SPECIAL REPORT
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A Strategy for Achieving Gender Equality in South Sudan

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ABBREVIATIONS

AEOs	Agricultural Extension Officers
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CPA	Comprehensive Peace Agreement
ECOSOC	Economic and Social Council
GAD	Gender and Development
GBV	Gender-Based Violence
GOSS	Government of Southern Sudan
MP	Member of Parliament
NCP	National Congress Party
NLA	National Legislative Assembly
PDF	Popular Defense Forces
SAF	Sudan Armed Forces
SPLA	Sudan People's Liberation Army
SPLM/A	Sudan People's Liberation Movement and Army
SSLM	Southern Sudan Liberation Movement
SSU	Sudan Socialist Union
SSWEN	Southern Sudan Women Empowerment Network
STDs	Sexually Transmitted Diseases
USIP	United States Institute for Peace
WAD	Women and Development
WID	Women in Development
YTTC	Yei Teacher Training College

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Executive Summary

This study seeks to examine how structural factors, customary laws and traditional practices, and economic hardships shape women's status and hinder their effective participation in leadership positions in South Sudan. By doing so, the study identifies some of the socio-cultural, economic, legal, educational and political conditions, which lead to gender inequality in South Sudan. It proposes strategies for addressing gender disparities in many aspects of South Sudanese society for the betterment of women's condition, and achievement of gender equality in South Sudan.

During the course of this study various research approaches were utilized for data collection. These include the review of relevant existing literature, government documents and policy frameworks to identify gaps and areas of concerns. One-on-one interviews were conducted with selected government officials, policy makers and ordinary South Sudanese females and males to understand their experiences and perspectives on issues related to women and gender in South Sudan. In addition to interviews, observation and participant observation methods were used during my visits to public schools, Juba Teaching hospital, the University of Juba, market places, and social gatherings.

Focus group meetings were held with the following associations: the *Ayiki* Farmer's Association in Yei River County whose members include both women and men; the Lo'bonog Women Association in Lo'bonog Payam and *Rabita Salam Wa Muhaba* based in Gu'dele residential area in Juba. The main purpose of the focus group meetings was to elicit data on socio-cultural norms, and to acquire broad perspectives on issues and concerns.

The study is divided into four interrelated sections. First, it analyzes concepts and themes such as gender, gender configurations, gender mainstreaming, and gender equality to set the context for the discussion of women's conditions in South Sudan. Second, the study identifies and examines some barriers to women's participation in public sphere, ranging from social, cultural, economic, legal and political. Third, it critically addresses women's political participation and in particular the 25% women's representation in all levels of government, identifying its benefits and shortcomings. This section also analyzes the challenges of achieving gender mainstreaming and the 25% affirmative action for women. Fourth, the study concludes by outlining policy recommendations for the promotion of gender mainstreaming to ensure gender equality in South Sudan.

The research findings reveal the following issues and concerns pertaining to women's conditions and gender issues in South Sudan:

- High illiteracy rates among women and the prevalence of sociocultural perceptions that devalue girls' education hinder women's participation in politics and other public affairs of the country.

- Women in South Sudan face numerous health challenges ranging from difficulties accessing health care facilities, particularly in rural areas, poor health facilities and limited access to doctors and medication.

- Poverty and food insecurity in South Sudan represent major challenges facing women, making it difficult for low-income families and those residing in the rural areas to sustain their livelihoods.

- Practices such as early marriage and gender-based violence are widespread in South Sudan, mainly due to unclear and varied definitions of an adult across many ethnic groups, the availability of small arms making possible forced and early marriages, as well as non-specification of the minimal legal age for marriage in the Transitional Constitution.

- The gendered division of labor in South Sudan places heavy burden on women's shoulders, making it difficult for women to engage effectively in activities beyond the household such as in politics and organizational work.

- Women in South Sudan face obstacles accessing the justice system due to the dictates of customs and traditions, as well as a general lack of financial resources to file legal claims.

- Many gender-oriented policies in South Sudan are not implemented, and others are still in draft form. Also the Gender Focal Points or departments created by the Ministry of Gender, Child, and Social Welfare in various government institutions are inadequately funded. Thus, the lack of implementation is hindering women from playing effective roles in promoting gender mainstreaming in all government institutions. Also women's differentiated personal locations represent another obstacle to women's unity.

- Affirmative action for women's representation has both benefits and shortcomings. The benefits range from increased number of women in government institutions, changes in institutional culture, and the emergence of the centrality of women and gender issues in national debates. Some of its shortcomings include the likelihood of tokenism, emphasis on numeral representation, power of party patronage, and disregard of the domestic productive and reproductive responsibilities of women.

This study proposes several policy recommendations to address the challenges facing women, and for the achievement of gender equality in South Sudan. Some of the policy recommendations include:

- Reduction of high illiteracy rates among women through investment in education; strengthening existing Ministry of Education, Science and Technology's "Alternative Education System" that aims to assist out-of-school learners – children and adults to gain knowledge and skills for productive life; and establishment of independent adult literacy programs to increase adult literacy rates in English, Arabic and various national languages of South Sudan.

- Improving the health care system and developing infrastructure to improve access and ensure better living conditions for women and their families.

- Specification of the appropriate age of marriage in the permanent constitution, and ensuring law enforcement to combat early marriage and gender-based violence. This

study suggests the age of eighteen as the appropriate age at which both girls and boys will be eligible to marry.

- Redefinition of gender division of labor, investment in early childhood day care particularly in urban areas, and improvement of basic services in cities as well as in rural communities to ensure women's enrolment and retention in school, as well as to lessen women's workload.

- Strengthening of all Gender Focal Points for the promotion of gender mainstreaming to safeguard gender equality in South Sudan.

- Moving beyond the 25% numeral representation of women to delivering services and developing mechanisms to improve women's education and economic situation for the betterment of their chances to compete in the public arena.

- Researching and documenting women and gender history is crucial for effective policy design, and for inclusion of women's experiences, contributions, and achievements in educational curriculum.

- Improving women's access to the legal system by establishing institutions that collect and document cases of gender-based violence, training of female legal professionals, and provision of legal aid programs for women seeking justice.

- Establishing a gender program within universities and research institutes such as the Sudd Institute to conduct research on women and gender issues to shape public policy and influence implementation.

Introduction

S outh Sudan declared its political independence in July 2011 when South Sudanese voted overwhelmingly for separation from the rest of Sudan in an internationally monitored referendum. South Sudanese fought for centuries against oppression, enslavement, and socio-cultural, economic and political marginalization. The second half of the twentieth century witnessed two significant events that changed the history of Sudan in general and South Sudan in particular. First, the 17-year civil war, which started in 1955 and ended with the Addis Ababa Agreement in 1972 between the central government and the Southern Sudan Liberation Movement (SSLM). Second, the 21-year civil war, which begun in 1983 and ended with the signing of the Comprehensive Peace Agreement (CPA) in Niavasha, Kenya on January 9, 2005 between the National Congress Party (NCP) led government and the Sudan People's Liberation Movement and Army (SPLM/A). During the two decades of the second civil war (1983-2005), an estimated two million South Sudanese lost their lives. More than four millions were internally displaced, while many others sought refuge in neighboring African countries and Western nations. The war also had a devastating impact on people's lives, and livelihoods. The existing infrastructure, educational system, and the agricultural sector in the South were destroyed leading to devastating economic hardships.[1]

Undoubtedly, the signing of the Comprehensive Peace Agreement in 2005 brought relative peace and stability in previously war-ravaged communities of South Sudan, allowing South Sudanese to rebuild their shattered lives and communities. Similarly, the CPA ushered in a new and different understanding of the role of women and men in society. In the political arena, for instance, the CPA stipulated a twenty five percent affirmative action for women's representation in all levels of government to rectify historical injustices and in recognition of their roles and contributions to the liberation struggle. Consequently, the interim period from 2005 until 2011[2] witnessed an increase in the number of women in decision-making positions in the then Government of Southern Sudan (GOSS).[3] Also the number of women entrepreneurs increased. Additionally, women's and gender issues took center stage and became crucial to any discussion, decisions, and policies of the government and civil society organizations. However, despite the changes, and the existence of relative peace and stability in the country, the majority of women in particular continue to experience insecurity, marginalization, discrimination, human rights abuses and gender-based violence.

This study seeks to examine how structural factors, customary laws and traditional practices, and economic hardships shape women's status and hinder their effective participation in leadership positions in South Sudan. By doing so, the study identifies some of the socio-cultural, economic, legal, educational and political conditions that continue to promote gender inequality in South Sudan. It proposes strategies for addressing gender disparities in many aspects of South Sudanese society for the betterment of women's condition, and the promotion of greater gender equality in South Sudan.

During the course of this study various research approaches were utilized for data collection. These include the review of relevant existing literature, government documents and policy frameworks to identify gaps and areas of concerns. One-on-one interviews were conducted with varied selection of government officials, policy makers and ordinary South Sudanese females

and males to understand their experiences and perspectives on issues related to women and gender in South Sudan. In addition to interviews, observation and participant observation methods were used during my visits to public schools, Juba Teaching hospital, the University of Juba, market places, and social gatherings.

Focus group meetings were held with the following associations: the *Ayiki* Farmer's Association in Yei River County whose members include both women and men; the Lo'bonog Women Association in Lo'bonog Payam and *Rabita Salam Wa Muhaba* based in Gu'dele residential area in Juba. The main purpose of the focus group meetings was to elicit data on socio-cultural norms, and to acquire broad perspectives on issues and concerns. Semi-structured, open-ended questions were used to guide the interview process. One of the advantages of open-ended questions is, it allows respondents to provide detailed answers to the question, and it gives the interviewer a chance to ask follow-up questions.

Concepts and Major Themes

Many contemporary South Sudanese government officials and ordinary citizens tend to conflate the concept of "sex" and "gender" with that of "women." This conceptual confusion hinders the effective establishment of governmental policies, programs, and norms capable of redressing a half-century of war-deepened disparities in women and men's abilities to aspire to and achieve positions of community and political leadership. The goal here is to contextualize, and historicize women's participation in leadership positions, and to show how gendered arrangements in South Sudan have often deterred their full participation in politics and other public affairs. Furthermore, analysis of gender mainstreaming is pivotal to broaden our understanding of the significance of the inclusion of gender issues in mainstream policies and programs for the achievement of gender equality. "Women" is used in the context of this study as a vital category of social analysis, understood as a differentiated group with varied experiences and status within South Sudanese Society. It recognizes commonalities as well as differences that exist between women across South Sudan. Whereas, gender is defined as "a way of referring to the social organization of relationship between the sexes." [4]

Some of the challenges to women's effective participation in public life in South Sudan which will be addressed include high illiteracy rates among women, early and forced marriages, gendered divisions of labor that restrict women's abilities to accumulate wealth and achieve economic independence; differentiated social locations of women; and difficulty accessing health care system, among other disadvantages. Knowledge of these challenges is crucial for developing policies and programs necessary for addressing gender inequality that exist in society.

Studies have shown that women in South Sudan face numerous legal challenges particularly in terms of accessing the legal system, mainly due to the dictates of customs and traditions that shaped and continue to shape women's and men's lives in South Sudan.[5] Therefore, the analysis of women and the legal system becomes imperative. Here the focus is on customary law as practiced in South Sudan to show its implications on women's access to the legal system; as well as to show how gender biases are built into the legal system, resulting in a lack of legal resources and justice for women.

Women's participation in politics and decision-making process has attracted the attention of many scholars, activists and advocacy groups interested in South Sudan since the signing of the Comprehensive Peace Agreement in 2005. [6] To provide insights into women's political participation and involvement in decision-making process, the study addresses the 25% affirmative action for women's participation in all levels of government by examining its benefits and shortcomings; and identifying the challenges for achieving gender mainstreaming – "the process of assessing the implication for women and men of any planned action, including legislation, policies and programs, in all areas and all level;" [7] and the 25% women's representation. The study concludes with policy recommendations for the development of gender-sensitive strategies for overcoming gender parities and to ensure gender mainstreaming in South Sudan.

Sex vs. Gender

Discussions centering on women and gender issues in South Sudan often tend to conflate women and/or sex and gender. Sometimes the two are used interchangeable. Many of the research participants pointed to the fact that gender, as a social category of analysis is not well understood by many people in South Sudan. Majority of people tend to equate gender with biological characteristics of being male or female. Such misconception arguably stems from the fact that gender is still a new concept in South Sudan. Even the Ministry of Gender, Child and Social Welfare (renamed Ministry of Gender and Social Development),[8] is assumed by many people as a Ministry of and for women only.

To address such propensity, distinction between sex and gender needs to be conceptualized. Feminist scholars differentiate sex from gender. Accordingly, sex refers to a person's biological maleness and femaleness and is genetically or biologically determined. Here biology or physiological aspects of being a woman and a man are central. Gender, however, refers to non-physiological aspects of sex, which can be understood as a group of attributes and behavior shaped by society and culture that are defined as suitable for the female sex and the male sex.[9] Gender further defines power relations between female and male in society, and determines what is allowed, expected and valued in a woman and a man in a given context.

