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# It Takes the Whole Village: Assisting Socially And Economically Marginalized Women in African Refugee Camps and Post-Displacement Venues

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IT TAKES THE WHOLE VILLAGE:  
ASSISTING SOCIALLY AND ECONOMICALLY  
MARGINALIZED WOMEN IN AFRICAN REFUGEE CAMPS AND  
POST-DISPLACEMENT VENUES

by

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**DEFENSE COMMITTEE APPROVAL**

of the project submitted by

Patricia Fabbri Forbes

We have read and discussed the project submitted by student Patricia Fabbri Forbes, and we have also evaluated her presentation and response to questions during the final oral examination. We find that the student has passed the final oral examination, and that the project is satisfactory for a master's degree and ready for any final modifications that we may explicitly require.

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Date

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Peter Buhler, Ph.D.  
Chair, Supervisory Committee

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NO ONE WALKS ALONE ON THE JOURNEY OF LIFE,  
FOR WE ARE ALL INTRINSICALLY BOUND.

It has been a remarkable journey one which I could not have completed without the following individuals. I owe my deepest gratitude to my Committee Members, Professor Peter Buhler, Professor Ross Burkhart and Professor David Christensen for without their wisdom, guidance and unwavering support, this project would not have come to fruition. I am deeply indebted to each of them. This work would not have been possible if it were not for my Mentor and Committee Chairman, Professor Buhler. His ability to convey his passion for Africa, his faculty to inspire and his innate belief in me gave me great strength and determination when I most needed it.

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Whatever errors have been committed in this work are mine and mine alone.

## ABSTRACT

The purpose of this project is to lay the foundations for the launching of a non-government organization (NGO) focused upon providing marginalized Sudanese women and their children with means whereby to reintegrate into their communities following long-term residence in refugee camps. The guiding premise is that the determination of those needs must arise out of the experiences they have had in the process of their displacement to camps, in the camps themselves, and in the communities to which they have returned. Consequently, this study entails visits to Kakuma Refugee Camp in Kenya and South Sudan, the prospective venues for such an NGO. Research on the evolution of the Office of the United Nations High Commissioner for Refugees (UNHCR) and its mandates, as well as the historical and political evolution of Sudan, which led to the wars displacing these women is also included. That work and that on Kakuma Refugee Camp includes site visits, consultation of available literature and government documents, interviews with refugees and others both in Africa and the United States. Much information was also drawn from attendance in two sessions of the Rift Valley Institute Courses.

The first chapter of the narrative examines the history of the evolution of the UNHCR, its mandates and their execution in Europe after World War II, as well as the adaptation and application of those mandates as they addressed world-wide refugee crisis from the 1960s onward.

In an effort to relate the Sudanese context of current social, political, religious and economic circumstances, the second chapter addresses the roots of the development of the post-independence conflicts leading to the secession of South Sudan and their aftermath.

The third chapter relates the establishment of Kakuma Refugee Camp, the juncture of UNHCR and Government of Kenya policy, describing the physical facility and the conditions under which refugees now live.

A proposal for the establishment of a program to help women and their host communities in Sudan is offered in the fourth chapter. Also forwarded are two related, alternate proposals, should conditions in South Sudan not allow engagement there.

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## INTRODUCTION

In the fifty-six years since its independence, Sudan has been in an almost perpetual state of civil conflict through which Khartoum's efforts to Arabize and Islamify the nation's identity, as well as its population base, were expressed. Both southern Sudan and Darfur have suffered the brunt of scorched-earth policies aimed at destroying non-Arab and non-Muslim populations, or at very least driving such groups out of Sudan. The process created hundreds of thousands of internally displaced populations, a large number of which would ultimately find their way to refugee camps in the surrounding nation-states willing to accept them. Kenya was among those nation-states. Among the refugees, both internally and externally relocated, some of the most marginalized groups were women who had been raped in the course of the protracted Sudanese conflict.

In 2008, when this project was in its incipient phase, when the conflict between northern and southern Sudan was seemingly coming to an end, the author had determined to found a developmental non-government organization to assist southern Sudanese women in a Kenyan refugee camp, Kakuma, or alternatively in post-conflict southern Sudan. It was of ethnically limited scope, focusing on primarily Dinka women. Sexually violated women in that tribal group, as in others, are shunned by their communities and therefore destitute, living on the margins of society along with their dependent children. But two trips to Kakuma and a journey to southern Sudan yielded rather disheartening findings concerning a possible intervention in that refugee camp, as well as more

encouraging prospects for engagement in the post-conflict environment of South Sudan, which became the world's newest nation-state in July, 2011. There was already a relatively large group of marginalized women who had never left Sudan on the one hand, or who had been repatriated on the other. And, following independence, South Sudan will surely see an influx of such women returning from long stays at Kakuma and other camps.

Kakuma is a camp populated by over 80,000 refugees whose services are coordinated by a handful of U.N. employees, a few International Non-Government Organizations (INGOs) and selected refugees. These are unequal to the task of fully providing even basic survival needs for camp residents. Nor are they able to provide a safe environment for their charges. Violent crimes of all sorts are part of life within its borders, and mostly go unpunished. This is why the establishment of a Non-Government Organization (NGO) to help women, or, for that matter, any subset of the population of its inhabitants is unfeasible. Valentino Achak Deng, one of the "lost boys" who walked roughly 1000 miles before arriving at Kakuma, perhaps best sums up the conditions there:

What was life like in Kakuma? Was it life? There was a debate about this. On the one hand, we were alive, which meant we were living a life, that we were eating and could enjoy friendships and learning and could love. But we were nowhere. Kakuma is nowhere. *Kakuma* was, we were first told, the Kenyan word for nowhere. No matter the meaning of the word, the place was not a place. It was a kind of purgatory.<sup>1</sup>

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<sup>1</sup> Dave Eggers, *What is the What: The Autobiography of Valentino Achak Deng: A Novel* (New York: Vintage Books, 2007), 373.

This is what demanded a major adjustment to the purpose of this project: that marginalized women could only be helped in the context of a transitional or post-conflict venue. But, yet another adjustment had to be made to the premise that any development plan had to arise out of local needs. The reality of almost 50 years of war has undermined the socio-economic, political and cultural foundations that had sustained civil society in southern Sudan. They, too, would have to be rebuilt. If the end of the project is to help women reconstruct their lives, the needs of their villages, whether male or female, will also have to be met. Hence the title of this project.

The revised purpose of this project, then, is to lay the groundwork for the creation of a non-government organization to help a community achieve an identified developmental need with the indirect end of helping to reintegrate marginalized women and their children.

Two preliminary visits to Kakuma confirmed that Kakuma was simply not the proper venue for a program to help marginalized women reintegrate. The camp was overpopulated with people of various ethnicities who had escaped social and political upheavals in a number of African nation-states. None were integrated into stable societies. All were in their own individual ways marginalized. Stateside research and attendance at Rift Valley Institute Courses, along with contacts made on the ground in Sudan dictated an ordered study of the factors which yielded the shortage of staff and funding to effectively establish and administer camps such as Kakuma. Fundamentally, the refugees were traumatized twice: once by the wars that brought them there; and again

by the hopeless conditions that met them when they arrived at camps from which there was only slim opportunity for relocation.<sup>2</sup>

Given that Camps like Kakuma were the end-product of the successive development of organizations meant to assist in the relocation of refugees produced by the ravages of World War II, the first chapter will examine the evolution of those organizations, their missions, mandates and monetization in the context of, first, European, and then global venues. This chapter will trace organizational transformations as well as their application to developing global refugee crises. It will seek to illuminate the elements of the UNHCR which, when faced with East African realities, predisposed failure to provide adequately for refugees.

The second chapter, since southern Sudanese former refugees are the target group in the formation of the proposed development program, will present an overview of Sudanese History with emphasis on the period since Sudan's July 1956 independence from Egyptian and British colonizers. It will examine the formation of the Government of Sudan's policies and action toward its non-Arab and non-Muslim populations, which led to sustained hostilities between northern and southern Sudan for the bulk of the fifty-six years since independence. It will also attempt to enumerate some of the challenges before the newly independent South Sudanese government in terms of the implications they might have for a developmental NGO.

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<sup>2</sup> UNHCR reports that: “of the 10.5 million refugees of concern to UNHCR around the world, only about 1 per cent are submitted by the agency for resettlement.” For details see: UNHCR, “Resettlement,” <http://www.unhcr.org/pages/4a16b1676.html>

The third chapter will explore the circumstances surrounding the establishment of Kakuma in the context of U.N. policy and the changing Kenyan realities into which the camp was thrust. It will also describe the camp and the conditions under which refugees live their lives. Its relations to the residents of the host country as well as Sudanese influences will be discussed.

Chapter four will forward hypothetical approaches to the formation of an organization working to ameliorate the circumstances of host communities and the marginalized women associated with them. Six potential sites will be identified along with the services an NGO might help establish in them. Four schools are located in South Sudan with which such an organization might partner, and two organizations outside the new nation-state were targeted, in the event that the government of South Sudan cannot maintain civil order.

## CHAPTER 1

## IT WORKED SO WELL IN EUROPE: BUT THIS IS AFRICA

The unfolding ravages of World War II had displaced some 40 million Europeans by 1944, creating a humanitarian crisis of staggering proportions that demanded the urgent attention of the Allied Powers. Prior to the postwar creation of the Office of the United Nations High Commissioner for Refugees (UNHCR) in 1950, the western allies and the Soviet Union tried a variety of short lived, impermanent measures as discussed below. The Office of the UNHCR would, however, prove to be a much more enduring approach to protect refugees. In the context of a Europe under reconstruction, the UNHCR's initial objectives were limited, centering on the provision of legal protection and resettlement opportunities for refugees. Humanitarian assistance delivered to refugee settlements was assumed to be of short duration, in that resettlement or repatriation would occur in a timely manner. Consequently, such aid was focused solely on basic subsistence needs:

The history of the UNHCR is of particular wider interest because it highlights the challenges and pitfalls faced by an organization vested with defending a regime premised on justice, over a period in which states have been far more concerned with order, and in which power and interests have been the dominant influences in world politics. In other words, the refugee regime is one in which states would almost certainly not have agreed to at any subsequent historical juncture.<sup>3</sup>

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<sup>3</sup> Gil Loescher, Alexander Betts and James Milner, *The United Nations High Commissioner for Refugees (UNHCR) the Politics and Practice of Refugee Protection into the Twenty-First Century* (London: Routledge, 2008). (Hereafter cited as: Loescher, Betts and Milner, *The United Nations*, 2008 ed.), 128.

In 1943, Allied Powers and the Soviet Union established an intergovernmental body, the United Nations Relief and Rehabilitation Administration (UNRRA) whose mandate was to assist in the relief of refugees and internally displaced persons along with the rehabilitation of the war-affected areas of World War II. “Until the end of the war in Europe in May 1945, UNRRA focused largely on repatriation.”<sup>4</sup> By the end of its mandate in 1947, the UNRRA had repatriated almost 75 percent of those displaced by the war.<sup>5</sup> Although repatriation occurred expeditiously it became increasingly controversial. “Among those speedily repatriated during this period were some two million Soviet citizens of whom many . . . had not wanted to return. Many of these people eventually ended up in Stalin’s labour camps.”<sup>6</sup> Cutts further explains:

By 1946, an acrimonious debate had arisen over whether or not UNRRA should provide assistance to people who did not wish to be repatriated. Eastern bloc countries asserted that assistance should be given only to

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<sup>4</sup> Mark Cutts, *The State of the World's Refugees, 2000: Fifty Years of Humanitarian Action* (Geneva: UNHCR, 2000). (Hereafter cited as: Cutts), 14.

<sup>5</sup> Gill Loescher, *Beyond Charity-International Cooperation and the Global Refugee Crisis* (New York: Oxford University Press, 1993). (Hereafter cited as: Loescher, *Beyond Charity*), 48. See also: Michael Marrus, *The Unwanted: European Refugees in the Twentieth Century* (New York: Oxford University Press, 1985), 310: “In May and June 1945, 80,000 individuals were repatriated each day, amounting to 5.25 million displaced persons.” See also: Emma Haddad, *The Refugee in International Society: Between Sovereigns* (Cambridge: Cambridge University Press, 2008), 130-131: “At the end of September 1945 total figures included two million Soviet nationals repatriated from the western zones of Germany, Austria and Czechoslovakia, 230,000 from western European countries including France and Norway, and 200,000 Yugoslavs. Between November 1945 and July 1947, UNRRA repatriated 202,000 displaced persons from Austria, 742,000 from the western zones of Germany and 18,000 from Italy.”

<sup>6</sup> Cutts, 14.

displaced persons who returned home. Western bloc countries insisted that individuals should be free to decide whether or not to return, and that this choice should not prejudice their right to assistance. For its part, the US government denounced UNRRA's repatriation programmes in Eastern bloc countries as serving only to strengthen Soviet political control over eastern Europe.<sup>7</sup>

“Repatriation touched on the fundamental ideological conflicts dividing the East and West.”<sup>8</sup> “Eventually the U.S. government, which provided 70 percent of the of UNRRA's funding and much of its leadership, refused to extend the organization's mandate beyond 1947 or to grant further financial support.”<sup>9</sup> As a result, the UNRRA was replaced by the International Refugee Organization (IRO) in July 1947, “which had as its chief function not repatriation but the resettlement of refugees and displaced persons uprooted by World War II and its aftermath.”<sup>10</sup>

The IRO's primary mandate was to deal with every aspect of resettlement for those who had not yet been repatriated. It was the first international body of its kind:

Its functions were defined as encompassing repatriation, identification, registration and classification, care and assistance, legal and political protection, transport, resettlement and re-establishment. These multiple functions nevertheless masked a clear shift in priorities from a policy of repatriation, as carried out by UNRRA, to one of resettlement from countries of asylum to third countries.<sup>11</sup>

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<sup>7</sup> Ibid., 16.

<sup>8</sup> Loescher, *Beyond Charity*, 49.

<sup>9</sup> Cutts, 16.

<sup>10</sup> Loescher, *Beyond Charity*, 50.

<sup>11</sup> Cutts, 16.

With the establishment of the IRO, states recognized the right of refugees not to be repatriated against their will. The international community also adopted, for the first time, a universal definition of refugee based on individualized “persecution or fear of persecution” on the grounds of race, religion, nationality, or political opinion. In so doing, Western powers made refugee eligibility dependent upon the circumstances of the individual rather than membership in a group, and accepted the individual’s right to flee from political persecution. . . . Previously, international organizations had dealt only with specific groups, and refugee status was therefore dependent on belonging to that group, rather than the specific experience of an individual.<sup>12</sup>

At the end of its three-year mandate in 1952, the International Refugee Organization had assisted in the repatriation of 73,000 individuals and the resettlement of over a million people. This left approximately 400,000 individuals across Europe still in need of either repatriation or resettlement.<sup>13</sup> As suggested by Gil Loescher, Alexander Betts and James Milner:

The IRO resettled the majority of the refugee caseload it had inherited from the UNRRA. It was able to accomplish this because many nations saw recruiting from the displaced persons camps in Europe as one way of addressing their domestic labor shortages following the Second World War and the subsequent period of economic growth.<sup>14</sup>

“Discussions took place within the United Nations from 1948-1950 regarding the termination of the IRO and creation of a new international refugee organization – [the] UNHCR.”<sup>15</sup> Ideological cleavages occurred primarily between the United States,

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<sup>12</sup> Loescher, Betts and Milner, *The United Nations*, 2008 ed., 11.

