Conflict: *Theory, Processes and Institutions of Management* (Watermark Printers fenya Ltd: 1999) p. 81.
[167] Addis Ababa Agreement on the Problem of South Sudan, op. cit., pp. 25.
D. Johnson, *The Root Causes of Sudan civil Wars* (Oxford: The International African Institute ^xford, 2004) p. 198.
'bid. p. 63.

underdevelopment, nationality and religion were deliberately broadened in an attempt to appeal to other regions and sectors in Sudanese society, who would have been hostile to a southern independent movement, but who had their grievances against Numeiri and the Central government. The SPLA/SPLM manifesto gave a historical overview of the pattern of underdevelopment in the South and giving a critique of the failure of Anya-nya movement, and finally listing the failures of the Addis Ababa Agreement as follows:

> 'Khartoum's interference with the selection of leadership of the southern region, plans to construct the Jongeli canal, the unconstitutional dissolution of the Regional Assemblies and governments, the decision first to build an oil refinery outside Bentiu, and then to pipe the Bentiu oil direct to Port Sudan, the deliberate neglect of the south's socio-economic development, the Integration Charter and Joint Defence treaty with Egypt, the re-division of the south into three regions, the failure to adequately provide for the livelihood of ex-Anya-nya soldier, the incomplete integration of the ex-Anya-nya into the Sudanese army and plans to transfer the ex-Anya-nya battalions to the North[169]

The Khartoum government, with the support of the US government, dismissed the SPLA/SPLM as a communist front organization. The reason behind this dismissal was that the rivalry between the USA and the USSR meant that, in their struggle for ideological and strategic dominance, the two powers supported whichever regimes were in power. USA supported a capitalist ideology whereas USSR supported those with communist tenets. SPLM was seen to be pro-USSR because of the support it had received in terms of arms for the East. During the Cold War, the ideological confrontation between the East and West placed a premium on maintaining order and stability among friendly states and allies. Across Africa, undemocratic regimes were supported and sustained by the competing super powers in the name of their broader goals. As Mwagiru[170] points questions of democracy and accountability at this time were not considered, reflecting a major tenet of realist doctrine, in which questions of morality are eschewed in a system of high power.

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[169] **SPLA**/SPLM Manifesto (31 July 1983) chaps. 4-6.
[170] **Mwagiru,** *Conflict and Peace Management in the Horn of Africa,* (Nairobi: 1998), p. 6.

This meant that dictatorial regimes in the Horn were maintained in power regardless of their domestic and human rights records. Garang however, reiterated that SPLA offered remedies for a New Sudan. He explained in a memo during the OAU summit in July 1985 that '[171]...the Central problems in the Sudanese war are dominance of One Nationality; the Sectarian and Religious Bigotry that dominated the Sudanese political scene since independence; and the unequal development in the country...unless the Nationality Question is solved correctly, the Religious bigotry is destroyed and a balanced development for all regions of the Sudan is struck, war is the only invited option in the Sudan.' The Sudan government was hence changed as a result of a popular uprising in Khartoum, leading to Numeiri's removal and replacement by his defence minister, Suwar al-Dahab, in 1985. Popular pressure brought the SPLA and the alliance of professional, revolutionary, progressive, regional parties and trade unions and political partners, including Umma party, together for peace talks. These led to the Koka Dam Declaration in Ethiopia on March 20-24 1986, which called for a peace process spearheaded by a National constitutional conference. This Declaration was unable to solve the problems presented because of old political and personal antagonisms, nurtured during the period of the regional government served to keep them apart. The incoming prime Minister, Sadiq Al- Mahdi was left to deal with the contentious issue of the *Sharia laws.*

Due to the patriarchal nature of societies in Sudan, SPLM did not integrate women into their demands, despite the women taking an active role in taking care of the sick, children and the elderly while men were away fighting. Indeed, Professor Mazrui[172] has noted that the problem of w°men in power structures lies in the-fnale domination of societies. He further asserts that the true

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171 ^ ^Garang, *The Call for Democracy in Sudan* (1985) pp. 40, 43 -6.
  ^A **Mazrui,** *Daily Nation Newspaper,* (Nairobi: Nation Publishers, 6th September, 1992) p. 10.

impact of women on decisions concerning war and peace can only be discovered when the power system as a whole has acquired a true sexual balance, commensurate androgyny. He further argues that women are generally less violent than men, though the reason for being less violent may be cultural and not biological. Environment strongly shapes the character of an individual and man is not born violent. He alludes that men and women are co-creators of human race, but men have often been sole destroyers of larger chunks of the race. This in essence means that the SPLM should have involved women in decision making power during the conflict and probably the loss of life would have been much lower than it was, but the culture of the Sudan does not include decision making process, let alone participating in decision making structures. These differences between genders, is emphasized by Kabeer's social relations theory, where structural differences in the society place men and women differently within the society, hence they cannot compete equally in all spheres of life. This has been clearly portrayed in this conflict, where women are not seen as active players in the conflict, but as victims.

2.4.1   Sadiq Al- Mahid 1986- 89

At the time Sadiq Al-Mahdi of the Democratic Unionist Party became prime Minister, Khartoum appeared to be in a much stronger position than the SPLA for any protracted conflict. During the Cold War, most countries served ideological goals of the block they belonged to rather than practical responses to peace and order that was their major claim. The Sadiq was pro-USA and Johnson[173], states that Libya was also on the side of the Sudanese government, and the US military was still coming in Sudan, and previously Suwar al-Dahab had rallied the Gulf States to the defence of Islam and Arabism. These^ factors made Sadiq unwilling to deal with SPLA. However,

S r
   ᵘ Johnson, *The Root Causes of Sudan Civil Wars* (Oxford: The International African Institute ᵁˣford, 2004) **p.** 81.

his political support in the army was weak since the Khatmiyya sect, in the army was traditionally strong and the Muslim Brothers faction had made in roads, and they were both opposed to Saiq's regime. Sadiq tried to circumvent the army by channeling supplies to surrogate forces and other militias; against the Khatmiyya sect, he also used tribal chiefs to fight the SPLA. This[174] strategy not only failed militarily, but also encouraged gross human rights violations against the civilian population. According to Burr and Collins[175], when Mahdi met the preconditions of SPLA for a constitutional conference, the SPLA announced a cease-fire and reacted positively to the expulsion of hard-line National Islamic Front, under Sadiq Turabi from the cabinet. Mahdi started referring to the SPLA as an armed movement rather than a terrorist movement, when they announced the cease fire and agreed to negotiate with the Sadiq's regime. The SPLA and the government met and agreed to call for a cease-fire and the lift of state of emergency, freezing of the implementation ot Islamic laws and the abrogation of military pact with Egypt and Libya was agreed upon. However, Mahdi failed to give fruitful solutions towards the conflict in Sudan and this led to the Islamic extremist government seizing power in a *coup d'etat* under Brigadier Omar Hassan Al-Bashir in 1989.

2.4.2   General Hassan Omar Al-Bashir 1989

For decades, African countries have found themselves entangled in intra and interstate state conflicts. To a large extent, the presidency has been behind the causes of these conflicts. Fredrick[176] contends that though internal conflicts in Africa have occurred in diverse socio-economic and historical contexts, and therefore different from one country to another, central to all

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[174] ibid
[175] Burr & Collins, *Requiem for Sudan* (Boulder: 1995) p. 157.
[176] See G. Okoth & B. Ogot (eds), *Conflict in Contemporary Africa,* (Jomo Kenyatta foundation, "r°bi: 2000) p. 34.

the conflicts is that they are primarily products of the centrifugal forces of political power. Personalized political power structure woven around the presidency takes centre stage in the causes of inter-state conflicts. The unlimited tenure of office of the president including other practices has ensured continuity of the president in office have effectively blocked means of long overdue political changes in many African countries. People in these countries have no choice but to use violence to change regimes that have outlived their usefulness. The awesome power the African president wields has been a source of conflict. Fredrick[177] further argues that power corrupts and absolute power corrupts absolutely captures what African presidents become - he has indeed turned into a tyrant. Suspected and imagined political opponents are executed or detained and human rights are trampled upon. Some regimes in one way or another have alienated some sections of the country from the economy and political systems. The conflict ranging in Sudan at the time of Numeiri, through to Bashir's regime have their origins in the exclusion of the larger southern region from the political system.

In Sudan, General Bashir, with the National Islamic Front (NIF), came into power in 1989 and announced the suspension of the constitution; dissolved parliament and political parties and banned newspapers, trade unions and strikes and renounced the SPLM - DUP (Democratic Unionist party) agreement. A session in Addis Ababa in August 1989 saw his government reject the Koka Dam Declaration and the peace initiatives of SPLM/DUP, and refused to suspend the Islamic laws or convene a national constitutional convention. According [178]to a report by Human lights Watch, professional associations and political parties faced arbitrary arrest and disappeared In ghost houses' and prisons where Jhey were tortured or killed. Former President of USA, Jimmy

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Human Rights Watch, *Behind the Red Line. Political Repression in Sudan* (New York: Human ghts Watch Publication, 1996) p. 169.

Carter peace initiatives in December 1989, saw neither government nor SPLM delegations agreeing to compromise on their positions. The SPLM demanded the revocation of the *sharia laws,* which were anathema to the crackdown of opposition parties and non-governmental groups by the Khartoum government during the peace talks, silenced even the most forceful peace advocates. The NIF had pursued the war in southern Sudan with vigour, and rejected the south Sudan autonomy and equality. According[179] to Turton, Bashir promised new resources for the military and declared soldiers to be fighting as martyrs for the imposition of God's law. He invoked the pan-Arab and Islamic values in hope of getting support from the Arab countries in the conflict. He in turn got support from Libya, Iraq and later from Iran as Iraq engaged in the gulf War, in the 1990.

On the other hand, the SPLM joined forces with the National Democratic Alliance. According[180] to Johnson and Prunier, the military success of SPLA in its seven years of conflict, was significant at this time, but it endured setbacks. The end of the Cold War and the ultimate collapse of the Soviet Union left the world with a single dominant power. The collapse of the Soviet Union in 1991 triggered a great shift in the balance of military power. In this path, the military power exacerbate ethnic, religious and border conflicts, instigate wars of extermination, breed extremely reactionary and obscurantist forces, support repressive and bloody dictatorships, slaughter civilians and cause the mass exodus of populations, taking entire peoples hostage by famine, and in many cases carrying out a true policy of state terrorism. It is an ominous feature of the post-1991 era that imperialism which 'recolonises' erstwhile socialist territory used ethnic and religious nationalisms to carve up spheres of influence. It was during this time of the Cold War that Mengistu fell out of Power. When his government collapsed in 1991, the SPLA, viewed as an enemy by the new

international Crisis Group, *God, Oil and Country Changing the Logic of War in Sudan* ISfussels: Report no 39 2002) p. 17.
[D] **Johnson** and Prunier, The *Foundation and Expansion of the Sudan People's Liberation* [1711]*yin Daly and Sikainga (eds) Civil War in the Sudan* (New York: Praegar 1993) p. 138.

Ethiopian government, was suddenly stripped not only of this rearguard support but also of access from Ethiopia to the territory it controlled within Sudan. The collapse of his regime also deprived SPLM its main operating base, its primary military and financial supplier and most of its military momentum.

The new regime in Ethiopia was now hostile to SPLA and in May 1991; the Khartoum government air force bombed the Sudanese refugees as they fled from their camp in Ethiopia. Hundred thousand Sudanese refugees promptly fled from Ethiopia back into Sudan, some trekking to the neighbouring Kenya and Uganda borders. Many of those crossing the border included women and children. They crossed the boarder from Sudan to Kenya on foot and made their way to the border and settled at the border towns, and Kakuma refugee camp was opened in 1992 to cater for them. However, a certain percentage managed to move and live in the urban areas of Kenya, in Nairobi, Nakuru, Kapenguria, Kisumu and Kitale. Those moving to the urban areas tend to have some schooling and they are better economically, than those in the refugee camps. Indeed, the refugees in the urban areas have access to resources such as education, transport and housing. They are able to move freely and live with their families and send their children to school. In Kenya[181], it is common for urban refugee women of other nationalities to suffer at the hands of authorities, who take advantage of the fact that they have little recourse to the legal processes because of their 'vulnerable' situation. However, southern Sudanese women are rarely subjected to any type of harassment because of the comfortable relationship the SPLA has been enjoying with the Kenyan 9overnment for many years.

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^ A. Fitzgerald, *Throwing the Stick forward: the Impact of Wars on the Southern Sudanese men* (Nairobi: UNIFEM/UNICEF Publication, 2002) p. 66

The women in the flight are often the main providers of food, shelter and care for children - including unaccompanied children and other relatives. The anguish[182] of abandoning their homes for an uncertain and often hazardous journey is intense. The refugees and other people on the move face journeys involving physical hardship and lack of shelter, food and other basic necessities. Conflict of this magnitude brings with it terrible human rights consequences for all those involved - children, women and men. Conflict[183] impacts on the civil, political, economic, social and cultural rights of women in particular ways, often with devastating effects. Increased violence against women, in particular sexual violence, appears to be endemic in conflict. Conflict and militarization normally reinforce sexist stereotyping and rigid differentiation of gender roles. Weapons proliferate and violence becomes an everyday means of social interaction. Southern Sudan's military culture has certainly defined the role of sexes in a way that widens the gap between the men and women. According to Jok Madut[184], who has researched the link between militarization and sexual violence, war introduces a tenet that it is the duty of men to defend the homeland and women must oversee cultural survival by reproduction. Women therefore do not have reproductive rights in times of war, especially in Sudan. Their sexuality is therefore threatened and they cannot question sexual advances from the male population. Women fleeing without the protection of their communities or male relatives face heightened risk of sexual violence, including rape. They[185] maybe forced to offer sex in return for safe passage, food, shelter, and refugee status documentation. Girls who seek refuge in cities are often at grave risk of gender-based abuse including trafficking, exploitation and sexual violence. Many of them live in extreme Poverty, magnifying the risk of abuse.

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Amnesty **International,** *Lives Blown Apart: Crimes Against Women in Times of Conflict,* **op cit.,** iBa. ;

184 'bICj- P; 70.

'as Tᵢᵉᵉ Fitzgerald *Throwing the Stick forward,* op. cit. p. 89.

Galtung[186] explains structural violence as another way of making violence opaque, and the attitude of reducing violence and violent acts to a level of acceptability that is tolerated especially with regards to sexual violence. While sexual violence occurs in peacetime, the weakening social structures have increased the magnitude of violence against women not only during fighting but also in the homes. Fitzgerald[187] concurs with this and states that abducted women have been systematically subjected to rape throughout the period of their captivity. The abduction of young refugee girls in the camp is rife, for forced marriage back home. Women in Sudan are seen as a source of wealth because of the bride price they fetch in form of cows, signifying traditional gender inequalities. Fitzgerald[188] explains a case of Sara, who lives in fear in Kakuma, from her brother, because her husband defaulted on the bride price - the cattle he had agreed to pay for Sara's hand in marriage. Sara's brother wanted to abduct her and take her back to Sudan to another man who had agreed to pay over 500 heads of cattle for Sara's dowry. Sara's current husband was not able to finalize the bride price because he left after marriage without paying the bride price. Now, at the refugee camp, he had no right to own Sara. At the same time, it is a taboo to speak openly about sexual related topics; hence those who have been raped or abducted are reluctant to discuss their experiences. Fitzgerald[189] alludes that in Sudan conflict, some of the rapist have been soldiers, who have raped women running to diaspora. The effects and trauma of rape extend far beyond the conflict attack itself. Women survivors face emotional torment, psychological damage, Physical injuries, diseases, social ostracism and many other consequences that can devastate their

297 Galtung' *Cultural* *Violence,* Journakfor Peace Research, Vol 27, no. 38 - 302, 1990 pp 294 - 87 M

M A. Fitzgerald, *Throwing the Stick forward: the Impact of Wars on the Southern Sudanese {jomen* (Nairobi: UNIFEM/UNICEF Publication, 2002) p. 87.
189Md' P' 63
A. **Fitzgerald,** *Throwing the Stick forward,* op. **cit.** p. 90..

lives. She further[190] states that reports from Kakuma refugee camp indicated that 168 young girls and women interviewed at the camp were suffering from symptoms of unresolved trauma, especially as a result of rape and other sexual abuses and they did not believe that the refugee camp was a safe place.

The women, who came to diaspora in Kenya from south Sudan apart from being the providers of food and shelter to their families, are threatened with potential even grave, if not less quantifiable losses at the foundation level of socio-cultural identity. The adaptation of certain survival strategies to the artificial support system of emergency food aid may indicate the resiliency in the safety net. Prolonged conflict is clearly capable of undermining traditional authority structures and eroding the symbolic framework of values and traditional beliefs. For women in diaspora, their traditional family patterns were disrupted, leaving them with neither the nuclear family, nor extended ones. This creates a lot of psychological trauma in a foreign land. Fitzgerald[191] alludes that young refugee women who have lived with foster families in diaspora tend to display symptoms of trauma, depression, anxiety and hopelessness. Women in diaspora say that they do not want to be perceived as victims but useful human beings whose skills should be productive for use. They[192] feel demeaned when they queue for food at the distribution centres and they reported that they would have preferred a food-work-system scheme, which would have enabled them to be empowered.

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[190] **Amnesty** International, *Lives Blown Apart: Crimes Against women in times of Conflict,* op. **cit.,** P-111.
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M- A. Fitzgerald, *Throwing the Stick forward: the Impact of Wars on the Southern Sudanese S ^ e n* (Nairobi: UNIFEM/UNICEF Publication, 2002) p. 90.
'bid p. 1 1 4

The women in diaspora feel that they have had a much tougher battle to fight. In terms of education and skills, they feel they were generally underdeveloped, and they had serious and deep-seated feelings of intrinsic inferiority. Their attraction in diaspora has therefore been access to and possession of education and capital. The Sudanese women in the diaspora can boast of advanced education and skills, because of the access to education in the diaspora, as well as assistance to undertake economic activities given by aid agencies. The fall of Mengistu, hence caused a major exodus of the Sudanese refugees into diaspora in Kenya. Before his time, south Sudanese had sought refuge in Ethiopia, where one of the biggest refugee camps in Africa was situated.

Indeed, the fall of Mengitsu, a supporter of SPLA, in itself placed strain in the SPLA, and those opposed to Garang thought that he would be weakened by this fall, but Garang in control of Juba wouid be almost impossible to remove. Garang leadership was questioned by many SPLA/M, military leaders, and this caused a major split within the SPLA over perceived lack of broad participation, lack of accountability and the need for more democratic procedure within SPLA. Riek Machar[193] and Lam Akol with the support of Nuer ethnic community in Gambela and in Ethiopia and other sympathetic persons within SPLA responded to the idea of institutional and structural reform within SPLA. In 1991, a splinter SPLA- Nasir, later renamed SPLA-United led by Riek Macher took most of the Nuer ethnic group, leaving behind the Dinka, the dominant group in SPLA. There was a history of tension and conflict between Nuer and Dinka communities and the government of Sudan capitalized on that to weaken opposition. The Khartoum[194] government ᵐoved in fast and started providing food and other forms of aid to SPLA-United and encouraged •t

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ᵘ Johnson, T*he Root Causes of Sudan civil Wars* (Oxford: The International African Institute Oxford 2004) p. 93.

ᴶ- Madut, *Sudan Prolonged Second Civil War* (United Kingdom: 1999) p. 128.

the SPLA-United to attack the SPLA-Torit led by Garang, bases in the south, and within a short time, the Dinka and Bor ethnic groups in the Upper Nile were displaced and thousands of civilians killed. The intra-south fighting continued throughout the 1990s, leading to the Khartoum government experiencing victory over the south. The two factions spent enormous energies fighting each other, forsaking their struggle against the Khartoum government. The traditional social values and structures that held communities together and regulated relations between the communities were abandoned. The chiefs could not resolve the conflict and violence exploded in the whole of southern Sudan. It took the active role of the Church under the auspices of the Sudan Church Council and the women to bring the conflict into an end between the two factions. After split within the SPLA later that year led to fighting between rival factions, encouraged by the government of Sudan, the government recaptured several garrison towns in 1992 and appeared to be gaining the upper hand in the fighting.

At the time of this unrest, the government of Sudan, convinced that African problems deserved African solutions, approached certain African countries to intervene. In 1991, Nigeria accepted to intervene after being requested by Bashir to mediate the conflict and the OAU Heads of State Summit gave president Babangida that mandate and the Abuja Process for Sudan came into being. OAU at that time intervened only when a head of state requested for its intervention. Two[195] Rounds of talks were held in Abuja from 26th May to 4th June, 1992 and 26th April to 17th May, 1993. The first round of talks was preceded by pre-negotiation sessions in Abuja from 28th October to 6th November 1991. However, the talks did not materialize, as the Khartoum government insisted that the SPLA-United, send a delegation, as well as the SPLA-Torit, thereby pitting the two former associates against each other. The Khartoum government was not prepared to make any

Wondu and Lesch, *A Battle for Peace in Sudan: An Analysis of the Abuja Conferences 1992 -* "3 (New York: University press of America, 2000) pp. 152 - 153.

concessions and the SPLA-Torit was now in a weak bargaining position as a result of the split within itself. This hindered progress in the peace process. OAU could not have been able to mediate in this conflict basically because of the organisation's dogmatic interpretation of its Charter, which according to Mwagiru[196] article 3(2) enjoins the member states not to interfere in the internal affairs of states, which led the OAU to ignore many internal conflicts. The ambiguity of the Charter over a number of issues left members to interpret it in the ways they found convenient, hence dogmatic interpretation of non-interference in internal affairs of states. During the early stages of the OAU's establishment, ad hoc committees charged with specific conflicts in the African region were mandated to deal with problems that required urgent solution. The prevailing Cold War politics that faced conflicts and encouraged intransigence on the part of belligerents was the second factor that impaired the OAU's effectiveness in conflict management. Some of the conflicts that were influenced by the Cold War politics included the Horn of Africa. At the same time, the OAU, at its inception, decided to accept the boundaries, which African states, had inherited from colonial authorities. The challenge remained of forging genuine national identity from among the desperate and competing communities hence inter and intra state conflicts have been fuelled by these boundaries. Thirdly, the organization was caught in the grip of the Cold War ideological rivalry, which limited its options for actions. Therefore, it was not lack of mechanisms to address the problems of conflict in Africa that eluded the vast majorities of the countries in Africa and the OAU, but in a situation where armed groups waging war against governments were often openly supported by other governments within or outside the regions, especially by the super powers, the 3&nuine inputs towards peace could not attained.

^ **Mwagiru,** *Conflict and Peace Management in the Horn of Africa,* (Nairobi: 1998), p. 7.