Feminist theorists conceptualize gender as a social construct, and as culturally & historically specific and differences between male and female are located in social practices, not in biological facts.[10] Doreen Indra in *Engendering Forced Migration: Theory and Practice* further defines gender as a "key relational dimension of human activity & thought," and as a "socially & culturally constructed notions of women and men, and how these notions structure human society."[11] In other words, gender roles and relations are learned and can vary across cultures and over time. Socialization, understood as the process of leaning one's culture plays a key role in shaping gender ideals, role expectation and people's perceptions in any given society. In the context of South Sudan where patriarchal practices predominates, socialization takes place in early childhood, during which girls and boys learn the appropriate roles and behavior for their gender. For instance, girls are taught how to carry out household chores like cooking, cleaning, agricultural work, and family responsibilities and to respect their parents and elders. Similarly, boys are encouraged to learn how to be courageous, aggressive and strong since they are deemed future protectors of the family. Such institutions as the family, school (both formal and informal)

and the media play important roles in perpetuating this process.[12] Therefore, when a girl and a boy become adults, each knows which role she or he is expected to play. Similarly masculinity and femininity are usually seen in opposition, with the former being superior to the latter. As J. D. Holtzman writes in her study titled N*uer Journeys, Nuer Lives: Sudanese Refugees in Minnesota* according to the Nuer masculine ideals, "[t]he man should be the ruler of the home, and his wife should unquestioningly act according to his will."[13] In short, men are seen as heads and protectors of family and society, while women are viewed as dependent, and submissive to them.

Therefore, as a social construct, and as culturally and historically specific, it can be argued that gender constructs and ideologies relating to male and female roles and status are subject to change and redefinition. However, to effect change and to create gender-equal societies, South Sudanese scholars must explore the causes of gender inequality in South Sudan, and, more specifically, the forces promoting women's oppression.[14] Through identifying and understanding the causes of women's subordination and gender inequality, people will be able to provide appropriate solutions that will lead to an equal and inclusive society. Consequently, an appropriate understanding of gender as a social construct reveals that it encompasses far more than narrowly biologized notions of "women" or "sex."

Gender configurations in South Sudan

Contemporary gender configurations in South Sudan are associated with women and men's positions in the family. The roles and expectations of each group are greatly influenced by patriarchal arrangements that existed in pre-colonial and colonial South Sudan. This historical process led to the formation of rigid and oppositional gender ideology which interacted to create gender ideologies that emphasized separate spheres, unequal positions and inequitable power relations between women and men.[15] Like many African societies, South Sudan is patriarchal in orientation, whereby women's participation in politics and other public affairs (excluding agricultural work) was/is minimal and severely restricted. In her analysis of women's achievements in African political systems, Ifi Amadiume defined patriarchy as a "social and political [ideology] which directly decides the role and status of women in society, how society is to be organized, and how social subjects are related to one another."[16] During the British colonial period (1898-1956) a new gender ideology was introduced to reinforce existing patriarchal tendencies in South Sudan. Central to the colonial gender configurations is the 'Victorian ideology of domesticity,' prevalent in nineteenth century Britain. Some of the main features of the Victorian gender ideology relevant to the conceptualization of gender arrangements in South Sudan include its definition of the roles of women and men within the family and the society, and its emphasis on separate spheres of male and female activity, or the public and private spheres. For instance, under the public/private dichotomy, women belong to the domestic sphere, managing and regulating the household economy. On the contrary, men belong to the public sphere of business, politics, military, and other roles deemed male's.[17] Western education and Christian missionaries' teachings during the British colonial period played a key role in promoting the rigid and oppositional gender arrangements. This is mainly because colonial educational curriculum was designed in such a way that steered women to domestic roles while men were taught subjects that prepared them to work in the colonial administration.[18]

In her study of colonial and missionary education in Uganda, Nakanyike Musisi argues that the formal education offered to women by the missionaries and colonial government "did not go beyond preparing women for the domestic life, nor did it differ significantly from precolonial education for women. The methods and philosophy of the missionaries were greatly influenced by the ideologies of domesticity prevalent at the turn of the century in both Uganda and Britain."[19] In other words, the main purpose of Western education was to inculcate both Christian values and morality, and the ideology of separated spheres for women and men. Education was meant to teach girls to be 'better wives and mothers' and boys to be 'responsible fathers and better employees' of the colonial administration. Furthermore, women were not expected to pursue higher education or careers that might remove them from the domestic realm.[20] It is against these backdrops of gender arrangements that women's actions, behaviors, and decisions are measured in South Sudan today. Also given such gendered arrangements, a woman who crosses from her 'designated' domestic sphere to the public sphere is often seen as transgressing social expectations.

Gender Mainstreaming

The United Nations Economic and Social Council (ECOSOC) report of 1997 defines gender mainstreaming as "the process of assessing the implication for women and men of any planned action, including legislation, policies and programs, in all areas and all levels. It is a strategy for making women's as well as men's concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and [programs] in all political, economic and social spheres so that women and men benefit equally and inequality is not perpetuated. The ultimate goal is gender equality." [21]

Gender mainstreaming is not a new phenomenon in the academy and development agencies. Rather mainstreaming gender perspective is central to the gender and development (GAD) approach of the 1980s, which incorporated development approaches known as 'Women in Development' (WID) and 'Women and Development' (WAD) perspectives. The Women in Development perspective took root during the mid-1970s inspired by the "World Plan of Action" established during the United Nations Women Conference in Mexico City (1975) for the "Decade for Women" (1975-1985). It called for greater attention to women in development policy and practice, and the need to integrate women and mainstream their issues into the development process. Women and Development (WAD) placed emphasis on reproductive labor and the role of class in women's lives. This approach stressed the uniqueness of women's knowledge, work, goals and responsibilities. Campaigns geared toward changing policies and placing women's issues and concerns on national and international agendas were key areas of WAD advocates. WAD further explores how increased women's involvement in the development of their society will lead to gender parity.[22]

Gender and Development approach emerged from the grass-roots organizational experiences and writings of 'Third World' feminists as an alternative to WID and WAD. GAD approach sees gender relations as a key determinant of women and men's positions in a given society, and that these relations are socially constructed patterns of behavior which can be changed. GAD focuses on the intersection of gender, class, and race and the social construction of their defining characteristics. The approach also makes a clear distinction between women's interest (a

biological category that assumes homogeneity) and gender interest (a socially constructed set of relations and material practices). [23]

With the signing of the CPA in 2005, the subsequent political independence of South Sudan in July 2011, and coupled with pressures from women activists, academics, advocacy groups and the international community, women's and gender issues became crucial in the processes of policy designs, and implementation of government programs. Consequently, women's and gender issues became central and are incorporated in almost all stated governmental policies, frameworks, and laws of South Sudan. The allocation of a twenty five percent affirmative action for women's representation in all levels of government symbolizes the significance of gender perspectives in governance and democratic principles and transformations. Similarly, Article 16, of the 'Bill of Rights' in the Transitional Constitution of South Sudan (2011) addresses specific concerns of women represents a turning point in the history of South Sudan policies toward women.[24] The integration of women and gender issues into the mainstream government policies and programs can be viewed as significant breakthrough for possible achievement of gender mainstreaming and equality in South Sudan. Mainstreaming women and gender issues in government programs and policies, however, is not an end in itself, but a means to realize gender equality. Maretha de Waal writes, "as a strategy gender mainstreaming requires attention to gender perspectives, and making them visible and showing the links between gender and achievement of the goals of development."[25] In other words, gender mainstreaming allows for the incorporation of gender equality concerns into every aspect of any development process and institutions.

Gender Equality

Gender equality in the context of this study means women having equal access to social, cultural, economic, and political opportunities as men. It does not mean that women and men are the same, but rather that their similarities and differences are recognized and equally valued.[26] Maretha de Waal makes a distinction between gender equality and gender parity. According to her gender parity "denotes equal numbers of women and men participating or benefiting from a project or intervention." While gender equality "refers to women having the same opportunity in life as men, including the ability to participate in the public sphere."[27]

Although gender mainstreaming seeks to remedy patterns of gender inequality for its focus on transforming gender values and norms in a given society or institutions, the outcome of such efforts often times do not lead to gender equality due to many factors such as social and cultural specificity of gender configurations, availability of resources or lack thereof, and people's responses to efforts geared towards transforming existing gender arrangements that exclude, marginalize and discriminate against a certain sector of the society.

Similarly, achieving gender equality requires addressing simultaneously the practical and strategic gender interests in South Sudan. Practical gender interests mean the need for basic services and good that arise out of women's socially constructed roles. Strategic gender interests refer to the transformation of patriarchal relations in a society with real substantive equality between women and men.[28] Unfortunately, given the harsh economic conditions and poverty levels in South Sudan, practical gender needs continue to be the major concern of many South

Sudanese women who are poor, unemployed, and the elderly who live in rural areas. Similarly, the deeply rooted customs and patriarchal tendencies prevalent in South Sudan make it challenging for women alone to tackle both interests. Rather, there is need for consorted efforts of both women and men to address practical and strategic gender interests simultaneously to effect change.

Barriers to Women's Participation in Public Sphere

Women in South Sudan encounter numerous barriers particularly in relation to their participation in the public affairs of the country. These barriers range from social, cultural, economic, legal, political, and institutional. Knowledge of these barriers and challenges is crucial for developing policies and programs necessary for addressing gender inequality in the society.

High Illiteracy Rates among Women

South Sudan is believed to have the worse literacy rate in the World. According to the South Sudan National Bureau of Statistics, approximately 80 percent of people in the country are unable to read and write.[29] Sadly, women represent the overwhelming majority of those who are illiterate, with only 19 percent of them aged 15 and above are literate, while 81 percent of women are illiterate.[30] Several factors contributed to such high illiteracy rates. First, the consequences of the 21-years civil war during which many educational institutions were either destroyed or relocated, and the lives of teachers, students, parents, and communities were shattered. As I noted elsewhere,[31] from the late 1980s through the 1990s, many schools and institutions of higher learning in South Sudan, especially in rural areas ceased to function as the war intensified. Many Secondary Schools in major cities in South Sudan were closed and other higher learning institutions including the University of Juba were relocated to Khartoum, capital city of Sudan in 1987. Consequently, the University of Juba campus, faculty, and student residences were occupied by the Sudan Armed Forces (SAF) and the Popular Defense Forces (PDF). Indeed, such political and economic circumstances negatively affected the educational system as well as the future of two generations of South Sudanese.

Second, education is among the least funded sectors of the government. According to a recent World Bank report, South Sudan spends less funding on health and education compared to other government sectors. After 2008 the [education] "sector receives between 5 and 8 percent of total budget of the Republic of South Sudan … spending."[32] During my interviews, many participants noted the neglect of the education sector. Apart from limited government funding for education, some participants attribute the neglect of education sector to the actions of some South Sudanese 'middle class' and senior government officials who prefer to send their children abroad to study, rather than investing in the country's educational system. As one participant argued "everybody is sending kids abroad to school. The 'middle class' send their children to Uganda [to attend private school]. So it is we who are killing the education sector." Similarly, some South Sudanese who returned from Europe and North America to work in South Sudan leave their children in those countries for better education. Contrary to this view, other participants, especially senior government officials cited lack of adequate funds to fund numerous government projects. According to one senior government official "when it comes to allocating funds question of priorities becomes a problem…usually the government decides on the basis of

the rule of the thumb. The rule of the thumb is that security is paramount." Thus focus on security sector becomes the first priority of the government, and in the process relegating the basic needs of the population to the bottom of the funding hierarchy. Limited funding or lack of investment in the education sector usually leads to further deterioration of existing school structures, high rates of school dropout, and other impeding factors that negatively affect the education of women and men in South Sudan.

Third, socio-cultural perceptions in South Sudan further contribute to the high illiteracy rates among women. For instance, some cultural practices and perceptions in South Sudan tend to devalue girls and women's education. This can be attributed to the fact that male children are favored over girls among many ethnic groups in South Sudan. This preference of boys over girls sometimes influences parents' decisions about sending children to school. Girls' education is generally seen as less important and waste of resources than that of boys. Such perceptions stems partly from the social and cultural perceptions rooted in the understanding that a girl is merely a family 'asset' who would be married off to another family in exchange for bridewealth. A boy, however, is seen as an heir to the family's wealth and property, and who will continue the lineage and family name following the passing of his father.

As I illustrated elsewhere,[33] devaluation of women's education by some parents and society at large has a negative effects on the attitudes of girls, teachers, and school administrators in regards to the importance of girls' education. Teachers and school administrators could ignore or render irrelevant specific needs of female students. Furthermore, school materials that celebrate female achievements and contributions to society, and gender-sensitive teaching methods, are rarely included in education curriculum and planning. My review of South Sudan Primary Eight Social Studies Pupil's Book 8 reveals that notable women from both Africa and South Sudan in particular are not included in the list of important personalities in South Sudan and the African continent. Consequently, such attitudes often lead people to divert their attention from encouraging girls' education, and the value of education to women's lives, and future.[34] However, many participants noted that, the attitudes of some parents are changing toward girls' education, as many came to a realization that they stand to benefit if they send their female children to school.

Fourth, socioeconomic status of a family further affects the chance of girls and women attending school in South Sudan. For instance, economic conditions play key role when it comes to coping with direct costs such as tuition fees, cost of textbooks, uniforms, transportation and other education expenses. As a result, in families with limited income, or living below the poverty line, with many children, parents might have to choose which child will go to school and which one will not. More often, girls are forced to stay home while boys are sent to school. As one respondent noted "many girls enter school but somewhere in the middle they fail to continue largely as a result of early marriages, and families withdrawing their daughters from school to help the mother at home with farming and so on." The same can be said about women who pursue post-secondary education in South Sudan. A Review of the University of Juba report, titled "*Statistical Distribution of Degree Students by Gender in each Colleges according to the Class,*" for instance, revealed that the number of female students attending the university tends to be larger during the first two years of college and diminishes steadily in later or senior years.[35] Figures from University of Juba's "College of Education" shows that there were 39 or 9% of

female students compared to 419 or 91% of male students who enrolled during the first year. However, these numbers dropped to 11 or 12% and 82 or 88% respectively.[36] Hence, although many female students enter university, their numbers dwindle during their senior years in college due to several factors including sociocultural and economic constrains. As noted above, the socialization process in South Sudan as it occurs through family life also shapes gender roles and expectations in the educational process. Thus women are expected to participate in agricultural production and household responsibilities, which limit their chances of enrolling in school and completing their studies.