<sup>13</sup> Cutts, 17.

<sup>14</sup> Loescher, Betts and Milner, *The United Nations*, 2008 ed., 11-12.

<sup>15</sup> *Ibid.*, 12.

Western European nation-states, and the Soviet Union and its Allies. The Soviet Bloc

boycotted many of the negotiations while there:

. . . were widespread divergences amongst the Western powers themselves. The United States sought a strictly defined, temporary agency, requiring little financing and with limited objectives, notably the protection of the remaining IRO refugees until they were permanently settled. . . . By contrast, Western European states, which bore the brunt of the refugee burden, together with Pakistan and India, which were each hosting millions of refugees following the partition of India in 1947, favoured a strong, permanent, multipurpose refugee agency. They argued for an independent High Commissioner with the power to raise funds and disperse them to refugees.<sup>16</sup>

Deliberations eventually resulted in the creation of the Office of the United Nations High Commissioner for Refugees (UNHCR), a subsidiary organ of the United Nations General Assembly, in December 1950.

The UNHCR:

. . . was intended as a temporary body with a three-year life, [beginning January 1, 1951], during which time it was to provide protection and assistance to refugees. But being supplied with financial resources for administrative costs only, it did not have the means to enforce the international legal norms for the world's refugees.<sup>17</sup>

The UNHCR and the adoption of the 1951 United Nations Convention Relating

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<sup>16</sup> Cutts, 19.

<sup>17</sup> Loescher, *Beyond Charity*, 55. See also: Loescher, Betts and Milner, *The United Nations*, 2008 ed., 75: The UNHCR's mandate was usually extended by the General Assembly in increments of five years. Not until December 2003 did the General Assembly remove "the temporal limitation on the continuation of UNHCR and confirmed the Office as a program of the United Nations, [as stated in General Assembly Resolution 58/153], "until the refugee problem is solved." See also: Mark Gibney, *Global Refugee Crisis: A Reference Handbook*. 2nd ed. (Santa Barbara, Calif.: ABC-CLIO, 2010). (Hereafter cited as: Gibney, *Global Refugee Crisis*), 118: At the time of the UNHCR's inception there were approximately 1.5 million refugees worldwide. Most were in Europe, but also in Asia (Hong Kong and Macau) and in Latin America.

to the Status of Refugees “provided for the first time, a formal structure for responding to the needs of refugees and standards for the protection of refugees under international law.”<sup>18</sup> The core directive set forth for the UNHCR was to provide two specific functions: “first, to provide international protection for refugees: and second, to seek permanent solutions to the problem of refugees by assisting governments to facilitate their voluntary repatriation or their assimilation within new national communities.”<sup>19</sup> What resulted was an office, whose mandate severely limited its political and economical scope of functions.

From a political perspective, the UNHCR’s mandate is, “premised on the understanding that states have the primary responsibility for the protection of refugees. UNHCR’s role is to assist and oversee states in meeting their obligation towards refugees, not to take on the role on their behalf.”<sup>20</sup>

From an economic standpoint, funding for the UNHCR was inadequate and problematic from its inception:

Each project to aid refugees had to be financed through voluntary contributions, mostly from states. It was not given the resources to implement a repatriation programme such as the one carried out by UNRRA or a resettlement programme such as that carried out by the IRO. Rather, it was required to provide international protection and to promote solutions for refugee problems with a small budget. As the first UN High

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<sup>18</sup> Cutts, 2. (The Convention was adopted on July 28, 1951.)

<sup>19</sup> Ibid., 22.

<sup>20</sup> Alexander Betts and Gil Loescher, *Refugees in International Relations* (Oxford: Oxford University Press, 2011), 82.

Commissioner for Refugees, Gerrit Jan van Heuven Goedhart, expressed it, there was a real danger his office would simply ‘administer misery’.<sup>21</sup>

As a result of the financial restraints of the Statute of 1950, the UNHCR has always been highly reliant on donor governments, international non-governmental organizations and non-governmental organizations for financial support. Approximately three-quarters of the UNHCR’s budget currently come from its top ten donors.<sup>22</sup>

Each year the UNHCR’s budget is submitted to the Executive Committee of the Programme of the United Nations High Commissioner for Refugees (ExCom). The Office of the UNHCR then publishes its annual Global Appeal, which lists projected needs for the forthcoming year. The Office of the UNHCR then meets with potential donors at an annual pledging conference at which time donors pledge funding to the Office of UNHCR for the upcoming year. There is, however, no mechanism to insure that pledged contributions are actually given.<sup>23</sup>

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<sup>21</sup> Cutts, 22.

<sup>22</sup> Alexander Betts, Gil Loescher and James Milner, *The United Nations High Commissioner for Refugees (UNHCR): The Politics and Practice of Refugee Protection into the 21st Century* (Milton Park, Abingdon, Oxon: Routledge, 2012). (Hereafter cited as: Betts, Loescher and Milner, *UNHCR: The Politics*, 2012 ed.), 98: Global Report (2009) listing of top ten donors: United States – 37.0%, European Commission – 7.0%, Japan – 6.0%, Sweden – 6.0%, Netherlands – 5.0%, UN Sources – 4.0%, Norway – 4.0%, Germany – 3.0%, Denmark – 3.0%, Private Donors – 3.0%. See also: *Loescher, Betts and Milner*, 2008 ed., 92: Currently, contributions from the UN Regular Budget “account for less than 3 percent of UNHCR’s Annual Budget. As a result, UNHCR is almost exclusively dependent on voluntary contributions to carry out its programs.”

<sup>23</sup> Cassandra Rachel Veney, *Forced Migration in Eastern Africa: Democratization, Structural Adjustment, and Refugees* (New York: Palgrave Macmillan, 2007). (Hereafter cited as: Veney), 156.

Additionally, since donor states may earmark funding, the UNHCR finds itself in a politically precarious position:<sup>24</sup>

On the one hand, it [The Office of the UNHCR] has attempted to safeguard the integrity of its mandate by being seen to be politically impartial. On the other hand its existence and ability to carry out its programs have been dependent upon its ability to respond to the interests of a relatively small number of donor states.<sup>25</sup>

As Loescher, Betts and Milner suggest, the practice of earmarking funds can often be based on states “interests” rather than refugees’ “needs” making funding highly selective.<sup>26</sup> “More than 50 years later, this dependency continues to be the most significant means through which states are able to control the scope of UNHCR’s work.”<sup>27</sup>

Additionally, the lack of permanent funding makes long-term planning problematical. Some donor funding, for example, needs to be spent “and produce tangible outcomes within a one-year period. . . . [As a result] donor funds tend to be earmarked only for relief and not development programmes and this leads to a bureaucratic interest in keeping affected populations dependent, inhibiting the search for

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<sup>24</sup> Loescher, Betts and Milner, *The United Nations*, 2008 ed., 92-93: “In 2006, 53 percent of contributions to UNHCR were “tightly earmarked” for specific countries and activities, while 28 percent were “lightly earmarked” for specific geographical regions and only 20 percent came with no restrictions.”

<sup>25</sup> *Ibid.*, 92.

<sup>26</sup> *Ibid.*, 93.

<sup>27</sup> *Ibid.*, 14.

permanent solutions.”<sup>28</sup> Therefore, “in any given year, UNHCR cannot predict what funds it will have available for particular programs. As such, engagement in areas that require multi-year commitments, such as development and rehabilitation for returning refugee populations, are very difficult.”<sup>29</sup>

The ideological basis for the UNHCR’s work was defined in the 1951 United Nations Convention Relating to the Status of Refugees.<sup>30</sup> The Convention defines the obligations and rights of both refugees and host nation-states. Additionally, it:

. . . sets out international standards for the treatment of refugees. It embodies principles that promote and safeguard refugees’ rights in the fields of employment, education, residence, freedom of movement, access to courts, naturalization and above all, the security against return to a country where they may risk persecution.<sup>31</sup>

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<sup>28</sup> Cindy Horst, *Transnational Nomads: How Somalis Cope with Refugee Life in the Dadaab Camps of Kenya* (New York: Berghahn Books, 2006). (Hereafter will be cited as: *Transnational Nomads*), 114-115.

<sup>29</sup> Loescher, Betts and Milner, *The United Nations*, 2008 ed., 92.

<sup>30</sup> Cutts, 24.

<sup>31</sup> Cutts, 23-24; Article 1(2) of the Geneva Convention defines *refugee* as any person who: “owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable, or owing to such fear is unwilling to avail himself of the protection of that country; or who, not having a nationality or being outside the country of his former habitual residence as a result of such events, is unable, or owing to such fear is unwilling to return to it.” Additionally, “the adoption of this definition of the term *refugee* marked a significant change in policy, as it meant that refugees would now be identified not only on a group basis, as has been the case in preceding years, but also on an individual case-by-case basis. . . . Article 33(1) of the Geneva Convention states: “No Contracting State shall expel or return (‘refouler’) a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of particular social group or political opinion.” See also: Loescher, Betts and Milner, *The United Nations*, 2008 ed., 15-16: *Non-refoulement*: the right of refugees not to be returned to a country where they risk persecution . . . remains the cornerstone of international refugee protection, and is

As stated earlier, “Western governments were mainly interested in limiting their financial and legal obligations to refugees.”<sup>32</sup> Western interest in the UNHCR, however, increased over time. Loescher suggests that the United States attitude toward the UNHCR partially changed due to the ideological struggle between the West and the East in regard to forced human displacement. The West encouraged resettlement while the East encouraged repatriation.<sup>33</sup>

American preoccupation [with] the rapidly developing Cold War critically affected the lens through which Washington viewed both its own refugee policy and UNHCR. U.S. policy-makers soon considered refugee issues within the same policy framework as national security. U.S. generosity towards refugees from Eastern Europe was in part motivated by a desire to “roll back”, or at least contain, Communism by encouraging East European citizens to escape their homelands. Refugees also became important symbols in the ideological rivalry of the early Cold War.<sup>34</sup>

Refugee flows moved from the European theatre in the late 1950s to Asia and Africa in the 1960s, at which point refugee movements were primarily a result of three

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now considered to be a provision of customary international law, binding even on states not party to the 1951 convention.

<sup>32</sup> Loescher, *Beyond Charity*, 57.

<sup>33</sup> Ibid, 67. See also: Arthur Helton, “Political Asylum Under the 1980 Refugee Act: An Unfilled Promise,” *University of Michigan Journal of Law Reform* 17 (1984): 243-246: “The United States policy until 1980 was that refugee admissions were limited by law to individuals fleeing communist countries or countries in the Middle East. Of the 233,436 refugees admitted between 1956 and 1968, all but 925 were from communist countries. Thus, for political and ideological reasons, refugees from communism were welcomed, if not encouraged, to “vote with their feet,” particularly at the height of the Cold War.”

<sup>34</sup> Loescher, Betts and Milner, *The United Nations*, 2008 ed., 20.

types of civil discord: intrastate conflicts, wars of liberation and interstate conflicts, or a combination thereof.<sup>35</sup> By 1965 there were approximately 850,000 refugees in Africa:

Although many of those who fled during the independence struggles were able to return within a relatively short period, new conflicts created further outflows and by the end of the decade the number of refugees in Africa had risen to around one million. In size, character and needs, these successive refugee groups were very different from those in Europe and they called for a new approach to the question of how to determine refugee status.<sup>36</sup>

“By the mid-1960s, the UN Refugee Convention did not apply to the majority of refugees being assisted by UNHCR.”<sup>37</sup> Due to the large numbers of asylum seekers, it became “impracticable to screen each individual in order to establish whether or not the person had a well-founded fear of persecution. UNHCR therefore resorted to *prima facie* [or] group determination of refugee status whereby, in the light of circumstances that led to departure from the country of origin, refugees could be identified on a group basis.”<sup>38</sup>

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<sup>35</sup> W.R. Smyser, *Refugees: Extended Exile* (New York: Praeger, 1987). (Hereafter cited as: Smyser), 15: Seventeen African nation-states gained independence from colonial rule in 1960: Benin, Burkino Faso, Cameroon, Chad, Central African Republic, Congo, Cote d’Ivoire, Democratic Republic of Congo, Gabon, Madagascar, Mali, Mauritania, Niger, Nigeria, Senegal, Somalia, Togo.

<sup>36</sup> Cutts, 52. See also: Veney, 4: “In 1960, often regarded as the year of African independence when 17 countries regained their freedom from colonial rule, the entire continent only had 300,000 refugees.” In addition see: Loescher, *Beyond Charity*, 78: By the end of 1960s Africa hosted one million refugees and by the end of the 1970s several million. See also: Veney, 4: By 1989, there were 5 million refugees on the continent.

<sup>37</sup> Cutts, 53.

<sup>38</sup> Cutts, 52-53. See also: Abebe Feyissa and Rebecca Horn in Hollenbach: “There is More Than One Way of Dying: An Ethiopian Perspective on the Effects of Long-Term Stays in Refugee Camps,” in David Hollenbach. *Refugee Rights: Ethics, Advocacy, and Africa* (Washington, D.C.: Georgetown University Press, 2008). (Hereafter cited as: Hollenbach), 23: “The term “*prima facie*” means that persons are deemed to be refugees

The 1967 Protocol relating to the Status of Refugees was an attempt on the part of African leaders to address the change seen in refugee flows of the 1960s. “The 1951 convention, based on the European experience, was not fully appropriate to Africa because African refugees fled not only persecution but conflict.”<sup>39</sup>

As new refugee groups emerged in the 1960s, however, it became increasingly apparent that existing international legal norms were not suitable for dealing with refugee issues in the developing world. Refugees in Africa and Asia had not fled as a result of conditions in Europe before 1951 nor could many of them meet the individual persecution criteria outlined in the international legal instruments.<sup>40</sup>

The 1967 protocol removed the temporal date from the convention as well as the European geographic limitation. Additionally:

. . . it laid down the principles that were later to find expression in the 1969 OAU convention on refugees. In addition to the wider refugee was to be written into the OAU convention, African leaders agreed that asylum was to be regarded as a humanitarian act, not as a political act reflecting any hostility toward the country of origin.<sup>41</sup>

In a further effort to address the unique characteristics of forced migration flows in Africa, the Organization of African Unity (OAU) adopted the 1969 OAU Refugee

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without having to be interviewed or have their claim to refugee status assessed on an individual basis. It is normally granted to people fleeing war zones in large numbers, where it is generally accepted that they are refugees: they do not have to prove it through interview and assessment.” The ‘Lost Boys of Sudan’ were one such group. (For discussion of the Lost Boys of Sudan, see Chapter 2.) For detailed discussion of prima facie status refer to: Matthew Albert, "Governance and Prima Facie Refugee Status Determination: Clarifying the Boundaries of Temporary Protection, Group Determination, and Mass Influx," *Refugee Survey Quarterly* 29, Issue 1 (2010): 61-91.