Subsequently, in 1994, another conference was held to end the civil war. This conference[197] was hastily converted into a National Convention, whereby SPLA-United renamed itself the South Sudan Independence Movement/Army (SSIM/A) and re-dedicated itself to the cause of southern independence. This appeared to pave way towards a truce with Garang's SPLA. External mediators tried to get the two factions to resolve their differences and succession talks were held in Nairobi from late 1991 to early 1992. It was during these talks that the Khartoum[198] government continued to channel money to SPLA-United through Lonrho and conflict between SPLA-Torit and SPLA- United continued and reconciliation failed. In 1995, SPLA-Torit mounted its first major offensive, after the split, aimed at the government forces in the southern Sudan. At the same time, Riek, under pressure from leaders of Kenya, Uganda and Eritrea, declared cease-fire with SPLA-Torit. He negotiated a peace charter, which was later transformed into a formal peace agreement that offered a possibility of a regional referendum on southern Sudanese independence that would take place after an interim period of four years in exchange for Riek's cooperation of merging his forces with the national army. The SPLA recorded a lot of success, particularly between 1995 - 1996; the Sudanese government was forced to re-think its strategies towards peace.

At this time of post-Cold War era, the OAU took steps in the prevention and resolution of conflict by setting up a conflict Prevention, Management and Resolution Mechanism during the 1993 Cairo Summit. This was a shift of the policy of non-interference in internal states of a country this saw a regional peacekeeping force intervening in Liberia conflict. The role of African Regional Or9anizations in conflict management had increased considerably, with innovative though sometimes controversial ideas bringing Africa's conflict management strategies to global attention.

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 ᵘ **Johnson,** T*he Root Causes of Sudan civil Wars* (Oxford: The International African Institute iff®*. 2004) p. 119
    ibid

One major characteristics of post-Cold War conflict management in Africa was the sub-regional organizations became prominent. The reason was that the OAU and the UN and other organizations with responsibilities towards Africa were in serious financial situations such that they were looking of ways of disengaging from the aspects of sub-regional conflicts. The nature of post-Cold War conflicts affected sub-regional political and socio-economic situations in that the internal conflicts, which were then proliferating, caused problems between countries, like refugee migration.

In 1997, under the heavy international pressure, the government finally agreed to negotiate with SPLA through Inter-Governmental Authority on Development (IGAD). The government adopted a new constitution in 1998, which promised basic liberties such as freedom of religion, association and self-determination for the southern Sudan. However, these reforms did not end the turmoil in Sudan. In December 1999, Bashir declared a state of emergency, and also dismissed Turabi as the speaker of Sudanese Parliament, bringing further division within the Sudan government. Consequently, Turabi formed his own party, in the same year, thus breaking away from the Bashir regime. The new team in power in Khartoum had a very clear objective: to spread militant Islamism to Black Africa. Countries that had previously been its allies would in future become its targets. The National Islamic Front (NIF), now ruling Sudan, had several faces: there was the congenial and cultured leader, Hassan Tourabi, there was wheeler-dealers like Khalid Osman Moudawi and Abdel Rahim Hamdi at the Feisal Bank, but alongside them were Islamist hardliners like the Present foreign minister, Ali Osman Mohammed Taha, and his deputy, Ghazi Salahaddin Attabani. These hawks did not hide the fact that they thought Sudan too poor and too marginal to be used as a base for propagating their own visien of Islamism. The fundamentalist movement had to be sPreaa as quickly as possible, which meant starting with their neighbouring countries. It was a sort o Muslim revolutionary Trotskyism, going beyond their boundaries.

Between 1999 -2004, IGAD took an active role in peace negotiation with Khartoum government and SPLA with an aim of trying to end conflict. The peace process[199] took up the decision of wealth sharing in pursuit of a comprehensive agreement that would ensure a just and durable peace in the Sudan. The parties recognized that all parts and all peoples of the Sudan are entitled to development without discrimination on gender, race, religion, political affiliation, ethnicity, language or region. However, the peace talks did not include most of the other opposition groups and this has proved a problem in Sudan. The main participants were SPLM and the Government of Sudan. Those in opposition parties in the Sudan were not involved in the agreement. Women too, had to demonstrate in Niavasha to be allowed in the negotiation. Their role will be discussed in the next chapter. The actors[200] in the conflict have been identified by the International Crisis Group; as the Government of Sudan, the SPLA, the UMMA party, Turabi's National Congress and the National Democratic Alliance. The Khartoum government was composed of Bashir's National Islamic Front and Islamic Political Movement. These were however not involved in the signing of the Comprehensive Peace Agreement and it may in itself be a source of future conflict. The conflict in Sudan is so dynamic that all these parties participation in the process should not have been generalized. However[201], at last the people of Sudan and the international community witnessed the signing of the peace pact in January 9th 2005 in Nairobi, promising to bring an end the 21 years of conflict. The world now waits to see the full implementation of the agreement and the benefits to reach all peoples of the Sudan.

[199] IGAD, *Agreement on Wealth sharing During the Pre-interim and Interim Period,* Sudan Peace j^Kenya (Naivasha: January 2004) pp. 1-4.
International Crisis Group, *God, Oil and Country Changing the Logic of War in Sudan* ^russels: Report no 39 2002) p.120.
Daily Nation Newspaper, *Peace at Last in Sudan,* (Nairobi: 10th January 2005) pp. 1-5.

2.4   Impacts of the Conflict

The historical background has shown that Sudan has had two civil wars that dispersed people variously. The International Crisis Group[202] has estimated that the north south conflict laid claim to about two million lives. Majority of the dead are innocent civilians, mostly women and children from south Sudan. Many Sudanese fled their country to settle in other areas whether as refugees or political asylum seekers or in search of employment. At the beginning of 2000[203], the internal conflict in Sudan had contributed in generating over 500,000 refugees in neighbouring countries: Kenya (64,000), Uganda (170,000), Ethiopia (70,000), Central Africa Republic (35,000) and DR Congo (68,000). Most of these refugees have stayed away from Sudan for almost two decades and in the process, they have lost all what they had in terms of property and wealth. Most of the refugees were also separated from their family members, who were either killed during the conflict or fled to Diaspora. Some of the political asylum seekers were later assassinated by the Sudan government secret agents while in other countries.

The Sudan conflict has changed the social roles and attitude of most people socially, since the southerners have always viewed the northerners as their enemies and vice versa. Most of the militias have been young children who have grown knowing of the other side as enemies and this will take ages to erase. March et al[204] contend that gender shapes the lives of all people in the societies and it influences all aspects of people's lives, including the roles, they play in the society. In the culture, when male and female co-exits, there are stereotypical definitions of the roles and exPectations supposed to be played by each gender. Gender is therefore an integral aspect of

^'international Crisis Group, *God, Oil and Country Changing the Logic of War in Sudan,* op. cit.,

204UNhcR, 2000 Country Updates Africa Fact Sheet, May 2000
    C. March et al *A Guide to Gender Analysis Framework* (Oxford: Oxfam Publication 2000) p.

structural and cultural violence, for gender forms the basis of structural inequality in all countries. Although inequalities vary from country to country, women in Sudan have been unequal with men; the north is unequal with the south in both economic and political spheres. Gender is indeed muitifaceted aspect of discrimination with issues of gender determining the roles, power relationships, responsibilities, expectations and access to resources. The intrusion of gender inequality thus creates the foundation of structural inequality.

The increasing international focus on sexual violence committed in the context of conflict, while necessary and important has tended to obscure other important aspects of women's experience of conflict. It is a fact that women fall victim to sexual violence because of their subordinate status in the society. Kofi Annan[205] announced a UN policy of 'zero tolerance' for sexual abuses and stressed that he was determined that the UN should enforce measures for protection from sexual exploitation and sexual abuse of women and girls in conflict situations. According to Mbote[206], women and girls are deliberate targets of contemporary civil wars. Sexual violence is an act of humiliation against women and male relatives. Fitzgerald[207] alludes to the fact that rape has been used in Sudan conflict, and that women have been abducted from the camps and systematically subjected to rape, and forced marriage back home women in the camps and normally, women are reluctant to discuss their experiences of sexual abuse, especially when the perpetrators hold positions in the community groups.

[205] UN Secretary General's Bulletin 'Special, *Measures for Protection from Sexual Exploitation gp Sexual Abuse,* UN Doc. ST/SGB/2003/13

See P. Mbote in Mwagiru (eds), *African Regional Security in the Age of Globalisation* (ISlairobi: geinrich Boll Foundation, 2004) pp. 83 - 94.

M. A. Fitzgerald, *Throwing the Stick forward: the Impact of Wars on the Southern Sudanese worr>en* (Nairobi: UNIFEM/UNICEF Publication, 2002) p. 87.

2.2 **Conclusion**

The women in diaspora fee! that they should participate actively in the post peace process in the

Sudan to help rebuilt their country. Their knowledge from the diaspora on gender issues will ensure

equal participation with men, since they are now questioning gender disparities. A report by[208] The

New Sudanese Women Federation states that diaspora in Kenya believe they will be resented in

Sudan because they have escaped and enjoyed the benefits of aids programmes. Likewise,

participants in New Sudan expressed concern that returned diaspora would displace those who

stayed behind when it came to getting better jobs or benefits, and a feeling that those who suffered

should be ahead of the line when it came to receiving benefits of peace. In a Report on Voices[209]

from south Sudanese, some Sudanese conclude that:

> *The mentality of everyone inside Sudan is that they suffered so much because they remained with the enemy, so there is a gap between those in diaspora and those living inside. Diaspora should be welcome back, but should not be given high positions because they did not toil with the rest. They are welcome to share their ideas, when they are given positions.*

However, the predominant view is that the Sudanese in the diaspora are welcome, as they are

seen by some to bring in skills that are much needed for building New Sudan. The[210] International

Crisis Group, further states that the majority of the educated Sudanese nationals and especially

from southern Sudan went to Diaspora in search of jobs. It estimates that a total number of 3

million Sudanese men and women work in foreign countries. This has led to an enormous loss of

human resource and has a far-reaching effect on the Sudanese economy. A lot of middle-aged

Sudanese national attend schools in various parts of Kenya, thus it is an indication that these

New Sudan Centre for Statistics and Evaluation, Research on the Thinking of South Sudan on ^Portant Issues in New Sudan (Unpublished Report: 2004)

•nternational Crisis Group, *God, Oil and Country Changing the Logic of War in Sudan* (Report no 39 2002) p. 10.

breed of Sudanese would have to fit into a country that Arabic is the official language, yet, they speak little or no Arabic at all, and the educational system vary from that of Kenya. This chapter traced the historical background of the Sudanese conflict, which dates back early days before the Turko-Egyptian rule, and its root causes. The conclusion is that the Sudan conflict is a product of racial hatred, Arabisation and Islamisation of the southern Sudan, decades of underdevelopment and wars over control of mostly oil in the south, between the Khartoum government and the southerners. It looked at the effects of the protracted Sudanese conflict on women and those in diaspora. The next chapter will concentrate on data collection and analysis on the effects of conflict on women. It will examine the structures that have caused the protracted Sudanese conflict, gender issues in conflict situations, as well as women participation in the CPA, before moving to the critical analysis on how the conflict in Sudan has affected women in diaspora in chapter 4.

CHAPTER THREE

PRIMARY DATA COLLECTION, ANALYSIS and PRESENTATION OF FINDINGS ON EFFECTS OF CONFLICT ON WOMEN IN DIASPORA

3.0 Introduction

This chapter presents primary data collection for analysis on the effects of conflict on women. Based on the overall research objective, the analysis focuses on the effects of Sudan conflict on women in the Diaspora. This chapter gives an analysis of the effects of the conflict on women in Diaspora and the roles they have played in conflict management in Diaspora. To address the theme of Diaspora, the chapter focused on the findings of the traditional roles of women and men, vis-a-vis the roles played in conflict situation, conflict management and peace initiatives, and effects of conflict on the Diaspora.

3.1   Research Methodology

Different kinds of information and methods were required to facilitate this study. Qualitative and quantitative data collections methods were used. The researcher and the assistants administered questionnaires to the respondents and key informants. The study went further to investigate the contribution of women in diaspora to conflict management and peace process initiatives.

3.1.1   Site Description

The groups studied were urban with interaction with camped refugees from Kakuma during Windle Trust Cultural Day in Nairobi. In the coatext of this study, the urban refugees are those residing in Ihe urban areas of Nairobi. The research site was Nairobi, concentrating in Dagoretti/Kibera, Kangemi/Westlands, Kawangware, and Doonholm, at SWAN and in other non designated areas.

These are areas where the south Sudan refugees tend to reside, according to information from GTZ Urban Refugee Programme. Nairobi was also selected because the city hosts the UNHCR, GTZ headquarters, which deal with refugees, and the diaspora from south Sudan reside in Nairobi in search of education and income generating activities, which cannot be accessed in Kakuma or any other urban town. However, those refugees from Kakuma were interviewed during the Windle Trust Refugee Day celebrated on 18th June 2006, which had representatives from the Kakuma refugee Camp.

3.1.2 Unit of Analysis

The unit of analysis for this study were 50 selected respondents, who included 40 women and 10 men, selected purposively and using snowball method.

3.1.3 Sample Selection

The sampling technique was purposive. Babbie[211] defines purposive sampling as a form of non-probability sampling method, in which the researcher uses his or her judgement in the selection of sample members. The method was preferred in the study since the respondents were felt to have the required information for the study. Snowball method of sampling was used to identify few subjects who named others that they knew who had the required information during the study. Mugenda[212] states that this method is useful when the population that possesses the characteristics under the study are not well known and there is need to find subjects.

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[211] p

t- Babbie, *The Practice of Social Research,* (Wadsworth Publishing Company, NY: 1995)
(Apt ^u9erlda & A. Mugenda, *Research Methods, Quantitative and Qualitative Approaches,* WCTS Press, Nairobi: Revised Ed, 2003) p. 51.

Although the refugees are known to stay in Kakuma, it would have been difficult to find the subjects in the urban area like Nairobi and hence the use of snowball. The subjects were mainly those who have been affected by the conflict in Sudan and they have been in diaspora for the study period. For qualitative data, 6 key informants were purposively selected from the organisations addressing refugees and working in south Sudan, namely UNHCR, GTZ, World Vision-south Sudan and ICCO amongst others. At the same time, 40 women, among them 5 key informants were selected because they were felt to have the relevant information on the study subject, especially from a women's perspective. 10 men, amongst them one key informant were selected to provide the study with their view on the effects of conflict on women in diaspora.

3.1.4   Data Collection Methods

Different types of data were required to make this dissertation a success. The data collected was derived from secondary and primary sources. Primary data was generated from field research, using semi-structured questionnaires, and an interview guide for focus group discussion, as well as through direct observation.

Secondary data was obtained from perusal of journals, books, published dissertations, publications, magazines and internet.

a)   Interviews

A standardized semi-structured questionnaire with open-ended questions was used to conduct in-depth interviews. This allowed free flow of information on personal data and conflict experiences from the diaspora perspective. Guided by a semi-structured interview guide, one-to-one interviews were held with 6 key-informants. By-the virtue of their positions, in the organizations they are working with (Programme Officers and Information and Communication Officer in case of UNHCR), the key informants were purposively selected as well informed people to provide useful background

knowledge that would not otherwise be obtained by other means, for this particular study. The key informants are working with refugees in diaspora as well as in south Sudan, and they were required to give their perspective on the current situation in Sudan for post conflict analyses for the study. Probing was employed to ensure accuracy and correctness. During the interviews, some quantifiable data was gathered to provide information on the roles of women in traditional settings and diaspora, which could provide the relationships between various factors and the causes of the changes of roles in diaspora.

b)   Focus group discussions (FGD)

One focus group discussion was held with 12 women and one man using a question guide. This was considered sufficient because participants were purposively selected based on their experiences in the conflict. Conducive environment was ensured for friendly discussion and free expression and individual participants' views were all recorded. This group was considered homogenous to provide information on effects of conflict on women in diaspora.

c)   Direct observations

Observations accompanied all the data collection methods. Through this method, the researcher was able to observe existing behaviours, in diaspora, and some observable risks to which they have been exposed to in diaspora.

31.4   Ethical considerations

Ethical considerations were observed through out the study. The researcher confirmed that the all ^e findings would only be used for academic purposes.

3.1.5   Limitations

One of the obstacles encountered was the lack of statistical information and records on urban refugees because UNHCR had records only for refugees in the camp, and GTZ could not give the data on the urban refugees, since there are various Non-Governmental Organisations working with women from south Sudan. Challenges experienced included, trying to secure interviews with UNHCR, because of their busy schedule. Some respondents demanded bus fare to come and meet the researcher. This was overcome by the fact that a budget had been made for the study.

3.1.6   Data Analysis

The survey data collected from the respondents was subjected to various methods of analysis including the Statistical Package for Social Sciences (SPSS), which generates, summarises and distributes percentage tables. The purpose of the primary research was to provide collaborative information and to supplement data collected from library research, and also a way of critically assessing the secondary data. The research findings have been presented in figures and tables, to ease the understanding of the multivariate methods used in the presentation. The study presentations are segregated according to gender, wherever possible. The researcher relied on the information provided by women and men respondents, key informants, focus group discussion and observations. As a result of the entire research, the following findings were recorded.

3-1.7   The Sample Size used in Research and Data Collection

The researcher undertook the data collection within Dagoretti/Kibera, Kangemi/Westlands, Kawangware, and Doonholm, at SWAN and in other non designated areas. These were basically research sites in Nairobi, though information was also gathered informally from persons

working in Sudan and in Kakuma refugee camp, namely ICCO and Wold Vision-South Sudan, because of their knowledge of situation in south Sudan and at Kakuma.

Table 3.1   Sample size by area and gender

	Male	% of Total	Female	% of Total	Total	% of total
Dagoretti Corner and environs	1	10	|~7	17.5	8	16
Kangemi, Westlands and the environs	4	40	6	15	10	20
Kawangware area	2	20	8	20	10	20
Doonholm	1	10	2	5	3	6
SWAN	1	10	12	30	13	26
Key informants	1	10	5	12.5	6	12
TOTAL	**10**	**100**	**40**	**100**	**50**	**100**

Source: compiled by the researcher

The above is a representative of the study sample in gender and areas of study. A group of twelve women from SWAN were subjected to the focus group discussion to compare with the individual responses about the effects of the conflict on women. These responses are captured together with those of individual interviews since they reflected a lot of commonality.

32   The findings and Interpretations

The Findings and Interpretations are recorded and interpreted in the following sub-headings.

3.2.1   Traditional Roles of men and Women

Like in most African societies, men-end women in Sudan have distinct roles and responsibilities fiat are shaped by the traditions and values. These traditions and values do not always favour ᵂ°roen, and their roles have been basically those of reproduction and they are not allowed to take

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part in productive roles Moser[213] defines reproductive roles as those that involve the care and maintenance of household and it members, including bearing children. She further states that these roles are labour intensive and they are normally not remunerated, and that they are exclusively left for women and girls. Productive roles in this dissertation are broadly defined as a task or activity that generates an income, and therefore has an exchange value, actual or potential. Moser defines productive roles[214] as involving the production of goods and services for consumption and trade. Both women and men are involved in productive activities, but their responsibilities differ. Women's productive work is often less visible, since they do not have control over the remunerations. Normally, when people are asked the work they undertake, mostly it would be productive work, especially paid work or income generating activities. Reproductive role is never termed as work since there is barely any remuneration. Patriarchy serves to reinforce the popular stereotype of the male breadwinner, but reality in the diaspora does not bear this out. The diaspora has been involved in the productive role of providing for the family. Indeed writings from Rodrigues[215], have conformed that conflict has provided women with opportunities to take up more productive roles and break from the stereotypical roles assigned to them. The south Sudanese women in diaspora are taking up more of the productive roles since they have assumed the task of breadwinner.

The traditional roles have been inhibiting the participation of women in the conflict management in Sudan, and as Margaret Fozia a respondent pointed out, in an interview on 9th May, the cultural set ana religious set roles are slowly changing with the conflict. While culture and religion contributes

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[213] ^ee C. Moser in C. March et al, *A Guide to Gender Analysis Framework* (Oxfam Publication, Oxford: 2000) p. 44.

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[D] **Rodrigues,** *Gender and Peace Building in Africa,* (University for Peace, Addis Ababa, September 2005)

to the role of women and men in a given society, gender roles and relations constantly change in a conflict situation and these changes impact differently on both men and women in the same conflict situation. For instance, Anderson[216] states that the gender division of labour and roles are disrupted by flight, and it is essential to find out what women were doing before, and what they are able to do in diaspora situation, in order to offer them support. March[217] too alludes that there are certain aspects that shape the roles and responsibilities of men and women in refugees' situations. These include the social and cultural context of both refugees and hosts will influence, possibly change, and gender division of use and control of resources. Indeed, in diaspora, they have to respond to new roles and responsibilities those that have been thrown upon them by their situation, and those of the host community.

Table 3.2   Traditional Roles of south Sudan Women

Roles	Frequency	Percentage
Reproductive roles (child bearing, taking care of children, cooking for the family)	15	30
Pounding grains as well as grounding	11	22
Collecting water	7	14
Taking the sick to the hospital	5	10
Cleaning of the cattle shed	5	10
Making fishing nets and fishing	3	6
Smearing the wall of the house	4	8
Total	**50**	**100**

S^rce; Compiled by the Researcher

See Andersons in C. March et al, *A Guide to Gender Analysis Framework* (Oxford: Oxfam publication 2000) p. 45.
'bid. p. 4 5

Of all the respondents interviewed, 30% had the opinion that women were expected to undertake reproductive roles, 22% of the respondents said that women are expected to pound and grind grains, 14% collecting water, 10% taking the sick to the hospital, 10% cleaning the cattle shed, while 6% and 8% indicated that women were expected to make fish nets and fishing and smearing the walls of the house respectively. The above signifies that rigidity of gender divisions of labour has ensured that although this is one area women and male work they do so unequally. Indeed, Fitzgerald[218] alludes to the fact that women do not own property in the sense that they control it. A woman can own a cow, but she cannot decide when to sell it. The above primary data therefore conforms to the secondary data, and it is in line with Galtung's structural violence theory, stipulating that violence is in-built within the social structures. At the same time, the data conforms with Naila Kabeer Social Approach theory, stating that the social structures are responsible for placing women at a subordinate level, thereby bringing conflict.