Thus, high illiteracy rates among women have long-term negative consequences on women's participation in politics and other leadership roles. For example, being a parliamentarian in South Sudan's National Legislative Assembly that uses English language to carry out its functions and duties, requires some level of education, and in particular English language proficiency that allows one to formulate policies and programs, as well as writing of reports on important national and gender issues. Furthermore, for individuals (both women and men) to occupy senior civil service positions in the government, they need some level of education to enable them carryout their duties efficiently. As one senior government official interviewed argued, "it is still necessary for a certain level of education for any specific position in the hierarchy of the government. For instance, one of the criteria for hiring a local government administration officer, a profession that was and still is male prerogative is that the applicant must be a university graduate."

Early, Forced and Arranged Marriages and Women's Progress

Marriage is an important institution in South Sudan. Marriage is a bond between not only two individuals, but also between two (or more) families and/or clans with expectations of promoting peaceful coexistence and cooperation. Marriage is also seen as a bond that is essential for sexual satisfaction, progression into womanhood and manhood, establishing relationships between clans and extending the family. The institution of marriage can also be viewed as an economic, social, and political affair; and the exchange of women as wives between two ethnic groups often symbolizes economic and political linkages. Similarly, women are important as wives and mothers, since their reproductive capabilities are crucial for the maintenance of the husband's lineage, particularly in a patriarchal society like South Sudan.[37] Despite the importance of the marriage institution, early and forced marriages have become a source of concern to many who advocate for improving women and girl's political and economic rights in South Sudan.

Early marriage in the context of this study refers to a marriage that involves an underage or under eighteen years old girl and a man of either the same age or much older than her. Forced marriage involves forcing a girl or a young woman to marry a man of her parents' or relatives' choice against her will. Arranged marriage can sometimes carry elements of both early and forced marriages. For instance, arranged marriage often involves a young girl and man older than her. Those who are involved in the arrangement are often the parents and members of her lineage. The views and concerns of the girl are not usually taken into consideration. All these marriages often involve young girls and older men. They further entail coercion and imposition from the part of the natal family and lineage on the girl.[38]

In the last five or six years there has been a proliferation of reports, mostly policy and advocacy-oriented, about early and forced marriage in South Sudan. Although most of the reports provide useful information on the subject, they ignored the historical and socio-cultural contexts in which such practices occurred and continue to happen.[39] Similarly contemporary circumstances that emerged in post-Comprehensive Pease Agreement (CPA) South Sudan such as new found wealth, power, the easy availability of small arms, etc., and how they interact to influence early and forced marriage practices are not adequately analyzed.[40] Worth noting is the fact that many ethnic groups in South Sudan had practiced early, forced and/or arranged marriages in the past. Thus, why did early and forced marriages have become a rallying cry for many people both inside and outside of South Sudan? Or what has exacerbated the situation in post-CPA South Sudan? To provide answers to these questions it is necessary to analyze the contributory factors to the prevalent of forced and early marriages in post-CPA South Sudanese society.

One of the most cited factors currently contributing to early and forced marriage is poverty. Difficult economic conditions facing many South Sudanese families, particularly those who are living in rural areas or in low income neighborhoods of urban South Sudan favor early marriage for girls. It is argued that many families experiencing economic hardships often times marry off their daughters to wealthy men to cope with their financial difficulties, or gain access to wealth through the payment of bride wealth by the family of the groom-to-be to that of the girl.[41] Payment of bride wealth can be in a form of cattle (among pastoralists) and/or a combination of cash, goats and iron-tipped tools (among agriculturalists). Marriage and the payment of bride wealth are inextricably linked in South Sudan. Additionally, the payment of bridewealth is widely common across all ethnic groups in South Sudan. Thus, abandoning bridewealth systems will not be attainable in near future. However, designing policies and enacting laws that clearly stipulate the amount of cash, other material goods and/or the number of cattle to be exchanged between the families involved is very crucial. Doing so might gradually change people's attitudes toward high bridewealth payment and its use as a source of a family's income.

Related to the economic status of families are school-based factors that push girls to drop out of school and marry. Based on conversations with a faculty member of the University of Juba school-based circumstances can act as push factors for early marriage. According to him the closure of the University of Juba students' residence made it extremely difficult for many female students who are not residents of Juba to meet their living expenses and concentrate on their studies simultaneously. Break out of violent confrontations among University of Juba students emanating from political and ethnic differences led to the closure of the university in mid-2012. Following its closure, the university administration halted free accommodation and meals for students. Instead students are asked to find their own accommodation off-campus and to pay for their meals.[42] The faculty member further argued that "lack of funds to maintain the students' residence and provide free meals for students impelled the university administration to close the residence. Consequently, faced with the realities of lack of accommodation, food, and inability to pay tuition fees, many female students might be tempted to accept marriage offer from wealthy men who could afford to pay bride wealth and take care of her needs." Similarly, gender-based violence, whether in school or other spaces, can cause the occurrence of early marriage. This is particularly true, since rape and other sexual assault cases are first dealt with either at the family level or in customary courts that emphasize reconciliation rather than punishment of the

perpetrator. Under such circumstances and due to the dictates of customs girls who experience gender-based violence sometimes might end up marrying her abuser.

Polygamy is another factor influencing the occurrence of early and forced marriages. Polygamy, a practice where a man has more than one wife living with him at the same time in either the same household – as it was common in the past, or in separate houses – as is the case in cities today, is commonly practiced in South Sudan. South Sudan customs and traditions allow a man to marry as many wives as he can 'maintain' them well. Polygamy has also been regarded as a way of displaying wealth and power. A chief or any rich and powerful man, for instance, may have several wives. In such a situation wealth and power influences a man's decision to marry more wives. Being a chief, a minister or a holder of higher position of power (as is the case in our present time), encourages some men to marry several wives. These wives will share household tasks and provide the husband with many children. Having several wives and children is seen as prestige and source of pride among men of many ethnic groups, and particularly in rural areas. Unfortunately, most polygamists tend to marry younger women who could carry out household responsibilities, meet his conjugal needs that the first wife might not be able to meet, as well as provide him and his lineage with children.[43]

Similarly, access to wealth and power, as well as a man's social standing within the community could influence some parents to marry off their daughter to a wealthy and powerful man, mainly to gain wealth through the payment of bridewealth, improve their social standing within the community and to forge lasting economic and political alliances with the man and his lineage. In contemporary South Sudan, wealth and power play a great role in the prevalence of early and arranged marriages, as well as polygamous practices. For instance, it is common to see most of men holding higher government positions as well as wealthy business owners in South Sudan having additional wives who tend to be younger than them. Furthermore, some South Sudanese who returned to South Sudan from abroad to work in the government or the private sector have married wives in South Sudan while maintaining their first wives abroad as well.

Furthermore, customs and traditions of South Sudan have no clear definition of an adult, thus making it extremely difficult to determine when a girl should legally get married. Traditionally among many ethnic groups, when a woman reach puberty she is considered an adult and thus eligible to marry. Thus, it is common in South Sudan today to see a girl as young as fourteen is married to an older man. Consequently, under customs and traditions of many ethnic groups in South Sudan a girl can be married off as early as 14 years of age or soon after she reaches puberty.[44] Thus unclear definition of an adult, represent one of the most compelling related factor for the prevalent of early and forced marriages in South Sudan.

Lastly, South Sudan's customary law defined as "the body of traditions, mores, social conventions, and rules that through long usage and widespread acceptance direct and govern traditional African Societies,"[45] does not specify the appropriate marriageable age. Likewise, the Transitional Constitution of South Sudan is vague on the legal age of marriage. Article 15 under the 'right to found a family' stated, "[e]very person of marriageable age shall have the right to marry a person of the opposite sex and to found a family according to their respective family law, and no marriage shall be entered into without the free and full consent of the man and woman intending to marry.[46] The decision not to specify the exact "marriageable age" during the

drafting of the Transitional Constitution was arguably influenced by the fact that the definition and understanding of an adult varies from one ethnic group to another in South Sudan. According to a senior government official commenting during a public discussion of my research findings in Juba,[47] "there are certain things that could not be legislated [or written into law] at the time of the drafting of the constitution and one of them is [determining] the marriageable age." The lack of clarity and failure of policy makers to specify the "marriageable age" in the constitution is detrimental to women's right to choose and determine when to marry. It further contributes to the perpetuation of the practice in South Sudan. To address the vagueness of the marriageable age, and to minimize the occurrence of early marriage and its challenges, this study suggests the age of eighteen to be included in the permanent constitution of South Sudan as the appropriate age at which both girls and boys will be eligible to marry. Arguably, at the age of eighteen most women might have completed their basic education and are likely be able to make conscious decisions regarding their lives and future.

In summary, all the factors outlined above partly contributed to the upsurge in early, forced and arranged marriages in South Sudan. Early and forced marriages negatively affect girls' lives and rights. As I discussed elsewhere,[48] forced and early marriages often violate women's rights to education guaranteed by the Constitution. Many girls are often pulled out of school to marry against their will.[49] Early marriages further limit some women's chances to continue education that might allow them to pursue careers in politics and other professions. Some decisions about early or arranged marriages are often taken by parents and male relatives, sometimes without the involvement of the woman. As a result, some women usually find themselves in a disadvantaged position since they cannot decide or act against the will of their parents or elders of the community. Forced and early marriage has the potential to put a woman's life at risk. For instance, a young woman who defies her parents' or male relatives' decision, is sometimes punished or even killed for dishonoring her parents' decision. For instance, since South Sudan gained its independence in 2011, some of its ethnic groups have witnessed a number of young girls being abused and others lost their lives at the hands of their parents or male relatives for refusing to marry a person chosen by the parents, or questioning some of the traditions that are discriminatory to women.[50]

In addition to its impact on girl's chances to complete her education, early marriage also subjects young women to marital and familial responsibilities beyond her mental and physical capabilities. Since procreation is one of the primary purposes of marriage across many ethnic groups in South Sudan, a woman is often expected to get pregnant within 3-6 months after marriage.[51] Likewise a wife is also obligated to carry out household responsibilities such as cooking, cleaning, fetching water and caring for her husband and in-laws, particularly in rural areas where majority of people are likely to live in extended family arrangements. Such role expectations place heavy burden on women's lives, particularly under-age wives, which in turn affect their mental, emotional and physical health. Reports by international health organizations indicate that South Sudan is among the countries with highest maternal mortality rates in the world. According to news reports South Sudan has "one of the highest maternal mortality rates in the world, 2054 deaths per 100,000 live births."[52] Although high maternal mortality rate might results from other factors such as, lack of or depleted health care facilities, particularly in rural areas, economic difficulties, and so on, it can also be argued that, early marriage can also be a major contributing factor in maternal death. Having a child at an early age negatively affects the health and well-being of the mother as her

body and mind are not yet ready to handle the stresses of childbearing and rearing; and her support networks may be considerably reduced owing to many society-wide historical shifts. This situation is further aggravated by the poor health care facilities and provisions characterizing the existing health sector of South Sudan.

Gendered division of labor and Women's Participation in Public Affairs

The division of labor in South Sudan is gendered. For instance, work that is performed within the confines of the household is regarded as women's work. Involvement in politics, fighting wars, and businesses are seen as men's work. As argued earlier gendered roles are shaped through the socialization process as daughters and sons are socialized differently according to their parents' roles in family and society. While girls are taught how to carry out household chores like cooking, cleaning and agricultural work, boys are taught to herd cattle, and/or goats, prepare the land for farming, and encouraged to be aggressive, courageous and strong. This domestic/public dichotomy places heavy burden on women's shoulders while freeing men from domestic responsibilities. Gendered division of labor limits women's ability to effectively participate in activities beyond the household. It further affects girls' education as they are often expected to help in the household responsibilities at the expense of their school work. On the contrary, boys are not always required to do so. It is common, for instance, to see school-age girls in many homes in Juba carrying out household chores upon their return from school.

Women, particularly married women spend much of their daytime carrying out domestic work. Thus, it becomes extremely difficult for them to engage in other public activities such as attending organization or community meetings, participate in politics, and other public professions. Working women further find it harder to balance their professional work and domestic responsibilities. In addition to their professional work, women, particularly married working women, for instance, are expected to fully perform their domestic duties, without any support from the husband or male members of the family. During a focus group meeting with *Rabita Salam Wa Muhaba, a* women's association based in Gudele, Juba, participants described the experiences of working women as they try simultaneously to manage both their domestic and professional or office work responsibilities. As one member puts it "domestic responsibilities are left for women. This makes it difficult to continue with education; especially if a woman was married before completing her education … It is difficult to concentrate, even at work, one cannot perform well sometimes because of divided attention." Long working hours for working women was also cited as another challenge. Government employees in South Sudan are mandated to come to work from 8:00am to 5:00pm (except for Friday during which people work for half a day). This makes it difficult for women to accomplish, for instance, dinner preparation and other household tasks before nightfall. As a result, the dual work-family roles, negatively affects women's performance of her professional work in particular; as much of her time is devoted to accomplishing familial responsibilities.