<sup>39</sup> Smyser, 67.

<sup>40</sup> Loescher, Betts and Milner. *The United Nations*, 2008 ed., 28.

<sup>41</sup> Smyser, 67.

Governing the Specific Aspects of the Refugee Problem in Africa.<sup>42</sup> The OAU convention broadened the 1951 definition of the term “refugee,” which would now include a person which fled due to “external aggression, occupation, foreign domination or events seriously disrupting public order in either part or the whole of his country of origin or nationality.” Additionally, the OAU Convention elaborated on the obligations of the receiving nation-states.<sup>43</sup>

Jeff Crisp, Head of Policy Development and Evaluation at UNHCR, notes that the period from the 1960s to the 1980s has been labeled the “golden age” of asylum in Africa during which “a largely well-deserved reputation as a continent which treated refugees in a relatively generous manner.”<sup>44</sup>

In general, governments allowed large numbers of refugees to enter and remain on their territory. Many refugees enjoyed reasonably secure living conditions and were able to benefit from a range of legal, social and economic rights. Considerable numbers of refugees were provided with land and encouraged to become self-sufficient. In some states, refugees were allowed to settle permanently and to become naturalized citizens.

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<sup>42</sup> Cutts, 57.

<sup>43</sup> *1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa*, Article 2(1): “Member States of the OAU shall use their best endeavors consistent with their respective legislations to receive refugees and to secure the settlement of those refugees who, for well-founded reasons, are unable or unwilling to return to their country of origin or nationality.” See also: Veney, 225: “The 1951 UN Convention Relating of the Status of Refugees, the 1967 UN Protocol Relating to the Status of Refugees, and the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa provide the legal definition for refugee.”

<sup>44</sup> Jeff Crisp, “Africa’s Refugees: Patterns, Problems and Policy Challenges,” *Journal of Contemporary African Studies* 18, no. 2 (2000). (Hereafter cited as: Crisp, “Africa’s Refugees”): 160.

While the deportation and expulsion of refugees was not unknown the principle of voluntary repatriation was broadly respected.<sup>45</sup>

Crisp goes on to explain that the “principle and practice of asylum” was bolstered by ideologies of pan-Africanism and anti-colonialism. “Political leaders such as Julius Nyerere and Kenneth Kaunda set a positive example in the refugee policies which they pursued.”<sup>46</sup> Additionally, “the relative prosperity of many African states in the early years of independence and the modest size of the refugee movements which took place at this time enabled those countries to shoulder the economic burden imposed by the presence from neighboring and nearby states.”<sup>47</sup> Crisp continues:

The principle and practice of asylum in Africa was further buttressed by international aid. Across much of the continent, an implicit deal was struck whereby African states admitted refugees to their territory and provided the land required to accommodate them. And as a reciprocal gesture (often referred to . . . as “burden sharing”) donor states provided the funding – much of it channeled through UNHCR – required to feed, shelter, educate and provide health care to the refugees. As well as mitigating the impact of the refugee presence, it must be added, such assistance programmes provided African states and elites with a welcome source of foreign exchange, employment and commercial opportunities.<sup>48</sup>

Under the principle of burden sharing, refugee-hosting nation-states theoretically could call upon other nation-states to assist, “either by providing relief or by providing additional asylum space.”<sup>49</sup>

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<sup>45</sup> Ibid.

<sup>46</sup> Ibid., 161.

<sup>47</sup> Ibid.

<sup>48</sup> Ibid., 161-162.

<sup>49</sup> Smyser, 67.

Numerous refugee flows occurred on the Horn of Africa due to both civil conflict and famine. The famines of the 1970s contributed to refugee flows both directly as individuals:

. . . crossed international boundaries in search of relief, and indirectly, as the effects of the famine exacerbated latent or on going social conflicts. In Ethiopia, the 1973 famine contributed to a social revolution. Conversely, the violence unleashed by the conflicts compounded the crisis of subsistence.<sup>50</sup>

Amplification of transhumant displacement has magnified over the past four decades with the most recent human displacement occurring from within Somalia.

By the start of the 1980s, refugees in Africa exceeded 3 million.<sup>51</sup> Due to massive displacements during these years, the UNHRC provided assistance “on a much greater scale than ever before. One of the main challenges was that of managing large refugee camps.”<sup>52</sup> As Loescher, Betts and Milner suggest, the 1980s:

. . . ushered in a new era of restrictions and challenges. Economic recession and the election of conservative governments in many Western states led to a shift away from the focus on human rights that had defined the post-war era and resulted in the introduction of increasingly restrictive asylum policies which diminished the authority of the UNHCR in global North.<sup>53</sup>

Additionally, “as rivalry between the United States and the Soviet Union caused both

<sup>50</sup> Aristide Zolberg, Astri Suhrke and Sergio Aguayo, *Escape from Violence: Conflict and the Refugee Crisis in the Developing World* (New York, NY: Oxford University Press, 1989). (Hereafter cited as: Zolberg, Suhrke and Aguayo), 39.

<sup>51</sup> Smyser, 68.

<sup>52</sup> Cutts, 105.

<sup>53</sup> Loescher, Betts and Milner. *The United Nations*, 2008, ed., 31.

powers to support local clients, internal conflicts became globalized and extremely violent.”<sup>54</sup>

Consequently, regional and intra-state conflicts in Indochina, Afghanistan, Central America, the Horn of Africa, and Southern Africa became prolonged and debilitating affairs, and generated large waves of refugees. As a result, the global refugee population tripled from 3 million in 1977 to over 10 million in 1982.<sup>55</sup>

By the mid-1980s, most overseas resettlement programs had dramatically reduced and Third World host governments restricted local integration to all but a few refugees. This lack of solutions meant that the majority of the world’s refugees were given temporary asylum in camps, with no prospect of effective long-term solutions.<sup>56</sup>

In regard to the formation and maintenance of large refugee camps, Loescher, Betts and Milner suggest that the Office of the UNHCR’s “believed that by assembling refugees in one place they could better supply them with food and shelter and other basic necessities upon which their survival depended.”<sup>57</sup> Further, by assembling refugees in a singular place, donor attention could be focused on a tangible need.<sup>58</sup>

The increase of refugee numbers in the 1980s:

. . . and the protracted nature of refugees situations eventually strained UNHCR’s administrative and financial structures to breaking point. The global refugee total grew steadily from 10 million in 1980 to 17 million by

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<sup>54</sup> Ibid., 35.

<sup>55</sup> Loescher, Betts and Milner. *The United Nations*, 2008, ed., 35.

<sup>56</sup> Ibid., 36.

<sup>57</sup> Ibid., 37.

<sup>58</sup> Ibid.

the end of the decade. . . . In fact, UNHCR's funding per refugee fell by more than 50 percent in constant US dollars between 1980 and 1989.<sup>59</sup>

Continual growth in the numbers of refugees, in combination with decreasing funds, the UNHCR had to rely more heavily on the INGO/NGO community for support and assistance. Seemingly, "once the Cold War had come to an end, donor states had less interest in using refugee assistance programmes as a means of developing closer ties with actual and potential allies in the fight against communism."<sup>60</sup> "What distinguished the 1990s from earlier decades was the weakening of central governments in countries that had been shored up by superpower support, and the consequent proliferation of identity-based conflicts, many which had engaged whole societies in violence."<sup>61</sup>

In the North, the end of the Cold War was:

. . . marked by a shift "from asylum to containment" . . . [While] in the South . . . states . . . [responded] to the mass arrival and prolonged presence of refugees by placing limits on the quantity and quality of asylum they offer[ed].<sup>62</sup>

Some nation-states limited the:

. . . quantity of asylum they offered to refugees, by closing their borders to prevent arrivals, by pushing for the early and often unsustainable return of refugees to their country of origin, and, in exceptional cases, forcibly

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<sup>59</sup> Ibid.

<sup>60</sup> Jeff Crisp, "A New Asylum Paradigm? Globalization, Migration and the Uncertain Future of the International Refugee Regime," *Geneva: UNHCR Evaluation and Policy Analysis Unit. Working Paper No. 100* (December 2003): 5.

<sup>61</sup> Cutts, 277.

<sup>62</sup> Loescher, Betts and Milner, *The United Nations*, 2008 ed., 100. See also: Andrew Shacknove, "From Asylum to Containment," *International Journal of Refugee Law* 5, no. 4 (1993): 516-533.

expelling entire refugee populations. More generally, states have been placing limits on the quality of asylum they offer to refugees, by denying them the social and economic rights contained in the 1951 Convention, such as freedom of movement and the right to seek employment.<sup>63</sup>

“Refugee movements are no longer side effects of conflict, but in many cases are central to the objectives and tactics of war.”<sup>64</sup> “UNHCR now had to work with governments and opposition movements and guerilla factions, often in the context of collapsing states and where population displacement was among the central objectives of war.”<sup>65</sup> By the mid-1990s, the UNHCR was forced “to operate on an unprecedented scale in the midst of armed conflict” in venues such as northern Iraq, former Yugoslavia and Rwanda.<sup>66</sup> Additionally, “UNHCR’s focus during the 1990s was mainly on the provision of assistance in humanitarian emergencies, and it placed less emphasis on enhancing refugee protection or on finding durable solutions other than repatriation the emergency phase was over.”<sup>67</sup> To date, many such refugee situations remain unanswered:

The optimism that characterized the end of the Cold War quickly evaporated as the international community failed to effectively respond to

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<sup>63</sup> Loescher, Betts and Milner, *The United Nations*, 2008 ed., 101-102.

<sup>64</sup> Cutts, 282. See also: Wenona Giles and Jennifer Hyndman, *Sites of Violence: Gender and Conflict Zones* (Berkeley: University of California Press, 2004), 5: “Most casualties at the turn of the nineteenth century occurred among soldiers at the battlefield, civilian deaths and injuries constituted 60 to 80 percent of casualties at the end of the twentieth century. Other estimates are as high as 90 percent.”

<sup>65</sup> Loescher, Betts and Milner, *The United Nations*, 2008 ed., 56.

<sup>66</sup> Cutts, 284.

<sup>67</sup> Loescher, Betts and Milner, *The United Nations*, 2000 ed., 111-112.

a number of new crises, including the collapse of Somalia, the break-up of the former Yugoslavia, and the genocide in Rwanda.<sup>68</sup>

The lack of assistance from the international community left the UNHCR to deal with overwhelmingly impossible humanitarian emergencies; the genocide in Rwanda in 1994, the militarization of refugee camps in Zaire in 1994-1996, and “the failure to protect and assist the Rwandan refugees driven into eastern Zaire from late 1996 onward.”<sup>69</sup>

As the 1990s progressed the number of intra-state conflicts “decreased by some 40 percent by 2005. Consequently, there were fewer refugee emergencies than during the 1990s, and large numbers of refugees returned home as several acute conflicts resolved.”<sup>70</sup>

As the numbers of refugees decreased worldwide, the duration of their stay in camps increased. By 2004, approximately two-thirds of the world’s refugees were living in protracted refugee situations, “with the average duration of a refugee situation having almost doubled from 9 years in 1993 to 17 years in 2004.”<sup>71</sup> The UNHCR estimated that by the end of 2004 “there were 33 major protracted refugee situations, with a total

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<sup>68</sup> Betts, Loescher and Milner, *UNHCR: The Politics*, 2012 ed., 49.

<sup>69</sup> *Ibid.*, 60.

<sup>70</sup> *Ibid.*, 61-62: “The number of refugees worldwide consequently declined from 18.3 million in 1992 to just over 9 million at the beginning of 2005.”

<sup>71</sup> Betts, Loescher and Milner, *UNHCR: The Politics*, 62. For extensive discussion pertaining to “protracted refugee situations” see, Loescher, Gil, and James Milner. *Protracted Refugee Situations: Domestic and International Security Implications* (Abingdon: Routledge for the International Institute of Strategic Studies, 2005).

refugee population of 5.69 million.”<sup>72</sup> “Failure to achieve appropriate solutions has meant that refugees by the millions remain in camps and settlements. Designed as temporary accommodations, they have by default, become permanent.”<sup>73</sup> As Jamal suggests:

. . . when a person flees for his or her life, a plastic shelter, a jerrycan of water and a container of maize meal provided in a camp far from home may be exactly what that person needs. Five years on, though, and those same minimum standards that once protected life will, if unchanged, contrive to stifle it.<sup>74</sup>

That prospect was never foreseen when the UNHCR was created in 1951.

Neither the UN nor the refugees they assisted saw their situation as long-term.

And, indeed, the European refugees of the era were ultimately relocated either to their homelands or to host-nations willing to absorb them. But in recent years, pursuant to the explosion of intra-state wars specifically aimed at displacing people, refugee populations have resurged in Africa. Currently there is little hope of either reintegrating those into their homelands or of absorbing them into their host nation-states.

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<sup>72</sup> Gil Loescher and James Milner, “Understanding the Problem of Protracted Refugee Situations,” in Gil Loescher, James Milner, Edward Newman and Gary Troeller, *Protracted Refugee Situations: Political, Human Rights and Security Implications*, (Tokyo: United Nations University Press, 2008): 25.

<sup>73</sup> Loescher, *Beyond Charity*, 149.

<sup>74</sup> Arafat Jamal. *Minimum Standards and Essential Needs in a Protracted Refugee Situation: A Review of the UNHCR Programme in Kakuma, Kenya* (Geneva: UNHCR, 2000). (Hereafter cited as: Jamal, *Minimum Standards*), 3.

Sudan may be a hopeful exception. After nearly fifty years of war interspersed with only brief periods of relative accord, southern Sudan and its African population seceded from the Arab and Islamic north, becoming its own nation-state, South Sudan, on July 9, 2011. Many of the displaced southern Sudanese are housed at Kakuma Refugee Camp in northern Kenya. Some have already repatriated, and there is a distinct possibility that many of them will return to their communities of origin.

The question is, to what will they be returning after their long absences, and can they somehow be prepared for it while still at Kakuma? In order to begin assessing the possibilities, the following chapter will examine the evolution of the context and the aftermath of the long struggle leading to the birth of South Sudan.