From observation of the above results, the fact that 30% respondents, on Table 3.2, indicated that women undertake household chores conforms the argument in chapter two that the south Sudan culture is patriarchal and women are expected to perform duties that are basically of a reproductive nature and not those that are monetary rewarded. Indeed, the secondary data conforms this argument, and Fitzgerald[219] has alluded that women are responsible for the welfare of children and the house, leaving the man free to husband cattle, cattle, fish and wage war. A woman is not an authoritarian figure within the home but she is cast the role of a kindly person who gives and receives love. The women are supposed to depend on men economically and socially for Protection and thus men are basically seen as the providers. This confirms the argument that there

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M- A. Fitzgerald, *Throwing the Stick forward: the Impact of Wars on the Southern Sudanese*
2 o^en (Nairobi: UNIFEM/UNICEF Publication, 2002) p. 15.
'bid p. 14

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are wide gender disparities, in economic activities between men and women in south Sudan. This enhances the set hypotheses that culture and religion are overwhelmingly responsible for gender disparities. This too conforms with social relation approach theory stipulating that social cultural structures are the cause of insubordination

Table 3.3   Traditional Roles of south Sudan Men

Roles	Frequency	Percentage
Productive roles (Providing for the family in terms of income generation for the family by engaging in entrepreneurial activities)	13	26
Decision making on when the daughters should marry and the dowry they will bring into the family	11	22
Construction of houses, roofing, erecting poles and the structure)	5	10
Participation in community roles (solving inter-tribal disputes, dowry discussions)	9	18
Hunting, milking and looking after cattle	4	8
Teaching boys traditions, customs and the social expectations in the community.	5	10
Cultivation	3	6
Total	**50**	**100**

Source: Compiled by the Researcher

from table 3.3, there is indication that the man's duty is traditionally structured and he is expected to undertake productive roles and support the family and to make most decisions in the family. These decisions include deciding whence daughter would be married, a transaction that enriches the family from the bridal wealth. The respondents said that the men are the ones who do the

'work' to bringing in income to the family. In decision making in the family, especially the dowry of the daughters, women were found not to have any decision-making role at all. For instance, the Dinkas consider girls as an income because of the dowry hence the men participate on dowry negotiations. This confirms Fitzgerald's narration in chapter two, of the case of Sara, a refugee woman in Kakuma, who was being tormented by the brother since the husband defaulted on bride -price, showing the role of men as decision makers in the welfare of women. This in essence reflects that the structures in Sudan are clearly defined and stipulates the role of men and women. Women therefore cannot make any decisions in conflict times or otherwise regarding their welfare, thus pointing out that structures have brought about conflict between men and women. This further conforms to Galtung's structural violence and Naila Kabeer's Social Approach theories that the structures within a society are responsible for conflict, and people are not able to exploit their full potential because of the inhibiting structures. To strengthen further the argument of the two theories, one respondent narrated her of experiences a struggle of cultural structures put in place by the society in south Sudan:

> 'My *uncles*[220] *wanted me to be married off since I was already big, but I refused.. They were unhappy with me since I was defying them. I stood firm, so did my mother and we prayed hard. They wanted to get dowry since my father died during one of the bombings. You see girls in my tradition, are regarded as wealth. They are married off before they are 15 years. I could not allow that to happen to me, as a Christian, and a determined young lady. I decided to go to school and not to let them distract me. I am now finalising my degree at Daystar University. Now they can see my achievements in education and they are very happy with me. I have become their role model!'*

The above is an indication that men decide on when the girls should marry and they fix the bride ^{Wc}e, showing gender disparities. The women are not allowed to participate in decisions affecting their lives, even in choosing education, and this in essence can hamper their participation in the

iew with (name withheld) respondent on 27th May 2006

development in all spheres, politically, economically and socially including participation in peace initiatives. Indeed, the above too indicates an emerging theme of the effects that conflict has had on women in diaspora that women are challenging the social structures set in place, that marginalise them.

There was an indication by about 18% of the respondents, that men are the ones involved in the dispute solving and that women do not traditionally play a role in this activity. The low percentage of men expectation in cultivation shows agriculture/cultivation is a role left for women, yet the customary laws in Sudan prohibits women to own property including land. Indeed, writings from Mwagiru have confirmed that women do not own land and property in Sudan. The fact that the respondents attributed the roles of men with 'work', is an indication that whatever women do at home and in the fields, since it does not bring income, it is not considered as work, thus bringing in gender disparities in roles they are expected to play in the community. Women's work is not considered as work since it has no economic value attached to it. This enhances the argument that the structures that are put in place inhibit the gender participation in the power related spheres, thereby bringing about conflict. For with economic power, women can have a voice within the decision structures. This then brings in conflict because all groups within the society would like to be adequately represented in all the power distribution spheres. Indeed, the above further strengthens the argument of Galtung's[221] structural violence, theory, that violence is built into the social system and expresses itself in unequal power distribution and opportunities.

,n Diaspora, the refugees living in Kenya have had to adopt a lifestyle that has cultural practices of toe adopted country-, combining with those from their former lives. They have had to undertake

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J Galtung, *Journal of Peace Research,* *Vol/2* (1993 p. 107)

roles, which in their own country; it would have been a taboo to undertake them. These include owning property, earning income as well as acting as heads of families, and making decisions for the family. They have been able to practice a religion of their choice in the diaspora in Kenya, and learn a lot from the Diaspora, which brings about an emerging issue of religious freedom, which people of Sudan, have been craving for throughout the conflict period. The following represents the women in Diaspora, their new roles and the effects the conflict has had on them.

Table 3.4   Current roles of women in Diaspora

Roles	Frequency	Percentage
(Productive roles - e.g. providing for the family through income generating activities, selling alcohol, etc.	19	38
Decision making in the family - where to stay, to move to Kenya as refugees etc.	13	26
Peace makers (solving tribal conflict)	10	20
Playing the role of father and mother in the family	8	16
Total	**50**	**100**

Source: Compiled by Researcher

The above questions were asked separately and the answers put together. Amongst those interviewed, men and women, 38%, indicated that the women have taken new roles as providers in the family. This confirms the argument that the Sudan conflict has had effects on the roles being P'ayed by women. 30% of the respondents indicated that women are now the decision makers in ^e family, in the adopted countries, as men spend their time in the frontline, while 20% indicated that the women have a new role of peace building. Peace building involves establishing normalized Nations between ordinary citizens on both sides of a conflict. Peace building usually takes a

number of years to implement. Indeed, Lederach, an expert on peace building, has observed that[222]it takes people at least as long to get out of a conflict as it does to get into one--and some of the conflicts he has been involved in have gone on for decades, or even centuries. He further, alludes that contemporary conflict necessitates peace-building approaches that respond to the real nature of conflicts. He stipulates[223] people need opportunity and space to express to and with one another the trauma of loss and their grief at that loss, and the anger that accompanies the pain and memories of injustices experienced. He sees peace building[224] as using a new set of lenses, through which we do not primarily see the setting and the people in it as the problem and the outsider as the answer. Rather, the long-term goal on peace building as validating and building on people and resources within the setting. This supports the primary data collected, and the hypotheses that involvement of women is paramount to the peace process, and that a bottom up approach process is ideal in peace building, hence involvement of women, as actors who have suffered in the conflict should be involved in peace building.

One respondent related to the researcher the following:

> *Women[225] did a lot of work during the conflict. We learnt how to be carpenters making doors, houses, running away with children to safer grounds and feeding the men in the front line. We collected roots for medicines, and sent them to the men on the frontline. We made alcohol for sale and the collections were given to the men for buying more arms to fight the enemy - government of Sudan. We even transported food to them. We nursed the men, and learnt about the roots which can make medicines; we put money together to buy drugs for them, and showed the men the trees, which can be used for medicines so that they can give to the wounded.*

This confirms that the traditional roles of women changed during the conflict. While the men were In the front-line, the women have been undertaking different roles than the culturally defined ones.

J-P. Lederach, *Preparing for Pea£e: Conflict Transformation Across Cultures,* (Syracuse University Pre.ss, New York: 1995), p. 11.
P. Lederach, *Building Peace: Sustainable Reconciliation in divided Societies,* (United States gstitute of Peace, Washington, D.C: 1997) p. 26.
225 ^-P. Lederach, Op cit
Interview, with Ms. Kima on 27th April 2006

They have taken up leadership roles and actively supporting men in the frontline. In spite of new adapted roles, the women subjected to focus group discussion from SWAN felt that the conflict has affected them negatively. They informed the researcher that:

> We[226] are victims at multiple levels. We are the breadwinners and head of households and some of our men were either fighting, had died in the conflict or displaced. With no tradition mechanism to fall back to, we face the trauma of being in a foreign country alone - being exposed to many sorts of physical violence and psychological abuse, sometimes starvation. We decided that we were not going to steal but talk to the Kenyans who were sympathetic to our plight to give us food. They were positive and even we learnt to be friendly to the police and they never harassed our people. When there was a swoop by the police, we could go to the cells and get back the Sudanese who had been taken to the cells by the police. They really treated us very well. We maintained a cordial relationship since we knew we were in a foreign land and we needed all the support we could garner. The women suffered a lot when they came here since they could not speak English or Kiswahili. They had to learn quite fast to be able to communicate. In fact that is one of the reasons SWAN was started to give literacy lessons to the Sudanese and help them in income generating activities.

The above is an indication of the trauma the women underwent in land of flight. They have had to depend on foreigners to assist them, especially those who settled in the urban areas. However some men interviewed indicated that the men too, suffered from trauma and loneliness of leaving their families behind and they could take months before seeing their families. Another[227] male respondent indicated that men at the frontline did not have information on their loved ones, others came home only to find that their families had been displaced, and they did not have any idea where they were, or whether they had died. They stated that this had an effect on them and some ended up losing hope of ever finding their families.

Asked whether the conflict had an effect on women in Diaspora, one respondent related the following to the researcher:

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jFocus group discussion with SWAN women, 8th May, 2006
Interview, Koang, on 27th April 2006.

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Women[228] have been active in conflict in the Diaspora. When women arrived in Kenya from 1991, they realised that they had a lot in common; coming from the same country, and little was separating them. They hated the conflict because it had made them landless. Women supported the conflict. They sang songs, which encouraged the men to fight. After many deaths, they hated the killings and decided to do something about it. In Diaspora, they started income generating activities, especially petty trades, which could bring in incomes to support their families back in Sudan. Some engaged in the peace processes, through UNIFEM, which supported trips to the UN, as a way of the women mobilising the international support to bring peace in their country. We made presentations on the effects of conflict in Sudan on women, especially deaths of children, abduction of women, rape and displacements of the south Sudanese community. We were also able to watch other women in our adopted land, and we saw how they were participating in the political activities of their country. We decided we had to do the same and we started infiltrating the SPLM and talking to other women from the Northern Sudan, who were sympathetic to our plight.

The above confirms that women had to take up the roles of men whether in Diaspora or in Sudan since the men were involved in the frontline. The women felt that these roles had over-burdened them. They stated that they had experienced high stress levels. Some of the women interviewed had decided to take it upon themselves to sensitise the international community about the plight of women in the Sudan and Diaspora. The women sought assistance from UNIFEM and the Nordic countries, hence getting support to present the effects of conflict on the south Sudan people at the EU parliament and at the UN. In this way, they brought out the ills of the conflict in front of the world leaders. One respondent interviewed gave an account of the following on the role of women in Diaspora:

We[229]went to various countries like USA, to the EU to advocate that the countries buying oil from Sudan should stop since the government was using money from oil, buying more arms to fight its own people. We arranged meetings and we went with two men and we were four women. We managed to speak at the EU, UN and USA and this brought a lot of sensitisation and awareness of the Sudan conflict, which helped in the international community coming in to try and address peace in Sudan. Norway played a key role in the peace process in Sudan, by taking a stand on the conflict, amongst the international community. It is one of the coun(fies that continued funding IGAD peace initiative, hence making peace for south Sudan a reality

^Interview, Susanne Jambo of NESINET: 8th May 2006
      ibid

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The above shows that women in the diaspora were actively involved in seeking solutions to the conflict in Sudan, a complete reversal of gender roles, addressed earlier, since conflict and peace initiatives was a preserve for men. It also indicates that women in diaspora became active peace seekers for the Sudan conflict, and the role the diaspora played in sensitising the international community about the conflict in Sudan.

One respondent informed the researcher that women in Diaspora have learnt new things, how to run their own income generating activities amongst other things. She reported that Sudan women in Kenya are more organised and they have learnt a lot from their sisters in Kenya, and they are using their newly acquired skills to create new options and opportunities for themselves. The new roles they have acquired have certainly given them an opportunity to become more confident and seif-assuring.

3.3   Activities undertaken played by women during the Conflict

The researcher interacted with women refugees in Nairobi during the Windle Trust Refugee cultural day held at the Windle Trust in Kawangware/Lavington area. The researcher took advantage of talking to the refugees especially from Sudan on their activities during the conflict. This was meant to give an insight into where, as women, they were recognised as contributors during the conflict, or they were just passive participants. The interaction is presented in the following table.

Table 3.5 Activities of Women during the conflict

Activities undertaken during the conflict	Frequency	Percentage
Fighting in the war before coming to Kenya	15	30
"Supporting men in the frontline through money, medicines or other moral support	11	22
"Creating awareness international on the war in Sudan.	2	4
"Promotion of peace amongst the south Sudanese for example, bringing the Nuer and Dinkas together during the conflict.	10	20
Participated in the Sudan peace process	3	6
No role	9	18
Total	**50**	**100**

Source: Compiled by Researcher

As shown in the above table, 30% of the women admitted to have taken part in the conflict before coming to Kenya. 22% of the women supported the men fighting in the frontline with medicines and money. They supported as message couriers for those in frontline, gathering intelligence information from local people and enemy camp, taking care of the wounded and nursing the sick, supplied water and ammunition, singing in support of the men in frontline songs to encourage them. This primary data is in conformity with the secondary data on women's role in the frontline. 20% played a role in promoting peace between the Nuer and the Dinkas when there was a split in the SPLM in 1991. Indeed, the New Sudan Council of Churches[230], states women attended the Wunlit Peace Conference in 1991, reclaiming that role from the men. Women and youths were invited to the conference as representatives of the grassroots because of the realisation that every actor in the conflict should be actively involved in peace process. Women were used as

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230T he New Sudan Council of Churches, *Inside Sudan, The Story of People-to-People eacemaking in Southern Sudan*, (Nairobi: New Sudan Council of Churches Publication, 2002) p. 64.

instruments of peace making, as indicated by one respondent, that women were given as wives at this time to one of the disputing groups in order to prevent further conflicts and ensure sustained peace between two conflicting groups. This involved exchange of women as wives between the Nuer and the Dinkas. However, a sizeable number of women were not involved in any activities at the conflict level. These women informed the researcher that they were very young at that time and they did not have a role to play. When the researcher asked them whether they were not forced to fight in the conflict, they stated that there was no one who was forced to join the frontline. They informed the researcher that women joined the frontline through what they called a calling to save their country from the Khartoum government's exploitation and Arabisation of the whole of Sudan'.

The above is an indication that despite the gender distribution of roles in a given society, these seem to change in times of conflict. It also clearly shows that gender issues in Sudan become irrelevant; hence gender roles and responsibilities defy traditional and religious practices in conflict times. Indeed the disruption of the traditional social systems through conflict has thrown the south Sudanese woman into a state of flux. The cultural frame under which she has always operated within, was dependent on kinship ties with lineal groups and this ceased to function during the conflict. Men enlisted in the frontline and families were scattered in the diaspora and within Sudan, and the roles of the women reverted to breadwinners and guardians. Coser[231] states that internal social conflict which concerns goals, values; interests, which do not contradict the basic assumptions upon which the relationship is founded tend to be positively functional for the social structure. Such conflicts tend to make possible the readjustment of norms and power relations within groups in accordance with the felt needs of its individual members or subgroups. However,

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[231] Coser, *The Functions of Social Conflict,* (Free Press, New York: 1956) pp. 151 -157.

Williams and Sweetman[232] states that conflict causes an upheaval of society that forces individuals, households, and communities to change their ways of doing things and challenges their beliefs about who they are and what their role is in the world. Part of the upheaval is a state of flux in gender relations. Women tend to take up the roles generally held by men like family heads, when the men are on the frontline or they have been killed in the frontline. After the conflict is over, there may be a return to, or increase in patriarchal control over women, or alternatively, the possibility of positive transformation in gender relations may arise. Hence the effects of the Sudan conflict have led to the transformation of gender roles, especially for the women in the diaspora.

The researcher posed a question to the women, on their role in the frontline, during a focus group discussion involving women who are members of SWAN learning English language and how to operate income generating activities, in order to be economically empowered. Income generating activities are necessary if women are to participate and undertake the same roles with men, since they will earn an income that can support their families. In essence, economic empowerment lead to women undertaking the productive roles, as discussed earlier. The women readily shared this information, and one lady reported that:

> *I personally joined the army and I was trained to handle a gun and I even fought in the front line. I acquired the name of a commander and I fought closely with the men. In the frontline, we forgot that I was a women and I was treated like any other male soldier in the frontline. Even today, I can still hand any gun, even an AK47.1 only left since I had to join my husband who* was *wounded and he* was *brought to Kenya for treatment, hence I had to come and join him[233].*

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anw   liams & C. Sweetman, *Ending Violence Against Women: A Challenge for Development nd Humanitarian Work* (Oxfam Publication, Oxford: 2001) p. 145.
[233] Focus group discussion, 8th May, 2006

The above is an indication of the role women played in the conflict, and there was a significant change in the gender roles. Women in the patriarchal Sudanese culture are home makers and not fighters.

Indeed, one of the respondents narrated that 'I had[234] to go to the frontline. I witnessed the bombing of our camp in Ethiopia and I really felt so helpless when children were running all over and the whole camp was littered with dead bodies. In fact, I met my husband in the frontline'. This in essence shows the conflict had effects on women, which made the traditional roles of women change and women started joining the male domain.

The respondents were further probed and asked if boys and girls were forced to go and fight. They responded by saying that nobody was forced to go and fight. They chose to join the army to save their country. Ms Jambo informed the researcher that:

> *Before[235] 1994, children were forced into the army. In 1995, there was a ground rule agreement that children should not join the conflict in line with the United Nations Conventions on the Rights of the Child (UNCRC). There was demobilisation of child soldier programme and the children were not allowed to fight in SPLM.*

This is an indication that SPLM respected the rights of the children, and anybody engaging in the front line was a matter of choice especially women and children.

3.4 Those who actively took part in the conflict

25% No

75% Yes
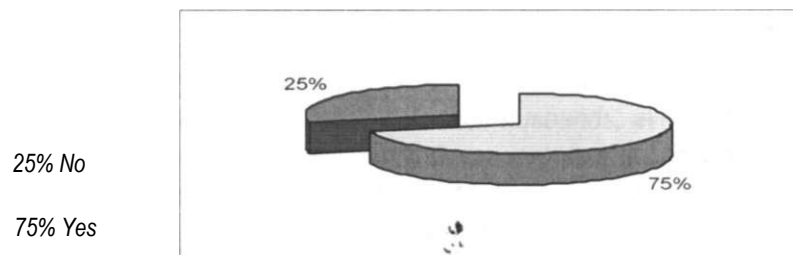
' *Source: Compiled by Researcher*

^ Interview, (name withheld), 8   June 2006
  'nterview with Ms Suzanne Jambo, 9th May 2006

The above pie chart represents the percentage of women who took active part in the conflict. These were those in the frontline and those who supported in the delivering of food to the men in the frontline. According to some of the women interviewed, they stated that they brew alcohol, made 'Kisra' - a dry chapatti for sale and they sent the proceeds to the SPLM from Kakuma camp. They stated that they had a strong link with the SPLM in Kakuma, urban towns and in other neighbouring countries. Taking part in the conflict meant that the women undertook roles, which they previously were not undertaking. It meant that they left their children behind, and as care takers of children, the conflict indeed made them abandon their traditional subscribed roles, and undertake roles in the front, normally meant for men.

Traditionally, women are not supposed to negotiate or address peace meetings where there are elders in Sudan. However, during the split of SPLM, the women and the church played a major role in bringing peace, and the eventual, end of inter-tribal conflict between the Nuers and the Dinkas, which threatened the unity of the SPLM. The New Sudan Church Council, used women from the Dinka and Nuer tribes to get the men into the negotiating table. This situation was explained by the respondents, who stated that they played part in ending this conflict. For instance, in an interview on 27th April 2006, one lady stated that:

> *We fasted[236] for three days and we prayed a lot to end the tribal. It was killing our men, children and women. We were fighting each other instead of fighting the common enemy. The enemy was gaining and we could not see that. We had to talk to the men and told them to stop killing each other. We agreed as women from Nuer and Dinka to use 'pillow talk, to talk to the men. When that did not work, all women declared that they would not have conjugal activities with their husbands, even prostitutes agreed not to have sex with the men. When they realised we were serious, they agreed to meet (Nuer and Dinkas) to end the conflict. Since in our tradition, women should not be killed, the church organised the venue for the meeting and there was a huge presence of women. The men knew then we meant what we said. We piked to them, they agreed to end conflict, and we performed a traditional ceremony of piercing a white cow and men jumped over the blood. The blood*

'nterview with on (name with-held for ethical reasons): 28th April, 2006

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of an animal is meant to bring healing to the land, and eventually this led to the merger of the SPLM-Torit and SPLM-United.

Every ethnic group within post-colonial Africa wants to be recognised in leadership matters irrespective of its population. For instance, Chukwu[237] states that the struggle for power in Africa is pursued and interpreted in ethnic terms. He sees ethnic conflicts and political instability arising when one ethnic group believes that they have been marginalised by one or all other, on some or national matters within the states. His argument conforms to conflict research theory of conflict, which arises based on values, and perception one group has over the other. The Nuer and Dinkas had a perception issue, and the Nuer felt that the Dinkas were marginalising them in SPLM/A, and this in essence led to the split in 1991. Esman[238] further reiterates that in the ethnic based conflict, where groups have negative perceptions of each other, any provocation leads to conflict, and therefore displacement of people. The above split of SPLM/A is therefore a clear case of value-based conflict, which was addressed by women in diaspora and in Sudan, thus resulting to a huge loss of lives through tribal conflict. This is an indication of the direct contribution of women to peace, which they have not before been able to do, but the conflict had changed its face, which meant women had to step in and address peace building.

## 3.5   Effects of Conflict on Women and men in Diaspora

The researcher posed the following question to the respondent and their responses are reflected in the following pie chart.

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^>ee Chukwu in P. Okoth & B. Ogot (eds), *Conflict in Comtemporary Africa,* (Jomo Kenyatta foundation, Nairobi: 2000) p. 141.
M J. Esman, *Ethnic Politics,* (Ithaca, N. Y: Cornell University Press, 1994) p. 14.

Figure 1: Were you separated from your immediate family by the conflict?