It is important to note that food preparation particularly for the majority of low income families in South Sudan take up much of women's time. This is because the cooking technologies in South Sudan are not advanced as those found in Western or other African countries. In most cases, charcoal stoves, and/or firewood are the main technologies used to cook meals. Even in urban households (in cities like Juba), that have electric or natural gas stoves, sometimes revert

to the rudimentary technologies when there is an absence of filled gas cylinders or power outage, which is very common in South Sudan. In addition, many households in South Sudan, whether in cities or in rural areas have no refrigerators or electricity to preserve cooked or fresh foods. Consequently, women go to the market-place to buy fresh food items and prepare meals almost daily. In the field of agriculture, weeding, harvesting, shelling, threshing, and winnowing are all done by women. Furthermore, absence of institutional arrangements and facilities to support the combined office work and familial responsibilities – such as child day care facilities, or government incentives for working mothers, hinder women's choices of professional careers. As a result, some women might decline to assume certain challenging activities or jobs that require a high level of cognitive; others might opt for certain types or sectors of work with lower levels of responsibility that allows them some flexibility, and in turn balance their work and family lives. All these familial responsibilities, as they consume much of women's time and energy, in my view place much constrains on women's and girls' chances to pursue educational or professional activities.

Women's Differentiated Personal Locations

Women's differentiated personal locations symbolize another obstacle to women's effective participation in the political process in particular. Women in South Sudan are not a homogenous group. Differences exist based on class, educational level, age, marital status, political party affiliation, ethnicity, regional, and other forms of social difference. These social differences in turn shape and influence women's decisions, and/or the choices they make regarding their political and public affairs participation. These differentiated personal locations also have significant and varying impacts on women's relations to each other, and on their collaborative efforts. For example, political party affiliation, ethnic, and regional differences might act as obstacles to effective women's unity, collaboration and participation in politics. Given the current social and political atmosphere in South Sudan, where political representation is framed along ethnicity, and regionalism, and when ethnic and regional tendencies and loyalties take precedence over national interest and orientation; women increasingly tend to mobilize along ethnic, party, and/or regional lines, rather than on unified national interest.

Interviews, as well as review of literature and news reports on women organizing in South Sudan and among South Sudanese Diaspora, reveal the existence of numerous ethnically based - or regionally-based women's organizations. Very few women's groups mobilize across ethnic, regional and political differences. For example, the South Sudanese Women Empowerment Network (SSWEN), and Women General Association, sometimes referred to as South Sudan Women's Union represent some of the inclusive women's associations. Commenting on the status of Women General Association, the former Deputy Minister of Gender, Child and Social Welfare argued that, "there is no cohesive women's movement in all states of South Sudan." Competition for political positions and/or recognition by party leadership sometimes create tensions and misunderstanding among women in positions of power on the one hand, and between women in power and ordinary women, on the other. Such tensions were raised by many women I interviewed. As one senior female member of the Cabinet of the Government of South Sudan puts it "when you get into the power arena then you also have to struggle to be there otherwise you will be booted out of that situation… [That] there are spaces for women in the constitution and the elite women are running after that." Such narratives expressed by a female

who is in a senior government position clearly explain the general sentiment among many people both male and female in Juba that women who occupy higher government positions are only after their own interests, rather than the interest of all women. Therefore, such state of fragmentation and attitudes in my view negatively affect women's efforts to mobilize across social differences, to build bridges, promote a unified national agenda, and to work as a united front to confront the challenges facing women in the social, cultural, economic and political arenas.

Observation, interviews, and informal conversations with women and men in Juba, show that social stratification among women based on income, level of education and familial and party connections either to senior members of the SPLM ruling party are also hindering women's efforts to mobilize across differences and forge collaborative efforts. For instance, most women in the National Legislative Assembly, the Cabinet, Commissions, and other higher positions in the government represent the 'elite' class in a country that is struggling to meet the basic needs of its population. Similarly, there seems to be a disconnection between women in positions of power and women who are at the lower social strata of society. This detachment can be partly attributed to the fact that some female members of parliament and some in cabinet are not elected by their constituencies during the 2010 election. Hence, they are not answerable to their constituencies, but to those who appointed them. In addition, the austerity measures implemented after the shut-down of oil production in early 2012 – the main source of revenue for the government – prevented many female MPs from reaching women in the grassroots due to lack of funds that will allow them to travel to their constituencies. Commenting on the issue of funds a female MP I interviewed argued that "women in parliament are really trying to make other women understand that there are many problem facing parliamentarians, and the austerity measures have tighten everything, making it difficult for MPs to carry out their work."

Women perceptions about themselves can also hinder their own advancement and empowerment. This is particularly true when women internalize their assumed subordinate position and the long held belief that politics and other public affairs activities are men's prerogative while women's place is at home. Internalizing such perceptions detrimentally affect women's attitudes toward participation in politics or leadership positions. For instance, some women might begin to dislike and/or feel reluctant to involve in politics or express their views in public. Furthermore, women who venture into politics often face many criticisms from men and women alike. For example, women who are politically active are sometimes labeled as "unfeminine," "irresponsible wives and/or mothers," "loose women," and other disparaging words which can discourage other women to pursue career in politics. Therefore, such attitudes and perceptions in my view might act as deterrence to political participation.

Women and the Health Care System

Like other aspects of society in South Sudan, health is another area that has vital impact on the lives of women. Discussion of the state of the health care system in South Sudan is beyond the scope of this study mainly because the research was only carried out in Juba, the capital of South Sudan, and Yei River County in Central Equatoria State. However, it can be argued that health is one of the areas, if not funded and managed properly, will have detrimental effects on the population. Based on observations, informal conversations, and interviews with health care

providers at Juba Teaching Hospital, as well as informal conversations with medical doctors and ordinary citizens, it can be argued that the state of the health care system in South Sudan is depleted. Many health care facilities were destroyed during the 21-year civil war. The dire state of the health care system is further aggravated by the fact that budget allocation for the health care sector is very small compared to other sectors of the government such as security.[53] The poor state of the health care system is reflected in the health facilities in Juba, and in particular the Juba Teaching Hospital. As a referral hospital, where people from all over the country are referred to for treatment, its infrastructural capacity is overwhelmed by the number of patients it serves. As a result the hospital and its personnel face tremendous pressure to meet the demand of its patients.

According to the former Deputy Minister of Gender, Child and Social Welfare, health care is one of women's priorities besides education and economic empowerment. This is because as she argues, many women in South Sudan believe that if their health, education and economic needs are met they will be able to improve their living standard. The choice of health as their priority is in place because women in South Sudan as patients and health workers are facing many health issues. An intersection of economic hardships, work overload and gender has far-reaching consequences on the state of women's health in South Sudan. As the Deputy Matron at the Juba Teaching Hospital argued, "female nurses, who are the majority of more than 270 nurses at the hospital, face many psychological, financial and social problems. Most of these problems stem from low pay and poor work environment characterized by limited medical supplies and other needs necessary for accomplishing their work. Their salary is very small and does not match up with the work they do." Nurses work beyond their capacities, mainly due to their limited number. For instance, "in the emergence ward at the hospital, there are about two nurses against more than fifty patients," argued the Deputy Matron. A female nurse's work does not end after leaving the hospital, as she has to take care of the household responsibilities. As the Deputy Matron explains, "when a nurse leaves at the end of her shift, household responsibilities are waiting for her; household needs or necessities might not be there. So, all these challenges place more pressure on the nurse leading to stressful and depressing live."

Given the depleting health situation in the country, many senior government officials and those financially secured usually travel abroad to seek medical treatment. The grim state of the health care system further led to the proliferation of private clinics and hospitals in Juba in particular. Some of these facilities are either owned by South Sudanese or foreign nationals from China and other African countries. Those who could afford the expenses use these health facilities. Unfortunately the proliferation of private clinics and hospitals, though useful in providing much needed health services to the people; it negatively affects the public health care system in South Sudan, as many doctors are opting to work in the privately owned clinics and hospitals rather than public health facilities such as Juba Teaching Hospital.

Gender-Based Violence and its Impact on Women

Like early and forced marriage, gender-based violence (GBV) is one of the topics that have drawn the attention of may human rights advocates, civil society organizations, and policy makers. Gender-based violence is conceptualized here as violence that targets women on the basis of their gender.[54] It includes any action, which results in physical, sexual, and/or

psychological harm on women. Whereas victims of gender-based violence are not exclusively women, the vast majority are women. Since the signing of the CPA in 2005 cases of gender-based violence against women has been on the rise. Thus, what led to increase in incidences of gender-based violence? Or what are the contributory actors to gender-based violence?

In her study titled "Organizing against Gender Violence in South Africa" Hannah Britton argued that "gender- based violence is often linked to patterns of patriarchy and systems of oppression that are in accord with those formed during the colonial period."[55] According to South Sudan Penal Code Act of 2008, sexual harassment and other forms of sexual abuses are punishable by imprisonment for up to three years, a fine or both.[56] Nonetheless, South Sudan customs and traditions perpetuate practices such as wife-beating, sexual harassment, verbal abuse, rape, and giving girls as compensation to settle family disputes.[57] Wife-beating was and still is common practice in South Sudan; and it is justified as a form of discipline for a wife's misbehavior or indiscipline. A wife's indiscipline might include wife's refusal to cook for her husband, insulting him, abstaining from conjugal relations, or committing adultery, the serious offense of all.[58] The justification for wife-beating and other forms of mistreatment of women are rooted in the belief that, upon marriage a woman belongs to her husband and his lineage, due to the exchange of bridewealth between the two families. As Benaiah N. Duku rightly put it "[o]nce a woman is married to a family and bridewealth is paid, she is considered as [the husband's] family asset/wealth referred to locally [in Bari language] as *tor'buti lo mede*."[59] John Makec in his study of the Dinka customary law further noted that "a man has absolutely exclusive rights over the private parts of his wife which may be described as sacred." [60]

Based on the above quotes, it can be argued that the institution of bridewealth partly plays a great role in determining women's lives and positions both within the family and in South Sudanese society at large. Viewed as a family "asset," some women have unconsciously internalized such perception. Accordingly, a woman might cease to think of herself as an individual once her membership is transferred from her father's family to that of her husband's. Similarly, since a man has 'exclusive rights over the private parts of his wife' as the above quote suggests, this means he has exclusive control over the woman's reproductive health and rights. Under such circumstances, a woman might not attempt to either control her fertility or plan her reproductive health without the consent of the husband. For example, a woman might not be able to obtain contraceptives such birth-control pills, and/or ask her husband to use condom to control her fertility, or for protection from sexually transmitted diseases (STDs).

Conflict situations, such as the 21-year civil war period, the inter-ethnic conflicts that emerged in post-CPA, as well as the prevalent of small arms in many communities in South Sudan, further aggravated the occurrences of gender-based violence. Reports and studies on the consequences of Sudan's second civil war had documented numerous gender-based violence and abuses committed by the warring parties.[61] Thus, during the 21-year civil war, women in South Sudan had experienced gender-based violence such as forced marriage, forced prostitution, rape, and other forms of sexual abuses from both Sudan Armed Forces (SAF) and the Sudan People's Liberation Army (SPLA). Human rights reports during the 1990s, for instance, stated that "[t]he Sudanese army was identified with numerous human rights abuses, including many civilian deaths … extrajudicial executions, rape and pillage"[62]

As I discussed elsewhere,[63] in areas that were under the SPLM/A control or what became known as the 'liberated areas' in South Sudan, many women had become victims of forced marriages, forced relationships and other forms of sexual abuses committed by the SPLA. Similarly, some married women had experienced domestic violence and abuse at the hands of their husbands during the war. In his study of the experiences of women in Western Dinka area, published in 1998, Jok Madut Jok noted that "nearly 80% of the sample women [he interviewed] reported having been battered several times throughout their marriage life for reasons related to refusal of sexual services. Many cases of domestic abuse, which took place at night, were witnessed."[64]

In contemporary South Sudan, gender-based violence has been further intertwined with the availability and easy access of small arms since the end of the 21-civil war, which is often used to threaten and subject women to submission. For instance, today women in South Sudan experience varying forms of abuses such as intimidation, sexual harassment, rape, and so on, at school, work-place, or other public spaces. The Transitional Constitution of South Sudan calls for equal treatment of women and men at the workplace. Unfortunately, women who venture into politics and other public professions sometimes encounter marginalization, intimidation, and sexual harassment from some of their male counterparts. Incidences of rape and other forms of sexual abuse are common in South Sudan. Women are often raped and sexually assaulted, if they venture into public spaces and institutions which are predominantly male – such as the military, the police and other organized forces, or in public spaces such as market places or traveling from one neighborhood, or village to another. For example, a United Nations report published in 2010, noted that women who joined the South Sudan Police Academy in Rajaf district of Central Equatoria State were sexually assaulted by their trainers.[65] Also in August 2011 a 40-year old woman alleged she was raped by four men wearing police uniform in Unity State.[66] Similarly, in the same month a young woman was raped by police men in Juba while in police custody prompting the President of South Sudan to condemn violence against women.[67]

Although some of these occurrences were condemned by the President, and other high-ranking government officials, but no serious measures were taken to address such abusive practices. Committing rape is punishable by 14 years imprisonment and a fine. Nonetheless, the law is not effectively enforced by government institutions responsible for law enforcement. For instance, the majority of those who committed such abuses were not prosecuted for their crimes. Similarly, some victims of rape and other forms of sexual abuse are reluctant to file formal complain to legal authorities, or are not forthcoming in reporting gender-based sexual abuses. According to the Deputy Matron of Juba Teaching Hospital, "some people see [reporting gender-based violence] cases such as rape as shameful. There are many things in our society, if examined carefully they constitute gender-based abuses. But people are not reporting them. Only those who are aware of the danger of such issues report and bring rape victims to the hospital. But many of them do not report." Lack or limited avenues to report abuse cases, as well as social stigma associated with such abuses hinder women from reporting and sharing their experiences. According to former Deputy Minister of Gender, Child and Social Welfare, "there are four police stations in Juba where women can report cases of gender-based violence. One is located in Muniki payam." She further noted that "there is a shelter for victims of gender-based violence in Juba as well. However, women who sought refuge at the shelter are sometimes followed by their abusers, most of whom are the women's spouses, who will go to the shelter, remove the women and take them home. As a result, the shelter was moved to Juba Teaching Hospital for the safety

of the women." Given the size and population of Juba, the four police stations and one women's shelter will not be enough to handle abuse cases. Thus more stations and women's shelters are needed.