## CHAPTER 2

### SUDAN: FROM NORTHERN OPPRESSION TO SOUTHERN SECESSION

A primary purpose of this overview is to render a very complex history and political, economic and social reality understandable to the general reader on the one hand. On the other, a principal function of this chapter is to lay the groundwork for the possible establishment of income-generating programs for marginalized women in The Republic of South Sudan as a post-conflict venue. This chapter is, therefore, of necessity, an abbreviated overview.

In this narrative, “South Sudan” with an upper case “S” will only be used to refer to the newly formed nation-state of The Republic of South Sudan - July 9, 2011 and thereafter. “The Sudan,” a coined colonial term, will, for the purpose of this narrative, refer to the period between the early 1820s and January 1, 1956, at which time Sudan achieved independence from both British and Egyptian Governments.<sup>1</sup> “Sudan” rather than “the Sudan” will reflect the years following 1956 to the present. Therefore, it should be kept in mind that “Sudan” between January 1, 1956 and July 9, 2011 will refer to the

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<sup>1</sup> John Ryles and Justin Willis, “Introduction: Many Sudans,” in *The Sudan Handbook*, edited by John Ryle, Justin Willis, Suliman Baldo and Jok Madut Jok (Suffolk: James Currey Ltd, 2011). (Hereafter cited as: Ryle et al., *The Sudan Handbook*), 4: “At the end of the 1890s, with the defeat of the Mahdists and the establishment of Anglo-Egyptian rule, ‘the Sudan’ became fixed as the title of a political unit, its borders defined partly by the historic claims of Egypt and more immediately by the claims of Britain, Belgium, France and Ethiopia to the land around it.”

former Republic of Sudan. Post - July 9, 2011 “Sudan” refers to present-day Sudan after South Sudanese independence. Lower case “southern Sudan” and “northern Sudan” will reference geographic, not political boundaries.<sup>2</sup>

The Sudan, until 1821, was a collection of small, independent kingdoms and principalities.<sup>3</sup> The history of the Sudan as a political entity began in northern Sudan with the Turco-Egyptian conquest of 1821-1823, in the quest for gold, ivory and slaves. Peter Verney, citing Richard Gray, proposes that the invasion “marked the beginning of the North-South divide, with the independence of the Southern Sudanese peoples and kingdoms either destroyed or seriously undermined by a Muslim state.”<sup>4</sup>

The Turkiyya established military garrisons, constructed telegraph lines, and collected taxes in the north. . . . Over time, the government developed administrative structures, established schools, improved communications

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<sup>2</sup> The Republic of South Sudan was recognized as the 193<sup>rd</sup> Member State of the United Nations, July 14, 2011 and the 54<sup>th</sup> member of the African Union. The Republic of Sudan was formerly the largest African nation-state with a total area of 967,500 sq. miles. As of post-July 9, 2011 Sudan is the 3<sup>rd</sup> largest African nation-state with a total area of approximately 728,215 sq. miles. The Republic of South Sudan is, at the time of this writing, the 18<sup>th</sup> largest African nation-state with an area of 248,776 sq. miles. South Sudan is now the 42<sup>nd</sup> largest nation-state in the world. For further statistics see, Central Intelligence Agency, *The World Factbook*. (Washington, D.C. 2009).

<sup>3</sup> The United States Department of State, *Background Note: Sudan*, April 2011. (Hereafter cited as: U.S. Department of State, *Background Note: Sudan*), Section 6, Paragraph 1. See also: Jok Madut Jok, *Sudan: Race, Religion, and Violence* (Oxford: Oneworld, 2007). (Hereafter cited as: Jok, *Sudan*), 52: The Turco-Egyptian Sudan (1821-1881/5) was popularly known as ‘Turkiyya’ within Sudan.

<sup>4</sup> Peter Verney, *Sudan: Conflict and Minorities* (London: Minority Rights Group, 1995). (Hereafter cited as: Verney), 11. See also: Richard Gray, *History of the Southern Sudan 1839-89* (London: Oxford University Press, 1961).

and security, and dammed seasonal rivers, all of which encouraged economic growth and both internal and external commerce in the north.<sup>5</sup>

The south, [however], was not effectively controlled by the government nor did it benefit from state services. . . . In addition to the bitter and negative encounters [slave raiding and enslavement] between the state and the people of the south, there has never really been a historical oneness between the people of the south and those living in the north<sup>6</sup>

As Douglas Johnson explains, it was during the Turkiyya that the pattern was set

“whereby religion and racial origin influenced access to political power and economic opportunities.”<sup>7</sup>

Shortly after Britain became protector to Egypt, the Turkiyya were defeated and overthrown by Mahdiyya a fundamentalist, indigenous, politico-religious movement that controlled most of the Egyptian Sudan, from 1881-1898.<sup>8</sup> Mounting colonial rivalry to

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<sup>5</sup> Ann Mosely Lesch, *The Sudan-Contested National Identities* (Bloomington: Indiana University Press, 1998). (Hereafter cited as: Lesch), 26-27.

<sup>6</sup> Jok, *Sudan*, 52.

<sup>7</sup> Douglas H. Johnson, *The Root Causes of Sudan's Civil Wars – Peace or Truce* (Kampala: Fountain Publishers, 2011). (Hereafter cited as: Johnson, *The Root Causes of Sudan's Civil Wars – Peace or Truce*, 2011), 75: The structural divide seen between Muslim and non-Muslim: “. . . by the end of the nineteenth century was not solely religious. It was a divide that encompassed participation in or exclusion from state activities and the degree of access to economic activities, fostered or protected by the state. To the extent that the divide was territorial, identifying those that lived within the state boundaries and those who lay beyond them, it also came to be perceived as racial. Those fully participating within the state increasingly identified themselves with Arab lineages, while at the same time identifying those who lived outside the state not only as unbelievers, but as slaves, or as enslavable. This social divide was formalized territorially in the administrative structures and policies of the Condominium period.”

<sup>8</sup> Justin Willis, “The Ambitions of the State,” in Ryle et al., *The Sudan Handbook*, 57: “The Mahdi’s movement fits into a wider pattern of nineteenth-century Islamic radicalism – not the reformist movements of the Middle East, but movements of renewal, which looked to restore a pristine Islamic purity to states which had become

partition Africa in the latter half of the 1890s heightened, prompting Britain to undertake a reconquest of what had been relinquished to the Mahdiyya 16 years previously.<sup>9</sup> As a result in 1899 a joint government, the Anglo-Egyptian Condominium was established between Egypt and Britain via the Anglo-Egyptian Agreement.<sup>10</sup> The agreement restored Egyptian sovereignty and “provided for a “condominium” whereby Britain assumed complete responsibility for the government.”<sup>11</sup> Justin Willis suggests: “Britain was in the Sudan to stop anyone else from being there, and control of the state was primarily for this end.”<sup>12</sup>

Zolberg, Suhrke and Aguayo noted that:

Far from integrating the country, British policies, guided essentially by the objectives of maintaining hegemony in the Middle East, crystallized Sudanese dualism. . . . Concerned with limiting the expansion of Islam as

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compromised. . . . Built on the dissatisfactions of those on the margin of the Islamic world, they appealed to those who had most reason to fear enslavement. Adherence to Islam offered a less arbitrary political system, one which took account of religion and not skin colour.

<sup>9</sup> Zolberg, Suhrke and Aguayo, 50.

<sup>10</sup> Justin Willis, Omer Egemi and Philip Winter, “Land and Water” in Ryle et al., *The Sudan Handbook*, 10: “The Anglo-Egyptian Condominium of Sudan was the largest of the political units created by imperialism in Africa. It has grown and shrunk a little over time, gaining Darfur in 1916 and losing a corner to Italian-ruled Libya in 1934, taking its overall size to just below one million square miles (2.4 million square kilometers).” See also: Jok, *Sudan*, 52: “The seeds of the current challenges to its [Sudan’s] territorial integrity, planted in the previous era [Anglo-Egyptian Sudan (1898-1956)] , were nurtured by various colonial policies which wavered between attempts to govern it as a single polity on the one hand and ruling the south as a separate entity on the other.”

<sup>11</sup> Zolberg, Suhrke and Aguayo, 50.

<sup>12</sup> Justin Willis, “The Ambitions of the State,” in Ryle et al., *The Sudan Handbook*, 58.

well as protecting the southerners from further slave raids, administrators and missionaries encouraged the emergence of a distinct southern culture founded on Christianity and the use of English (rather than Arabic) as a common language. This policy was formalized in the 1920s into a “closed door” policy.<sup>13</sup>

The “Closed Door” policy also known as, the “Closed District Ordinance” was formalized, “whereby northerners as well as foreigners other than the British were not allowed into the south.”<sup>14</sup> Some contend that:

The ostensible reason for this policy of isolation was to end northern pressure on and dominance of the south and Nuba Mountains. The orders were intended to stop Arab tribes from seizing slaves, cattle and grain from the south, and to end the alleged pressure to convert to Islam. Missionaries and many government officials sought to keep Arab and Islamic influences out of East Africa. More broadly, British officials sought to keep Arab and Islamic influences out of East Africa.<sup>15</sup>

The British, as Oostland and Berkvens suggest, intended southern Sudan “to develop independently from the north so that it acted as a buffer against the dominant Arab culture.”<sup>16</sup> “Consideration was even given to separating the region from Sudan altogether, linking it perhaps with Uganda or making it into a separate colonial entity within an East African federation to be ruled from Nairobi.”<sup>17</sup> Alternately, Robert Collins suggests that the: “Southern Policy” was actually a result of ideological

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<sup>13</sup> Zolberg, Suhrke and Aguayo, 50-51.

<sup>14</sup> Ibid. (In context of the “Closed Door” policy “the south” refers to the provinces of Equatoria, Bahr al Ghazal and Upper Nile.)

<sup>15</sup> Lesch, 31-32.

<sup>16</sup> Rolanda Oostland and Ronald J.A. Berkvens, *Sudanese Life Stories: Voices from Kakuma Refugee Camp* (Utrecht: Pax Christi, 1998), 13.

<sup>17</sup> Zolberg, Suhrke and Aguayo, 294, footnote # 49.

indifference. The “Southern Policy” appeared to be a conscious effort on the part of the British to promote “the separation of northern and southern Sudan, but in reality the British did not know what to do with southern Sudan, so that individual initiative, isolation, and ad hoc administrative decisions represented more a muddle than any coordinated and consistent policy.”<sup>18</sup> The consequences of separate administration of northern and southern Sudan created the pre-condition to yield an entirely northern focused state, at the time of independence. Peter Verney suggests that:

. . . the main defect of British administration on Southern Sudan was its failure to develop local economic and administrative infrastructures. The emphasis on “tribal” administration and its limited aspirations regarding social and economic development meant that there was very little need for educated Southern Sudanese. Education in Southern Sudan was badly neglected. Economic development was also severely restricted.<sup>19</sup>

In 1930, the British established the “Native Administration” also known as the “Southern Policy” which reinforced what was already occurring on the ground.

The north and the south were to be governed as two separate regions due to the numerous cultural and religious differences. The assumption was that southern Sudan, due to its perceived commonalities, would be linked to British East Africa (Kenya, Uganda and Tanzania) not to northern Sudan and the Middle East. The Southern Policy allowed for indigenous laws and customs to be practiced throughout the south while Islamic laws

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<sup>18</sup> Robert O. Collins, *A History of Modern Sudan* (Cambridge, UK: Cambridge University Press, 2008), 36.

<sup>19</sup> Verney, 11. See also: Zolberg, Suhrke and Aguayo, 51: The south, in 1960, contained approximately one-fourth of the population of Sudan. At that time, “the south had only three secondary schools, compared with sixty-five in the north, and of 1,216 students at Khartoum University, only 60 were southerners.”

and customs were to be practiced throughout the north. “The implication of the Southern Policy widened the gap between the north and south even further, creating a negative effect on the south as a whole.”<sup>20</sup> According to Douglas Johnson:

Up until 1947 Britain, or at least the Foreign Office, had not been fully committed to administrating the South as part of the Sudan, entertaining the untested notion that it might eventually be linked to the East African colonies. With Egyptian and northern Sudanese nationalist insistence on a united Sudan, however, this option (never vigorously pursued) was closed.<sup>21</sup>

In December 1946 the Southern Policy was reversed when “the British formally acceded to pressure from northern politicians and the Egyptian government to keep the south within a united Sudan.”<sup>22</sup> “This contradictory and confused approach to governing Sudan deepened the gulf between north and south and set the stage for the conflict that would erupt even before the country was formally granted independence.”<sup>23</sup>

Shortly before independence, in 1954, combined Southern leadership agreed, “to support a federal constitution as the condition for remaining in a united Sudan, failing which they would reserve the south’s right to self-determination.”<sup>24</sup>

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<sup>20</sup> Martha Donkor, *Sudanese Refugees in the United States: The Collateral Damage of Sudan's Civil War* (Lewiston, N.Y.: Edward Mellen Press, 2008). (Hereafter cited as: Donker), 36.

<sup>21</sup> Johnson, *The Root Causes of Sudan's Civil Wars – Peace or Truce*, 2011, 25.

<sup>22</sup> Lesch, 34: “Egypt wanted the Nile Valley to remain united under its monarchy.”

<sup>23</sup> Donkor, 37.

<sup>24</sup> Rift Valley Institute, *The Sudan Course Book*, 53.

The period between 1953 and 1956 was a transition that led to self-governance and self-determination of the newly united Sudan. Sudan was granted its independence on January 1, 1956 - becoming the first of Britain's African colonies to achieve independence after World War II.<sup>25</sup> There were constitutional issues, however. At the time of independence the provisional constitution was unclear regarding whether Sudan was to be secular or Islamic.<sup>26</sup> Also unresolved was whether its structure was to be federal or unity in structure. Further, along with discord over race, religion and national identity, the first civil war was to be fought primarily over issues of political exclusion and domination.<sup>27</sup>

The conventional date for the beginning of civil discord is August 1955, four months before Sudan officially achieved its independence. Southern troops mutinied in response to a rumor that they were to be moved north after independence:

The [Torit] mutiny is held by many to have highlighted and emphasized the ethnic, religious and cultural division between the northern and southern regions of the country, the mistrust between the leaders involved, and the effects of a traditional British policy of administering the two areas separately and very differently, at least until the Second World War. Whether it also mark[ed] the beginning of a sixteen-year struggle between southern political movements and the Khartoum Government . . . is another question.<sup>28</sup>

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<sup>25</sup> Johnson, *The Root Causes of Sudan's Civil Wars – Peace or Truce*, 2011, 21.

<sup>26</sup> U.S. State Department, *Background Note: Sudan*, April 2011, Section 7, Paragraph 1.

<sup>27</sup> Rift Valley Institute, *The Sudan Course Book*, 31.

<sup>28</sup> C.R. Mitchell, *Conflict Resolution and Civil War: Reflections on the Sudanese Settlement of 1972* (Fairfax, VA: George Mason University, 1989). (Hereafter cited as: Mitchell), 4.