No, 3%

Yes, 97%
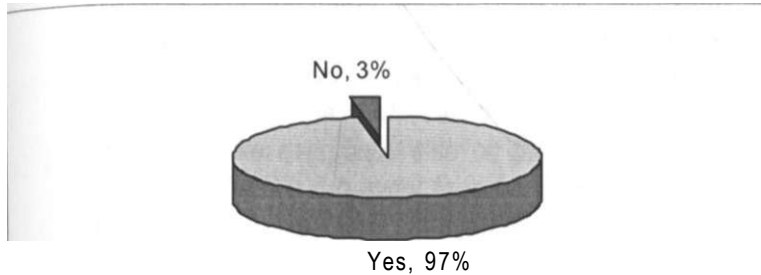
Source: Compiled by Researcher

Over 97% of the respondents indicated that they were separated from their families and only 3% indicated that they travelled as a family. In this case, family refers to the immediate family. Some respondents shared with the researcher their experiences in the flight to Kenya:

> *[239]We came to Kenya after the bombing of the Ethiopian refugee camp in 1991. The whole incidence was very traumatising. Children were separated from their families and they travelled on foot for so many days. We were running in all directions, without knowing where we were headed for. We just followed the crowd. I personally was separated from my children and I found them after three weeks. We walked and we lived on wild roots. One of my children was eight months and I had to look for wild berries to feed her and my three-year-old daughter. I saw women, children being killed by the government soldiers as we tried to escape. Rape was very common. Sometimes they would rape women and then kill   them. It was during the time of drought in Sudan and we suffered since there was no water. Some people forced others to urinate and drank the urine. The government refused us humanitarian aid and so many of us died. We arrived on the Kenya border after over four weeks of trekking. We were received by the Red Cross on the border. We took over orphans and we started raising them as our own. In Sudan, a child belongs to the community and not to the parents only, so we had to take care of them.*

This is an indication that during the flight, many were separated from their families and this strengthens the argument in chapter one that families are separated during the flight, and that conflict causes mass displacement of people from their country to another country as refugees.

Interview on (name with-held for ethical reasons): 28th April, 2006

In an interview with one respondent who has lived in Kakuma for more than 15 years, she related the following to the researcher.

> I[240] have lived in Kakuma for a very long time. Idleness in camp was very stressful. You just sit outside the camp, waiting to go for your rations from the World Food Programme, and if your ration is finished, you have to wait until the following week. You can go hungry for days if you do not manage your rations properly. I hated the fact that I had to go and queue for a long time for the rations. I never had to line up for food in my country, but here I was, just like everybody else on the queue. Conflict does not respect education and status. We had to run away from home with absolutely nothing, yet we had so much at home. I have to walk very far to get water from the borehole, and it is sometimes risky as a woman to go alone. I have heard people being raped on their way from collecting water, yet they cannot report because of fear of reprisal from the perpetrators of this vice. However, at least it was better in the camp than in Sudan, since there was peace. I had to move to Nairobi with my children, who needed to go to a good college, and these facilities were not available in Kakuma. With support from my brother who works in an NGO, I was able to move and educate my children. However, the family has to keep on going to Kakuma to renew their pass, and to the hospital in Kakuma. UNHCR, cannot give you money to be treated in Nairobi, only at Kakuma I would like to relocate to Australia, once my children finish college.

The above is an indication of the challenges the women refugees have to endure in the adopted land, and the effects the conflict has had on them. This confirms the fact that there has been a lot of gender-based violence in camps, conforming with the secondary data collected. The researcher probed women further on the effects of conflict on them, in Diaspora, and the respondents gave the following information:

Table 3.6   Effects of conflict on women

Effects of conflict on the women	Frequency	Percent
Psychological Trauma	10	20
Sexual harassment (abuse, domestic violence or otherwise, rape, defilement, maiming etc)	10	20
Starvation of self and family members.	6	12
Incapacitated by war	7	14

•nterview with Nupa, All Africa Conference of Churches, April 28th 2006

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'Death in the family as a result in conflict	17	34
Total	**50**	**100**

Source: Compiled by Researcher

prom the above table, it indicates that 34% of the respondents had deaths in the family. Indeed, the researcher was informed that it is possible that there has been a death in every south Sudanese family because of the conflict. 20% reported that sexual harassment and rape has been common both in Sudan and in the adopted country of Kenya. The UN Declaration of Human Rights in 1948[241] was adopted as a common standard of achievement for all peoples. The provisions of this declaration are considered by many scholars to have weight since they are so widely accepted and used to measure the conduct of states. The concept of human rights provides women and men throughout the world with universal standards against which to measure the treatment of individuals and groups by the government, community institutions and individuals. However, the concept[242] of human rights as originally conceived was blind to gender differences and gendered patterns of inequality. This meant that the concept did not include violence against women explicitly. However, successful lobbying and campaigning has led to significant advances so that violence against women is now recognised as a core human rights concern. Scholars like Williams and Sweetman[243] allude that understanding violence against women in conflict situations, as an abuse of human rights provides potential armoury of international law. Using the tools provided for, the protection of human rights, women can demand state protection and recourse against Perpetrators. The adoption[244] of the UN Declaration on the Elimination of Violence Against Women

[In] has indeed lead to the Statute of the International Criminal Court codifying rape and other

[242] United Nations Publication, *Basic "Facts About the United Nations,* (New York: 2004) p. 228
[243] 'bid
„ ˢ **Williams** & C. Sweetman, *Ending Violence Against Women: A Challenge for Development humanitarian Work*(Oxfam Publication, Oxford: 2001) p. 47.

sexual violence as war crimes, as well as crimes against humanity, which now includes genocide. Hence the crimes committed against women, violence against women of south Sudan should be treated as crime against humanity, and the perpetrators should be brought to books.

A respondent at Daystar University informed the researcher on 9th June, 2006, that 'there[245] is no recognition of gender specific needs including protection from gender related torture like domestic violence which is very common in Kakuma camp, rape and forced prostitution, both at the camp and in urban areas. She further stated that prostitution and early marriages have become a solution to many girls as a source of income. This has had another long-term effect on women because it has increased the rate of sexually transmitted diseases including HIV/AIDs. Values as stated earlier are considered a major issue in peace research as well as theory of human rights, as one cannot say that their interests are not focussed just on understanding violence, but also on contributing to the human conditions improvement. Incapacitation as a result of war was reported and the International Rescue Committee started a disability programme in Kakuma to cater for those who were disabled by the conflict, either by being shot, bombs or as a result of landmines.

Psychological trauma represented a high frequency and one man[246] commented and said that the experience of refugee women, children and men has left deep scars, only the refugee themselves can understand since they have been there. We in Diaspora missed the comfort of our homes and our families. We have had experiences, which will leave us traumatised for a long time. It is not alright when you are not in your own country. We have missed our families and every time we have been wondering whether they are still alive.

[246] 'nterview at Yaya Centre: 9th June 2006
Interview: All Africa Conference of Churches: 10th May 2006,.

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Mwagiru[247] states that conflict, wherever it is located, is to dislocate valued relationships, and cause stress on the structure on which relationships are based. This brings about dysfunctional conflicts, which lead to the breakdown of social order, and to the breakdown of social and personal realtions. These conflcits can lead to many deaths an injuries. Hence dysnfuctional conflict[248] cause violence, gross deprivation and violations of human rights imply an existence of latent structural violence. In line with the objectivists, Miall[249] states that such violence can be ended by changing conflict behaviours, removing structural contraditions and injsutices and changing both cultural and religious attitudes. Sudan refugeees in diaspora are therefore a product of racial and ethnic hatred and decades of underdevelopment and series of conflict to control fertile land and oil in the south between soutehrners and the government of Sudan. These ills have translated into hatred and conflict in Sudan, which is confirmed by the secondary data, which has stated that this conflict dates back to the 8th century. Indeed, the conflict in Sudan, has led to displacement of people to the diaspora, because the southerners believe they have been marginalized by the northerners in all matters of national well-being.

The conflict has been a source of mass displacement internally and into the diaspora. The study further established respondents' views on other effects the conflict has had on them and their future plans. One respondent stated that women's literacy levels are even lower currently than before the conflict. The[250] conflict has added to and retarded the process of transformation away from the unfair cultural practices that inhibit girls and women's education. This will definitely have

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248 M. Mwagiru, Conflict Theory, Processes and Institutions, op cit. 4
J **Galtung,** *Peace by Peaceful Means: Peace and Conflict: Development and Civilisation* **Sᵃ9ᵉ Publications,** 1996) **pp.** 4 -14.
^ Miall, Ramsbotham & T. Woodhouse, *Contemporary Conflict Resolution: The Prevention,* 25o *lament and Transformation of Deadly Conflict* (london: London Polity Press, 1995) p. 60
Interview with Margaret Fozia: 9th June, 2006 at Yaya Centre.

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an effect in the participation of women in the building of the New Sudan. According to yet another respondent, living in the camp or even in urban area as a refugee hampered the growth of both men and women. 'Some[251] of us have been at the camps for more than twelve years. They were in their final years at the university; back in Sudan, they have watched the dreams of being academicians slip by as the conflict continued to escalate. Most of them have wasted most of our productive years in the camps or elsewhere. It will be very difficult for us to fit in well in the New Sudan. However, a young respondent told the researcher that he looked forward to becoming a member of parliament. 'I[252] have learnt a lot from the Kenyan politics. I was educated here and I hope to take my knowledge back to Sudan and contribute to the rebuilding of my country'. This argument conforms to the secondary data of Lewis Coser, who alludes that[253] conflicts within a society, intra groups can bring ordinarily isolated individuals into an active role. He indicates that the protest over Vietnam War motivated many young people to take vigorous roles in American political life for the first time. Indeed, south Sudanese young people in diaspora are now emerging as a motivated group to active political life. This shows that the south Sudan conflict has had a positive impact in arousing the political angle of the young people.

Some respondents stated that they have learnt new ideas and they have participated in peace. The following table reflects this scenario:

Table 3.7   **Participation of women in the IGAD peace Process in Naivasha and Nairobi**

Participation of women in the peace process	Frequency	Percent
Participation in the negotiations in Naivasha	5	10
Participation in the signing of the agreement (CPA)	20	40
Participation in the technical committees for peace	5	10

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[252] 'nterview with a Key informant: 29th April, 2006
[253] 'nterview with Koang, 27th April 2006.
   L A. Coser, *Functions of Social Conflict* (Free Press, New York: 1956) pp. 151 -157.

"Not aware of women's participation	20	40
Total	**50**	**100**

Source: Compiled by Researcher

From the above table, there is an indication that the respondents were not aware of women's

participation in the IGAD peace process. However, 10% indicated that there were some women

who participated in the negotiation from 1998. This conforms to secondary data, that women and

by extension gender dimensions are normally ignored in conflict management processes.

According to Mbote[254], both classical and behaviourist theorist of conflict have neglected gender

dimensions in their analyses, thus excluding an important paradigm in the analyses of cause and

impact of conflict and on the mechanisms used for managing. She further alludes that gender

equity and equality are essential in building sustainable peace and reconstructing democratic

processes since they capture gender-related issues in conflict situations. Rodrigues[255] agrees with

Mbote's argument, that women are not represented in formal peace negotiations to air their opinion

about either prevention or the resolution. Indeed, she states that when women are not included in

the peace negotiation forum, they will not be able to create peace within their communities. Gender

issues in peace process for south Sudan are so important since they translate into achieving

sustainable peace in Sudan, since women are key actors in the conflict; their inclusion is of utmost

ImPortance. For instance, one respondent stated that

> *'There[256] were only two women from SPLM out often in the negotiations table in 1998. In 2000, Garang included four more women in a team of twelve, and further in 2002, the Technical committees were six in number with seven or eight people and two or three out*

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254 See p. Mbote in Mwagiru (eds), *African Regional Security in the Age of Globalisation* (Nairobi: 8J«rich Boll Foundation, 2004) pp. 83 - 94.

o.   Rodrigues, *Gender and Peace Building in Africa*, (University for Peace, Addis Ababa, somber 2005)

Interview, Suzanne Jambo 5th May, 2006

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> *of these were women. Garang himself appointed one lady to be the SPLM advisor at the 1998 conference. There were a further four women, who were in a delegation to the Nordic countries, the highest delegation ever for SPLM to the north (Europe) which visited the EU to sensitise them about the Sudan conflict.*

From the above table, there was 40% indication that women participated in the signing of peace agreement, though, the women did not just get the invitation to be part of the process, they had to mobilise themselves and force their way into the peace process. The Diaspora in Kenya realised that they could be left out in the most critical stage of peace negotiation, and that was in the consolidation of the agreement in readiness for the signing. One respondent informed the researcher that

> *We had to keep reminding those in the negotiation table that peace meant security for the people on the ground. We organised series of demonstrations and we had joint voices in scouting for the welfare of those in the grassroots, both refugees and those in Sudan. We organised media, youths, women, girls and chiefs from Kakuma and hired buses about 300-400 of them, by contributing KshslOO each one of us. These buses brought south Sudanese to Nairobi and brought in our handwritten memorandum on the situation of unarmed civilians to the Government of Sudan and SPLM. We insisted the peace plan should address these people, and especially women. We are happy that they indeed included our requests.*

This is an indication that women played a role in mobilising youths and others to participate in the peace process by presenting their own wishes to the peace process. This is in line with the argument in chapter one that women are not passive participations in conflict management.

In Diaspora, education for women has been very positive and the respondents stated that they have been able to go to schools in Kenya. During the focus group discussions, the women stated that they learnt that they could positively contribute to the building of Sudan and most of them started learning English to be able to represent themselves at international levels.

Achievements of SPLM so far in mainstreaming gender into its political spheres?
^e researcher probed the respondents to get their opinion on the above question and their

responses were that SPLM called for equality for and opened up the space for women and

encouraged them to be what they would want to be. The women were equipped with income generating skills and education, and SPLM has encouraged the women to come out of their homes and work alongside men to build the new Sudan. The respondents were happy that NGOs, especially, World Vision Sudan, ICCO, Care International, Save the Children UK, amongst others, have also brought a new culture for women to work and majority of south Sudan NGOs are headed by women. They stated that women have come from far in their involvement with SPLM, which started in 1984, when young women joined the military. Through joining sub-committees the National Liberation Council of SPLM, they stated that this entrance was a major stepping stone of women involvement in the decision making level of SPLM. The respondents felt that Garang was sympathetic to the plight of women and tried as much as possible to involve them, and they hoped Kiir, the new first Vice-president would emulate him.

3.7   Awareness level of people on the CPA contents

The south Sudan Comprehensive Peace Agreement (CPA) was signed in Nairobi, January, 2005. The peace was brokered under the auspices of IGAD, between the government of Sudan and the SPLM/A. The talks were led by General Sumbeiywo, and passed through two distinct phases[257] of pre-negotiation and negotiation and looking forward to implementation phase of the negotiated outcome. According to Mwagiru[258]negotiation is a process by which the parties in a conflict sit down by themselves and talk it our. Negotiation is normally voluntary. Mwagiru[259] further states that negotiation includes, pre-negotiation stage, which captures the activities that precede around-table negotiations. This is said to be the most important phase since significant discussions take place.

[257]
   See L. Susskind & R. Bubitt, Overcoming the Obstacle to Effective Mediation of International ˢPutes in *(ed)* J. Bercovith and J R.'Rubin's *Mediation in International Relations,* (New York: Martinus Press 1992) pp. 31-51.
[258] .
   M, Mwagiru, Conflict: *Theory, Processes and Institutions of Management* (Watermark Printers SpVa Ltd: 1999) p. 113.
   "bid. p. 114.

Indeed Mwagiru[260] concedes that significant agreement might arise, making the negotiation stage a

mere formality. Pre-negotiation includes making the agenda for negotiation, which leads to the

negotiation phase, where the core issues of conflict are discussed. The Sudan talks passed

through these stages, with the talks being moved from Machakos, Nakuru, Nanyuki, until

agreement reached in Naivasha in 2004. The Agreement agreed on the implementation of peace

plan and permanent ceasefire between the government of Khartoum and the SPLM/A. Apart from

the above Protocols, the agreement was based on the following points:

> The[261] self-determination protocol, provided for south to hold a referendum after a six-year
> transition period to determine cessation. After six months of the signing of the agreement,
> the south would be exempted from the Islamic Law.

> The power sharing protocol allowed the SPLA to form a government of national unity with
> a decentralised system of administration. SPLA John Garang was to hold the post of first
> Vice-President in the government of national unity and the elections at all levels of the
> government would hold elections at the end of the third year. English and Arabic would be
> the national languages and the people from the south would form 30% of the country's
> post conflict civil service.

> Wealth sharing included all provisions for the oil industry, whereas rich oil state of Abyei
> would be accorded special status under presidency. Special referendum would be held to
> determine whether its special status would continue of become part of the south.

> The Security involved the SPLM and government troops withdrawing from the Nuba
> Mountains and southern Blue Nile under international monitoring. Armies from both sides
> would be considered and treated equally as Sudan's National Armed Forces (SNAF).

> The disputed regions of Nuba Mountains and Southern Blue Nile would have their own
> government headed by their own governor. The governed would from either side on
> rotational basis until the elections.

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[260]
[28], M, Mwagiru, Op cit. p. 114.

Comprehensive Peace Agreement for Southern Sudan, Vol. XLVIII, No 2. January,

3.7.1   Awareness of the CPA

Figure 2:   Awareness of the CPA contents

Source: Compiled by Researcher

The researcher asked the women to explain whether they understood the contents and

implications of the CPA. 60% indicated that they know substantially the contents of the CPA. The

respondents stated that the most significant clause was that of voting for a referendum after six

years, to decide whether they would want an independent Sudan or a separate south Sudan state

(unity with Khartoum or separation). This was identified as the most important clause because it

would grant south Sudan a state of its own and governed by the southerners, and at the same

time, the citizens would not be subjected to the Islamic law, which has been one of the structural

issues bringing about conflict in the region. The response was an indication that a lot of the south

Sudan women are still lagging in knowledge in Diaspora about their country. The knowledge of the

contents of the CPA would mean that the women in diaspora participate not only in one clause of

the referendum, but amongst others, the wealth sharing, to ensure that non-participation does not

bring about gender disparities, hence structural conflict, when one group, possibly women are left

°ut in the wealth sharing. Indeed, Longwe[262] states that equality of participation means involving

ᵂomen in making decisions which will affect them and their community, hence women's

  oee Longwe in March et al, *A Guide to Gender-Analysis Frameworks,* fOxfam Publications,
°xford: 2000) p. 94.

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participation should be in the decision-making process, policy making, administration and planning. The CPA requires complete involvement of all the parties affected by the conflict, so that a lasting peace solution can be feasible.

The researcher probed the respondents further, regarding separation and unity, and these were in conformity with the secondary data. For instance, south Sudan people had never agreed with the north on the unity of Sudan since independent of Sudan in January 1956. The African Studies Institute[263] concedes that the independence for Sudan meant nothing for south Sudan but a change of masters as the North Sudanese took over the colonial state. The same article stresses that the North Sudanese elites failed to evolve policies that would have consolidated national unity and stability. Indeed, the primary and secondary data confirm that the unity of Sudan was imposed on the south people against their will by the northern governments through intimidation, introduction of *Shariah laws,* killing and imprisonments of the south Sudanese.

According to the Nuba Survival[264], the SPLA first argued for a unitary Sudanese State on the grounds that the 1972 arrangements for Southern autonomy had proven unworkable, and that it was preferable to have proper representation for the South in a unified state. There were strong reasons for supporting such arguments. Under any system of government experienced in Sudan, power had resided in Khartoum, and devolution of power to regions had proven to be a way of Marginalising the regions. It was felt that under the unity, strong representation of the regions in the centre may be the best way of ensuring that the regions obtained their share of power and wealth, however, unity does not seem feasible since the two regions have never agreed for a common ^nda. Indeed, separation has gained momentum, and the south feels that separation is not a

** *fn_kcan Studies, University of Pennsylvania, *Sudan Update Vol: 10 no 8, 1999.*
^ b a survival, *Issue paper No. 2B* (Middlesex, UK: 2005)

secret or a hidden agenda for the south people; but that it is their choice which based on the self-determination. Indeed, Amoi[265] reiterates that it is just the south people could say no unity with the north enemy. He stresses that the unity has lost two generations, where people have perished and some remained illiterate, conforming to primary data interview with Fozia, the effects of conflict of people of south Sudan.

The south feel that they have been displaced internally, become refugees and the north has continued imposing their beliefs, ideologies, values and norms to the southerners. This clearly is an indication of value-based conflict of the south existing as an entity, which the north could not see. Values cannot be quantified without the danger of stereotyping or labeling, which runs the risk of increasing alienation, thus exacerbating a situation. Values represent what people hold most closely, normally their beliefs. They form a large part of people's identity, which is at times masked. Tradition is part of identity and is a value. If it is not recognized and validated or if the value is not attended to, it will lead to friction or tension and to alienation. Continued alienation will lead to chaos and a breakdown of trust and respect. This identifies another dimension of the south Sudan conflict, which value based conflict, a dimension of conflict research, who believe that the environment shapes people's perception, and if it were to be changed, especially the way people view each other, then conflict would cease to happen. Perception of the north and south is a major reason for the separation of Sudan. One respondent commented that:

> *It is our strong belief that the only way forward in the resolution of this conflict and the attainment of just and lasting peace is to allow the people of South Sudan to freely exercise their inalienable and democratic right to self- determination through an internationally supervised referendum.*

[p] Amoi, Interview at Aweil Mading Boardroom, October, 2005 (adapted from Internet)

This is indeed an expression of those interviewed and it conforms to the secondary data gathered, on self-determination, and not unity. Indeed, the Machakos protocol[266] was a compromise or trade off between the north and south, for the commitment to self-determination, which was the principle of concern for the SPLM/A and the southerners in general, whereas the acceptance of *Shariah* in the north was a principle of concern of the government of Sudan. Hence the main focus of the southerners despite being in the central government is to vote for self-determination, and therefore, the popularity of the idea of self-determination indicates that a unitary government is not likely to be popular.

Below is a pie chart representing the way the respondents will vote in the referendum. 98% of respondents indicated that they would vote for separation in six years time. Only 2% indicated that they would vote for unity as preached by Garang. Probed further, one respondent reported that Garang talked of unity at the time of the signing of the CPA, since he wanted to see the peace process through, but he would otherwise not have voted for the unity of north and south after so many years of conflict for self-determination.

Figure 3:   Future of Sudan - Sudan Unity with Khartoum or separation

No: 2%

Yes, 98%
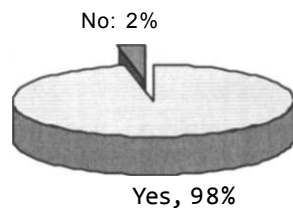
Source: Compiled by Researcher

[266] IGAD, *IGAD Secretariat on Peace in the Sudan* (Nairobi, July 20th 2002)

3.8.1   Plans to return to the Sudan in the future

probed further, the respondents in focus group discussion about resetllement back in Sudan. They

responded by saying that they are not in a hurry to leave for Sudan.