Addressing gender-based violence through the legal system in South Sudan is another challenge that faces many women. Based on interviews with officials in the Ministry of Gender, Child and Social Welfare, there are no civil laws that handle gender-based violence resulting in the relegation of such cases to customary courts that in most instances act against women's interests. For instance, customary courts usually require the perpetrator of gender-based abuse to compensate the victim's family. The compensation can be in a form of money or cattle to settle gender-based violence cases as well as other serious cases like murder. As one official in the Ministry of Gender, Child and Social Welfare puts it "you cannot put a price on a human being." Blaming the victim attitude prevalent in South Sudan, and the notion that, any form of sexual abuse is a private matter that should be addressed within the family and/or customary courts, usually contribute to some women's silence and/or unwillingness to speak up against such abuses. All these attitudes and practices negatively impact women's lives and psychological well being.

Women and the Justice System

Article 123 (a-d) of the Transitional Constitution outlines the structure of the judiciary in South Sudan as consisting of "a) the Supreme Court, b) Courts of Appeal, c) High Courts, d) County Courts and d) other courts and tribunals as deemed necessary to be established in accordance with the provisions of [the] constitution and the law."[68] Despite the existence of these structures – some of which are still under development, customary law and customary courts represented by County Courts predominates. A 2004 study of customary law in South Sudan defines the word 'custom' in the context of customary law as "local customs originating by usage in the Sudan and is not applicable to the imported rule of law of foreign origin."[69] Many customary laws in South Sudan exist in unwritten form. A handful of ethnic customary laws were codified, such as those of the Dinka, Nuer, Lou, Shilluk, Kakwa, Pajulu, and Kuku ethnic groups.[70] Thus, the unwritten laws draw on the interpretations of chiefs and elders of the society who are predominantly male, to rule cases. The existence of many customary laws in unwritten form poses serious challenges in local customary courts, especially when applied on issues affecting women's lives. For instance, a woman who seeks divorce in customary courts might not be granted divorce on grounds that bridewealth was exchanged between her family and that of her husband. In certain situations, such as divorce and other dispute cases might be referred to the families to settle outside the court system. This is mainly due to the way in which South Sudanese view law as a reconciliatory instrument for the enhancement of social equilibrium, restoration of social coexistence and social transformation of society. In other words, the main goal is the restoration of harmony and balance in and between families and communities.[71] This is particularly so, when it applies to personal matters of the people.

The restorative and reconciliatory aspects of customary law in South Sudan, though important in maintaining peace and coexistence, often act against women's chances to seek justice. Restorative and reconciliatory justice practices tend to limit and/or delay women's chances to seek legal help in serious cases of domestic disputes, and/or life threatening situations. For

example, in an event of a dispute between husband and wife/wives, members of the two families will first gather to hear the case and provide solutions to the problem. In most cases the couple is encouraged to reconcile their differences for the preservation of marriage, the family and peaceful coexistence between the families and/or clans involved. Even at circumstances where the wife is physically abused by the husband, the main concern of members of the two families is to preserve the marriage and the alliance created between the families. The safety and wellbeing of the woman usually come second. Therefore, many women in such a situation might continue to stay in abusive relationships due to the dictates of customs and traditions that undermine women's concerns and well being. However, emphasizing marriage and family relations preservation should not be interpreted as if the woman's family is not concerned about the safety of their daughter. On the contrary, families normally resort to bringing their daughter and her children (if any) to her natal home. The action of the woman's family will compel the husband and his family to apologize, and to promise to change his attitude and treatment of his wife, and pay for damage or harm caused before the wife could return to her marital home.

Another factor that hinders women's access to justice is lack of financial resources to pay the fees for filing a legal case against her abuser either in customary or civil courts. Article 14 of the Transitional Constitution guarantees equality before the law for all persons regardless of their race, ethnic origin, sex and other forms of social difference.[72] According to a Judge of the Court of Appeal I interviewed for this study "women like any other person under the law have the right to appeal any case deemed unfairly ruled. Similarly, women have the right for legal representation or the right for legal aid." The Judge further noted that there were cases where women appealed the ruling of lower or customary courts at the Court of Appeal and were able to successfully win their cases. However, taking a case to the Court of Appeal, or to be represented by an advocate (who are private practitioners), often requires financial resources, which many women in South Sudan could not afford. Thus, despite the existence of legal avenues for women to seek justice, financial constrains limit women's chances to seek justice. Additionally, given the high illiteracy rates among women, some women might not be aware of their legal rights as guarantee by the constitution.

Women and Political Participation

Despite the existence of inflexible gender configurations that relegate women to the domestic sphere, and the fact that political participation was/is seen as male prerogative, women's involvement in politics in South Sudan did not start with the signing of the Comprehensive Peace Agreement in 2005. Rather, it could be dated back to the first Southern Sudan Regional Government which was established after the signing of the Addis Ababa agreement in 1972. Although there was/is no cohesive women's movement in South Sudan, during Jaafer Nimieri's regime (1969 – 1985), few South Sudanese women were able to participate in politics and public affairs of the country by joining the Sudan Socialist Union's (SSU) women's wing of the party. Those women were able to progress to higher-ranking government positions as members of the parliament, chairs of committees, and ministers in both the then regional and central governments of Sudan.

The period from mid 1990s to the beginning of the 21st century indeed represents a turning point in the history of South Sudanese women's involvement in politics and public affairs. For

instance, many women joined the liberation struggle as combatants some of whom progressed to high ranking positions in the Sudan People's Liberation Army (SPLA). In the home front, women supported the struggle by providing food to the soldiers, caring for the wounded, the sick, children, the elderly and the orphaned. [73] Another dramatic development was/is the emergence of the spirit of activism and organizing among women. South Sudanese women refugees and immigrants' experiences in exile, for instance, brought them into contact with other cultures, people, laws, and challenges. Likewise, those internally displaced drew on their displacement experiences to challenge discriminatory and marginalizing policies and practices.

This spirit of activism allowed many women inside and abroad to mobilize and campaign for change in laws and negative cultural practices affecting women, and for the inclusion of women in decision-making processes. It has also allowed many South Sudanese people to acknowledge the fact that women are marginalized, and there is an urgent need for improving women's conditions. Thus, women's marginalized position is officially recognized by late Dr. John Garang de Mabior, in his speech during the signing ceremony of the Sudan Comprehensive Peace Agreement (CPA) (Niavasha, Kenya, January 9, 2005). According to him "women in Sudan as elsewhere in the world are marginalized of the marginalized whose suffering goes beyond description." [74] As a result, the CPA clearly stipulated that people's rights and fundamental freedoms be respected in accordance with international human rights treaties.

Recognizing the contributions made by women to both, the liberation movement and society at large, and to redress historical injustices, the signatories to the CPA allocated a 25% of women representation in all levels of government. Consequently, the number of women in government positions and other public affairs increased significantly as compared to previous years. In early 2013 President Slava Kiir Mayardid noted that "in Republic of South Sudan, we have taken a stand and publicly declared that women should participate, at least 35% in all levels of the government."[75] The President's point of increasing the percentage of women's representation to 35% is further reiterated by Vice President Wani Igga in his September 2013 statement to the United Nations General Assembly meeting in New York, that "the SPLM as a ruling party is raising women's political participation from 25% in the current constitution to a minimum of 35% in the proposed permanent constitution."[76] These developments indeed represent major breakthroughs, if implemented, for women's participations in politics and other public affairs.

The 25% Women's Representation: Benefits and Shortcomings

Benefits

South Sudan is not the first country in Africa to introduce a quota system for women's representation. Different parties in countries like Rwanda, South Africa, Uganda, Mozambique, Sudan, and others have implemented similar systems to improve and promote women's participation in politics.[77] Debates on quota system or affirmative action for women revolve around questions of whether quota systems are beneficial to women or not. In the context of South Sudan, one of the major benefits of the affirmative action for women is that it led to increase in the number of women representation in various government sectors at national and states levels. As I noted elsewhere,[78] the interim period (2005-2011) witnessed an increase in the

number of women in decision-making positions of the former Government of Southern Sudan. After independence and subsequent formations of the Government of the Republic of South Sudan, the number of women increased significantly. For instance, the number of female members of parliament (MPs) reached ninety five in the National Legislative Assembly, and five women in the Council of States. In the national government prior to its dissolution on July 23, 2013, there were five female ministers and ten deputy ministers.[79] In the cabinet that was constituted in early August 2013, there are five female ministers and a number of female deputy ministers. Similarly, there are women who serve, for instance, as undersecretaries, head of commissions, presidential advisors, and county mayors, and other higher positions in the national and state governments. Women are also represented in state assemblies and other levels of state governments. Drawing from the above figures it is worth acknowledging that although the 25% of seats has yet to be fully implemented; the affirmative action for women has led to increase in the number of women in parliament and other key positions in the national and state governments. Thus, women in South Sudan are making strides in political participation.

Second, the presence of substantial number of women in parliament and other government institutions have ushered in changes in the culture of government institutions and in some people's attitudes towards women's role in politics and public affairs. According to a female MP interviewed for this study, "there are changes within the premises of the parliament. There are four to six bathrooms for women and that is an indication that women are considered in every decision now. With the emphasis on gender issues, male MPs now see that in everything they do they have to consider women. Even women are given percentage in the parliament's specialized committees." Another senior government official further noted that "the presence of women in parliament has already impressed people. In fact many people have been surprised by the capability of women. Their ability to articulate issues, to stand on issues on the basis of principles, and sometimes their loyalty to their party. It has been noted that across different ministries that women are more effective in applying regulations than men … and by comparison they are less corrupt than men."

The third benefit of the affirmative action for women is that, it brought women and gender issues to the fore front of the national debate. It is common today, for instance, to hear about specific issues affecting women and power relationship between women and men discussed on national and independent media outlets, workshops, conferences and other avenues in South Sudan. Issues such as women's rights, gender-based violence, human rights, and so forth are frequently discussed by government officials, women's groups, policy makers and ordinary South Sudanese.

Fourth, the 25% affirmative action for women can also be seen as one of the mechanisms which have been used to accelerate the political empowerment of women in South Sudan. For it addresses the historical imbalances that exist between women and men in the political arena. A senior government official interviewed argued "many of our people [South Sudanese] feel that in order for a society as a whole to develop fast, it is necessary to afford women greater opportunities for catching up with men. These opportunities start with education. Girls' education is to be expedited and women employment be enhanced through affirmative action. This is because, if people are left to compete freely, women will remain for a very long time disadvantaged." Moreover, although the affirmative action for women introduced by the SPLM party, it might indirectly influence and encourage other political parties in South Sudan to adopt

a similar mechanism for the inclusion of women in their political structures. Also, the affirmative action for women, if used effectively, can increase women leverage within the parliament and executive. For instance, getting more women into parliament is only one part of the tasks of representation. However, ensuring that women MPs have some influence in relation to policy decision is equally important.

Shortcomings

Besides its benefits outlined above, there are shortcomings of the affirmative action for women that are cited by the majority of the research participants. One of the shortcomings of the 25% women's representation is tokenism – the likelihood that party leaders will choose women candidates who are token representatives; and least likely to upset the political applecart, rather than women candidates with strong links to either independent women's organizations or their constituencies. Narratives of research participants, observation and review of the SPLM party's strategy of nominating women to contest in an election; or appointing women into higher government positions since the signing of the CPA, reveal specific and recurrent pattern. For instance, most of the women who are routinely appointed to senior government positions have links to either current or former political leaders, leading figures or dominant ethnic groups in the SPLM or other political parties represented in the government. In addition, most of women in the national parliament, the cabinet and other high profile government positions are either daughters, widows and wives of leading political leaders past and present, or 'participants' in the liberation struggle, and/or party loyalists.

Describing the President's criteria for nominating female members to the cabinet, a senior government official interviewed explained that "when the president is required to make appointments he has to balance a number of factors, which include: the region and state she represents, ethnic group within the state, qualifications and political party affiliation." Additionally, explaining the mechanism of nominating women to the SPLM party list in the run up to the 2010 election, a female MP noted that "participation in the SPLM party as a member, and an active participation in the movement during the armed struggle were key factors considered during the nomination." She went further to argue that the SPLM party leaders "were considering women who were active during the liberation movement [to be included in the party list]. Some women were given a chance to come to the assembly even though they do not know how to read and write. Some of them cannot speak English or Arabic, but they are there in the assembly ... because the SPLM leadership wants the women to feel that they are recognized for their contributions to liberation struggle." Drawing from the above narratives, it is clear that qualification or meritocracy is not considered very important in relation to other factors such as participation in the liberation movement, which takes precedence.