Douglas Johnson, former advisor to GoSS (Government of South Sudan) on the north-south boundary and member of the Abeyei Boundary Commission, argues that it is inaccurate to date the start of the civil war to the Torit Mutiny for “aside from the activities of a few dispersed mutineers, there was very little fighting in the south for the rest of the decade.”<sup>29</sup> He contends that the first civil war began during 1962-1963 with “the formation of the first exile political movement, the Sudan African Closed District National Union which later . . . became SANU, and 1963 saw the first organized military activity of guerilla units . . . [known as], ‘Anyanya’.”<sup>30</sup> “It is from this time (1962-1963) that the first civil war can be said to have begun.”<sup>31</sup> The first civil war “began in the early 1960s during Sudan’s first military dictatorship, when the central government pursued an aggressive policy of Arabization and Islamization and regarded any talk of federalism as sedition.”<sup>32</sup>

General Ibrahim Abboud seized power through a military coup (1958-1964), dissolving all political parties, “which ended what was considered a promising though

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<sup>29</sup> Douglas Johnson, “Twenty-Century Civil Wars” in Ryle et al., *The Sudan Handbook*, 123-124.

<sup>30</sup> Ibid., 124. See also: Zolberg, Suhrke and Aguayo, 52: “The guerilla force ‘Anyanya’ formed around a core of Equatoria Corps and augmented by army deserters and uprooted schoolboys. . . . Operating largely as independent bands, the Anyanya at first lacked an external military patron and so relied mainly on captured weapons and supplies from the Sudanese army. Subsequently, however, some arms became available from Ethiopia, in return for Sudan’s support of the Eritrean insurgents, as well as [eventually] from Israel, which viewed the conflict as an opportunity to weaken Arab control over the Red Sea.”

<sup>31</sup> Ibid., 124.

<sup>32</sup> Rift Valley Institute, *The Sudan Course Book*, 31.

fledgling participatory democratic process in the north.”<sup>33</sup> Shortly after coming to

power, the military government launched an:

... “arabization” policy, which entailed closing all English-language educational institutions (1964) and eliminating all English speakers – that is, the entire southern elite – from the regional administration. Plans were also made to colonize the south with over a million Arabs. With the political parties completely suppressed, relations between the regions continued to deteriorate, and by 1963 the south was engulfed in violence.<sup>34</sup>

Southern political elites fled to neighboring nation-states such as Uganda and Zaire in response to Abbud’s repressive measures. From 1963 on, massive population movements occurred within the south due to civil conflict.<sup>35</sup> By the end of the following year, all Christian missionaries had been expelled in an attempt to further both Arabization and Islamization.<sup>36</sup>

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<sup>33</sup> Jok, *Sudan*, 54-55: General Abboud’s “government became best known for its brutal murder of chiefs and heads of clans, setting groups against one another, promoting some groups at the expense of others and imprisonment of political opponents. The actions of Abbud’s regime gave rise to the radical and ethnic cleavages that would tear apart the fabric of relative coexistence that had been characteristic of Sudan’s ethnic relations five decades later.”

<sup>34</sup> Zolberg, Suhrke and Aguayo, 51.

<sup>35</sup> *Ibid.*, 52: By 1972, the end of the first civil war, estimates of internally displaced ranged from 500,000-800,000. UNHCR estimates suggest that in 1970 there were approximately 170,500 Sudanese refugees: 71,500 in Uganda, 59,000 in Zaire and approximately 20,000 in both Ethiopia and the Central African Republic.

<sup>36</sup> Johnson, *The Root Causes of Sudan's Civil Wars – Peace or Truce*, 2011, 35: “Conversation to Christianity accelerated in the South in the 1960s once the foreign missionaries were expelled, and the churches were seen to be under assault from the government, rather than collaborating with it, as in the Condominium days. This pattern was to be repeated in the 1980s and 1990s when new Islamization policies were imposed from Khartoum.”

Concurrently, Abboud's military regime was forced out of office due to Khartoum's public discontent over a weak economy, political repression and the escalation of civil war in the South.<sup>37</sup> Between 1966-1969, a number of coalition governments governed Sudan.

In 1969, Colonel Jaafar Nimeiri gained power in Sudan's second military coup ruling through what Jok Madut Jok described as "a brutally uncompromising military junta."<sup>38</sup> However, by 1971:

Nimeiri did an about turn, and instead of continuing his militaristic attitude to the southern opposition, began to make contact with the southern guerrilla movement with suggestions for peace negotiations.<sup>39</sup>

The result was the 1972 Addis Agreement, also known as the Addis Accord, which brought the war to an end. The central provisions of the Addis Accord focused on southern regional autonomy, allowing for the southern provinces to unify, granting them both political and administrative autonomy "and the authority to create their own cultural policy."<sup>40</sup> Under the Addis Accord, the south was to become a semi-autonomous region with Juba as its capital. The south was to be governed by a regional assembly and a high executive council, which was responsible for internal administration and security.

Additionally, plebiscites were to be held in border areas to determine if those areas would remain in the North or secede to the South. "The Accord also stated that, while Arabic

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<sup>37</sup> Verney, 12.

<sup>38</sup> Jok, *Sudan*, 65.

<sup>39</sup> *Ibid.*, 66.

<sup>40</sup> Zolberg, Suhrke and Aguayo, 49.

would be the official language of the Sudan, north and south, English would be the “common language” of the south and would be taught in schools [and used in regional administration].”<sup>41</sup>

The relationship between the central and regional governments, however, remained ambiguous. Nimeiri intervened several times in Southern regional elections and in decisions concerning the economic development of the South. . . . Policies were frequently established in Khartoum without reference to the regional government.<sup>42</sup>

As a result of growing opposition amongst emerging forces from the ex-Anyanya, Nimeiri began to centralize power. Consequently, Nimeiri “progressively shed his liberal-minded Northern Sudanese allies from his coalition . . .” as he incorporated conservative groups such as Hassan al-Turabi’s Muslim Brothers and Sadiq al-Mahdi’s Ansar.<sup>43</sup> The U.S. State Department, in an analysis suggested:

The scales against the peace agreement were tipped in 1979 when Chevron discovered oil in the south. Northern pressure built to abrogate those provisions of the peace treaty granting financial autonomy to the south. Ultimately, Nimeiri abolished the Southern region, declared Arabic the official language in the South and transferred control of the Southern armed forces to the central government.<sup>44</sup>

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<sup>41</sup> Mitchell, 9.

<sup>42</sup> Verney, 12.

<sup>43</sup> Ibid., 12.

<sup>44</sup> U.S. State Department, *Background Note: Sudan*, Section 7, Paragraph 7.

In 1980, the Nimeiri government unsuccessfully attempted to redraw southern borders. This clearly signaled Khartoum's determination "to keep the development of the oil fields firmly under central, rather than regional, control."<sup>45</sup>

In October 1981 Nimeiri dissolved the southern assembly and dismissed the regional government, installing a caretaker administration favoring redivision; anti-division activities were later arrested. Khartoum also decided to locate the principal oil refinery in the north rather than close to the oil fields.<sup>46</sup>

In 1983, the Sudan People's Liberation Army and Movement (SPLM/SPLA), was formed in Ethiopia under John Garang.<sup>47</sup> The following month, September, Nimeiri abolished the Addis Ababa Accord, attempted to impose *shari'a* law as the basis for the Sudanese legal system and proclaimed Arabic as the sole official language throughout all of Sudan. These decrees came to be known as the 'September Laws.'<sup>48</sup> Cassandra Veney, citing Jok and Hutchinson noted that:

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<sup>45</sup> Douglas Johnson, "Twenty-Century Civil Wars," in Ryle et al., *The Sudan Handbook*, 126.

<sup>46</sup> Zolberg, Suhrke and Aguayo, 53. As stated by Justin Willis, Omer Egemi and Philip Winter, "Land and Water," in *The Sudan Handbook*, 21: "Most of the known oil reserves are in the south. The pipelines run north to Khartoum state, where one refinery is located, and then on to Port Sudan, where there is another refinery, and from where the oil is shipped, [at the time of this writing], most going to the [*sic*] China and Japan."

<sup>47</sup> Ryle et al., *The Sudan Handbook*, 2010, 206: John Garang de Mabior (1945-2005). Garang, a Dinka, completed his secondary education in Tanzania. He was granted a scholarship from Grinnell Collage in Iowa where he studied economics. Upon returning to Sudan he joined the Anyanya guerrilla movement. "After the 1972 Addis Ababa Agreement he was integrated into the Sudanese Army. He returned to Iowa to complete a PhD in Agricultural Economics. In 1983 he became leader of the SPLM/A, with the stated aim of creating a democratic, secular and united 'New Sudan'." Three weeks after being sworn in as the first Vice President, John Garang died in a helicopter crash.

<sup>48</sup> Lesch, 55: On September 8, 1983 Nimeiri issued a presidential decree that shari'a

A major catalyst for the civil war was the imposition of Islamic *shari'a* law throughout the country that served to alienate large populations in the southern part of the country, most of whom were not Muslim. But this was not simply a religious conflict between northern Muslims and southern Christians or a battle based solely on regional, religious, and ethnic differences between “Arabs” and “Africans” as portrayed in the Western media.<sup>49</sup>

The 2nd civil war began in 1983, whereupon “Sudan’s second military regime sought to establish firm control over southern mineral and water resources and to impose an Islamic state on the country.”<sup>50</sup> Additionally, the central government’s economic policies favored “the establishment of large mechanised farms located mainly within the north-south borderlands and leased out to government clients, which involved the dispossession of large numbers of subsistence farmers and herders from the customary rights to land.”<sup>51</sup> Under Nimeiri:

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“be the sole and guiding force behind the law of the Sudan” essentially making Sudan an Islamic republic. For a comprehensive history of Sudan from 1956 through the present see: Douglas H. Johnson, *The Root Causes of Sudan's Civil Wars – Peace or Truce*, (Kampala: Fountain Publishers, 2011). See also: John Ryle et al., *The Sudan Handbook*. (Suffolk: James Currey Ltd, 2011).

<sup>49</sup> Veney, 35. Veney further explains, 228: “The Western media failed to incorporate the economic dimensions of the conflict. Instead, urged on by civil rights and church groups, it took up the cause of slavery in the Sudan and continued to portray the conflict solely in “tribal” terms.

<sup>50</sup> Rift Valley Institute. *The Sudan Course Book*, 31.

<sup>51</sup> Ibid., 31. See also: Daniel Large, “The International Presence in Sudan,” in Ryle et al., *The Sudan Handbook*, 167: In 1979, work began on the Jonglei Canal. It was to be approximately 224 miles long waterway: “designed to reduce transpiration from the White Nile by bypassing the Sudd, thereby making more water available for irrigating export agriculture in northern Sudan and Egypt. The project was abandoned in 1983 at the start of the second civil war in the south. Its completion would have irrevocably changed the environment, affecting the livelihood of tens of thousands of people living along its path. The scheme may yet be revived.”

Sudan was left mired in debt on a scale far greater than it had ever experienced before. Hopes of wealth from oil had been dashed by the renewal of civil war. Yet Nimeiri and those around him were widely believed to have made considerable personal gains, often by corrupt means. Thus, the gap between rich and poor grew, a situation emphasized when famine struck the western regions of Kordofan and Darfur in the early 1980s. The government did little or nothing to alleviate the sufferings of Darfuris.<sup>52</sup>

The outbreak and spread of renewed civil war in southern Sudan interrupted oil exploration and other development projects, halting foreign investment. The SPLA targeted prominent international projects in 1984. Three expatriate oil workers were killed in an attack on Chevron's Rubkona base near Bentiu on 3 February.<sup>53</sup>

Shortly thereafter, Chevron pulled out of Sudan.

Further, the misery of the famine in Northern Bahr el Ghazel and Southern Kordofan from 1983-1985 was amplified by the deliberate scorched earth policy and relief denial policies of government militias and the SPLA. In 1988, 250,000 people had died of hunger-related diseases.<sup>54</sup> It was in consequence to those circumstances that the world's first program to assist populations on either side of a conflict; Operation Lifeline Sudan (OLS) was formed in 1989. OLS was an UN-led entity comprised of a network of NGOs whose mission was to respond to famine and civil war in Sudan.

As a result of economic, social and political discontent, Jaafer Nimeiri's regime was overthrown by a military coup in 1985, yielding civilian rule for a year until

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<sup>52</sup> Peter Woodward, "Sudan's Fragile State, 1956-1989," in Ryle et al., *The Sudan Handbook*, 92.

<sup>53</sup> Daniel Large, "The International Presence in Sudan," in Ryle et al., *The Sudan Handbook*, 169.

<sup>54</sup> Verney, Sudan, 7.

elections ushered in parliamentary rule. Two unstable coalition governments followed, making way for the military coup which swept Omar Hassan al-Bashir and the National Islamist Front (NIF) into power, in 1989.<sup>55</sup> Shortly after Bashir's ascendancy, he pronounced Sudan to be an Islamic state. By 1990, he had declared a state of emergency, dissolved parliament and all political parties, along with trade unions and civil associations:

The Bashir government combined internal political repression with international Islamist activism. It supported radical Islamist groups in Algeria and supported Iraq's invasion of Kuwait. Khartoum was established as a base for militant Islamist groups: radical movements and terrorist organization. . . . In 1996, the UN imposed sanctions on Sudan for alleged connections to the assassination attempt on Egyptian President Mubarak.<sup>56</sup>

In 1993, al-Bashir was appointed president of Sudan. After two years of heavy-handed stability, China invested in the development of southern oil resources in 1995. Bashir's 1996 election as president for five years also bore Chinese fruit. By 1999, a 1,100 km pipeline from southern Sudan to Port Sudan was completed and oil exports began. Before long, oil constituted the vast majority of Sudan's exports, thereafter driving both policy and action toward southern Sudan.<sup>57</sup> Fundamentally, the

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<sup>55</sup> Mark Gibney, *Global Refugee Crisis: A Reference Handbook* 2nd ed. (Santa Barbara, Calif.: ABC-CLIO, 2010), 135: In July 2008, the Prosecutor for the International Criminal Court (ICC) filed formal charges against Omar al-Bashir of genocide, crimes against humanity, and war crimes. In 2009, the ICC issued a warrant for his arrest. He is the first sitting head of state indicted by the ICC.

<sup>56</sup> U.S. Department of State, *Background Note: Sudan*, 2011, Section 7, Paragraph 11.