> We[267] *have children in schools here in Kenya, and we would not like to pull them out of*
> *schools here. There are still no education facilities in Sudan and it would be detrimental to*
> *pull out our children from schools then they go to Sudan, where they will stop going to*
> *school. We have heard it is not also very safe in Sudan. We want to stay on andd wait until*
> *we are very sure there is peace back home'.*

However, amongst the young professionals and those finalizing the schools, who came to diaspora

as children, reported:

> *'It was not our desire to join the frontline or to settle here. Conflict drove us into the*
> *frontline and refuge. The fact that CPA has been signed, the more our desire is, to return*
> *home and help in developing our country. We have lost so much time, in a senseless*
> *conflict, which should not have involved women and children'*

This clearly shows that the involvement of women in the conflict was out of wanting to self-

independence of southern Sudan. They joined the conflict through their support for the conflict,

they feel it is now time to go back home and rebuild their country.

Refugee outflows are a symptom of dysfunctional conflicts. Conflict in Sudan has risen from the

structural violence in economic, political, social and relitious structures that lead to the reduction of

peace. The outflow of refugees internationalises an internal conflict, once the refugees cross

international borders and join other communities. According to Mwagiru[268] once refugees have

tossed the borders, their problem ceases to be an internal affair, and this brings about

international actors such as the United Nations through UNHCR. The International Committee of

^e Red Cross (ICRC) is anotheranternational actor, that beome involved to ensure that the

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263 'nterview over a meeting with south Sudan women on 28th June 2006, at Adams Arcade
    M, Mwagiru, Conflict: *Theory, Processes and Institutions of Management* (Watermark Printers
*e*nya Ltd: 1999) p 68.

provisions of international humanitarian law are observed. Other actors include, donors and Non-Governmental agencies, that support the refugees. In Kakuma, there are various actors working with the refugees at the camp, which include, World vision, Windle Trust, Lutheran World Relief amongst others. UNHCR is the main international actor in Kakuma camp, hence the researcher sought to interview a key informant from UNHCR. In an interview on 19th May 2006, the key informant from UNHCR, informed the researcher that there were 76,512 south Sudanese refugees in Kakuma in April 2006, and the number could be higher when combined with those refugees residing in urban centres. Of the 76,512, about 30, 485 were female refugees. The reseacher was interested in knowing why the number of female refugees in Kakuma was fewer than their male counterparts. The key informant from UNHCR responded that women have always been fewer since the beginning of the conflict. The majority of those refugees who arrived in Kakuma in 1991 were what was referred to as 'the lost boys'. Professor Riak of SWAN had earlier reponded to the question and she informed the researcher that:

> *'There is nothing like the lost boys. Why were there no lost girls and all of them came from Sudan. I strongly do not believe there was anything like that. It was just a term coined by those who wanted others to believe that they were lost boys'.*

However, Suzzane Jambo of NESINET told the researcher that she believes that there were lost boys.

> *You know that males are always adventurers. A lot of those who moved from Sudan ended up in Kakuma. Most of them were ex-soldiers. Girls opted to stay behind. There are cultural barriers and women cannot walk far alone. I feel that the number of female are far less than that of male since religious and cultural barriers prohibits women to walk without a male escort. Furthermore, a girl or a woman would be exposed to various risks like sexual violence on the way, which would not be the case for the boys.*

^is is an indication that girls and women do not move as freely as boys and men because of culture and religious factors, and that they are exposed to higher dangers than the boys. Whereas

's true that men and women share a set of circumstances during conflict that expose them

particularly to adverse conditions, there are certain gender based risks, dangers and disadvantages which particularly and disproportionately affect women and girls. From the primary data, there was an indication that women and girls were sexually violated during their flight.

However, the key informant stated that the UNHCR had expected the numbers to go down because of reptriation, but the refugee number had increased. Probed further, the respondent stated that:

> *Most of those coming across the borders have heard that there is resettlement in Australia, USA, so, they want to be resettled there, hence they are coming in large numbers. There are also poor infrastructure in Sudan and they do not want to stay there. In Kakuma, refugees were used to sattelite Televisions, which is not the case back home, hence they would like to stay in Kenya or be resettled elsewhere. I understand that there is still some violence still present in Sudan amongst the tribes, hence the fear of going back home, without being very sure that conflict is completely absent.*

The above sentiments of UNHCR were also echoed by a representative from the GTZ, another actor in the refugee sector, addressing urban refugees.

The above is an indication that the refugee population is monolithic, and they have different mindsets about repatriation. They need accurate information before taking action of going back home. Psychological intimidation that they will be apprehended when they go home via propaganda remains strong and sophisticated. Information-collection visits are a basic tool proven for effective in facilitating refugee repatriations around the world. The returnees feel that there would be a need to rebuild their houses, they should build schools, know how they could get some job and how to find some job and others who are predominantly pastrolists, they would need to know where they could get money to buy cattle, sheep and goats to live on. The procedure can last for months, sometimes years, and the returnees often cannot go through it without assistance. The diaspora would also want to be guaranteed security when they go back home, hence information is v'tal in repatriation.

To find out on the security issue back in Sudan, the researcher met a Kenyan national working with ICCO in Sudan, who confirmed that:

> 'There[269] are sporadic attacks in certain pockets within Sudan currently. Most of it is basically inter-tribal, cattle rustling amongst others. We have had to evacuate some of our staff in certain areas. I am sure the Sudanese will not want to be resettled back home with these attacks. It is also true thereare no schools, water and sanitation is a big problem. I tend to think there is no rule of law curently in south Sudan. For example, in Juba airport, sometimes you pay for visa, sometimes you do not, and the visa is not fixed. There is a lot of income being lost when the situation is like this.

The above is a clear indication, that even though the CPA has been signed, there is a lot that should be done, like ensuring that conflict does not re-occur, and a lot should be done in institutionalisation of laws and infrustructure to ensure repatriation is successful. Boutros-Ghali[270] has defined post conflict peace building as the actions to identify and support structures which will tend to strengthen and solidify peace in order to avoid a relapse into conflict. The UN sums post conflict peace building as:

> A[271] policy for international help designed to support indigenous social, cultural and economic development for self reliance, by aiding recovery from conflict and reducing or eliminating resort to future violence.

Post conflict peace building poses challenges in trying to alleviate the worst effects of conflict on the population by promoting sustainable development approach which tackles the root causes in order to. Indeed, Mwagiru[272] has alluded that one of the most problematic aspects of conflict management, whether a settlement or resolution is adopted, is the question of re-entry. The parties involved in the negotiation and reaching a resolution would still have to go back and re-enter the conflict environment. He stresses that re-entry is far less severe for resolution than it is for the settlement processes. He indicates that, the leaders are usually the ones involved in negotiations,

^977 7   1   th
270 ᵉʸ informant from World Vision Sudan, June 30 2006
271 B. Ghali, *Agenda for Peace,* (United Nations Publication, New York: 1992) p. 11.
272 United Nations, *Supplementary Agenda for Peace,* (New York: 1995) p. 328.
  M, Mwagiru, Conflict: *Theory, Processes and Institutions of Management* (Watermark Printers ᴷᵉʳ>ya Ltd: 1999) p. 45.

and probably with little or no consultations with the constitutents. Consultations are therefore paramount throughout the negotiation process. Indeed, Wolfensohn[273] has stated that post conflict situations often pose particular problem since very often people are not there, they have been killed or in-built anatagonisms between one side and the other remain. He conceds that building capacities of the people especially the local population and the disapora is critically important in post conflict peace building. For instance, special attention should be given to women's priority concerns for their resources and capacities and to structural and situational factors that may reduce their participation in the reconstruction processes, as seen previously, the gender insurbordiantion leads to less particiaption of women. Therefore, in post-conflict peace-building, it should be bone in mind that integration for the diaspora is not simple. It does not merely mean coming home, but it is about defining new guiding social values and establishing corresponding relationships and institutions based on combination of factors including kinships, socio-economic interests, shared experiences and circumstances.

3.8.2   Diaspora Plans to go back to Sudan

The respondents informed the researcher that they have plans to return to Sudan, when the time comes. Their responses are captured here below:

> "It has been my dream and wish to work with my people, for my people and in my own country, the New Sudan". I am however concerned of the issues of resettlement, especially on the access and control of land for resettlement. I do hope that we will go back to our known home area and not resettled anywhere in our region.

> "I would only be willing to move there if there is cordial reception, free movement and free decision making in the Southern Sudan."

> "We have to overcome our distrust of the Arabs, because that is the only way we can build a unified Sudan" Rebecca Awut. I am hoping to work with the civil society organisation when I finish my university. In fact, I will be going for my attachment in July in south Sudan.

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[273] J, Wolfensohn, *Post-Conflict Peace Building,* (World Bank, New York: May 26, 2005). p. 3.

I am enthusiastic about going back home. I have not been there since we ran away in 1989 with my uncle. Imagined we walked for 14 hours per day and I was barely 10 years old! I would wish that the gains we have gained so far in education as women will be used to build and not to destroy our country. There is a lot in women's empowerment, to break the traditional and the religious barriers that have for a very long time, disadvantaged women, making them subordinate to men and they therefore cannot compete favourably with men. I have gained a lot in women's empowerment, and I want to contribute back home!'

Indeed, the above responses clearly articulate the theory of conflict research. This is about perception - the way the southerners and the northerners perceive each other. Values are considered a major issue in peace research as well as in the theory of human rights as one can say that their interests are not focused just on the understanding violence, but also but on contributing to the human conditions improvement. The conflict research, anchored in the World Society paradigm of international relations stipulates that conflict is not inherent with individuals and the values which satisfy human needs are not in short supply. To the conflict researcher, if the environment were changed especially the way people view each other, then conflict would cease to happen. The environment to them is the one that shapes the people, and that one can unlearn the negative things learned in the environment. Hence the southerners and the northerners have to unlearn the negative things they have learned about one another, in order to contribute to the post conflict peace building and to the CPA.

This is an indication that the Diaspora would like to go back to Sudan and help in rebuilding their country. However there is a strong indication that the situation is still not as expected and this has brought»some kind of doubts for those who want to go back home. The concerns being expressed by the Diaspora must be looked into, so as to encourage

them to go and use their talents in building their country provided certain conditions are met as indicated previously.

3.9   General Observations

Basically, the researcher considered the Sudan conflict as a violation of gender and women's rights whereby all women and children are supposed to be protected as non-combatants in the times of conflicts. The religious and traditional and religious structures in Sudan have been an impediment to women rather than a supporting structure to them. From the observation of men and women interviewed, whether at their homes, offices, informal settings or in cultural festivities, the researcher was able to conclude that Sudanese in Diaspora have become empowered. Longwe[274] defines empowerment as enabling people to take charge of their own lives. She concedes that in gender terms, empowerment is enabling women to take an equal place with men and participate equally in all spheres in order to achieve control over factors of production. However, empowerment cannot be given. It must be self generated. For instance, Naila Kabeer[275] in Social Relations Approach theory states that gender empowerment policy can only hope to provide women with enabling resources which will allow them to take greater control of their own lives and build alliances and strategies to help them get there. However, Mwagiru[276] states that empowerment in the context of conflict refers to action taken by third parties. He states that empowerment based on the idea that where two actors have a

See S. Longwe in March C. et al, *A Guide to Gender Analysis Frameworks* (Oxford: Oxfam §5reat Britain Publication, 1999). 43.

See N. Kabeer in March C. et al, *A Guide to Gender Analysis Frameworks* (Oxford" Oxfam Seat Britain Publication, 1999) p. 92.

M. Mwagiru, Conflict: *Theory, Processes and Institutions of Management (*Nairobi. Watermark nnters Kenya Ltd, 1999) p 30.

conflict, the stronger would not be willing to enter into negotiations or conflict resolutions because it is in a position of strength and power. The problem would be convincing the stronger party to negotiate. Empowerment would therefore mean strengthening the weaker party at the expense of the stronger one and hence strength. He alludes that the problem of empowerment is that people can have structural conflicts whch they are not aware of. Hence a problem will arise on how these would be addressed. However, the diaspora empowerment is still an issue to be looked into at least to enable them to take an equal place with the other Sudanese nationals, especially the northerners.

The disapora are now running successful businesses in Nairobi, thereby contributing to the household income and the welfare of their family, despite being in foreign land. This makes them less vulnerable to the situation where they would have to beg for food as indicated in chapter one. They have become conversant in English, being their third language after mother tongue and Arabic. The Sudanese are very religious people and they emphasised that it was always the will of God that there has been tolerance between them and the north. The respondents the researcher met were mostly 'born again Christians', who were preaching tolerance in every activity they were doing. There was a lot of hidden pain as they narrated to the researcher their plight and how they are managing in Diaspora. The researcher could still see that there was a lot of support needed by the refugees in Diaspora. This support includes healing the psycho/social scars of conflict, noting that the challenge here would be that one of the main obstacles to social and psychological healing is the accumulated hurt ancUhatred suffered by the diaspora. The psycho/social support includes counselling for unresolved trauma from rape, abductions, bombing, and witnessing deaths of their loved ones as confirmed by secondary data.

The issue of being a refugee without an income was a major handicap for the women, who have to take their children to school, pay for their health, pay rent and feed the family. The matter is not made better by the domestic violence some have had to endure, from their husbands who suddenly come came back from the frontline without income, traumatised and demanding they should be treated 'as the heads of the family'. The researcher could detect a lot of change in the Diaspora in terms of the change in the gender roles. They have had to discard their cultures and they kept on stating that they have learnt a lot from their Kenyan sisters, and from others in East Africa and they have the confidence that they will close the gender gaps existing in south Sudan.

It was also observed that Sudanese are very friendly people, who were ready to share information with the researcher, no matter how painful. However, the researcher could sense reluctance in addressing domestic violence with the women. Very few were willing to share information on their own situation, but could readily talk about domestic violence in Kakuma and in certain urban areas, since they live as a community, wherever they chose to live. This is an indication that culture is still very strong and women do not discuss issues of violation easily. Indeed, this amplifies Galtung[277] cultural violence theory that should be understood as those aspects of culture that can be used to justify or legitimise the use of direct or structural violence. Symbolically[278] violence built into a culture does not kill or maim like direct violence or the violence built into the structure. He further indicates that examples of cultural violence are indicated using division of culture into religion and ideology,.art and language and empirical and formal science. Cultural violence is hence

Ibid.

[J] Galtung, *Journal of Peace Research* Vol 27 no 3 1(990 pp. 291 - 305)

manifested in the culture of south Sudan, and it should be addressed since it leads to structural violence as has already been alluded in this dissertation.

In summary, data collected from the respondents was subjected to analysis, which has been summarised and distributed in percentages. Selected comments from respondents and key informants helped to enhance the researcher understandings of the effects of Sudan conflict on women with special emphasis on the Diaspora. The observation from the researcher was also important since it enhanced analysis in the next chapter. The next chapter will specifically examine critically the effects of the conflict, while addressing itself to the stated hypothesis.

CHAPTER FOUR

A CRITICAL ANALYSIS OF EFFECTS OF SOUTH SUDAN CONFLICT ON WOMEN

4.0   Introduction

The preceding chapter (2 and 3) dealt with the South Sudanese conflict, the historical background and an analysis of the effects on this conflict on women in Diaspora. The chapter has outlined the role women play in conflict and the change of gender roles, brought about by the conflict situation. Women take up roles of being the family providers when men are in the frontline, as well as in the diaspora.

Structural violence and social relation approach theories used as the theoretical framework, helped capture the dimensions of social, economical and political structures that create differences by positioning men and women in the society at different levels. It is through gender relations that men are given greater roles than women to mobilize and own resources, pursuant for their own interests. Rebecca[279] states that inequitable power relationships perpetuates the stereotypical division of labour where man's labour is more rewarded and women's labour devalued and ignored, thus maintaining women's dependency and vulnerability. The inequity derives and perpetuates unequal access to and control over resources favouring men over women. Ownership and control over property signifies command over productive resources, which enables individuals to make choices regarding livelihoods, provides security against poverty and autonomy. [280]Moser [100] has stated that it is the structures that have given rise to the women's disadvantaged situation Ir'the conflict, and women therefore, have not been able to realize their full potential. Stereotyping

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279   :
f> ^   Cook, *Human Rights of Women: Advancing Reproductive Rights Beyond Cairo and Beijing,* pronto; 2001) p. 10.
   ee Moser in C., March et al, *A Guide to Gender Analysis Frameworks* (Oxford: Oxfam Great
   IIn Publication, 1999) p. 57.

of women are some of the underlying factors in the marginalization of women. Indeed, Sudanese women[281] are looked upon as possessions or properties and not as fellow human beings, and it is extremely a complex problem since the negative traditions as seen in the research, customs and culture of conflict that has made women not being recognized as full participants in conflict and other socio-economic activities of Sudan. Galtung[282] states that violence as the avoidable impairment of fundamental human needs or the impairment of human life lowers the actual degree someone, is able to meet their needs. He further emphasis that structural violence is not carried out by individuals but it is hidden to a greater extent in structures. A structure of violence not only leaves its marks on the human body, it also impacts on the mind and soul. Indeed, the weaker suffers even though not visibly since structural violence is not overt. Chapter one and three argued that conflict, which produces the diaspora, are a product of structural[283] violence in social, politico-economic and religious set ups, perpetuated by the benefiting elites, which led to the reduction of enjoyment of peace for the masses. For Sudan, the elite are from the north, and this has reduced the enjoyment of peace for the masses in the south. Such[284] conditions spell the negative peace because despite of absence of violence and war, the living conditions such as poverty and violation of human rights, for instance, right to a religious faith, right to own property anywhere in Sudan, imply the existence of latent structural violence. These[285] unfavourable conditions can be changed through getting down their political impetus and change conflict behaviour, remove structural contradictions and injustices and also change the cultural attitudes of a people living together, as

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[281]
• A. Fitzgerald, *Throwing the Stick forward: the Impact of Wars on the Southern Sudanese Women* (Nairobi: UNIFEM/UNICEF Publication, 2002) p. 13.
[m] J- Galtung, *Journal of Peace Research Vol/21* (1993) p. 107
^ K. W. Deutsche, *The analysis of International Relations,* (Prentice Hall, New Delhi: 1989) p.
[j84] J- Galtung, *Peace by Peaceful IVfeans: Peace and Conflict: Development and Civilisation,* S|ªge Publications, London, 1996) pp 4-14
H. Miall, Ramsbotham & T. Woodhouse, *Contemporary Conflict Resolution: The Prevention, ^agement and Transformation of Deadly Conflict* (London: London Polity Press, 1995) p. 5.

stipulated on the CPA discussed later in this chapter, which applies to the north and south Sudanese.

Though the structures in Sudan have been attributed to causing the conflict, there elements of value based issues in the conflict, where the south feel that the north continues imposing their beliefs, ideologies, values and norms on the southerners. This clearly is an indication of value based conflict of the south existing as an entity, which the north do not see. As indicated in the previous chapter, the values represent what people hold most closely, normally their beliefs. Therefore, conflict has also been flaring up because the values of the south have not been recognized, validated and attended to. The perception of the north, that they are better than the southerners and Islamic religion superior that the others in the south have not been addressed, and they have then been in-built in the structures, hence bringing about conflict in Sudan. On the other hand, social relations theory has helped bring out insights into the roots of powerlessness of the south Sudan community, where the political structures in Sudan have placed them lower than the northerners. Economically, the southerners are not allowed to make use of the resources coming from the oil, despite the oil coming from the south. Indeed Kofi Anan[286] on his presentation to the UN General Assembly in September 2005 has acknowledged that some basic tenets of the CPA like oil revenue sharing have been ignored. The theory also brought about the insubordination of women, which is based on the cultural structures, which place women at a lower level than men in terms of decision making and participation in the political and economic arena in south Sudan.

[266] Daily Nation Newspapers, (Nairobi:22 September 2006) p. 9.

4.1   Underlying and Root Causes of the south Sudan Conflict

Every storm, however vigorous, has an eye, and where a thorn enters the body is the point at which it must be removed. Women are victims of circumstances beyond their control that result in dysfunctional conflicts. Conflicts that lead peoples of a country into diaspora are mostly political, stemming out of the structures set up in a country that places one group of people differently from the other. There[287] is inequitable distribution of power, and the social structures tend to dictate the behaviour of a group of peoples in the country. However the Sudan conflict as indicated in the study is socio-economical, political and religious based. The structures set up by the Khartoum government have been the source of conflict pitting the southerners against the northerners. Economically the south Sudan has been neglected, despite oil resources being found in the south. The people from south Sudan were left out from the mainstream political arena at independence time, and the Islamisation, and Arabisation has left the south feeling that the state should allow freedom of worship; hence, they should be allowed to practise their own religion.

Hence the conflict in Sudan is a product of both cultural and structural violence in politico-economic and religious sets, perpetuated by the northerners on the southerners. According[288] to Galtung cultural violence is symbolic and refers to those aspects of our culture that are used to legitimize direct or structural violence and thus south Sudan culture has been used to legitimize structural violence where women have been in-subordinated and not allowed to participate in peace building as earlier mentioned in chapter three. Sudan[289] conflict therefore brings into the picture the dimension of religion in state affairs. There is cause to believe that the government of Sudan has

March et a\,A Guide to Gender Analysis Framework (Oxford: Oxfam Publication 2000) p.
288
289 7. ᴳa'tung, *Peace Education Is only Meaningful if Leads to Action,* (UNESCO, 1997) p. 15.
World Council of Churches (WCC) *Statement on the Situation in Sudan,* Central Committee,
1 °stdam Germany: 29 February 2001) p.6.

been taken hostage by Islamic fundamentalism, when it has adamantly rejected the idea of separating the state and religion in its constitution. However, the worst blow to democracy was the unilateral decision by the Khartoum government to introduce the Islamic language and *Sharia* laws in a country whose majority profess Christianity. This led to sparked riots and escalation of the conflict with south Sudanese being displaced to camps in Ethiopia. The *Sharia Laws* in south meant women to dress in Islamic way, despite being Christians, thereby consolidation of the north domination on the south in religion. The Sudan has two distinctive regions, where the north is inhabited by the Muslim Arabs, and the south by 'Africans', mostly Christians and those practicing traditional African religions. Although generally accepted that there is racial, religious, cultural, linguistic and historical diversity in Sudan, these diversities have not been used to help enrich and consolidate the unity of the new state, but rather have been used by the ruling Arab elites in the north to oppress, subjugate and exploit the people of south Sudan resulting into conflict. This conflict has had devastating effects on women and children of south Sudan. The fall of President Mengistu of Ethiopia in 1991, who was a key supporter of the SPLM/A, coupled with drought in Sudan at that time led to massive displacements of Sudanese into the disapora. This led to the change of the epicenter of the Horn of Africa Conflict from Somalia to Sudan. As discussed in chapter three, the diaspora in Kenya, women and children came through Kakuma camp at this time.