Another weakness of the affirmative action for women is its emphasis on numeral representation, which is hardly fully implemented. As noted earlier there are proposals to increase the percentage of women's representation from 25 to 30 percent, while the original 25 percent for women representation is yet to be accomplished. For example, the list of the appointed ambassadors did not meet the 25% women representation. There is one first class female ambassador and five female ministers in the cabinet that was dissolved in mid-July 2013. Lack and/or limited representation of women in many specialized committees such as the security

committee in charge of drafting the security bill, and other decision-making organs of the government represent a weakness of the 25% women's representation. Therefore, as one government official interviewed noted, "if the 25 percentage is not met then there is no need to increase it to 35%, simply because doing so will not effect change in women's lives and their representation in government." Based on such concerns, many research participants argued that there is need to move beyond numeral representation to issues of budgeting for women's programs. As the former Deputy Minister of Gender, Child, and Social Welfare puts it, "there is need to design budgets that are gender sensitive to ensure implementation of programs and their impact on women and men's lives." Another female MP commenting during a public lecture based on the findings of this study noted that "it is not the numbers, but what people should do to improve institutions and women's conditions."[80]

Other participants argued that women representatives who were elected through party affirmative action are less likely to act on the basis of mandates from the people and are more likely to seek favor with political elites who are mostly males. Similarly, a mechanism such as the 25% affirmative action is often open to manipulation by party leaders and can act as barriers to direct accountability of party leaders to members. According to an official in the Ministry of Gender, Child and Social Welfare, "gender and call for gender equality is sometimes used by some women as an opportunity to gain power and not to promote the concerns and interests of other women. That many women politicians in South Sudan want to please others, especially party leaders to gain political position and maintain power." This last point might explain why, although the number of women in parliament and other government institutions had increased substantially, the conditions of many ordinary women in South Sudan still remain unchanged. Based on observation as well as visits to Juba Teaching hospital, and market places in Juba and Yei, it is clear that many women in South Sudan still live in abject poverty, poor housing and health conditions.

Another shortcoming of affirmative action for women representation is the power of patronage within a given political party. For instance, most of the women MPs were elected during the 2010 election. Thus, they are sometimes required by party leaders who are mainly men to adhere to the party policies and obligations. As a result, when women's political survival and/or decisions they make depend upon the approval of the political party that granted them the affirmative action, women's efforts to challenge the party's leadership or discriminatory policies against women are significantly curtailed. This situation makes it difficult for many female MPs and/or those in the cabinet who came through the SPLM ruling party ticket, for instance, to push for the implementation of policies that are contrary to the principles of the party. As one female MP rightly put it, "women in parliament have to go with the policy of the government. We cannot really do something outside the government."

Additionally the conceptualization of the 25% affirmative action for women did not account for the domestic productive and reproductive responsibilities of women. As noted earlier almost all domestic responsibilities in South Sudan are carried out by women. These responsibilities consume much of women's time due to the rudimentary nature of the cooking technologies in South Sudan. Also the framers of the 25% affirmative action for women failed to acknowledge the reproductive role of women and the fact that child caring and rearing fall squarely on women's shoulders. For example, the implementers of the affirmative action fail to put in place

mechanisms for the creation of institutions such as child care centers or economic benefits for women that will allow them to conduct their government duties effectively. For instance, provision of child day care centers whether within or adjacent to government institutions will ease women's challenges related to childcare concerns. Thus, even though the 25% affirmative action have allowed many women to assume positions in all levels of government as compared to previous years, still women, especially those with young children face double jeopardy as they attempt to fulfill their office work and familial responsibilities simultaneously.

Despite the relative increase in the number of women in senior positions in the government, nonetheless, women are not yet fully incorporated as equal partners into the male-dominated political structure of South Sudan. Although the allocation of twenty five percent of seats to women and its proposed increment to thirty five percent ensures women's political participation, it does not avail women with the same power to make decisions on issues of national importance as their male counterparts. For example, a female MP in an interview with the author argued, "since the establishment of the National Legislative Assembly, women MPs have yet to sponsor a single bill that deals specifically with women's concerns and interests." Women are often relegated to political positions and institutions that reflect their stereotypical domestic roles of caring and nurturing. For instance, since the signing of the CPA in 2005, not a single woman is appointed to lead key ministries such as the Interior, Finance, or Defense. Often, women are relegated to service-oriented ministries and institutions. Therefore, it can be argued that the 25% affirmative action for women's representation, though beneficial to a limited extent, it only created the false impression that gender inequality and women's concerns and interests have been dealt with aptly.

Challenges of Achieving Gender Mainstreaming and the 25% Affirmative Action

Incomplete and Non-Implementation of National Policies

One of the biggest problems facing legislators, both females and males in South Sudan is policy implementation. Many policies passed by the NLA and signed by the President remain unimplemented. It is true that legislating a policy is a necessary step, but it is not sufficient condition for ensuring the adequate implementation of the policies. While I was in Juba, I visited many government institutions and interviewed a number of government officials on issues related to policy design and implementation. The study findings suggest that most of the policies of the different sectors of the government are not yet completed, but exist either in a draft form or are not implemented. For instance, the National Gender Policy; and the National Gender Policy Strategic Plan are still in draft forms. The curriculum of the General education is still under discussion. According to an official from the Ministry of General Education and Instruction, (renamed Ministry of Education, Science and Technology in early August 2013), "three workshops were held to discuss the curriculum. The third workshop was concluded in mid-July, 2013. A fourth one is scheduled for early 2014." The National Security Bill and many others are yet to be passed as well.

In addition, the Local Government Act of 2009, the South Sudan Research Council Act of 2008, and many others are not implemented. An official at the Local Government Board I interviewed argued that "the Local Government Act of 2009 is not the only act that is not implemented. Non-

implementation of policies applies to a multitude of policies passed by the parliament. We [South Sudanese] are good in having theories, but to implement is a problem." Other participants attribute the lack of policy implementation to lack of resources. One senior government official argued that "most policies have not been implemented because of lack of resources. Any policy that requires financial outlays to carry out has suffered over the last few years because of lack of adequate funds. Thus the failure or non-implementation of policies has less to do with lack of political will; they have more to do with lack of funds."

Other reasons often cited as obstacles to policy implementation include cultural perceptions and stereotypes that make it difficult for people to conform to the policies; and the existence of many inter-connected and competing priorities which are equally important; thus making it difficult for the government to choose between, either responding to all at once or prioritizing them. This explains why the security sector takes the biggest share of the national budget, a point emphasized by many government officials. Despite the various reasons cited above as obstacles to policy implement, it is problematic to just design a policy and leaving it unimplemented. Doing so hinders the effective functioning of all governmental institutions, delivery of much need services to the citizens and addressing gender and other inequalities in South Sudan.

Ineffective, Weak and Under-Funded Gender Focal Points

In an effort to mainstream gender in all levels of government the Ministry of Gender, Child and Social Welfare has established Gender Focal Points or coordination departments in all government ministries and institutions. The main purpose of the Gender Focal Points is to create awareness on gender issues and address the tendency to equate gender with women and the common understanding that the Ministry is a women's ministry. These departments also act as linkages between the Ministry and other government institutions. However, most of the Gender Focal Points are ineffective due to several factors. First, they are not adequately funded. Second, some of the Gender Focal Points are managed by personnel who might have limited knowledge and unclear understanding of gender issues. During the field work I visited several government institutions with an intention of meeting heads of the Gender Focal Points and learn about their programs, activities, and relations with the Ministry. Unfortunately, I was unable to meet with a single official from most of these departments. I was able, however, to meet with an official at the Local Government Board, whom I was able to interview. In some ministries and other government institutions I was either encounter an empty office, or told that the head of the unit is out of the country, or in a meeting or attending a workshop. Lack of resources and other challenges such as bureaucracy and hierarchal arrangement of personnel related to decision making, sometimes affect the effectiveness of the Gender Focal Points and its programs' implementation.

Review of the "Republic of South Sudan Draft National Budget Plan and Draft Budget 2013/14" showed that the Ministry of Gender, Child, and Social Welfare's 2012/13 enacted budget was 7,421, 607 and 2013/14 draft budget is, 7,421,607 (Draft Budget 2013/14: 623).[81] Furthermore, the Ministry shares office space with the Ministry of Health. Some of its directorates are in temporary structures built probably when the interim Government of Southern Sudan (GOSS) was established in 2005. Thus, the Ministry has limited work space for its staff. Conversations with officials in the Ministry further show that lack of funding for research as well as lack of

policy implementation hindered any attempt to improve women's status and achieve gender mainstreaming and equality.

Many research participants also noted that the 25% affirmative action for women representation has not been translated or operationalized well at the grassroots level. This can be attributed partly to non-completion and non-implementation of policies geared toward achieving gender equality. As one participant argued "the 25% women representation has not filtered down beyond leadership positions and this brings on board whether women leaders are keen to propagate it beyond their level to that of ordinary women in South Sudan." Although the 25% women's representation partially succeeded in increasing the number of women in parliament and other public institutions, issues of service delivery and evaluation of the level of efforts exerted by women, men and the government to achieve gender mainstreaming and equality are equally important. Thus, and as one respondent argued, "there is need to move beyond numbers and focus on how to prepare young girls from grassroots level to acquire the skills and knowledge necessary to compete."

Policy Recommendations

During the course of this study, I examined social, cultural, legal, economic and political aspects of South Sudanese society to uncover their impacts on women and gender issues. The research findings reveal several perspectives pertaining to women's conditions and gender issues in South Sudan. To address the pressing issues identified above, the study proposes the following interrelated policy recommendations envisioned to promote gender mainstreaming and achieve gender equality in South Sudan.

Achieving Women's Priorities: Health, Education and Economic Empowerment

To achieve the three priorities of women – health, education, and economic empowerment – the study recommends the following to all stakeholders – national and state governments, private sector, the civil society, traditional authorities, women, men, and parents.

Reduction of High Illiteracy Rates among women

Studies have shown that investing in education in general, and girls' education in particular is beneficial to the individual, the family and society at large. As primary caregivers in South Sudan, educating women can contribute positively to the health, family well-being, and education of the future generation of South Sudanese. In addition, through education women can improve their self-confidence and self-esteem by having access to knowledge. Furthermore, education is key to addressing the difficulty of translating good policies and good constitution to realities on the ground and to change people's perceptions about women's position and status in society.

To reduce high illiteracy rates among women this study recommends that the government and the private sector should invest in the education sector by building school infrastructure, training of teachers and other educational professionals to provide a conducive environment for learning.

For example, Teacher's Training Colleges such as Yei Teacher Training College (YTTC) in Yei River County, Central Equaoria State, should be replicated in other states to train teachers and improve their standards. Strengthening existing Ministry of Education Science and Technology's "Alternative Education System" that aims to assist out-of-school learners, children and adults to gain knowledge and skills for successful future need strengthening through training of teachers, development of school infrastructure and provision of educational materials.

Moreover, individuals, local groups – such as community organizations, churches, mosques, women's groups, etc. should initiate and implement a national literacy campaign that targets adult females and males to improve their literacy not only in English, but in Arabic and the various national languages spoken across South Sudan as well.

To address issues of school's inaccessibility, increased enrollment and retention of girls at school, the national and state governments should develop and implement programs that will improve enrollment and retention of girls in school. Programs such as boarding schools, provision of school lunch programs, and transportation networks, for instance, will address the difficulty of accessing schools and reduce household workload on school girls. This is significant because investing in girls' education will improve women's standards and allow more women to move into higher professions and well paying jobs.

Given the state of higher education in South Sudan which is characterized by lack of funding, poor infrastructure, poor students' performance, etc.; and to ensure better quality of higher education for students, the national government should seriously invest in higher education, and strengthen the existing national institutions of higher learning such Juba and Upper Nile universities.

Addressing Socio-cultural Perceptions that Devalue Women's Education

South Sudan cultural perceptions and customs tend to devalue women's education. Women are often seen as family 'assets' who would be married off to other families in exchange for bridewealth. To redress such perceptions this study recommends that the government, civil society organizations and women groups design educational programs to create awareness among the population, of the importance and value of girls' education. Furthermore, women organizations, civil society, advocacy groups, men and women should embark on awareness raising campaign, especially among parents and citizens of the country about the importance of educating both male and female children. Avenues such as houses of worship – churches and mosques – schools, women organizations, faith-based organizations and the media should be utilized to carry out awareness raising campaign and dissemination of information. For, it is through education and awareness of one's rights that society in general, and women in particular will overcome some of the barriers to women political participation.

Achieving Gender Equality in Education

To achieve gender equality in education, the Ministry of Education, Science and Technology need to develop gender-sensitive curriculum and teaching methodologies that value and respect the positions, achievements, and contributions of women to the family and society at large. For

instance, there is an urgent need to rewrite the "South Sudan Primary Social Studies Pupil's books" in a way that reflects the roles and contributions of both women and men to the social and historical development of South Sudan. Similarly, to inculcate the spirit of national unity, strong national sentiment and inclusivity, there is an urgent need to develop a unified education curriculum that reflects the historical realities of South Sudan. Likewise, the national constitution and other laws of South Sudan should be part of the school curriculum and be taught at all levels of the education system.