<sup>57</sup> Laura James, "From Slaves to Oil," in Ryle et al., *The Sudan Handbook*, 81: By 2008, oil comprised approximately 96 percent of Sudan's total export revenue.

increased revenues can be seen as the vehicle that rendered the processes of Islamization and Arabization begun during the 1960s more expansive and more militarily aggressive. The oil revenues used almost exclusively for the development of northern infrastructure also provided the resources needed for a northern arms build-up which was to support al-Bashir's action against Darfur on a strictly Arab justification, as well as his incursions into southern Sudan on both religious and ethnic premises.<sup>58</sup>

However, yielding to international pressure in 2002, al-Bashir signed the “Machakos Protocol” which later became the framework for Comprehensive Peace Agreement. The Machakos Protocol:

. . . established the framework of the future peace agreement, committing both sides to the unity of the country, but granting the south the option of an independence referendum after an interim period. But the agreement was between the government and the SPLM only. Neither the NDA [National Democratic Alliance] nor any other opposition group in any part of Sudan was included. . . . This was to have a significant impact on events in Darfur in 2003.<sup>59</sup>

In 2003, Janjaweed attacks on Darfur began pursuant to a rebel incursion focused on al-Fasher airport. This marked the beginning of the current conflict, which by 2004 was classified Darfur as “the world’s worst humanitarian crisis” by the UN coordinator.<sup>60</sup>

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<sup>58</sup> John Mutenyo, “South Sudan: Time to Focus on Challenges,” The Brookings Institute, 2011: As of February 15, 2011, South Sudan, a region of 619,700 sq. km, had less than 50 km of paved roads.

<sup>59</sup> Douglas Johnson, “Twenty-Century Civil Wars,” in Ryle et al., *The Sudan Handbook*, 131-32.

<sup>60</sup> Ryle et al., *The Sudan Handbook*, 198.

In 2005, the second civil war in southern Sudan came to an end with the signing of the Comprehensive Peace Agreement (CPA).<sup>61</sup> The CPA intended to restructure wealth, power and security structures in Sudan by sharing them between the SPLM and the NCP.<sup>62</sup> The CPA called for a “one country, two system” model, detailing issues regarding: armed forces, autonomy, oil revenues, economic issues, administration, and Islamic law.<sup>63</sup>

The 2005 CPA established a new Government of National Unity and the interim Government of Southern Sudan. . . . The historic agreement provides for a ceasefire, withdrawal of troops from southern Sudan, and the repatriation and resettlement of refugees. It also stipulated that by the end of the fourth year of an interim period there would be elections at all levels, including for national and southern Sudan president, state governors, and national, southern Sudan, and state legislatures.<sup>64</sup>

As a result of the CPA, a power-sharing government was formed between the north and south. Omar al-Bashir was sworn in as President and John Garang as First Vice President of Sudan. Three weeks after taking office, Gargang died in a helicopter crash, whereupon Salva Kiir Mayardit succeeded him as First Vice President of Sudan.<sup>65</sup>

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<sup>61</sup> Katarzyna Grabska, "Lost Boys, Invisible Girls: Stories of Sudanese Marriages Across Borders." *Gender, Place & Culture: A Journal of Feminist Geography* 17, no. 4 (August 2010). (Hereafter cited as: Grabska, "Lost Boys, Invisible Girls"): 483: The 1983-2005 civil war, resulted in the death of over 2 million Sudanese, the internal displacement of more than 5 million and approximately 500,000 refugees.

<sup>62</sup>Rift Valley Institute, *The Sudan Course Book*, 255.

<sup>63</sup> For details of Sudan Comprehensive Peace Agreement provisions see: <http://www.iss.co.za/af/profiles/Sudan/darfur/cpaprov.htm>

<sup>64</sup> U.S. State Department – *Background Note: Sudan*. Section 10.

<sup>65</sup> Ryle et al., *The Sudan Handbook*, 211: Salva Kiir Mayardit (b. 1951) succeeded John Garang in July 2005 and became the President of Southern Sudan and First

But intermediate government incursions into southern Sudan continued.

The frequently interrupted and uneasy peace leading to the ultimate secession of the south from the north was punctuated by disputes over boundaries, oil resources, issues of ethnicity, religion and race. Nonetheless, the referendum on independence for South Sudan took place January 2011.<sup>66</sup>

South Sudan became a sovereign, independent nation-state July 9, 2011 and was officially recognized as the 193<sup>rd</sup> member state of the United Nations on July 14, 2011.

Perhaps Cassandra Veney best sums up Sudan as:

. . . extraordinarily complex, and composed as it is of people from many different ethnic, linguistic, and cultural backgrounds that go beyond the Arab-Christian, Arab-Black African, and North-South dichotomies often peddled in the popular media. Its conflicts are rooted in colonial histories of divide and rule and uneven regional development and postcolonial despotism and inequalities. The enduring struggles for resources and power that lie behind many of the country's conflicts have been framed by shifting political and economic regimes within the country as well as by changing imperatives of regional and geopolitical dynamics and pressures. The various conflicts have been articulated in different ideological languages at different times. Some have been secessionist in the inspiration, others for regime change of the central government; some have been driven by secular struggles over the distribution of resources, and religious fervor.<sup>67</sup>

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Vice-President of Sudan. Salva Kiir first joined the Anyanya rebel movement in the late 1960s. "Salva Kiir was one of the founders of the SPLM/A and in 1999, became Chief of Staff and deputy to its leader John Garang. He played a decisive role in the reunification of the SPLA. . . . He was elected President of Southern Sudan in April 2010."

<sup>66</sup> U.S. State Department, *Background Note: Sudan*. Section 10: The official results on the week-long Southern Sudan referendum concluded, "Official results were announced on February 7, 2011. More than 3.85 million people, or 97.58% of registered voters, participated with 98.83% voting for secession according to the final results."

<sup>67</sup> Veney, 35.

In conclusion, the challenges devolving from the creation of Anglo-Egyptian Sudan are beyond those of most of Africa's new nation-states. Unlike other colonies, there was not an African led Nationalist movement or the emergence of an educated elite to frame the creation of a new nation-state. The absence of those further contributed to the South's political marginalization. Conflicting strategies of British policy began even before the formation of the Anglo-Egyptian Condominium and continued up to independence. The British had made Khartoum the economic and political capital of Sudan, despite their understanding that government of the whole of Sudan was both untenable and unworkable, separating and marginalizing the south on all levels.

Furthermore, from 1956 forward, the primary goal of the Sudanese government was the creation of an export economy. Consequently, early development projects focused on the Nile with the creation and unsuccessful implementation of large mechanized projects, which impaired economic growth in south Sudan. Also, the progressively more pernicious efforts to Islamify and Arabize only served to aggravate and deepen the rift between north and south. Additionally, to date, even borders which had not been disputed have been violated by North Sudanese military forces. And disputes concerning the apportionment of oil resources persist, yielding civil unrest, violence and continuing forced displacement of South Sudanese populations – this while the new nation is confronted with a host of returning refugees. International events have also overshadowed the issues which face this new nation. On the one hand, the Arab Spring has allowed al-Bashir's regime to attack South Sudan, as well as his own people with impunity. On the other, Salva Kiir's plea for UN intervention has largely gone

unanswered. At best, the potential of a peaceful post-conflict environment is a precarious hope.

Clearly, there was enthusiastic embracement of South Sudan's successful secession from the northern state. All southerners had suffered from northern oppression. There have already been factional rifts within the party and the army. Not all have embraced Salva Kiir's primacy. Only time will tell whether the rifts within the party and the army can be bridged. A successful government must be formed, but it will have to address more than its own unity. It will have to embrace the many ethnicities in its central structures and strive to meet their political, social and economic welfare. The creation of civil society will be achieved only if the oil wealth serves the whole of the commonwealth. In other words, without the pressure of the North to unite the population, South Sudan will have to face what almost every other African nation has failed to achieve: the bridging of an ethnic ethos that has dragged so many into civil war.

The future is far from certain, and the success of any developmental project undertaken in South Sudan will depend on a stable post-conflict environment. Assuming that a modicum of civil tranquility is maintained, though, South Sudan does hold possibilities for some intervention to help develop programs to reintegrate displaced women and their children into the communities from which they have been alienated. But whatever those prospects are, a study of their experiences while they were refugees in Kenya needs to be included in preparation for that eventuality.

## CHAPTER 3

## KAKUMA: AT THE CROSSROADS FROM EVERYWHERE TO NOWHERE

The second civil war in Sudan (1983-2005) was fought at monumental human costs, claiming some two million lives, internally displacing over five million people and producing approximately 690,000 refugees.<sup>1</sup> It was this conflict which led to the creation of a new refugee camp in northwestern Kenya: Kakuma.

Between 1987 to 1991, approximately 20,000 unaccompanied boys ranging from about 7 to 17 years in age fled southern Sudan to avoid being captured or killed.<sup>2</sup> They were bound for Ethiopia, seeking refuge there from southern Sudanese turmoil. But they were targeted again and forced to flee Ethiopia under hot pursuit in 1991, when the Mengistu Haile Mariam regime fell. Mengistu had been the SPLA's main support, providing both military training and bases for that southern Sudanese resistance.

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<sup>1</sup> “UNHCR – 2005 Global Refugee Trends: Statistical Overview of Populations of Refugees, Asylum-Seekers, Internally Displaced Persons, Stateless Persons, and Other Persons of Concern to UNHCR,” Division of Operational Services UNHCR Geneva, (9 June 2006): 15.

<sup>2</sup> Grabska, Katarzyna, *In-Flux: (Re)negotiations of Gender, Identity and ‘Home’ in Post-War Southern Sudan*. (PhD diss., University of Sussex, 2010). (Hereafter cited as: Grabska, *In-Flux: (Re)negotiations of Gender*), 149: “In the late 1980s, in need of recruits, John Garang decided to create youth cadres who were trained in military camps in Ethiopia. According to Human Rights Watch estimates there was between 17,000 and 40,000 young recruits (HRW 1994) trained in Ethiopia. They were referred to by Garang as the “Red Army,” the “army without fear” or “Seeds of Sudan.””

The change in regimes marked the cessation of Ethiopian support for the SPLA.

Those boys who survived their perilous flight from Ethiopia to Kenya via Sudan arrived, in April 1992, at the end of the road just beyond the Kenyan border, Kakuma.<sup>3</sup>

Some had walked a total 1000 miles.

In July 1992, the Government of Kenya authorized the UNHCR to establish Kakuma Refugee Camp in response to the arrival of the surviving 10,500 unaccompanied Sudanese boys.<sup>4</sup> Located in the Turkana District of the Rift Valley Province in northwest Kenya, Kakuma lies 60-78 miles southeast of South Sudan's disputed border and

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<sup>3</sup> *Kakuma* is the Swahili word for "nowhere."

<sup>4</sup> Numbers vary in regard to the initial arrival of unaccompanied Sudanese minors to Kakuma. See: Ahlsten, Neil, Tracey Giang, Theresa Hwang, Ky Lam, Hilary Mathews, Yuka Ogasawa, Karen Showalter, Corrie White, Megan Wilson, XinXin Yang; Advisor: Howard Adelman, "Protracted Refugee Situations: A Case Analysis of Kakuma Camp, Kenya," *Princeton Refugee Initiative of Woodward Wilson School [of] Public and International Affairs. Princeton University*. (January 2005). (Hereafter cited as: Princeton Study, "A Case Analysis of Kakuma"): 12, cites: 10,500 as the arrival number to Kakuma. Whereas Rebecca Horn in "Exploring the Impact of Displacement," 358, cites: an arrival number of 12,000; Abebe Feyissa and Rebecca Horn cites a similar number in Hollenbach, *Refugee Rights: Ethics, Advocacy, and Africa*, 13; Bram J. Jansen in, "Between Vulnerability and Assertiveness: Negotiating Resettlement in Kakuma Refugee Camp, Kenya." *African Affairs* 107, no. 429 (2008). (Hereafter cited as: Jansen, "Between Vulnerability and Assertiveness"), 571, cites: 20,000 as the number of arrivals to Kakuma in 1992. See also: Grabska, "Lost Boys, Invisible Girls," 485: The term 'lost boys' was given by the journalist and international aid workers that came in contact with them. 'Lost boys' refers to Peter Pan and his orphaned companions 'who clung together to escape a hostile adult world.'; *Ibid.*, 494: Approximately 3,500 'lost boys' have been resettled in 40 cities throughout the United States since 2000. Resettlement came to a halt as a result of 9/11, resuming in 2004. See also: Princeton Study, "A Case Analysis of Kakuma," 38: approximately 3,000 young Sudanese females arrived in Kakuma refugee camp along side the 'lost boys'. Those females, who were unaccompanied, lived with foster families. Many "functioned more as domestic servants than as daughters. . . . The girls [were] viewed as a source of income for the families, through their additional rations and dowry they [brought] to the family when they [were] forced to marry other Sudanese men."; Grabska, "Lost Boys, Invisible Girls," 485: "In the USA between 1990 and 1997

621 miles northwest of Nairobi. Kakuma is in an extremely remote, marginalized and most inhospitable region of Kenya. Kakuma's climate is semi-arid, in that it is humid, yet receives minimal to no precipitation, with average temperatures of 104 degrees Fahrenheit. The camp presents a harsh, windswept environment that supports little more than dehydrated thorn scrub and a smattering of Acacia trees.<sup>5</sup> When it does rain, the cracked red earth turns to torrents of flowing mud making roads impassable for weeks on end. Nonetheless, by 1993, Kakuma hosted 40,000 refugees, and by 2003, 95,000 displaced persons occupied the camp.<sup>6</sup> At the time of this writing, Kakuma is "home" to 86,251 refugees.<sup>7</sup>

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among some 4306 resettled Sudanese, there were three adult males to one adult female. Only 89 'lost girls' [also known as 'invisible girls'] resettled in the USA in 2001." For detailed discussion of both 'lost girls and boys' see: Katarzyna Grabska, "Lost Boys, Invisible Girls: Stories of Sudanese Marriages Across Borders." *Gender, Place & Culture: A Journal of Feminist Geography* 17, no. 4 (August 2010): 479-497.

<sup>5</sup> Jeff Crisp, "Forms and Sources of Violence in Kenya's Refugee Camps." *Refugee Journal Quarterly* 19, no.1 (2000). (Hereafter cited as: "Forms and Sources of Violence"): 62: Kenya has a chronic shortage of arable land, which comprises less than 20 per cent of the country's territory.

<sup>6</sup> Jansen, "Between Vulnerability and Assertiveness," 569.

<sup>7</sup> "UNHCR, "2012 UNHCR Country Operations Profile – Kenya," Camp Population Statistics: Kakuma: As of 1/22/12, of the more than 86,000 refugees and asylum-seekers, which reside in Kakuma Camp approximately 45,462 are Somalis, with the majority of others having come from Sudan, Ethiopia and the Democratic Republic of the Congo. "By September 2011, Dadaab had received more than 140,000 new refugees, predominantly Somalis. The refugee population reached 450,000, further stretching infrastructure and services far beyond the original intended capacity of the three camps in Dadaab of a total of 90,000 refugees. . . . By September, the overall population of refugees and asylum-seekers [individuals who claim to be refugees, but whose claim has not been definitively evaluated] in Kenya, including 52,000 people of concern [internally displaced persons, stateless persons or others that are a concern to the UNHCR] in Nairobi, stood at some 559,000 people."