Structural causes of the Sudan conflict as stipulated in chapter two are also grounded in the history, its formation and characteristics of self-determination of the people from the south. They ʷant to be a separate country, whereas the north cannot allow self-determination, basically tecause of the oil rich south, and hen^e the north would want to control the south. Politically, ^dan has been ruled by the north and the administration of the south has been from the north,

which makes the people of the south seek self rule and administer their wealth, including oil and the rich agricultural areas in the south. Northern Sudan has been given preferences in terms of resources, power and development while the southern was largely underdeveloped and impoverished, right from the times of the Turko-Egyptian rule, to the current rule. Religion, local perception of race and social status, economic exploitation and colonial and post colonial interventions are all underlying elements in the Sudan's conflict.

4.2   Effects of Culture on Women in Conflict situation

Cultural subjugation through the imposition of Arabic culture and Islamic values to the south Sudanese, and especially the control of the behaviour of women, was a deliberate attempt to destroy the African culture and heritage of south Sudanese, with an aim of domination of the south, through imposing negative structures, which according to Galtung[290] results into conditions in which human beings are unable to realize their full potential. Hence the structural relationships are unjust and inequitable and south Sudanese cannot realize their potential in such a situation. Galtung further states that structural inequality is based on subjugation and inequality that is rooted in hierarchy, domination, and the use of force. It is clear that the imposition of cultural and religious laws was a negation of common citizenship, which could be the basis of equality, social justice and national unity in a heterogeneous state of Sudan. Forced Islamisation and Arabisation in the Education system in the south, was an attempt by the north to kill the indigenous language and cultures of the south. Women indicated during the interviews conducted that they are expected to dfess in Islamic way, more so, when they visit the north. They have been harassed for not dressing aPpropriately' by the police in the Sudan. This shows a culture of domination, on women, through

J- Galtung, op. cit.

imposition of social structures that place them in a marginalized position than men. Indeed, women in diaspora, expressed this domination as one of the root cause of the conflict in Sudan and women in peace negotiation table wanted this addressed comprehensively since was a direct discrimination against the women. This discrimination to them amounted to an abuse of their freedom and going against their rights of dressing according to their culture. Indeed this goes against CEDAW[291] which states that state parties should take measures to ensure women are on equal terms with men and without discrimination, and accorded rights in equality in marriage and in family relations. Further the UN Convention on rights of the Child too prohibits discrimination of the girl child in terms of religion, thus ensuring that religion is not used as a tool for marginalisation.

There is no doubt that the Sudan conflict has penalized women when it comes to the division of labour. The primary data and writings from Caroline Moser[292] show that rigidity of gender division of labour has ensured that women may do the same work with men, but they do so unequally. This conforms to the structural violence and social relations theories. Indeed, military[293] conscription has twisted cultural practice to free men from traditional obligations and chained women to greater number of household and food-security chores. For instance, while[294] fighting at the frontline, the diaspora took on the duties of men productive roles as stipulated by both the religious and traditions in Sudan, like providing for the family, without abandoning their responsibilities in reproductive roles. Women have to juggle both the reproductive and productive work without any recognition in terms of their efforts. Women are normally portrayed as feeble and that they need 9entleman's support in everything they do. Gender roles are indeed defined and social relations

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[291] M. Shaw, *International Law,* Cambridge University Press Fourth Edition, Cambridge: 2003) p. 240   *

[292] C. Moser, *Gender Planning and Development: Theory, Practices and Training(Rout\edge* Washington: 1993) p. 30.

M. A. Fitzgerald, *Throwing the Stick forward: the Impact of Wars on the Southern Sudanese %pmen* (TJNIFEM/UNICEF Publication, Nairobi: 2002) p. 121.

ibid

constructed along social lines. Consequently women are expected to accept the obvious that men are breadwinners, leaders in all aspects. Indeed, this social construction of gender relations has been constantly reinforced by sayings and riddles, which have historically emerged in the history of patriarchy placing women at lower levels than men. Writings from, scholars like Moser[295] have alluded that women perform reproductive and community-management activities alongside productive work, which makes visible the work that is invisible. Even in diaspora, women still bear the brunt of burden of caring for those who are ill and those injured in the frontline. The women reproductive roles do not change in the midst of conflict; they still protect and care for the children, elderly and still provide support to those in the frontline. UNIFEM[296] agrees to this notion and alludes that responsibility of care for others is so embedded that even in the most desperate conditions,, women still take care of those around them, even in the conflict situations. This has been confirmed by the primary data collected strengthening the hypothesis that culture and religion are responsible for gender disparities in conflict situations.

For instance, one respondent from SWAN reported during the focus group discussion, that she had to juggle between the frontline and taking care of her family. Women too participate in conflict in a more caring role, which has been seen from the study that they supported in giving food and medicine to the wounded in the frontline. For instance, they shield the children from violence, feed and care for the family while simultaneously trying to avoid violence that comes with conflict. Despite their heavy domestic burden, they have been involved in the struggle, juggling the reproductive roles and frontline role. This has contributed to heavy mental anguish and extra

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[295] See Moser in C. March et al, A Guide to *Gender Analysis Frameworks(Ox*fam Publication, Oxford: 1999) p. 57.

UNIFEM, *Women, War and Peace: The Independent Expert's Assessment on the Impact of Armed Conflict on Women and Women's Role in Peace-Building,*(UNIFEM publication, New York, 2002)p 43

burden for the women. Indeed, the women in diaspora stated that they broke these gender stereotype barriers and participated in the frontline and their participation had an impact in the way they are now looked upon by men as equal participants in the conflict. This is an indication, of the extra burden women have to take up during the conflict enhancing the notion that cultural structures marginalize women and place heavy burden on them.

In the conflict situation, writings from scholars like Fitzgerald and the primary data confirm that women do not have right to their sexuality. This is an indication that culture and religion are overwhelmingly responsible to gender disparities. Indeed[297] Sweetman and Williams have stated that cultural norms have developed over time to justify, sustain, and perpetuate men's sexual coercion of women, and more so, this is displayed in times of conflict, where social structures are maintained as those structures of patriarchy, which control women and consolidate men's political, economic, social, sexuality and culture. The diaspora has suffered from rape and other forms of violence meted against them. This has meant that their vulnerability has worsened and especially in relation to HIV/AID, while hunger and desperation has led them and girls into prostitution, obliging to offer sex in exchange for shelter, food, obtaining papers and documents and prostitution that lead to HIV/AIDs. HIV/AIDs was mentioned by the respondents as one of the major pandemic affecting the refugees and the diaspora. Sudan culture inhibits women from discussion sexuality; hence they are unable to get psycho-social support. Indeed, HIV/AIDs prevention cannot succeed without challenging the power inequalities between men and women. Gender issues in reproductive health must be addressed in order to break the barriers that prevent women from demanding their sexual rights in conflict situations. The above justifies the hypotheses that culture

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  ˢ Williams & C. Sweetman, *Ending Violence Against Women: A Challenge for Development an<* Humanitarian Work* (Oxfam Publication, Oxford: 2001) p. 19.

and religion are responsible for gender disparities in conflict. At the same time, the camps in diaspora that are supposed to be safe for women have been reported though the primary and secondary data to have high levels of community and domestic violence, as well as abuse on women and girls. There is serious sexual violation of women's sexual rights, other forms of gender based violence and discrimination against women in the conflict and in the Kakuma camp. Rape and other sexual violations are never reported because of cultural inhibitions. Indeed an official with UNHCR admitted that the camps witness violence, both domestic and others meted against women, which UNHCR has been trying to address through setting up community based systems to address the violence. However, these are manned by men and it is difficult for women to press a case forward of violence because of fear and cultural restrictions. These committees should be gendernised in order to address the needs of the women. Women need one they can trust to take forward their concerns and address them.

War is inherently patriarchal activity in that the military structures are seen as perpetuating gender stereotypes[298] of the strong male army protecting the weak female civilian population. Masheti[299] defines patriarchy as the society's organization of its affairs to cater for and sustain male supremacy oven women. Therefore, patriarchy in conflict gives men legitimate, (from cultural and historical point of view) control over women's reproduction and concentrates power in the hands of men and rape is one of the most extreme expressions of patriarchal drive towards masculine domination over women. Its patriarchal ideology is further reinforced by the aggressive character of conflict itself, which is to dominate and control another people, ethnic group or women. Gender

298 * Amnesty International, Lives *Blown Apart.   Crimes Against Women in Times of Conflict* [London: Amnesty International Publication: 2004) p. 21.
    See Masheti in W. Kabira, M. Masheti and W. Mbugua (eds), *Delusions, Essays on Social Construction of Gender,* (FEMNET Publication, Nairobi, 1994) p. 1.

stereotypes[300] are strengthened in the lead-up to and during the conflict, to bolster military forces, to undermine opponents and ensure that women play supporting role in the conflict. The bombing of women and children, raping and sexual assault on women has basically been used to undermine women and traumatize them, hence reduce their participation in the conflict. Indeed the study of the conflict of Sudan has portrayed that human rights violations against individuals or groups of women has included deprivation of property due to the patriarchal nature of the Sudan culture, abduction and forced marriages amongst others.

As indicated earlier, it is not just the methods of the warfare that result in violence against women, like bombardments amongst others but also the political, socio-economic context of the conflict, the processes and arguments leading up to it, the military and other institution, set up within the religious cycle, the SPLM and the government of Sudan, the values they embody, the environment they create and the legacy they leave can all fuel discrimination and violence against women. Women are not regarded as participants in the socio-political and economic context of a country; hence their contribution in the conflict is not foreseen. The culture of Sudan had not foreseen the role women would play in the conflict; hence they were not equipped on support mechanisms to take when conflict broke up. This brings the aspect of cultural violence, which Galtung[301] stipulates that they are the aspect of culture, the symbolic sphere of our existence exemplified buy religion and ideology, language and art - that can be used to justify or legitimize direct or structural violence. Culture in Sudan has been used to place women in a marginalized and subordinate position than men, thereby creating structures that according to Naila Kabeer, result to injustice for

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   S. Williams & C. Sweetman, *Ending Violence Against Women: A Challenge for Development znd Humanitarian Work* (Oxfam Publication, Oxford: 2001) p. 48.
   J. Galtung, *Cultural Violence, Journal of Peace Research Vol 22 no.3* (Hawaii: 1990) pp. 291 - 305.

one group of people that is placed below the others. Galtung[302] further stipulates that cultural violence makes direct and structural violence look, even fell right - or at least not wrong.

4.3   Effects of Conflict on Socio-Economic Aspects of Women

Conflict has robbed the women and children of Sudan lifetime opportunities such as education, employment opportunities as those fighting in the frontline commit all their time to the conflict, and they have been separated from their families for a long time. Those in Diaspora too feel that they have lost their time, some living idle in the diaspora. Fozia[303], during the study explained that the conflict has had exacting sacrifice on individuals, especially women and children. They fought in the frontline, they were killed, raped, abandoned, displaced and they had to go hungry with no means of support and their social and traditional support stripped from them, as seen in the study. The children lost life-time chances to education and living their dreams as major contributors to the Sudan development. In actual fact, the women and children have been the true victims of war. They endured so much on the flight and in the foreign countries, for example hunger, deaths as well as lack of family units for support, while seeking refuge. On the other hand, south Sudan has lost a lot in terms of development since in times of conflict, no development can take place. Effects of the conflict on the Sudan development can be seen in terms of breakdown of transport, health and education sectors because of the population movement. The diverting of human and financial resources away from public health and other social goods towards the military contributes to poor development. These consequences may remain for many years after the conflict ends. For Sudan in general, the devastation caused by the conflict will take a long time, in terms of building the

[266] Interview with Fozia, a student at Daystar University, 19th June 2006

infrastructures like hospitals, schools, transport and communication system and social development.

Women in diaspora have found that they could no longer use their traditional skills and activities in diaspora as a result of the conflict. They were forced to illegal activities, which can result to harassment, arrest or detention, by authorities. The diaspora resulted to brewing illegal brew to help the families and those in the frontline, since they were not able to grind com and feed their families in diaspora. They have indeed had to balance their traditions in diaspora, in a country where the authorities do not understand their culture. For instance, they are not familiar with the laws and regulations in the host country, they dare not familiar with the language or customs in the new country, they are ineligible to seek employment, and the procedures for the resettlement are so protracted leaving them in limbo. Indeed, Amnesty International[304] alludes that in circumstances where women are no longer able to utilize their traditional skills and activities such as production, due to restrictions in host countries, they may be forced to illegal activities which results to harassment, arrest or detention by the authorities. Amnesty international, further states that the Sudan women, forced to flee to diaspora have turned to illegal brewing, pitting them against the authorities, in order to provide for the families. This is indeed a role which was basically male (providing for the family), but the women in the diaspora have found themselves in a position where they have had to adapt to new roles thrown to them by the conflict. In Kakuma, they have had to cope with queuing for food which, to some has been devastating, especially those who were working in Sudan, had good education, but were reduced to refugees by the conflict. The conflict therefore has led to the traumatizing of such women in the diaspora, where they have had no social support.

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Amnesty International, *Lives Blown Apart,* op cit p.45.

4.4   Conflict and Abuse of Women's Rights

The concept of Human rights[305] provides men and women throughout the world universal standards against which to measure the treatment of individuals by government, and other actors. Majority of women are likely to experience violence at the hands of men at home, in conflict situations and in diaspora. The south Sudan women in diaspora as discussed in chapter three have experienced human rights abuse in terms of domestic violence, rape, abduction and other forms of sexual abuses. Scholars have pointed out that [306]traditional canon law of human rights law does not deal in categories that fit experiences of women, hence offers little redress in cases where pervasive structural and denial of rights occur, and the diaspora has found it difficult to get redress of human rights abuse. Indeed, Fitzgerald[307] in her writings has stipulated women were deliberately raped by soldiers and little of their experiences has been documented, hence the perpetrators of such crimes to humanity may never be punished as enshrined in Article 1 of United Nations Declaration on the Elimination of Violence Against Women. This article states[308]

> *Violence against women means any gender based violence that results in, or likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life.*

Any violence against south Sudan women, on flight, in diaspora, whether domestic or otherwise should be punished in line with this article. For instance, the disintegration of families and communities leaves women and girls vulnerable to violence, even for the diaspora. Rape victim

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[305] S. Williams & C. Sweetman, *Ending Violence Against Women: A Challenge for Development Humanitarian* Wor/c (Oxfam Publication, Oxford: 2001) p. 47.

307[Ibid p. 49.
    M. A. Fitzgerald, *Throwing the Stick forward: the Impact of Wars on the Southern Sudanese S^omen* (Nairobi: UNIFEM/UNICEF Publication, 2002) p. 87.
    UN, *Declaration on Elimination of Violence Against Women,* (UN Publication, New York, 1993)

who has become pregnant is often ostracized by their families and communities. Normally[309] discussing sex is a taboo in Sudanese culture; hence those who have been raped will not often share this information so that they are assisted. Rape is a continual threat as are other forms of gender-based violence like abduction and it has a tragic effect that extends beyond the pains and the degradation of the act itself. Therefore, rape and other acts of gender based violence, committed during conflicts constitute a violation of United Nations Declaration on the Elimination of Violence Against Women stated above, hence, those who have violated women, should be criminalised and made to pay for their acts against humanity.

Indeed, conflict brings with it terrible human rights consequences for all involved ranging from rape, trauma, deaths, hunger, displacement and sexual abuse for all involved. According to Amnesty International[310] conflict in Sudan has resulted in the death of 2 million persons, and over 4 million internally displaced persons, and that an estimated people being held in servitude vary from 5,000 to 100,000, with the majority being women. Hence conflict it does impact heavily on social, economic and political aspects of women, often in devastating effects. For instance, acts of violence against women and children are even more endemic, despite the UN Declaration of Violence against Women, which criminalizes all acts of violence against women. The UN Convention on the Right of the Child too, seeks to protect the child against all sorts of discrimination, including protection in armed conflict. Women and children suffer big losses in the events of conflicts. Hence the United Nations recognizes women's efforts in peace keeping conflict resolution by asserting that:

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[309] [310] '
Amnesty International, Lives *Blown Apart. Crimes Against Women in Times of Conflict* **(Amnesty International** Publication, London: 2004) **p.** 28.

> *Equality[311] in political decision-making performs a leverage function without which it is unlikely that a real integration of the equality dimension in government policy making is feasible. In this respects, women's equal participation in political life plays a pivotal role in the general process of the advancement of women....without the active participation of women and the incorporation of women's perspective at all levels of decision making, the goals of equality, development and peace cannot be achieved.*

Women constitute a large constituency of victims of the conflict, who are raped, mutilated and made refugees. There have been numerous meetings for conflict resolutions and few women have been integrated into them as participants in the prevention of conflicts. In the Sudan peace process, only a handful of women from the diaspora, participated alongside men in the peace process and they had to demonstrate for inclusion. This strengthens the hypothesis that women were not fully involved in the peace process, and Therefore, given their horrid experiences and their roles as producers and reproducers of households, their approach to the conflict resolution would be less confrontational. Essentially[312] women develop a different style of policy, which improves the democratic approach in the political culture of their environment.

The examination of existing writings by Amnesty International confirms the findings that indiscriminate acts of conflict have a strong impact on women because sizeable number of households and villages are mainly populated by women, while men are away fighting. Though women may not be specifically targeted, it is the women and children who are the primary victims of conflict, since they are the ones left behind in the homes as men are in the frontline; hence they become the first victims of bombardments in villages. The modern warfare is characterized by use of methods of warfare that results in civilians being killed and injured on a massive scale. For

[311] united Nations, *Platform for Action and the Beijing Declaration,* (United Nations, New York: J996) p. 109.

See T. Hamer, Forward, in M. Nzomo, (edj, *The Gender Dimension of the Electoral Politics in Kenya,* (Friedrich Ebert Foundation, Nairobi: 1997) p. iv.

instance the Amnesty International[313] states that in many conflicts, civilians normally fall victim because no efforts are made to distinguish between combatants and civilians. Women, children and the elderly constitute generally the majority of the civilian population vulnerable to attacks. This happens despite the international humanitarian law being in place to protect non-combatant. The [314] Geneva Convention of 1949 seeks to protect war victims and the civilians. The convention states that persons not actively engaged in warfare should be treated humanely; hence reprisals against any persons protected by conventions are prohibited. The study showed that women and children were targeted during the bombing of the refugee camp in Ethiopia, and many women and children were killed on their flight to Kenya. This has been evidenced through the study interview with men and women, who came to Disapora in 1991 after the overthrowing of President Mengitsu of Ethiopia, where majority of the dead were women and children. This in essence shows the weaknesses of the international actors in applying the Geneva Convention in the conflict situations and the United Nations delay in bringing those who despite ratifying the convention do not apply it. Sudan government should be answerable for all the deaths of the civilians in the conflict.

4.5   Role of Women in Post Conflict Peace-building

When conflict ends, maintaining the ceasefire and preventing further violence depends on the reforms agreed on in the agreement. Mwagiru[315] comments once the parties have spent time in the negotiating and reaching a solution to the conflict, they nevertheless have to go back and re-enter the conflict environment. He stipulates that the issue of re-entry is very important and he states that this problem can be avoided through continued consultations with the constituents. Indeed, women

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[313] CEDAW in Amnesty International, Lives *Blown Apart. Crimes Against Women in Times of Conflict* (Amnesty International Publication, London: 2004) p. 49.
Ibid p. 49.
3   M. N. Shaw, op cit. p. 808.
   M. Mwagiru, *Conflict Theory,* op cit p. 45.

will never be safe if those who committed crimes against them are not held accountable. For example one Sudanese women in diaspora interviewed commented 'How[316] can we be expected to believe that the same government that has been perpetrating the conflict will protect us? The study showed some in the diaspora, who do not want to go home. There are some southern Sudanese, finding their way back to diaspora in Kenya to be resettled in Australia and other countries. This group of Sudanese imagines that life would be better off in developed countries, than in the present Sudan. This means that the donor community should ensure that the infrastructure in Sudan is conducive for the resettlement. The diaspora is going back to a country devastated by war and there are no basic requirements like sanitation, hospitals, and schools and hence they find it difficult to go to a country without amenities they were used to in diaspora.

In line with the hypothesis that women involvement in the conflict management and peace processes is paramount to achieving lasting solutions, the UN Security Council has recognized that women are untapped resource for peace, and has therefore adopted a resolution in October 2000 that now links women to issues concerning peace and security. Resolution[317] 1325 is seminal to women's struggle for legitimacy in formal peace making processes and a seat at the negotiating table. It provides a political framework within which their protection and their role in peace-building can be addressed. This is an acknowledgement that war affects women in a different way from men and that their protection has been neglected and their contributions to peace-building have been marginalized. Women were not initially included in the peace process sponsored by IGAD. Women in the diaspora have took part in peace negotiation when they demanded their space in the Peace negotiation table. They had to demonstrate to be included in the peace negotiation for the

Interview, M, Joseph, 24th April 2006.
'bid p. 126.

new Sudan in Naivasha. They had to overcome the cultural and religious barriers that prevent women from participation in discussions involving men, and for that matter peace negotiation and decision making process. This was a demonstration by the women of Sudan of their determination to defend their existing gender position as separate contributors as peace makers with various obligation as well as rights within the households. This amplifies the hypothesis that women in diaspora have been marginalized in conflict management and peace processes and they had to demand for their inclusion. Indeed, Rodrigues[318] states that women are valuable mediators in disputes and they show enthusiasm in conflict management and peace processes. Mediation is defined as a form of third party intervention in conflict for purposes of abating or resolving conflict through negotiation. Mwagiru[319] defines mediation as a continuation of negotiation by other means. Mediation arises when parties to a conflict have attempted negotiation, but have reached a deadlock. In such cases, they may need a third party to help negotiate the conflict and break the deadlock. The third party is hence a mediator. Bercovitch[320] states that the entry of a mediator in a conflict transforms the originally dyadic structure of conflict to a triadic one, as such, the mediators become one of the parties to the conflict. It has been argued that the goal of peacemaking is often intertwined with less generous motives inspired by self-interest. As such, it is widely acknowledged that third parties[321] do not involve themselves in conflict mediation for purely altruistic reasons, and that every mediator brings own interest, perceptions and resources to the mediation. Women in diaspora in the Sudan ensured that they were incorporated into the peace process, during the

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[318] D. Rodrigues et al (Eds), *Gender and Peace Building in Africa,* (University for Peace, Addis Ababa: September 2005) p. 4.

M. Mwagiru, Conflict: *Theory, Processes and Institutions of Management* (Nairobi: Watermark Printers Kenya Ltd, 1999) p. 115. *

J. Bercovitch, *Social Conflict and"Third Parties: Strategies of Conflict Resolution,* (Boulder, Co: Westview Press, 1984) p. 20.