Improving the Health Care System

To overcome some of the health challenges facing women, the study recommends the following. The national government should invest in infrastructure such as construction of roads and bridges to facilitate peoples' access to health care facilities around the country. Investment in health infrastructure by building new health facilities and renovating the existing ones, as well as training of nurses, doctors, and other medical professionals is necessary to meet the growing needs of people seeking medical treatment; and to address issues of capacity and heavy workload on medical personnel. Increase awareness on the importance of healthy eating, sanitation, etc. for better health of both mother and child is equally important. There is also an urgent need to improve the literacy rate of mothers by investing in continuing and adult education programs.

Empowering Women Economically through Agriculture

My findings suggest that poverty and food insecurity in South Sudan are major challenges facing many people, and in particular women. With the shutdown of the oil, the major source of revenue in early 2012, and the austerity measures that followed, many people have turned to agriculture as a means of survival; among them are women. Interviews with Yei River Country A/Commission of Agriculture, and members of *Ayiki* Farmers Association in Yei River County, a member of Juba West Farmers Association, and the Secretary General of the South Sudan Food Security Council stated that women are now turning to agriculture as a means to sustain their lives and their families. Traditionally, women are dominant in the agricultural sector in South Sudan. Almost 80% of agricultural work is done by women in South Sudan. Many women today are involved in both subsistent and commercial farming – planting of food and non-food crops. However, farmers both women and men are facing numerous challenges ranging from lack of modern agricultural tools, storage facilities and better roads linking centers of production with market places.

To overcome these challenges the study recommends that the national and state governments should invest in infrastructure development, especially roads and bridges to help farmers transfer their products from centers of production to markets. There is also an urgent need to construct safe storage facilities for farmers for storing and preserving their agricultural products. Furthermore, provision of such services as schools, clean drinking water, and health facilities to farmers and communities emerging around farming areas is vital. The Ministry of Agriculture (rename Ministry of Agriculture, Forestry, Tourism, and Animal Resources, and Cooperative and Rural Development in early August 2013), should train more Agricultural Extension Officers (AEOs) to help train farmers on appropriate ways of farming, storing and marketing their products. Also the new agricultural technologies, such as farming tractors introduced in South

Sudan should be gender-sensitive and should meet the needs of women as well. For instance, women need to be trained on how to operate these technologies.

Combating Early Marriages and Gender-based Violence

To address the prevalence of early marriages and gender-based violence in South Sudan the study recommends the following: the need to clearly specify the appropriate marriageable age in the constitution of South Sudan to protect young girls from such practices. Women's organizations, and in particular the South Sudan Women's Union and the SPLM Women's League, civil society organizations, and advocacy groups should lobby and exert pressure on the Constitution Review Commission to include specific age as the appropriate marriageable age in the constitution, to alter misconceptions about the definition of an adult among certain ethnic groups in South Sudan; and to combat the practice of early marriages. For instance, to address the vagueness of the marriageable age in the Transitional Constitution, this study proposes the age of eighteen as the appropriate age of marriage and should be included in the permanent constitution. Arguably at age eighteen most women might have completed their basic education, and are likely be able to make conscious decisions regarding their lives and future.

It is important to create awareness among parents and the community of the dangers of early marriage on women's health and psychological wellbeing. Women and human rights advocates should draw on the Transitional Constitution and relevant international instruments such as the International Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) 1981, (which was forwarded to the NLA for discussion in mid-2013), to pressure the government to implement laws and policies geared toward combating early marriage and gender-based violent. For instance, the Transitional Constitution and in particular the 'Bill of Rights' provides women and their allies with the tools necessary to pressure the government and traditional authorities in South Sudan to reform some laws and customs to ensure that women's rights are respected and customary measures considered harmful to women are altered. The study further recommends that, the Ministry of Gender, Child and Social Welfare need to establish more shelters for abused women in all the 10 states in South Sudan. Establishing gender-sensitive centers and institutions to allow women report cases of gender-based abuses is equally important.

Redefining Gender Division of Labor

To address the gendered division of labor that falls heavily on women's shoulders there is need to redefine gender division of labor in South Sudan. This process begins at home. Therefore, parents and the society at large should rethink and re-evaluate, and challenge the socialization process that perpetuates gendered role expectations and inequality. Rather, equal treatment of female and male children should be encouraged and promoted. It is important that children are treated equally regardless of their gender. Thus both boys and girls should help out in the household task in order to eliminate the differentiated understanding of work, and the assumption that domestic work is only women's work. Raising awareness on the importance of educating both boys and girls in the family is also necessary. Furthermore, the government, and in particular the Ministry of Education, Science and Technology should develop gender sensitive curriculum and teaching methods that value and respect the rights of women and girls. For

instance, school text books should include South Sudanese women's experiences and their contribution to South Sudan social, cultural, economic and political life. Training of female teachers at all levels of the educational system is imperative to motivate young girls and their parents to pursue education. It is through such actions that gradual change of attitudes, perceptions and behavior toward gendered division of labor could occur.

Investment in Early Childhood Day Care Facilities and Improvement of Basic Services

Many women interviewed noted the negative effects of long working hours (from 8:00am to 5:00pm) on their lives, especially when they have to take up domestics roles of cooking, fetching water, etc., upon their return from office work. Other women, especially those with young children noted the challenges of finding institutions or individuals to care for children during their absence from home. Thus, this study urges the government and the private sector to invest in early childhood day care centers, particularly in cities, and improve basic services such as electricity, clean drinking water and other basic needs not only in urban areas but in rural communities as well. These actions will benefit working women and will allow them to carry out their professional work effectively.

Research and Documentation of Women & Gender History for Inclusion in Educational Curriculum

My review of South Sudan Social Studies text books for Primary one to 8th grade revealed that women are often featured in social and familial settings. Hence, they are not included in the historical and political arenas. For instance the list of important African and South Sudanese personalities cited in the 8th grade Social Studies text book mentioned earlier, did not include African and South Sudanese women. To address this gap, the study recommends the inclusion of South Sudan women's history through research and documentation. The difficulties experienced by women during the war, and the survival strategies they used to sustain their families and communities amid war and instability; and how women protected themselves from gender-based violence and domestic abuse should be studied and documented. Women's political participation, challenges they face as politicians and decision makers, and their intellectual achievements and contributions to South Sudan historical development need to be included in text books. The experiences of South Sudanese in the Diaspora – their migratory and settlement experiences, adjustment process, and their social, cultural, political, economic and intellectual contribution to their host societies as well as to their communities in South Sudan, also need to be documented. For instance, obtaining tape-recorded and videotaped interviews with girls and women of all ages and from all regions of South Sudan describing their wartime experiences and their hopes for the future is important. Similarly, asking those in the Diaspora to record vignette recordings in which respondents recount some of their most challenging and rewarding experiences of migration and settlement in the host society is equally important. The recorded interviews could be disseminated through publishing articles, books, radio and television presentations, documentary films, etc. It is only through such an undertaking that contributions and achievements of South Sudanese in general, and South Sudanese women in particular will be appreciated and will be featured in the education curriculum and teaching methods in South Sudan.

Improving Women's Access to Law

To address the difficulties faced by women in accessing the justice system in South Sudan, the study recommends training of more legal personnel both male and female to handle cases related to sexual harassment, domestic abuses, rape and other forms of gender-based violence. In addition, the Ministry of Justice and other legal institutions – both public and private should invest in the training of paralegals, especially women to work with victims of gender-based violence. To achieve the training of the paralegals, for instance, the Ministry of Justice should partner with the University of Juba's College of Law and South Sudan Law Society, to accelerate the training process. The establishment of, and strengthening existing public, private and community institutions that collect, document and report cases of gender-based abuses, and create awareness on legal and human rights issues and women's rights to legal representation guaranteed by the constitution, and access to the Courts of Appeal are necessary. Also the national government should develop and implement the legal aid programs stipulated in the Transitional Constitution, by allocating funds to help women facing financial difficulties to access and pay lawyers, or private advocates to represent them in court.

Policy Implementation to Promote Gender Mainstreaming and Ensure Gender Equality

The research findings suggest that most of the national policies that are passed by the parliament and signed by the President are not implemented. Similarly, the Ministry of Gender, Child and Social Welfare's National Gender Policy is in a draft form at the time of this research. To ensure the implementation of gender mainstreaming and accomplishment of gender equality, the study recommends that the national government should implement the policies by providing the necessary funding for their effective and timely implementation. In addition, the Ministry of Gender, Child, and Social Welfare should finalize the National Gender Policy and make sure it is implemented. Similarly, to strengthen the Gender Focal Points in all government institutions the study recommends that they should be adequately funded, and that competent and dedicated personnel be employed in these units to ensure their effective functioning and achievement of gender mainstreaming in all government institutions.

Transcending social differences and rethinking Organizational and Mobilization Strategies

To overcome women's differentiated personal locations, the study urges women to transcend their social differences and to rethink their organizing and mobilizing efforts so as to cultivate the spirit of togetherness and solidarity, and forge a united front to deal with the challenges facing them. The Ministry of Gender, Child and Social Welfare and the General Women's Association or South Sudan Women Union should take the lead in championing this process, which could be achieved through developing and implementing the following strategies:

- Developing an inclusive women's platform for the next 5 years. This platform should address both the practical and strategic gender issues and concerns. The goal is to eliminate power inequalities based on gender such as gendered division of labor, social and economic disparities. In the process of developing women's agenda, women need to identify some of the customary, legal, cultural, political and economic obstacles to women advancement and effective political participation in South Sudan.

- Strengthening South Sudan Women's Union by bringing together women from all the ten states, political parties, and civil society organizations to develop programs that promote women's interests and agenda, articulate the differences between political parties and women's movement, and address challenges facing women in South Sudan. The Ministry of Gender, Child, and Social Welfare also needs to secure funding from both the government and external donors, to fund the programs and activities of the South Sudan Women's Union.

Operationalization of the 25% Affirmative Action and Overcoming Barriers to Women's Political Participation

The study recommends that the 25% affirmative action should move beyond numeral representation to improve women's chances to compete and progress in the public arena by delivering services. Representation of women in all levels of government is a step in a right direction; however, it is not an end in itself. Rather, representation should be accompanied by improved service delivery – that is the need to prepare young girls from grassroots level to acquire the skill necessary to compete in the job market and political arena. Currently, the 25% women representation is solely limited to political participation. Hence, there is need to train women in other fields, such law, engineering, medicine, social sciences, etc., to enable them to compete in the civil service sector of the government as well as private institutions.

The research findings further show that the 25% affirmative action for women representation is not fully implemented at all levels of government, especially at the civil service levels of government. Therefore, the study recommends the need to conduct research in all the ten states to assess the extent to which the 25% affirmative action has been fully understood and implemented. Such research will also explore and identify the challenges facing its implementation, and suggest possible remedies.

Overcoming Oppressive Customs and Traditions through Research

To overcome oppressive customs and traditions against women's education and participation in politics and leadership roles, the study recommends the need to identify the positive and harmful practices against women. The Transitional Constitution of South Sudan guarantees women's rights and freedom under the law. However, to achieve the rights of women under the law proves to be a difficult task, especially in rural areas. This is quite often because certain harmful customs and traditions are deeply entrenched in South Sudan. They are also embedded in social, cultural and legal practices of different ethnic groups in the country. Consequently, over seventy five percent of South Sudanese, particularly those in rural areas are governed by customs and traditions of their respective ethnic groups. Therefore, to reconcile or negotiate between, the constitution's "Bill of Rights" and the customary law systems in South Sudan requires all stakeholders – women, men, traditional authorities, community elders, policy makers and civil society organizations – to develop a common ground that would be acceptable to all. Such an endeavor could only be possible through development of research-based policies and programs.

Establishment of Gender Program at the Sudd Institute

As an institution that seeks to promote informed and accountable policies and practices, the Sudd Institute should establish a gender program within the institute to carry out sustained research project on women and gender issues in South Sudan to influence policy development and implementation. The program should be managed by a scholar knowledgeable of South Sudan's socio-cultural practices, politics, history, and gender configurations. Researching women and gender issues is particularly important to create awareness on these issues; readdress the tendency of conflating gender and women or biology and socially constructed notions of maleness and femaleness; promote gender mainstreaming for the achievement of gender equal society.

Commissioning further Research on Issues Outlined in this Report

Given the timeframe to conduct this research, I was only able to visit Central Equatoria State, where the capital Juba is located. During the field work period (July 11-August 17 2013), many respondents emphasized the importance of visiting other states to learn about the experiences of women in those states. Learning about the varied conditions of women in other states, and particularly in rural areas is critical for strengthening the findings and making the study inclusive. Based on these concerns, the study recommends that the Sudd Institute should commission another gender fellowship to conduct similar research in other regions of South Sudan that are not covered by this study. By doing so, the Sudd Institute will enhance its role in influencing public policies and practices in South Sudan through research.

About the Author

Dr. Jane Kani Edward is the Gender Research Fellow at the Sudd Institute. She was born and raised in Southern Sudan, and educated in Sudan, Egypt and Canada. Edward received her Ph.D. in Sociology of Education from the University of Toronto in 2004. Currently she is a Clinical Assistant Professor and Director of African Immigration Research, Department of African and African American Studies, Fordham University. She teaches courses on African history, women in Africa and contemporary African immigration to the United States. Edward's areas of research interest center on refugee and immigrant women's experience, human rights and education, gender, race, class and representation, gender issues in conflict and post-conflict situations, and African immigration to the United States. Dr. Edward carried out research work among Southern Sudanese refugees and internally displaced persons in Egypt, Uganda and Southern Sudan. She is the author of Sudanese Women Refugees: Transformations and Future Imaginings, 2007, and several book chapters and articles.