Kakuma Refugee Camp is wedged between two usually dry riverbeds: those of the Tarach and Lokadet Rivers. The camp itself is located approximately 1.25 miles from and the town of Kakuma. It is, roughly speaking, 12 miles long and 2.5 miles wide.<sup>8</sup> It is divided into five sections:<sup>9</sup> Kakuma I is the oldest and largest, established in 1992 to encamp the ‘lost boys’ of Sudan. This section is comprised of predominantly Sudanese. “Kakuma II was opened primarily for Somali refugees who were relocated from camps in Mombasa.”<sup>10</sup> In 1999, Kakuma III was opened to accommodate additional flows of Sudanese refugees along with other nationals seeking refuge. Since then, Kakuma IV and V have opened to accommodate additional incoming refugees from various

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<sup>8</sup> Princeton Study, “A Case Analysis of Kakuma,” 18.

<sup>9</sup> Meredith Hunter, "The Failure of Self-Reliance in Refugee Settlements," University of Leeds, *POLS Journal* 2 (Winter 2009): 22: The layout of refugee camps ignores the needs of refugees, “everything from the layout to the size of the plots of land for individual households is predetermined based on what is believed to be ideal, ignorant of the socio-political, environmental and demographic realities of individual refugee crises.” Hunter cites: Manuel Herz, *Refugee Camps in Chad Planning Strategies and the Architect's Involvement in the Humanitarian Dilemma* (Geneva, Switzerland: UNHCR, Policy Development and Evaluation Service, 2007), 22: The standardized plan “starts with the tent or the refugee family as the smallest basic unit. [...] This unit of the family is organized into camp clusters (16 tent), camp blocks (16 clusters), camp sectors (4 blocks) and finally the complete camp (4 sector), which is ‘ideal’ case houses 20,000 refugees.”

<sup>10</sup> Ayiamba Elias, "Refugees in Post-Conflict Reconstruction: A Study of Kakuma and Dadaab Refugees in Kenya." Speech, Conference on African Traditional and Return Migration, The Centre for Research in Ethnic Relations, (United Kingdom, June 29-30, 2009). (Hereafter cited as: Ayiamba), 8.

nation-states in conflict. Currently, the camp is comprised of Sudanese, Somalis, Ethiopians, Ugandans, Rwandans, Congolese, Burundians and Eritreans.<sup>11</sup>

G. P. Opata described the camp of Kakuma as essentially an urban settlement, which lacks proper planning and foresight to address safety, security, comfort or conveniences. “There are no facilities such as proper access roads, toilets, open spaces, drainage channels etc. This makes the camp have the appearance of large slum congested with people with no proper amenities.”<sup>12</sup>

“Dirt roads and paths separate the camp into different zones and groups, which are usually divided based on nationality.”<sup>13</sup> There are no vehicles allowed in the camp other than those of the UNHCR and other agencies. There are small businesses throughout Kakuma, but consumer access to goods is limited because the camp is extremely isolated, the only customers being other refugees, NGO staff and local Kenyans. Opata and Singo found that the most notable and basic types of businesses found in Kakuma are small-scale retail shops:

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<sup>11</sup> Rebecca Horn, “Exploring the Impact of Displacement,” 358: Estimates of both refugee numbers and ethnic composition of Kakuma refugee camp varies. Horn reports that as of August 2010 the camp consisted of approximately 96,000 refugees from nine nation-states: Sudan (80 percent); Somalia (14 per cent); Ethiopia (4 percent); Uganda (0.5 per cent); Rwanda (0.4 percent); Burundi (0.2 per cent); and Congo (0.7 percent).

<sup>12</sup> G.P. Opata, "Manmade Environmental Hazard: A Case Study of Kakuma Refugee Camp from an Environmental Planning Perspective," *Africa Geoscience Review* 9, Issue 4 (2002). (Hereafter cited as: Opata, “Manmade Environmental Hazard”): 430.

<sup>13</sup> Kate Reuer, *A Refugee's New, Dangerous Life: The Dangers of Living in Kakuma Refugee Camp* (Jerusalem: International Research and Advisory Panel (IRAP), 1998), (Hereafter cited as: Reuer), 2.

These sell basic commodities such as salt, sugar, tea-leaves, paraffin, cooking fat and so on. The shops also stock most of the food ration items such as maize and beans issued to refugees by the UNHCR and her implementing agencies. It was found that some refugees, particularly women, are engaged in the brewing and selling of illicit liquor.<sup>14</sup>

Kakuma's isolated location, its ethnic composition, and the terms and conditions by which refugees are constrained are the result of changes in Kenyan government policies enacted during the year before the boys arrived there. Prior to 1991, Kenya's total refugee population was estimated to be 15,000.<sup>15</sup> "However, at the height of the refugee influx in 1991 that resulted from the collapse of Somalia and the fall of the Ethiopian government, the number of refugees rose drastically to an estimated 370,000 to 700,000."<sup>16</sup> Until 1991, the Government of Kenya (GoK) allowed refugees to move

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<sup>14</sup> Grephas Opatá and Stephen M. Singo, *The Economics of Displacement: A Study of the Changing Gender Roles, Relations, and its Impact on the Livelihood and Empowerment of Women Refugees in Kenyan Camps* (Eldoret, Kenya: Moi University Press, 2004). (Hereafter cited as: Opatá and Singo, *The Economics of Displacement*), 20. See also: Crisp. "Forms and Sources of Violence," 69: It is thought that only 15 percent of refugees have a source of income apart from the assistance they receive. Additionally see: Opatá and Singo, *The Economics of Displacement*, 48: "The main source of livelihood for refugees is food rations from donor agencies. The food ration basket has been diminishing gradually, due to reduction in donor funding, with the result that currently, the ration basket is inadequate in quantity, quality and variety."

<sup>15</sup> John Burton Wagacha and John Guiney, "The Plight of Urban Refugees in Nairobi, Kenya" in Hollenbach, 91: Kenya's pre-1991 refugee population was "mostly from Uganda, Ethiopia, southern Sudan, and the Great Lakes Region. They mainly lived in small camps in northern Kenya (Mandera, El Wak, and Walda) and in urban settings such as Thika, Nairobi and Mombasa."

<sup>16</sup> *Ibid.*, 92. See also: Crisp, "Forms and Sources of Violence," 62: "By 1992, the number of refugees in Kenya was some 420,000, the vast majority of them Somalis."; Veney, 8: Cassandra Veney states that in 1992 Kenya's refugee population numbered 427,000.

freely throughout the country, legally work and pursue educations. The integration of refugee populations into Kenyan society had seemed workable. However:

Fear of insecurity and instability permeated government circles in Kenya as a consequence of major domestic political changes that were occurring. At the time of the new influx of refugees, Kenya was experiencing drought and internal unrest accompanied by cries for a multiparty system, growing tribalism, and increasing corruption. These resulted in a withdrawal of donor funding and increased demands by the World Bank and the international community for greater accountability, transparency, and freedom of the press.<sup>17</sup>

Initially, the GoK had been charged with refugee status determination, while the UNHCR assumed observational and advisory roles. An Eligibility Committee determined refugee status, which was mainly adjudicated individual cases. The refugee status determination process came under pressure as civil conflict heightened in Uganda in the mid-1980s, and later in Ethiopia, Somalia and Sudan. The system collapsed under the weight of the staggering refugee flows of the early 1990s, at which point the Kenyan Government delegated authority for the management and protection of refugees within Kenyan borders to the UNHCR:<sup>18</sup>

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<sup>17</sup> John Burton Wagacha and John Guiney, “The Plight of Urban Refugees in Nairobi, Kenya” in Hollenbach, 92.

<sup>18</sup> Guglielmo Verdirame, “Human Rights and Refugees: The Case of Kenya,” *Journal of Refugee Studies* 12, no. 1 (1999). (Hereafter cited as: Verdirame): 56: “The war in Somalia, and the subsequent arrival of some 400,000 Somali refugees in Kenya, combined with the arrival of the Sudanese ‘walking boys’ in the northwest, led to the final collapse of the system of individual status determination by the Kenyan Eligibility Committee.”; Karen Jacobsen, “Can Refugees Benefit the State? Refugee Resources and African Statebuilding,” *The Journal of Modern African Studies* 40, no. 4 (December 2002). (Hereafter cited as: Jacobsen, “Can Refugees Benefit the State?”): 594, Footnote 9: “The [host] state usually enters a tripartite agreement with UNHCR and an implementing agency that carries out relief operations in the camps. To ensure nominal

In order to attract sufficient external resources to cope with the material needs of the Sudanese and the Somalis, the Kenyan government began to acquiesce in the conventional approach of putting refugees in camps, and provided the land for these establishments.<sup>19</sup>

The burgeoning influx of refugees in the 1990s yielded the creation of 15 camps throughout Kenya, which were later consolidated, to four: Mombasa and Dadaab to host Somali refugees; Mandera for those fleeing Ethiopia, and Kakuma for the lost boys from Sudan.<sup>20</sup> A further 13 closures and consolidations occurred between 1994-1997, when the GoK decided to close all but two refugee camps, Kakuma and Dadaab, which were the most isolated of all.<sup>21</sup>

Under current laws, individual asylum seekers must register with the Refugees Commissioner in Kakuma, Dadaab or Nairobi within 30 days of arrival in Kenya.

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control of camps by the state, supervisory personnel such as the camp commandant are government officials.”

<sup>19</sup> Verdirame, 57.

<sup>20</sup> Peter Mwangi Kagwanja, "Le Bon Samaritain à L'épreuve de la Tradition Africaine Dans les Camps de Réfugiés au Kenya." *Politique Africaine* 85 (2002): 46: Initially, Kenya's 15 refugee camps in the early 1990s were: Banissa, Mandera, El Wak, Walda, Habaswein, Liboi, Marafa, Hatimy, Swaleh Nguru, Utange, Jomvu, Ruiru, Thika, Kakuma and Dadaab.

<sup>21</sup> Verdirame, 68-69: Under Kenyan law, business carried out within refugee camps are not subject to taxation. "This had the effect of skewing the local Kenyan economy in favour of the camp locations, much to the resentment of the local business community, who were losing customers." Additionally the affect which the presence of refugees on the tourism industry was of great concern to a number of Kenyans. See also: *Ibid.*, 69: In response to the closure of these camps, UNHCR had to either repatriate or relocate individuals to either Dadaab or Kakuma. The distance between Mombasa and Dadaab - 287 miles, between Mombasa and Kakuma - 630 miles and between Dadaab and Kakuma - 435 miles.

Once registered, a ‘waiting slip’ is issued. It is valid for a year, or until a decision has been rendered on the asylum claim. Within that year, a Refugee Status Determination interview is held with the individual applicant. Once the interview occurs, a report is forwarded to the commissioner with a decision to be rendered in 90 days. If refugee status is granted, a UNHCR Mandate Refugee Certificate of Protection Letter is issued. If the asylum request is rejected, an appeal is allowed. However, an appealed rejection is final, requiring the asylum seeker leave Kenya. If the request is granted, the applicant is taken to a UNHCR camp.

Under Kenyan encampment policy, no registered refugees may leave, travel or move outside their assigned camps without special permission to do so.<sup>22</sup> The GoK

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<sup>22</sup>Gerry Simpson, Meghan Rhoad, and Agnes Odhiambo, *"Welcome to Kenya": Police Abuse of Somali Refugees*. (New York, NY: Human Rights Watch. 2010). (Hereafter cited as: Simpson, Rhoad, and Odhiambo), 73: As of 2010, the application procedure for movement passes is as follows: “Refugees request UNHCR (camp) field offices for an application form. Once completed, they submit the form to DRA, [Department of Refugee Affairs], staff working inside UNHCR’s field offices. . . . If the DRA approves the application, UNHCR prepares a movement pass with the refugee’s photo, name, date of birth, UNHCR ration card number, final destination, and validity period. The DRA then stamps the pass. If the DRA rejects the application, the DRA gives reasons and the applicant can appeal against the refusal. If the appeal is unsuccessful, there is no further appeal.”; Ibid., 73: The main ad hoc reasons, (since the UNHCR says, “It’s an open list because there is no list,”) for warranting a ‘movement pass’ are for medical issues, educational purposes, and resettlement or humanitarian considerations. See also: Jacobsen, "Can Refugees Benefit the State?" 580: Host governments state “that refugees compete with locals for scarce resources such as land, jobs and environmental resources (e.g. water, rangeland or firewood), and overwhelm existing infrastructure such as school, housing and health facilities.”; Ibid., 593: Requiring refugees to live in camps ensures that international assistance is concentrated and more easily accessible, and is usually seen as the only politically acceptable choice for governments when there are security problems in the region. On the other hand, restricting refugees to camps inhibits their utilisation as productive economic actors, and their individual resources and skills will be less available to the host community.”

policy restricting refugee movement is illegal under the 1951 Refugee Convention, however.<sup>23</sup>

Kenyan government policy requires refugees to live within one of two refugee camps, either Kakuma or Dadaab.<sup>24</sup> Kakuma is unenclosed by any form of fencing or outside barriers, allowing both local non-refugees and the indigenous population of Turkana tribesmen free access to the camp at any time, for any reason.<sup>25</sup> The UN/NGO compound, which operates within the perimeters of a 6pm to 6am curfew, is located about two-thirds of a mile from the nearest confines of the camp and is fortified by multiple layers of fencing topped with rolls of razor wire. The UN prohibits UNHCR or

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<sup>23</sup> Article 26, 1951 Refugee Convention addresses 'Freedom of Movement': "Each Contracting State shall accord to refugees lawfully in its territory the right to choose their place of residence and to move freely within its territory subject to any regulations applicable to aliens generally in the same circumstances." See also: Simpson, Rhoad, and Odhiambo, 71: Because Kenyan policy on Refugee Movement "has never been justified and formalized in specific legal terms, it violates international human rights and refugee law guarantees of refugees' right to freely move in their country of refuge unless certain conditions are met." Additionally see: Princeton Study, "A Case Analysis of Kakuma," 44: "The GoK has [however] met its international obligations by allowing UNHCR to set up and manage refugee camps in Kakuma and Dadaab, and only involves itself in refugee issues when the interests of Kenyan citizens are at stake."

<sup>24</sup> Veney, 100: "Three camps make up Dadaab: Ifo, which was established in 1992, and Hapadera and Dagahaley both established in 1992."; Dadaab is located 50 miles from the Somalia/Kenya border in northeast Kenya, 310 miles from Nairobi and 62 miles northeast from the town of Garissa. Currently, Dadaab is "home" to 456,742 refugees. - Peter Mwangi Kagwanja, "Ethnicity, Gender and Violence in Kenya." *Forced Migration Review* 9 (December 2000). (Hereafter cited as: Kagwanja, "Ethnicity, Gender and Violence in Kenya,"): 22: UNHCR spent \$40 million to establish Dadaab and Kakuma refugee camps.