J. Bercovitch, The Structure and Diversity of Mediation in International Relations in J. Bercovitch and J.Z. Rubins (eds), *Mediation in International Relation Multiple Approaches to Conflict Managements* Macmillan, London: 1992) pp. 1-29.

negotiations of the agreement, since they felt that women and children are affected differently by conflict, and their interests had to be incorporated into the agreement. Among their interests was participation of women in the socio-political changes in the New Sudan government. For inswtance, Anderson[322] has stated that participation of refugees, especially women in diaspora in peace processes is a determining factor whether or not the peace initiative will succeed. This corresponds with the respondents, who participated in peace processes in Naivasha and in the north, bringing information to the media around the world on the conflict situation in Sudan. Women in diaspora organized trips to the Nordic countries, bringing the effects of Sudan conflict on women and children to the attention of world leaders. This effort saw the support of IGAD by the Nordic countries, thus amplifying the hypothesis that women involvement in conflict and peace management is paramount to bring lasting solutions in their country.

Placing[323] women in the peace building mainstream was a key policy issue that UNIFEM has been addressing, and especially when it sponsored a seminar in Khartoum in 2001. This meeting gave recommendations to the IGAD peace process reminding them that any policies and programmes pertaining to conflict and peace should be formulated not only from a gender equality perspective, but also it should take into considerations the issues specifically concerning women. Indeed, the UN Secretary General Special Adviser commented in 2001, thus, strengthening the inclusion of women in peace process that:

> *"Women[324] tend to listen more so they tend to be more open to the other side's point of view. They seem to be better in transmitting messages of peace. They also seem to be better in traditional means of negotiation that might work for the community. They are less hierarchical than men. If there is an attempt at a*

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[322] See Anderson in C, March et al op cit. p. 43.

[323] A. Fitzgerald, *Throwing the Stick Forward,* Op. cit. p. 127

[324] IRIN: Interview with Angela King, *UN Secretary General Special Advisor on Gender issues *nd Advancement of Women,* New York: 31 October, 2001

meeting which doesn't come off they tend to go for a second time whereas men tend to be more offended'

The study data clearly indicates that women and children protection during conflict is neglected and their contributions to peace building processes still marginalized. The bombardment they encountered in the Sudan, despite them being non-combatants is a glaring crime against humanity, which the government of Sudan has not been sanctioned of by the UN and other international bodies. This calls for closer identification of the crime against humanity in the Sudan and bringing those accountable to book and answer to the violations of human rights of a citizens of a country.

Any attempts to address peace initiatives, human rights and especially the rights of non combatant, violence against women, in conflict situations must ensure women are involved and that they play an active part in the mechanisms that bring about peace. They should be engaged in the repatriation and other resettlement programmes, peace processes, peace keeping initiatives amongst others. Women must participate in the decision making structures of a society. Gender equality cannot come about by only through changes in women conditions, but it requires transformation of structures and systems, which lie at the root of women's subordination and inequality. This transformation cannot be induced by external interventions, and women themselves must become agents of the change. These changes include political and social transformation addressing gender relations. In the conflict management and peace processes of the Sudan, it would involve re-shaping and bringing in the interests of those who have been rendered invisible and powerless by mainstream processes. Lederach[325] has indeed placed particular stress in the bottom up processes of peace building, meaning that the grassroots and all affected by the conflict should be involved. This argument help strengthen the hypothesis that

[325] H. Miall, Ramsbotham & T. Woodhouse, *Contemporary Conflict Resolution: The Prevention, Management and Transformation of Deadly Conflict* (tondon Polity Press, London: 1995) p. 58.

women are an integral part of conflict management and peace processes. Looking at the south Sudan conflict study, it has been clear that women have been left in the mainstream peace processes, and only if they are involved and they participate fully, will peace endure within the communities since they have a better understanding of the communities than men.

From the study analysis, it is clear that women cannot be construed as mere victims. They have been active participants of conflict from diaspora and in the frontline. They should therefore be involved in the peace initiatives. It is very hard, from the analysis of the Sudan conflict, to rely on gender stereotypical roles and expectations as these have been thrown into confusion during the war as women have taken on new roles and responsibilities, for example some have joined the struggle and they have become combatants, while others have taken over as heads of the households. This was clear in the focus group discussions, where the SWAN women narrated how they were involved in the frontline and how they are currently taking care of the family and making family decisions, which before the conflict were the main domain of the men. Indeed, the conflict has changed women and they have started defying men, like on issues of marriage, where one respondent completely defied the social structures forcing her to get married. She chose education, thus going against the traditions requiring women to accept decisions made by men. This is something that would not have happened in the culture of Sudan before the conflict. The conflict has thus shaped women and girls to start questioning and defying the structures that cause conflict, through the discrimination of certain groups of people in Sudan, especially women.

Given adequate time to participate in relation to the reproductive roles they play. The social cultural issues which prevent women from participation in conflict should be dismantled, for instance the

social structures that place women in a subordinate position than man, for her to be able to participate.

4.5   Positive Impacts of Conflict and New Roles of Women in Conflict

Conflict alters cultural roles and renders women the bread winners on whom the survival of the family depends. This means that peace in the Sudan holds different meaning and promise to women, as opposed to men, whose obligation is fulfilled in the frontline. However, conflict has opened up opportunities for women to assume new roles as head of families and peace negotiators, as shown during the split of SPLM in 1992 and during the peace negotiations in the north, when the women demonstrated for their inclusion. Indeed, stereotyping women as peacemakers and men as war mongers is not always true. Women fought in the frontline, and they sustained the troops of SPLM, during the conflict.

During the research, respondents[326] admitted that they were making food, medicines and had to brew local brew, sell it to sustain those in the frontline and buy food. Women are therefore not silent supporters of the conflict, but they participated fully in the conflict, which has not been in line with their culture before the conflict. This showed a diversion from the religious and the traditions that women should just play the reproductive role only, as home makers and care takers of the sick. They participated together with the church to bring about peace during the SPLM split in 1991. They brought men together and brought sense into them telling them that they should all fight a common enemy and not fight amongst themselves. This strengthens the hypothesis that culture and religion overwhelmingly cause gender disparities in conflict and conflict management. During the study, it was very clear that tradition and religion dictate the behaviour of men and

[326] Focus Group Discussion, at SWAN, 8th May 2006.

women. This is enhanced by the social and religious structures that have been set up that dictate the behaviour of men and women.

Indigenous organizations in Diaspora have organized and mobilized women and they have empowered them socially, politically and economically as indicated by SWAN. Women have been taught English language for ease in communication, running small business for economic empowerment, as well as being mobilized to participate in the political agenda of Sudan. The general finding was that women's income was almost exclusively used to meet collective household needs and the remaining was given to the support the struggle. Economic empowerment in income generating activities, has meant that women are able to educate their children since they have the income and that, and at the same time.

It was also reported by key informant from UNHCR, that the diaspora have secondary school education and some vocational skills. Majority of the diaspora have not had any working experience due to employment restrictions in the host countries. However, the diaspora appreciated the fact that they have been able to go to school something that did not happen to the ones left behind in Sudan. They stated that in Kakuma, they were able to go up to secondary school and the only education lacking was college and the university. It is positive to note that the organizations working in Kakuma have built a teacher training college to prepare the diaspora for teaching positions in the new Sudan. This is positive in that the trained teachers can be absorbed in the south Sudan schools to teach as there is scarcity of trained personnel in south Sudan. The schools had closed during the conflict; hence there is a dire need for teachers, building schools, hospitals and other institutions.

Traditions and culture do not allow women to inherit, yet they have to cater for the family. It is now possible to find Sudanese women questioning their culture, something that was a taboo in their culture. This has been as a result of the diaspora seeing other women in host and neighbouring countries, questioning the gender imbalances and they have learnt from them to question the same. Indeed, there is need to supplement the image of women as vulnerable victims with an image of women as a highly differentiated group of social actors, who possess valuable resources and capacities and who have their own agendas. Women[327] influence the course of things, and their actions are constitutive of post conflict societies. These include mobilizing the community for post conflict meetings. Bridgitte[328] states that the reduction of women to targets and beneficiaries both fails to recognize their contribution to peace processes and this contributes to their marginalization, further reinforcing the structural and social relations approach theories, which state that the structures place some persons differently from others, thereby causing conflict. However, the conflict has had an effect on women that somehow uplifted their status, and men have been forced to recognize the instrumental role the women have played in the caring of the communities and ensuring that those in the frontline are supported with medicine and other necessities. This has clearly shown that conflict has ironically been somewhat instrumental in promoting the status of women, and women are being recognized in the new Sudan as active participants in the conflict management. This enhances one of the objectives of the dissertation that conflict has had positive effects on women, through promotion of their status. SPLM has indeed recognized their role and it appointed women to head certain peace committees within the peace negotiation with the government of Sudan.

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[327] D Rodrigues, *Gender and Peace Building,* UPeace of Africa, op cit. p. 6.
[328] B. Sorensen, *Women and Post Conflict Reconstruction, Issues and Sources,* (Norway, 1998) P-10.

Self definition is a key ingredient to relevant socio-economic and political action. Only by sharpening the links between equality, development and peace, can any meaningful change be seen that the basic rights of the women and the transformation of the institutions that subordinate women are inextricably linked. These can be achieved together through the self-empowerment of women so that they are able to take part in the socio-economic and political changes taking place in their country. Indeed, Carolyne Moser[329] has applied the concept of participation, linking it to the empowerment, which according to her cannot take place unless one participates effectively. In effective participation, she recognizes women as beneficiaries or agents of change, for instance, women have to be in the decision making level for them to be able to change their subordinate position in relation to that of men. In peace process, women must be present in the board rooms or the venues where decisions are made for them to be able to participate fully. They have to be empowered to gain self confidence, which would enable them contribute to peace initiatives. As beneficiaries, women benefit in the short term. Long term benefits are greater, for women and communities, if women's decision making capacity and statues are increased. As agents of change, women participate as advisors, planners, educators within the level of an intervention. Hence non-participation of women in conflict management would indeed not bring lasting solution to the Sudan peace, since they have suffered tremendously and hence their input into the conflict management would go a long way in addressing resolutions to the conflict.

At the same time, Sarah Longwe[330] asserts that it is not only important to assess women's level of empowerment that an intervention seeks to address. It is equally important to identify the extent to which peace initiatives objectives are concerned with women's development to establish whether

See Moser in C.,March et al, *A Guide to Gender Analysis Frameworks* (Oxfam Great Britain publication, Oxford: 1999) p. 60.
See Longwe in C. March et al, ibid. p. 92.

women's issues concerned with women's equality in any social economic and political role are being addressed. This means looking at the relationships between men and women, and how any conflict management initiatives are addressing the empowerment of women to be able to participate in the peace process and the development of their country. This means that the government of south Sudan must look into the participation and empowerment of women in order for women to participate fully in the rebuilding of Sudan, once they are empowered to undertake development initiatives. Economic empowerment includes job creation for women, right to own land and assets and micro credit provision for businesses. For without economic empowerment it is impossible to participate in political and social affairs, since the barriers imposed on women's empowerment by customary laws and local traditions will have been lifted. Economic empowerment ensures that women have got control of the productive processes, and they no longer depend on men for support. Indeed they do have control and access to assets and other capital requirements to enable them put forward an agenda because they have the economic capacity to push their agenda forward.

The empowerment the women have received has made them question the gender stereotypes and make decisions based on what they think is best for them, and not what men think is best for them. Empowerment, as discussed in chapter three involves enabling women to take an equal place with them, and to participate equally in the development process in order to achieve control over factors of production, namely, land and capital on an equal basis with men. Williams and Sweetman[33]i state that the empowerment approach is characterized by development interventions that understand human development as con^rned with justice, peace, and equality, as well as economic growth. Empowerment for the diaspora has meant that the women exercise their

[331] S. Williams and C. Sweetman, *Ending Violence Against Women* op cit p. 33.

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potential, through mobilizing others in diaspora to effect changes in power relations in favour of women, especially questioning the gender disparities in political and social economic situations in Sudan. Empowerment is therefore self generated, and women need support to enable them transform their lives and participate fully in socio-economical and political decisions in the new Sudan. Empowerment in terms of support for women means providing them with a forum, where they can meet and exchange ideas while engaged in other activities. Participation in collective activities, supporting women to realize the power they have within themselves, may help them become assertive and be able to make their own decisions. Indeed, this is a concept that has been used by the diaspora in SWAN and they are now able to question the culture that scholars like Kabeer have stipulated that marginalize women, putting them in an insubordinate position than men.

4.6   Emerging Concerns for the Diaspora

The social relations analysis has helped to curve out an autonomous space for women in the conflict management and peace process, where they are perceived as actors rather than clients. Women should be active participants in decision making, rather than leaving the men to make decisions on peace initiatives, without their participation. They should demand such processes to be inclusive, for instance, their involvement in the negotiating table so that they bring in the aspect of the effects the conflict has on women and children, especially the sexual violence and rape. Indeed, goals for peace are unlikely to be realized through bureaucratic planning processes and for which the self-empowerment of women is an essential pre-requisite. Women should therefore have access to space, resources and time to participate fully in the conflict management and peace processes. They, are overburdened by work; undertake the reproductive and community roles, hence they find it difficult to adequately contribute to the processes. The government of south

Sudan must ensure that there is an adequate representation of women in the development of Sudan, for instance, through the incorporation of the 25% clause in CPA, allowing women representation in the cabinet, as well as any future peace initiatives, since women have proved that they are important actors in a conflict, hence all peace process must involve all actors. Women must be empowered to participate fully and the structures that discriminate women in the peace processes, be they religious and cultural completely dismantled.

Psychological trauma cited by most of the respondents during the interview show that those in diaspora have suffered by leaving their loved ones behind and most of the times; they had no information about them. Indeed, others have witnessed the maiming of their loved ones, as well as witnessing rape of family members. One respondent narrated how she lost her family during the flight and this has had a traumatizing effect on her and other siblings. The foreign environment and the language barrier, trying to earn a living in unfamiliar environment proved very difficult for the diaspora. They had first to learn the host country language in order to communicate, beg for food to feed the families, all these in a foreign territory. When their social-cultural structures collapsed, the survivors of the conflict started questioning their identity. The Sudanese in diaspora began to yearn for safety and sought solace in religion. Religion for the women and men in diaspora has been providing 'healing[332] touchtone for the turbulent world. This brought about resurgence of culturally acceptable conflict-resolution methods under the auspices of the church. The church has played a big role in reconciling the warring ethnic tribes in the Sudan especially during the SLPM split in 1991. Psycho-social support for the diaspora is important upon their return to Sudan.

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  M. A. Fitzgerald, Throwing the Stick forward: the Impact of Wars on the Southern Sudanese Women (UNIFEM/UNICEF Publication, Nairobi: 2002) p. 121

Finally, even though peace has been signed and wider conflict brought under control, local hostilities continue to occur. The causes[333] of these hostilities have been identified and they are associated with conflict over grazing and watering points for livestock. Elements of cultural practices also fuel hostilities where the nomadic pastoralists live. The elements of the rebels in northern Uganda is another added factor however, UN is currently monitoring security in the Sudan and the local public security and the police system of the government of Sudan is slowly taking control over the security in the south. This hopefully will ensure peace in Sudan.

Chapter five addressed the recommendations from the dissertation.

[266] PACT Sudan: *Report on Panakar Process]* (A PACT Sudan Publication, February 2003) p. 9.

south rebel against the structures put in place by the Khartoum government. The islamisation has had its effects on gender issues since it had for most of the time prescribed the social behaviour of the gender, more so, for women than men. Gender roles and relations in the Sudan are clearly stipulated in the cultural structures of the Sudan people, and this has been a cause for marginalization of women, since women are not recognized in decision making of the Sudan society. They are regarded as property and in times of war, the gender stipulated roles have inhibited women from participating in the Sudan peace process negotiation.

Chapter three concentrated on primary data collection, analyses, interpretation and presentation. This chapter looked at the secondary data, and how it conforms or disagrees with the primary data. The chapter analysed the points of convergence between the effects of the conflict on women and conflict management. It reflected on the objectives and hypotheses set in chapter one as it justified the structural and social relations approach theories, that the structures that cause conflict are economic, social, religious and psychological, and structural inequality is based on subjugation and inequality that is rooted in hierarchy, domination, and the use of force.

Chapter four looked at the critical analyses of conflict, looking at the emerging themes of the conflict.

The effects of conflict in the Sudan has shown that the diaspora is an important player in conflict, and especially women continue supporting the families in times of conflict and contribute heavily towards the conflict with food, medicine and other infrastructures. The women in diaspora were involved in peace process, though they had .to force their way into the platform for peace, as they demanded that they too had been affected by the conflict, hence their role in the peace process was paramount. They too were traumatized by the deaths of their families and they had to take

children in their flight and live in a foreign land without social support systems. At the same time, it is clear that the diaspora has been able to get education which has not been available within south Sudan because of the disruption of schooling system by the conflict, and it would play a vital role in the rebuilding of Sudan. The diaspora has learnt a lot in conflict management and peace negotiation through participation, as well as the dysfunctional effects conflict has on them and children, and they are now in a position where they are questioning the absence of women in key decision making structures, especially politically and in conflict management and peace processes. This has been a positive effect on the Sudan conflict on women, and these gains should be translated into the constitution of new Sudan so that they are not lost. The dissertation has indicated the diaspora participation in the conflict throughout the study, hence there is need to supplement the image of women as vulnerable victims, with the image of women as a highly differentiated group of social actors, who possess valuable resources, and capacities to influence conflict and influence the course of things, and their actions are constitutive of post conflict activities for instance, singing praise songs for the warriors, becoming combatants and supplying medicines and intelligence to the frontline.

Any development of the Sudan should take into consideration the role the diaspora can play. Programmes, NGOs and other development agencies intending to work in the southern Sudan, should look into the incorporation of the diaspora. Mobilising women in the diaspora in Kenya and elsewhere, as well as allowing women to participate in political activities, is a key recommendation to the government of south Sudan. Hence, an inventory should be conducted of the diaspora in Kenya and other East African countries anti linked up together through websites to enable the diaspora to get the opportunities that are currently available for them in the Sudan. Moreover, there is still emerging a huge taskforce of educated women, especially younger generation, within

the movement and in Diaspora who are capable, willing and determined to participate in re-building

Sudan. It would be ideal to tap this resource for the development of new Sudan.

Policy Recommendations

Development assistance to the diaspora in capacity building would make the diaspora self reliant

and form part of the solution of the economic problem in south Sudan. Women in diaspora have

gained a lot in terms of education and skills development and they would contribute heavily to the

development of the new Sudan. They have been able to watch their sisters in diaspora especially

in Kenya and Uganda, and they are ready to be in the mainstream political system of Sudan

Post conflict reconstruction programmes should include women focused approaches and these

include access to credit. Access to credit for starting business enterprises is a process whereby

women attain gradual control over their resources and in the management, production, marketing

of goods and services. This approach[334] recognizes that economic enterprises have potential to

effect positive changes in different areas related to women' status, especially participation in

decision making because of economic empowerment signifies an added power of control over

resources. Income generating activities for economic empowerment for women should therefore be

introduced to help women counter gender inequality. Access to credit is a post conflict

reconstruction tool, that helps in the removal of barriers to women accessing credit and it should be

a developmental issue that could target economic empowerment. Economic empowerment helps

women start owing property since they have the economic capacity to do so. Ownership[335] and

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[334] u̇xfam, *Gender Considerations in Economic Enterprises,* (Oxfam Publication, Oxford: 1990) p.

[335]' M. Mukhopadhyay, *Legally Dispossessed: Gender, Identity and the Process of Law,* (Calcutta ^tree: 1998) p. 18

control over property signifies command over productive resources which enable women to make choice regarding livelihoods, provides security against poverty and promotes autonomy. During the resettlement, women, women in the diaspora will face specific challenges including increase burdens as female heads of household as shown in the dissertation, hence an environment where women need access to credit and engagement in economic opportunities will enable the diaspora cater for their families.

At the same time, post conflict agricultural programmes should target ex-combatants and women since world wide, agriculture has become feminized; hence training programmes should be inclusive. Agriculture is the most important source of livelihoods in south Sudan, and the ownership of land is the most important source of security against poverty. Mukhopadhyay[336] states that land remains a critical determinant of economic well being, social status and political power. She further reiterates that evidence[337] to suggest that economic resources under control of male household heads do not necessarily translate into the well-being for women and children. Thus independent ownership of such resources by women, especially land can be critical in promoting the well being of family and the empowerment of women. Women from the diaspora should be incorporated in the land distribution to enable them engage in productive activities which are agricultural related, hence bring income to the families. Therefore the Diaspora population therefore needs a comprehensive programme to 'return home'. Unless women are economically empowered, they cannot counter and defeat the structures that discriminate against women.

Peace deals concerns for women, are that there are some pockets of violence, insecurity and
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landmines in Sudan, overarching cultural and political patriarchy, and culture of marginalization and

discrimination, inbuilt social and religious distortions, which should be addressed as part of u *%*

resettlement for women. It is important to exhaust all reasons of fleeing and make south Sud$_x$

safe for the diaspora. Generally, internal and internationalized conflicts may result to suspicic^

misunderstanding and misinterpretation of the behaviour of the state elements. For this reaso^
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confidence building measures has to be practiced. Confidence, like suspicion come from the mir^

resulting to patterned consistent acts of commitment and trust before the south Sudan sheds ^

fear of being short-changed. Confidence building in Sudan is needed because there are still sorr^

suspicions amongst the diaspora towards the Khartoum government. Confidence building ma^

reduce uncertainties and anxieties surrounding the possibility of surprise attacks and mine^

awareness programmes to help recognise landmines and suspected mine areas, thus protecting

women and children.

During the post peace period, prevention of new violence depends not only on early warning

systems, but the willingness of armed groups to lay down their arms, disband military structures

and return to civilian life. UNIFEM[338] reiterates that when weapons remain in circulation, they

combine with trauma, poverty and lawlessness to turn neighbourhoods and homes into conflict

zones. Each disarmament, demobilisation and reintegration (DDR) process involves and has

implications on women, whether they participated in combat, have families who did, or members of

the community trying to integrate former combatants. Whereas the study shows that some joined

the combat on their own free will, others may have been forced to become sexual slaves. No

matter how they joined military groups, almost all are neglected in the DDR. The DDR should

therefore not overlook women who have been abducted, and those who served directly in the

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   UNIFEM, *Women, War and Peace, Progress of the World's Women* Vol 1, UNIFEM
Publication, New York: 2002) p. 118.

combat. Disarmament, demobilisation and reintegration affects women in a very immediate way: It affects women and victims of violence, returning women combatants, abducted women and girls and women having held communities together during the conflict should be recognized. Efforts to have gender recovery centres for the psycho-social support of victims of sexual violence will go a long way in the hope of reconstruction. According to Caroline Sweetman[339] post conflict reconstruction often requires protection of the rights of women because male demobilized soldiers are accustomed to life in a military sub-culture, often involving extreme forms of abuse of women including rape, forced marriage and sexual slavery. Accustomed to use of force, empowered by the possession and exercise of weapons, ex-combatants are frequently brutal and unfamiliar with respectful, equitable gender relations. Mwagiru[340] has intimated that the question of re-entry in a conflict environment is important. He stipulates that settlements, because they take place against the background of power politics, can be rushed and hence lack longevity. Indeed, as indicated in chapter two, the implementation of the Addis Ababa Accord of 1972, led to renewed conflict because of lack of implementation. Hence protection resolutions and implementation of DDR should not be rushed, and so is the protection of women in post conflict Sudan is paramount in order to achieve lasting peace.