About Sudd Institute

The Sudd Institute is an independent research organization that conducts and facilitates policy relevant research and training to inform public policy and practice, to create opportunities for discussion and debate, and to improve analytical capacity in South Sudan. The Sudd Institute's intention is to significantly improve the quality, impact, and

accountability of local, national, and international policy- and decision-making in South Sudan in order to promote a more peaceful, just and prosperous society.

Notes

[1] For a detailed analysis of the consequences of the 21-year civil war see, Grima Kebbede, *Sudan Predicament: Civil War, Displacement and Ecological Degradation* Aldershot: Ashgate, 1999; M. W. Daly, & Ahmed A. Sikaianga, *Civil War in the Sudan.* London, New York: British Academic Press; 1993; Jane Kani Edward, *Sudanese Women Refugees: Transformations and Future Imaginings,* New York: Palgrave, 2007; Jane Kani Edward & Amir Idris, "The Consequences of Sudan's Civil Wars for the Civilian Population," in John Laband (ed.), *Daily Lives of civilians in Wartime Africa: From Slavery to Days of Rwandan Genocide,* Westport, Connecticut: Greenwood Press, 2007, pp. 227-252.

[2] The "Interim Period" lasted from 2005-2011. During this period Southern Sudan had an autonomous government led by the Sudan People Liberation Movement and Army (SPLM/A).

[3] See, Jane Kani Edward, "women and Human Rights in South Sudan," *Journal of Catholic Social Thought, vol. 10, no. 1* (2013), pp. 91-115

[4] See, Joan W. Scott, "Gender: A Useful Category of Historical analysis," *The American Historical Review, Vol. 91, No. 5,* (December 1986), page 1, pp. 1053-1075, See also detailed analysis of sex and gender on page 10 of this study.

[5] See Deibre Clancy, "Falling through the Cracks: Reflection on Customary Law and the Imprisonment of Women in South Sudan, SIHP Network: Vision Printer, 2012; Haki (Global Legal Empowerment Network), 2011, http://www.lepnet.org/sites/default/files/upload/og_files/Combatting-GBV-in-South-Sudan_Haki.pdf, http://www.hakinetwork.org/network/. Last accessed June, 25, 2013.

[6] See, Jane Kani Edward, "Women and Political Participation in South Sudan," *Sudan Tribune Plural News* (July 31, 2013), http://www.sudantribune.com/spip.php?article47494. Last accessed, September 15, 2013; Traci D. Cook, Leben N. Moro, and Onesimo Y. Lo-Lujo, "From Transitional to Permanent Constitution: views of Men and Women in South Sudan on Constitution Making," National Democratic Institute for International Affairs, (June 2013), http://www.ndi.org/publications; Last accessed, September 15, 2013.

[7] UNECOSOC, Report of the Economic and Social Council for the year 1997; General Assembly Official Records, Fifty-Second Session Supplement No. 3 (A/52/3/Rev. 1), 1997, pp. 1-138, page 24, http://www.un.org/ga/search/view_doc.asp?symbol=A/52/3/REV.1(SUPP). Last access, June 27, 2013.

[8] See, "South Sudan's Kiir names new cabinet, leaves out VP post," *Sudan Tribune Plural News* (July 31, 2013), http://www.sudantribune.com/spip.php?article47494. Last accessed, August 30, 2013.

[9] See, Ifi Amadiume, *Male Daughters, Female Husbands: Gender and Sex in an African Society*. London and New Jersey: Zed Books Ltd., 1987.

[10] See, Juliana Makuchi Nfah-Abbenyi, "Gender, Feminist Theory, and Post-Colonial (Women's) Writing," in, *African Gender Studies: A Reader*, edited by Oyereonke Oyewumi, New York: Palgrave Macmillan, 2005 pp. 259-278.

[11] Doreen Indra, *Engendering Forced Migration: Theory and Practice*. New York and Oxford: Berghahn Books, 1999, pages 2, 6.

[12] See, Sylvia Walby, *Theorizing Patriarchy*, Cambridge, USA: Basil Blackwell,1990.

[13] Jon. D. Holtzman, *Nuer Journeys, Nuer Lives: Sudanese Refugees in Minnesota*, Boston and London: Allyn & Bacon, 2000, p. 74.

[14] See, Juliana Makuchi Nfah-Abbenyi, , "Gender, Feminist Theory, and Post-Colonial (Women's) Writing," in, *African Gender Studies: A Reader*, edited by Oyereonke Oyewumi, New York: Palgrave Macmillan, 2005; Ifi Amadiume, *Male Daughters, Female Husbands: Gender and Sex in an African Society*. London and New Jersey: Zed Books Ltd., 1987; Oyereonke Oyewumi (ed.) *African Gender Studies: A Reader*, New York: Palgrave Macmillan, 2005.

[15] See, Jane Kani Edward, *Sudanese Women Refugees: Transformations and Future Imaginings*, New York: Palgrave Macmillan, 2007.

[16] Ifi Amadiume, "Women's Achievements in African Political Systems: Transforming Culture for 500 years," in *Reinventing Africa: Matriarchy, Religion and Culture*. London: Zed Books Ltd. 1997, page, 101 - pp. 89-108.

[17] For a detailed analysis of the Victorian Ideology of Domesticity, see, Kay Boardman, "The Ideology of Domesticity: The Regulation of the Household Economy in Victorian Women's Magazines," *Victorian Periodicals Review, Vol. 33, No. 2* (Summer 2000), pp. 150-164; Ifi Amadiume, *Male Daughters, Female Husbands: Gender and Sex in an African Society*. London and New Jersey: Zed Books Ltd., 1987; Samuel S. Thomas, "Transforming the Gospel of Domesticity: Luhya Girls and the Friends African Mission, 1917-1926," *African Studies Review, Vol. 43, No. 2* (September, 2000), pp. 1-27.

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[20] See Tabitha Kanogo, *African Womanhood in Colonial Kenya: 1900-1950.* Athens: Ohio University Press, 2005.

[21] UNECOSOC, Report of the Economic and Social Council for the year 1997; General Assembly Official Records, Fifty-Second Session Supplement No. 3 (A/52/3/Rev. 1), 1997, pp. 1-138, page 24, http://www.un.org/ga/search/view_doc.asp?symbol=A/52/3/REV.1(SUPP). Last access, June 27, 2013.

[22] For a detailed analysis of the gender and development approach, see Eva M. Rathgeber, "WID, WAD, GAD: Trends in Research and Practice." *The Journal of Developing Areas, Vol. 24, No.4* (July 1990), pp. 489-502.

[23] Ibid. See also, Maretha de Waal. "Evaluating Gender Mainstreaming in Development Projects," *Development in Practice, vol. 16, No. 2*, (April 2006), page 209, pp. 209-214. http://academic.udayton.edu/richardghere/NGO%20Man/de%20Waal.pdf. Lased accessed, June 27, 2013.

[24] The Transitional Constitution of the Republic of South Sudan is an amended version of the Interim Constitution of Southern Sudan, 2005, p. 7.

[25] Maretha de Waal. "Evaluating Gender Mainstreaming in Development Projects," *Development in Practice, vol. 16, No. 2*, (April 2006), page 209, pp. 209-214. http://academic.udayton.edu/richardghere/NGO%20Man/de%20Waal.pdf. Last accessed, June 27, 2013.

[26] See, Hazel Reeves and Sally Baden, "Gender and Development: Concepts and Definitions," Bridge, 2000, pp. 1-40, http://www.bridge.ids.ac.uk/reports/re55.pdf, Last accessed, June 29, 2013.

[27] Maretha de Waal. "Evaluating Gender Mainstreaming in Development Projects," *Development in Practice, vol. 16, No. 2,* (April 2006), page 209, pp. 209-214, http://academic.udayton.edu/richardghere/NGO%20Man/de%20Waal.pdf. Last accessed, June 27, 2013.

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[34] See, Ministry of General Education and Instruction, *South Sudan Primary Social Studies Pupil's Book 8,* Republic of South Sudan, 2012, pp. 79-88.

[35] University of Juba Deanship of Students Affairs, Department of Statistics and Research, "Statistical Distribution of Degree Students by Gender in each College according to the Class," 2011-2012 Academic Year.

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[37] See, Jane Kani Edward, "Women and Customary Law in South Sudan," *Journal of Catholic Social Thought, vol. 10, no. 1,* (2013), pp. 91-115.

[38] See, Human Rights Watch, "This Old Man can feed us, you will Marry Him: Child and forced Marriage in South Sudan," 2013, http://www.hrw.org/reports/2013/03/07/old-man-can-feed-us-you-will-marry-him. Last accessed, August 30, 2013; Tom Rhodes, "In South Sudan, Girls are Given Away to Settle Family Feuds," *The Daily Beast*, http://www.thedailybeast.com/articles/2012/03/06/in-south-sudan-girls-are-given-away-to-. Last accessed, June 30, 2013.

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[41] See, Human Rights Watch, "This Old Man can feed us, you will Marry Him: Child and forced Marriage in South Sudan," 2013, http://www.hrw.org/reports/2013/03/07/old-man-can-feed-us-you-will-marry-him. Last accessed, August 30, 2013.

[42] See Waakhe Simon Wudu, "Juba University Bans Political Activism on Campus,"Gurtong Trust (June 25, 2012), http://www.gurton.net. Last accessed, October 16, 2013.

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[44] See, "Combating Gender-based Violence in South Sudan Customary Courts," Haki (Global Legal Empowerment Network), 2011, http://www.lepnet.org/sites/default/files/upload/og_files/Combatting-GBV-in-South-Sudan_Haki.pdf, http://www.hakinetwork.org/network/. Last accessed, June 25, 2013.

[45] Aleu Akechak Jok, Robert A. Leitch, and Carrie Vandewint, "A Study of Customary Law in Contemporary Southern Sudan." World Vision International and the South Sudan Secretariat of Legal and Constitutional Affairs, 2004, pp. 11; online article, www.cmi.no/sudan/resources.cfm?id=710-. Last accessed, September 20, 2013.

[46] Transitional Constitution of South Sudan, 2011, p. 6.

[47] The Sudd Institute Organized a public Lecture on August 17, 2013, titled "Enhancing Women Participation in Leadership through Gender Equality," to discuss the preliminary findings of this study. The lecture was held at Dembesh Hotel in Juba, South Sudan.

[48] See, Jane Kani Edward, "Women and Human Rights in South Sudan," *Journal of Catholic Social Thought, Vol. 10, No. 1* (2013), pp. 91-115.

[49] For instance, Article 29 (1) of the Transitional Constitution of South Sudan 2011, stipulated that "Education is a right for every citizen and all levels of government shall provide access to education without discrimination as to religion, race, ethnicity, health status including HIV/AIDS, gender or disability," p. 13.

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[53] see World Bank. 2012, *Education in the Republic of South Sudan: status and challenges for a new system*. Africa human development series; Africa education country status report. Washington D.C. - The World bank. http://documents.worldbank.org/curated/en/2012/01/16439140/education-republic-south-sudan-status-challenges-new-system, 2012. Last accessed, September 29, 2013.

[54] Feminist scholars conceptualize gender as socially constructed, and as culturally and historically specific; and that, differences between female and male are to be located in social practices, not in biological facts. See, Juliana Makuchi Nfah-Abbenyi, "Gender, Feminist Theory, and Post-colonial (women's) Writing," in *African Gender Studies: A Reader*, New York: Palgrave MacMillan, 2005, pp. 259-278.

[55] See, Hannah Britton, "Organizing Against Gender Violence in South Africa," *Journal of Southern African Studies, Vol. 32, No. 1* (2006), page 149, pp. 145-163

[56] South Sudan Penal Code Act (2008), article 396, Acts Supplement No. 1 10th February 2009, p. 200

[57] The practice of giving away girls as compensation to other families to settle disputes is common among some ethnic groups in Eastern Equatoria State. It entails compensating the family of the victim with a young girl from the perpetrator's family. See also the U.S. Department of State Human Rights Report South Sudan, 2012, http://www.state.gov/j/drl/rls/rm/2012/190837. Last accessed, June, 20, 2013; Voice of America, South Sudan in Focus, Radio Program, March 2012, http://www.voanews.com/archive/south-sudan-in-focus/latest/706/1465.html; Last accessed, October 28, 2013; Tom Rhodes, "In South Sudan, Girls are Given Away to Settle Family Feuds," *The Daily Beast*, http://www.thedailybeast.com/articles/2012/03/06/in-south-sudan-girls-are-given-away-to-. Last accessed, June 30, 2013.

[58] See, "Combating Gender-based Violence in South Sudan Customary Courts," Haki (Global Legal Empowerment Network), 2011, http://www.lepnet.org/sites/default/files/upload/og_files/Combatting-GBV-in-South-Sudan_Haki.pdf, http://www.hakinetwork.org/network/. Last accessed, June 25, 2013.

[59] Benaiah N. Duku, "The Kuku Ethnic Group," in, *A Study of Some Ethnic Groups in Sudan. Sudan Cultural Digest Project (SCDP)* Revised Report No. 3 (December 1998), page 45, pp. 41-63; "T*or'buti lo mede* means a family or household asset in Bari language spoken by seven ethnic groups in South Sudan referred to collectively as Bari-Speakers.

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