Women should be represented in the political, economic, social and other decision making systems to ensure equal access to and benefits and resources in the new Sudan. Women have come out to challenge the unequal power distribution, and especially during the peace process, they had to fight for inclusion in the Sudan peace negotiation, as women, as demonstrated in the study, tend to understand the grassroots more than tbe men. Women in diaspora have lost members of their

[339] C. Sweetman, *Gender, Peace Building and Reconstruction,* (Oxfam Publication: Oxford UK, 2005) p. 72

M. Mwagiru, *Conflict: Theory, Processes and Institutions of Management* (Nairobi: Watermark Printers Kenya Ltd, 1999) p. 47.

family in the conflict. Some of the women lost their lives while on the frontline and others became widows as a result of the conflict. One way of safeguarding the rights of women, is to ensure that women's rights to property especially for single headed household is ensured.

Rights of ownership should be safeguarded and engrained in the constitution. For instance, the issue of land and wealth distribution stipulated in the CPA directly impacts on women. Women head of households do not have legal access to land or resources due to the discrimination in the customary law in Sudan that favours men as the head of households. Family law in Sudan is based in customary law, and this does not promote women's development. Mwagiru[341] states that in Sudan, the rights to property and land were regulated by customary law before the conflict, and the Sudanese constitution imposes Islamic tenets[342], which are overwhelmingly biased against women in matters of land property. He further[343] states that those who have left Sudan as refugees, the position with respect to land and property rights are doubly detrimental: they have lost access to their previous land, and they are likely not to inherit any from their parents while in diaspora. The Sudan constitution should provide specifically for the alienable land and property rights of women. Equality of women and men before the law; is should be enshrined in the constitution, hence the revision of the customary law is paramount in removing the social structures that discriminate against women. Women are capable of promoting peaceful resolutions within the communities locally and internationally, if their own efforts and initiatives are recognized and supported. The first step must be to build the infrastructures, the context in which women can feel some sense of control over their lives. This indeed, calls for challenging the challenging the deeply rooted cultural structures that create and reproduce systemic differences by positioning of different

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[341] See Mwagiru in A. Buregeya at al (eels), *Women's Land and Property Rights in Situations of Conflict and Reconstruction,* (TJNIFEM Publication, Kigali: 1998) pp. 18-24.

[342] (Mwagiru (See Kibwana (ed) *Women and Autonomy in Kenya: Policy and Legal Framework,* 2nd Edition, Calirpress, Nairobi: 1997), comments that this is contested by Muslims, arguing that the Islamic law does not discriminate against women.

[343] See Mwagiru, in Buregeya at al (eds), Op cit. pp. 21.

groups. Kabeer[344] has stated that these structures determine our roles and responsibilities and determine our rights. She stipulates that the social relations within our cultural structures produce cross-cutting inequalities. Hence demanding rights of women as enshrined in the UN regimes means a challenged to the existing cultural domination. This would be seen as tampering with status quo, which may bring about cultural violence. Changing of culture would entail a gradual process, since cultural values are held deep in every society, hence difficult to address in a short time. A peace researcher believes that conflict can be resolved by changing the structure even if that change has to be through use of force. However, it is not easy to change the structures that have been put in place without resulting into conflict. Indeed, peace researchers face the same problems since they do not know what structure to put in replacement.

Support systems should be developed to assist the adjustment process of the Diaspora, for example helping women achieve economic stability and services for trauma counseling. According[345] to the International Alert Journal, women who have been victims of sexual violence in times of conflict have their own sense of justice. They should be consulted in order to determine the appropriate remedies; otherwise they would be further disempowered. As long as women remain in subordinate position, they will not have access to effective redress. State and non-state actors should put mechanisms in place to hold those responsible for the violations accountable. Judicial institutions remain the most important mechanism of defence and promotion of fundamental human rights. Mwagiru[346] stipulates that the customary laws, which are extremely biased against women, a new statute that protect women should be enacted. At the same time, the

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[344] C. March, et al, *A Guide to Gender Analysis Framework* (Oxfam Publication, Oxford: 2000) p. 103.

[345] See I.Lourdres Sajor, *Women, Violent Conflict and Peace Building: Global Perspectives. International Conference,* International Alert Journal, (London: May 5 - 7 , 1999) p. 22.

[46] See M. Mwagiru in Buregeya at al (eds), op cit. p. 23

training and promoting women in the judicial sector, ensuring that women are represented on all commissions and courts established by the CPA, gender training for all judges, court administration and personnel would ensure that women needs are met at the judicial level. Therefore, there must be a gendered revision of the legal system based on cultural norms, particularly family law, and ratification of international instruments. The UN Declaration[347] on the Elimination of Violence Against Women states 'gender based violence is a form of discrimination that seriously inhibits women's ability to enjoy rights and freedoms on a basis of equality with men. Hence more work should be done to ensure gender based persecutions come within the mandate of judiciary at the international and national level in the New Sudan laws. Sudan should therefore take steps and ratify CEDAW and should implement its constitution, laws and policies to ensure women equality and equal rights in all spheres. Though the New Sudan Penal Code 1994 section 196 have provisions of protecting female victims in conditions of conflict, this section should implemented fully to protect women.

Any future peace missions, reconciliation forums and all peace building efforts should incorporate women as key members of negotiating team and as a sector that has been keeping to community and experienced positive and negative effects of the conflict. Any policy[3^] making in the new Sudan requires looking into the root causes of the marginalization of women, examining the structure that bring about marginalization of one group, and address the gender equality and equity within the laws and policies in the new Sudan to include women. At the same time, efforts should be geared to strengthen the community based grassroots peace building. UNIFEM[349] asserts that women's leadership role is most visile in their communities; and it is within the communities that

[347] UN Declaration on Elimination of Violence Against Women: A UN Publication: New York 1992
[348] Women Waging Peace, *Implementing Peace in Sudan, A* Women Waging Peace Publication, Washington: 2005) p. 4.
[349] UNIFEM, *Women, War and Peace* op cit. p. 78.

they organize to end conflict and build skills necessary for peace building and reconstruction. They build networks of solidarity and hence resistance against conflict. Indeed, the diaspora has been instrumental in building solidarity groups bring the Sudan conflict in the global agenda as indicated in chapter three. Their social status becomes a basis for organizing peace initiatives at the grassroots levels, since they are able to remain in contact with families, those in the frontline and the communities. Therefore, at the community based peace building level, alert systems can be developed well within the communities, since the communities are usually aware of upcoming conflicts, since they have knowledge of the communities in which they live in. This means that they would be able to stem out the pockets of conflicts currently being experienced after the CPA.

Existing structures in the Sudan that encourage the participation of men and women in the development of Sudan should be encouraged for instance, the access to credit for economic empowerment, as well as the communities that have been affected by the conflict supported with financial and capacity building. This should take into consideration the gender needs, especially freeing women from their reproductive role in order for them to participate, control and access of factors of production like land, economic empowerment amongst others, and take into account the marginalization of women within the structures of the culture of Sudan and hence take an affirmative action for the inclusion of both gender in all spheres of development. Support to the indigenous Sudanese NGOs, may ensure that the infrastructure in the Sudan is developed. Already, there is a network of all NGOs working in southern Sudan that are seeking to incorporate gender into their development and strategic plans. These are under the umbrella of NESINET, should ensure that effective monitoring and evaluation of gender based empowerment in all spheres is putin place.

From the primary data collected, there was an overwhelming willingness for the diaspora to go back to Southern Sudan. Some indicated they would like to go back to Sudan to help in the development of south Sudan, through contributions to the education sector, through teaching. This would therefore require an elaborate programme for the diaspora returnees to the Sudan, and as stated, getting their skills areas and deploying them accordingly to develop Sudan.

There was a general perception that following the CPA, it is time for the diaspora to go back home, and the government of south Sudan should absorb the returnees into the country, particularly in the skills areas that are needed. There was also general concern that only the returnees from the refugee camps were being focused on and not the urban refugees for repatriation. There is urgent need therefore, to liaise with the UNHCR and IOM to see what issues of attention for the urban refugees and those in the camps that should be addressed before they are repatriated. The challenges of CPA especially for the women are ensuring their concerns are included in the gender sensitive constitution, so that the laws that are formed are friendly to women. The other challenges for the CPA are equity issues and feelings of exclusion because there are so many actors in the CPA (diaspora, internally displaced persons, former SPLM and the Government of Khartoum). If any of these actors feel marginalized, they may resort to conflict, thus derailing the implementation process. According to Andrew[350], the militias have yet to lay down their weapons and they must be convinced of peace agreement as an alternative to conflict.

The study found out that many of the indigenous Sudanese NGOs and other development agencies are placing emphasis on the education of the girl child, hence recommendation that the donor community ensures that this-becomes a reality, through education, as well as assisting in the

[350] A. Natsios, *Implementing the Comprehensive Peace Agreement in Sudan,* Journal for International Affairs, (A US Agency for International Development Publication, Yale: 2005) p. 91.

legal law reforms as indicated earlier so that gender issues are inclusive in the constitution. This would ensure that the issues of education and gender are addressed in line with the Millennium Development Goals that look into the gender equity and universal education for both boys and girls in the developing countries by 2015. This placing of emphasis on girl child strengthens the need to absorb the diaspora into the education sector in Sudan. Many diaspora have been trained at the Kakuma refugee camps as teachers, hence support should be given to this category, as well as training others in the Sudan to be able to accomplish the goal of education. Indeed, a peaceful Sudan, particularly the historically disadvantaged south, requires all the educated manpower so as to assist in development of Sudan through contribution in their skills and knowledge.

It is worthy noting that the SPLM and the government of southern Sudan have made efforts to incorporate women through an affirmative action that requires an inclusion of the participation of women into the decision making structures of the government, like the parliament. This should be implemented fully in accordance to the CPA. However, there is need for the few women who have been appointed into the government to take stock and be able to incorporated and educate the grassroot women, so that they will be able to vote wisely in the referendum after six years (five years) currently. To emphasis Lederach[351] position, the bottom-up approach is sustainable as explained as shown in the Philippines people's power, ousting Marcos from Presidency. Indeed, Longwe reiterates the participation of women in decision making, from community level to the highest national level. Therefore, unless women are educated at the grassroots level, they will continue being subordinated within the local and political structures of the new Sudan. Education for women helps them challenge the roots for subordination, hence demanding for the dismantling

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[351] J.P. Lederach, *Building Peace: Sustainable Reconciliation in Divided Societies,* (Syracuse State Institute of Peace, Washington, D.C: 1997) p. 26.

of the structures that are the root cause of marginalization. This indeed enhances the two theories used in this dissertation of structural and social relations approach theories in that structures do enhance marginalization of one group. They would need to participate fully in the political and power sharing arena, and only this way can they be able to help in changing social, political and economic structure that cause conflict and marginalize women in the Sudan.

The UN Resolution 1325[352] takes special measures to protect women from rape, abduction or any other gender based violence. Yet[353] the reality is that protection and support for women survivors of violence are woefully inadequate. Their access to protection, services and legal remedies are limited in many ways. The upheaval of conflict, cultural and social stigma, women social status affects her ability to protect herself or seek protection. For instance, when a woman's virtue is linked to her virginity, for instance the rape and other forms of sexual violence become unmarriageable, or rejected by husbands, it is a source of lingering shame not only to her but her family. Indeed writings from Fitzgerald indicate that Sudanese women raped in the cause of their flight find it very hard to share with anyone because of the social stigma involved. Women should be supported to ease the trauma inflicted by the acts of war committed against them, their families and the community through supporting them getting psycho-social and reproductive health support. These include psycho-social counseling and referrals. Those who have been subjected to violence and acts of rape, abduction and other sexual violence should be supported with medical treatment, as well as supporting those infected or affected by the HIV and AIDs. The donor agencies and the civil societies should implement intervention that should slow the spread of HIV and AIDs in conflict as well as providing access to the retro-viral drugs for those infected.

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[352] United Nations, *UN Security Council Resolution 1325,* (UN Publication, New York: 2000) p.11.
[353] UNIFEM, *Women, War and Peace,* op cit. p. 18.

There was a feeling amongst the respondents that the negotiating process of the protocols of the peace agreement did not involve women to any substantial degree. Consequently, gender needs should be mainstreamed into the CPA implementation and monitoring mechanisms. All protocol within the CPA should be written in a simple language and information disseminated to women, so that they are aware of their implications. At the same time, women should be included in peace-keeping forces, and gender issues introduced in peace keeping training and strategies developed to avoid violence against women and sexual exploitation by peace-keepers and humanitarian workers. Women stories should be written down and documented, and included in the writing of history, in order to help improve the status of women in the Sudanese communities. The legal, social and religious structures, especially on Islamisation allow freedom of worship, dressing accorded to all, especially those who do not prescribe to Islam.

Areas for further Research

Gender and conflict being relatively new phenomena in conflict should continue being pursued. Gender issues in conflict situation should be encouraged to demystify the misconception that women cannot contribute actively in the frontline. Although women are not actively seen in the frontline, majority of them contribute to conflict through, signing songs to praise the warriors, carrying supplies to the battlefield, feeding the frontline, taking care of the wounded and offering intelligences services, hence it would be necessary to research on whether women can be perpetrators of conflict or they happen to find themselves in conflict which they do not understand. Hence studies and research projects on women's conditions and issues in the frontline should be supported. Such research can help advocate for gender issues on behalf of women, using

research based information to support argument, as well as make possible to state what the problems are.

Gender mainstreaming study in conflict and post conflict situations should be addressed in order to come up with structures and support mechanisms that take into account all gender based aspects in conflict. Currently, gender and conflict is not well researched and information in mainstreaming gender in conflict in lacking. At the same time, violence against women by humanitarian workers should be a research topic, pursued to enable systems put in place to protect women from humanitarian workers.

There is little information currently on the contribution of the diaspora in conflict management, and how the diaspora can positively contribute to post conflict situations in their country. Academicians and donor communities should support this research in order to inform on the role of the diaspora in pre and post conflict situations in their countries.

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Focus Group Discussion

Hello, my name is………………………………….and I am a student at the University of Nairobi, Institute for Diplomacy and International Studies. I am a facilitator for today's discussions.

- There is no right or wrong answer to the questions I will ask.
- Everyone's opinion is equally important. We want to hear from each and everyone of you.
- If you disagree with what someone has said, that is OK.
- The discussion is only for us in this room.
- I have a small recorder, just like a journalist, so that I can capture your words as accurately for the research; but no one will know which person said what statement.
- The other person is taking notes in event that the recorder breaks down.
- Speak one person at a time, and loudly, or the tape recorder will not pick you up.

Thank you and let us begin.

i   BACKGROUND OF CONFLICT

- When did you come from Sudan to Kenya - (Year) and how did you travel?
- What is your main occupation here? Are there significant changes than what you were doing in Sudan?
- Why did you move away from Sudan? Were you traveling alone? If not, whom did you travel with and what was your relationship?
- Did you encounter any problems on your way to Kenya? Where did you settle first on your arrival in Kenya? Were you well treated? What was the situation there - be as candid as possible.
- If you have moved from the place where you settled first, why did you move away? Please state the reasons that made you move from that area.
- Where did you go to and why? What was life like in your new 'home?' Explain your life in diaspora since you came to Kenya.
- Why did you not go to any other country apart from Kenya?

i| CONFLICT

- In your opinion, what were the root causes of the South Sudan conflict?
- Is there a solution to these issues?
- Who was responsible for all that fighting? Any others responsible?
- Who were fighting in the conflict? Were women and children involved? If so, in what way?
- Did any side win in the conflict? If yes, who?
- How did the conflict affect you?
- How did it affect women, children and men? Do you think the effects were different? If so, how were they different?
- Could you give an account of effects of the conflict, especially for women and children?
- As a Sudanese in diaspora, how did the conflict affect you? Was it different from the .Sudanese who were left behind?
- Who was affected, more, those in diaspora or those in Sudan? Give reasons to your answer.

- What are there positive things that have happened to you in diaspora as a result of the war? If so, can you enumerate them as candidly as possible?
- What are the negative effects of the conflict for you in diaspora? What problems have you encountered in diaspora?

i] PEACE

- Is the conflict really over now?
- Do the people of southern Sudan consider themselves one person or a lot of separate peoples?
- Do you know the issues listed in peace agreement? *{if known, then ask}* Do you think the things you listed in the agreement are a good idea or bad idea?
- Do you think other people or groups should have been involved in the peace negotiations between Khartoum and SPLM? If so, who?
- Were women in diaspora involved in the peace negotiations? If so, who? Where are they now and how were they involved? Was the involvement satisfactory)? Explain
- Were there significant contributions to the peace agreement from the Sudanese in diaspora? If so, what?
- Were NGOs involved in the negotiations? If not, what do you think could be the consequences?
- Were people around you consulted before peace negotiations? *{If not, ask}* Should they have been consulted?
- Do you think women have been fully involved in peace negotiation? If not, why?
- Do you think women in the Kenyan diaspora played their role well in the peace negotiation? If so, explain, If not why?
- Has there been equal representation of women in the Khartoum government? Why?
- What would be your opinion on the involvement of women in conflict management in the new Sudan? Should they be involved, and if so, why?
- It has been widely reported that there were crimes like rape, murder and abduction - that were committed by soldiers, militias or others during the conflict. Are you aware of this? If so, should these crimes be punished or it is best to move on and forget what happened?

]V SOURCES OF INFORMATION

- How are things in southern Sudan now? Are they going the right way or wrong direction? If so, why?
- What is the best thing that is happening there now? Why?
- What is the worst thing happening there now? Why?
- In your opinion, which people are doing better, those in Sudan now or those in diaspora? Why?
- Where do you get news on what is happening in Sudan? Which sources of information do you trust?
- List the top three problemsjn the area. What can be done about these problems?
- How can you support the solving of these problems while in diaspora?

Do you see any future role of women in diaspora playing in south Sudan peace? If so, which one?

QUESTIONNAIRE INTERVIEWEES IN SUDANESE CONFLICT RESEARCH

SECTION A

BACKGROUND

Name……………………………………………(Optional)

(Please V_tick where necessary)

Age (18 - 30). . . . . .30-45….……………45-60…………………Above 60

Marital Status (Single………….Married………………Separated/Divorced
Widowed

Number of children………….Where are the children now? (Please
explain

Education level: (Primary……………..Secondary…………………Tertially

University……………(Masters Level and above)

Where were did you receive your education: (Sudan…………(Kenya…………..)

Sudan	Kenya
Primary.	.Primary
Secondary.	.Secondary
Tertially.	.Tertially
University.	.University

If you received your education in Kenya, please explain the reason
why

What is your main occupation here? Are there significant changes than what you were doing in
Sudan?

How many years have been in your current occupation? (Years…….)

BACKGROUND TO THE CONFLICT
- When did you come from Sudan to Kenya - (Year) and how did you
  travel?

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- Why did you move away from Sudan? Were you traveling alone? If not, whom did you travel with and what was your relationship?

- Did you encounter any problems on your way to Kenya? Please explain

  How did you solve these problems?

- Where did you settle first on your arrival in Kenya?
  Please explain the situation briefly of the place you settled first

  Were you well treated? (Please explain)

- If you have moved from the place where you settled first, why did you move away?

- Where did you go to and why? What was life like in your new 'home?'

- Explain your life in diaspora since you came to Kenya

- Why did you not go to any other country apart from Kenya?

- Explain life and effects of conflict on women in Kakuma camp (those in Kakuma or have been in Kakuma)

CONFLICT

- In your opinion, what were the root causes of the South Sudan conflict?

- Is there a solution to these issues?

- Who was responsible for all that fighting? Why?

- Any others responsible?
- Who were fighting in the conflict? Were women and children involved? If so, in what way?

- Did any side win in the conflict?………………………If yes, who?
- How did the conflict affect you personally?

- How did it affect women, children and men? Do you think the effects were different for women and children and men? If so, how were they different?

- Could you give an account of effects of the conflict, especially for women and children?

- As a Sudanese in diaspora, how did the conflict affect you? Was it different from the Sudanese who were left behind?

- Who was affected, more, those in diaspora or those who remained in Sudan? Give reasons to your answer.

- What are there positive things that have happened to you in diaspora as a result of the war?

- What are the negative effects of the conflict for you in diaspora? What problems have you encountered in diaspora?

- Have your roles changed in the diaspora? If so, how?

Do you think culture and religion in Sudan has had any effect on the conflict on women?

11   PEACE

- Is the conflict really over now?……………………………………Explain please

- Do the people of southern Sudan consider themselves one person or a lot of separate peoples?
- Do you know the issues listed in peace agreement? *{if known, then ask}* Do you think the things you listed in the agreement are a good idea or bad idea?

- Do you think other people or groups should have been involved in the peace negotiations between Khartoum and SPLM? If so, who?

- Were women in diaspora involved in the peace negotiations? If so, who? Where are they now and how were they involved? Was the involvement satisfactory? Explain

- Were there significant contributions to the peace agreement from the Sudanese in diaspora? If so, what?

- Do you think women have been fully involved in peace negotiation? If not, why?

- Have the Sudanese women in the Kenyan diaspora played their role well in the peace negotiation? If so, explain, If not why?

- Has there been equal representation of women in the Khartoum government? Why?

- What would be your opinion on the involvement of women in conflict management in the new Sudan? Should they be involved, and if so, why?

- It has been widely reported that there were crimes like rape, murder and abduction - that were committed by soldiers, militias or others during the conflict. Are you aware of this? If so, should these crimes be punished or it is best to move on and forget what happened?

!Y   SOURCES OF INFORMATION

- How are things in southern Sudan now? Are they going the right way or wrong direction? If so, why?

- What is the best thing that is happening there now? Why?

- What is the worst thing happening there now? Why?

- In your opinion, which people are doing better, those in Sudan now or those in diaspora? Why?

- Where do you get news on what is happening in Sudan? Which sources of information do you trust?

- List the top three problems in the area. What can be done about these problems?

- How can you support the solving of these problems while in diaspora?

Do you see any future role of women in diaspora playing in south Sudan peace? If so, which one?

Thank you for your time.