<sup>25</sup> (With a population of approximately 340,000, the Turkana tribe is the second largest group of nomadic pastoralist, (herders of cattle, goats and camels), in Kenya, behind the Maasai.)

other NGO workers from living outside the camp itself.<sup>26</sup> The Catholic Order, Salesians of Don Bosco, is the only NGO that chooses to ignore this directive and resides within the camp.<sup>27</sup> Although unfenced, Kakuma is commonly described as “a prison without walls.”

The relationship between the UNHCR and the Kenyan government has created a host of problems for both the refugees living in the camp and the local population surrounding the camp. For example:

In Kakuma, refugees are not allowed to keep animals, since this is likely to increase conflict between the refugees and the local Turkana People. . . . It is possible for refugees to start small businesses, if the capital is available (either through a loan from an NGO or with money sent by family abroad). However, the market is finite because Kakuma is in a very isolated area and the majority of customers are other refugees, a small

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<sup>26</sup> Abebe Feyissa and Rebecca Horn, “There is More than One Way of Dying: An Ethiopian Perspective on Refugee Camps,” in Hollenbach, 24: “The UNHCR compound is closed to refugees, except those who have an official appointment letter. However, it is hard to obtain such a letter when you cannot access the people in a position to issue one. In an attempt to resolve this problem, UNHCR set up three field post around the camp. . . . This system would allow refugees from anywhere in the camp to access UNHCR staff. However, in practice, the field posts are frequently not staffed, and when staff are present, the number of refugees waiting to see them is far more than they could ever hope to serve.”

<sup>27</sup> United Nations Security Coordinator, “Security in the Field: Information for Staff Members in the United Nations System.” *United Nations*. New York, (1998): 9-11: “The UN employs five security phases to describe measures to be implemented in response to prevailing conditions in a given country in parts of a country.” Phase I is considered to be a “precautionary” level. Phase II is classified as “restricted movement.” Phase III, which both Kakuma and Dadaab camps are, is listed under the “relocation” phase, meaning all unnecessary personnel and dependents are relocated to either safe areas or outside the country. Phase IV calls for “program suspension” meaning all personal not directly involved with humanitarian/emergency or security matters are to be evacuated to outside the country and phase V calls for evacuation of all internationally-recruited staff. See also: Opatia and Singo *The Economics of Displacement*, 21: provides a brief description of the location of Kakuma Refugee Camp to the UNHCR main compound.

number of NGO staff, and local Kenyans. All NGOs in the camp “employ” refugees, but due to Kenyan laws prohibiting employment of refugees, they are engaged on a voluntary basis and then paid an “incentive,” which is far lower than a wage would be for a Kenyan in an equivalent job.<sup>28</sup>

Kakuma Refugee Camp is known:

. . . for high degrees of communal, inter-communal and sexual violence. Tense relations between the refugee and host communities, exacerbated by competition over scarce resources and local perceptions of neglect by national and international authorities, have led to the targeting of refugee businesses and households by bandits. In the absence of strong police and judicial systems, acts of robbery and violence perpetuated against refugees go unpunished.<sup>29</sup>

In both Kakuma and Dadaab, “the rule of law is weak and the perpetrators of violence are rarely held accountable for their actions.”<sup>30</sup>

Violence is endemic. As Jeff Crisp suggests, “it is impossible to quantify the amount of violence which takes place in and around Kenya’s refugee camps,” however, it

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<sup>28</sup> Ron J. Eidelson and Rebecca Horn, “Who Wants to Return Home? A Survey of Sudanese Refugees in Kakuma, Kenya.” *Refuge* 25, Issue 1 (Winter 2008): 16.

<sup>29</sup> Jason Phillips, “Challenges of the Effective Implementation of Microfinance Programmes in Refugee Settings.” *Forced Migration Review* 20 (May 2004): 7. See also: Crisp “Forms and Sources of Violence,” 64: “While the areas of Kakuma and Dadaab have traditionally experienced high levels of insecurity, the establishment of the two refugee camps appears to have led to a geographical concentration of the violence. There are simply more items to steal, more people to rob and more women to rape in and around the camps than in other parts of the two provinces.”

<sup>30</sup> Crisp “Forms and Sources of Violence,” 64.

can be stated with relative certainty that violence occurs on a regular basis, both on collective and individual levels.<sup>31</sup> According to one UNHCR official in Kenya, “you cannot create an island of security in a sea of insecurity.”<sup>32</sup> It is a statement that neatly encapsulates the difficulties experienced by UNHCR and other humanitarian organizations working in the country’s refugee camps. Jacobsen explains, “Camps do not solve security problems. They are in fact added sources of instability and insecurity . . . because they aggravate existing security problems and create new ones.”<sup>33</sup> As stated by a UNHCR security official in Kenya, “The large and sprawling nature of the camps in Kenya means that they fail to provide refugees with a “defensible space.””<sup>34</sup>

On a collective level, as Crisp suggests, the patterns of conflict can be analyzed in one of three ways. First, violent clashes have been noted amongst refugees of the same sub-clans or nationality, such as Sudanese Dinka and Sudanese Nuers. It has also occurred between national groups, such as Sudanese and Somalis, or Sudanese Nuers and Ethiopians. Thirdly, violent conflicts occur between refugees and local populations, such as those between refugees and local Turkanas. Collisions between refugees and Turkanas groups are constant:

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<sup>31</sup> Jeff Crisp, "A State of Insecurity: The Political Economy of Violence in Kenya's Refugee Camps." *African Affairs* 99, no. 397 (2000). (Hereafter cited as: Crisp, “A State of Insecurity”): 601.

<sup>32</sup> *Ibid.*, 618.

<sup>33</sup> Rebecca Napier-Moore, *Entrenched Relations and the Permanence of Long-Term Refugee Camps* (Brighton, Sussex: Sussex Centre for Migration Research, 2005), 8.

<sup>34</sup> Crisp, “Forms and Sources of Violence,” 70.

This is partly due to the steady expansion of the refugee camp into areas used by the Turkana for grazing, and partly because of a growing tendency for local Turkana to settle within the perimeter of the camp, where they are more likely to come into contact and conflict with the refugees.<sup>35</sup>

In Kakuma, the refugee population far exceeds the indigenous population. That, combined with the political and economic marginalization of Turkanas, has resulted in deep tensions between these two populations. Additionally, it is well understood that refugees at Kakuma and Dadaab, as marginal as their diets may be, are generally better off than the local population on whose land the camps have been put. The Turkana suffer higher rates of malnutrition than the refugees.<sup>36</sup> The IRIN reported in July 2011, “Turkana has experienced malnutrition rates of up to 37.4 percent; the highest recorded in 20 years and more than double the UN World Health Organization (WHO) emergency threshold of 15 percent.”<sup>37</sup> Tension between the camp population and the Turkana is heightened through the proliferation of weapons throughout the region, which has added to the civil unrest.<sup>38</sup>

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<sup>35</sup> Crisp, "A State of Insecurity," 611.

<sup>36</sup> Ibid., 618. (Although accurate in a number of cases, the rate of marginalization and malnutrition within the camp is significant.)

<sup>37</sup> IRIN, “Kenya: Turkana Reels From Severe Drought.” *IRIN Africa*, (July 12, 2011).

<sup>38</sup> Grabska. *In-Flux: (Re)negotiations of Gender*, 175: The mere presence of the Camp complicated by the fact of the lack of resources creates an economic interdependency between the Turkanas and refugees. “Many, including children work as servants for refugee households while others sell water, firewood and alcohol. Some younger girls and women offer sexual services to the predominantly male refugee population. . . . Some Ethiopians narrated stories of sexual services provided by these children for as little as 20 KSh (\$0.30) or in exchange for food.”

Further, the Sudan People's Liberation Army (SPLA) has also been known to contribute to the collective violence of Kakuma. Crisp explains, "that the SPLA imposes taxes on the Sudanese refugee population but little is known about the degree of physical or psychological coercion involved in these processes."<sup>39</sup> What is more clearly understood is that Kakuma is "strongly influenced by the SPLA, which plays an important role in the selection of community leaders and hence the administration of the camp. Kakuma provides recruits (and possibly conscripts) for southern Sudan's rebel forces."<sup>40</sup> Additionally, militarization of camp and military recruitment both inside and outside the camp occurs and even if UNHCR officials discover an armed individual or group, UNHCR officials have no mandate to disarm individuals or militias.<sup>41</sup>

Pini argues that:

In and around Kakuma and Dadaab, the rule of law is weak and the perpetrators of violence are rarely held accountable for their actions.

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<sup>39</sup> Crisp, "A State of Insecurity," 603.

<sup>40</sup> Ibid., 623. See also: Reuer, 7: In an interview given May 1998, an intern who worked for UNHCR and LWF stated: "Last year, around 5,000 [Sudanese minors] were taken from Kakuma refugee camp to the war front, where most of them died. The type of clothing found on their dead bodies, enable them to be traced to this camp. Because Kakuma is located so close to the Sudanese border, commanders of different rebel forces will often enter the camp. They meet with community leaders from the camp, who are required to produce a certain number of youths, based upon where the fighting is happening. The boys have no choice other than to obey their elders, if they don't wish to be outcast from the society. They have absolutely no control over their futures."; Grabska, *In-Flux: (Re)negotiations of Gender*, 138: "It should be noted that Kakuma camp was famous as a retreat place for high-ranking SPLA officers. In fact, many of them sent their families to the camp for protection and education and would visit them occasionally during their 'holidays' from the military campaigns."

<sup>41</sup> Pini. "Political Violence and the African Refugee Experience," *International Affairs Review* (2007). (Hereafter cites as: Pini): 5.

This security shortage has catalyzed the formation of very powerful rebel groups within the refugee camps who destabilize not only the areas around the camps, but also entire border areas in both Sudan and Somalia as well.<sup>42</sup>

Quantifying individual levels of violence in Kakuma is difficult. Individuals, specifically women, are often reluctant to report abuse for fear of retaliation by the perpetrators or of rejection by their families and community. Rape is widespread, and carries with it strong cultural stigma. “[Females] who acknowledge being raped may be ostracized, isolated, or even punished by their husbands and families.”<sup>43</sup>

Furthermore, the economic, political and social marginalization of males in Kakuma often leads to feelings that they can no longer provide for their families. “A man’s inability to fulfill the traditional ‘provider’ role was said to contribute to feelings of anger and shame, which were perceived to manifest themselves in violence.”<sup>44</sup> Much of this hostility is directed toward women.

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<sup>42</sup> Ibid., 7.

<sup>43</sup> Binaifer Nowrojee, “Sexual Violence, Gender Roles, and Displacement” in Hollenbach, 127: “UNHCR officials report cases in which refugee families have begged UNHCR officials to move their daughters to another camp after they have been raped because of the stigma on the family.”

<sup>44</sup> Horn, “Exploring the Impact of Displacement,” 367: “The feelings of frustration, shame, humiliation and failure mean that he is very sensitive to any perceived ‘attack’ in this area, and is likely to overreact to small issues.” See also: Crisp, “A State of Insecurity,” 625-626: “The frustration experienced by some young Sudanese men in Kenya also derives from the fact that they are deprived of the opportunity to be initiated into adulthood – an important rite of passage which, according to community tradition, can only be performed in their place of origin. Moreover, some young Sudanese men argue that, even if they were to be initiated, they would not be able to marry because they would lack any means to pay the usual brideprice.” See also: Abebe Feyissa and Rebecca Horn. “A Report from Limbo,” *Boston College Magazine*, (Spring 2008): Feyissa, an

“Security and maintenance of law and order within the refugee camps” is the responsibility of the host nation-state.<sup>45</sup> Although the UNHCR has the mandate to protect refugees, it can only operate in:

. . . a country with the consent of the government and the ultimate protection of refugees still rests on the shoulders of the host government . . . it is [the host government’s] laws and regulations which set the immediate standards for protection; and it is their officials who are tasked with implementing them. . . . In fact, the main threat to the protection of refugees often emanated from states themselves.<sup>46</sup>

It is at this juncture that the differences between the post-World War II circumstances that resulted in the creation of the UNHCR and its mandate and mission clash with contemporary African realities. The UNHCR camps created in Europe were designed to relocate populations to pre-existing nations whose peoples identified with and included themselves in and according to historically based national, cultural and

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Ethiopian refugee himself writes, “There are only bodies in Kakuma. Everyone’s souls are traveling.”

<sup>45</sup> Ayiemba, 2.

<sup>46</sup> Veney, 168. For detailed discussion and documentation of security abuses and human rights violations perpetrated against Kenyan refugees see, Simpson, Rhoad, and Odhiambo, *“Welcome to Kenya”: Police Abuse of Somali Refugees*. (New York, NY: Human Rights Watch. 2010). See also: Jacobsen. “Can Refugees Benefit the State?” 592: “There are few international consequences for states that fail to protect refugees. Other than protests to the government, there is little that the international community, represented by UNHCR, can do when host countries are abusive towards refugees. It is frequently argued that strong international censure accomplishes little, and could incline the host state to refuse to accept refugees. There are no documented instances where inflows of foreign aid or humanitarian assistance were affected by a host state’s policies towards refugees on its territory. This suggests that as long as a host state allows refugees to cross its borders, no matter how inadequate the protection it offers, the host state stands only to gain but never lose international approval.”

often linguistic pasts. The refugees saw themselves in terms of a common culture and history, whatever the dimensions of their identity. They returned to environments into which they would reintegrate and be accepted. Their cultural roots were, in a sense, unchallenged by the vagaries of World War II. It was a question of creating the platforms whereby the diverse populations trapped in circumstances consequent to a brief disruption in political stability could be reunited with their compatriots. Their basic needs, until their relocation could be accomplished, had to be met. They had to be fed, housed, educated, and serviced medically until they could be relocated to their ancestral homes, their historical nation-states. Within a few years, the process of relocation was completed. That was not the situation in Africa. Sudan, as a nation, had not existed until 1956, and its complex ethnic, cultural, racial, religious and political history did not predispose a European sense of national identity. Nor was it alone in that: neither did circumstances in Uganda, Kenya, Somalia, Chad, Rwanda, or most modern African nation-states, prior to their creation. Colonial empires, leaving the newly independent nations to forge their own identities, drew their borders. Sudan and Kenya have been two among many to try, but precious few have succeeded.

Kenya includes forty-some ethnicities, while Sudan has hundreds. That it is difficult to integrate Islamic, Christian, and traditional African cultures should not be surprising, either in Sudan or Kenya. In Sudan, the colonial realities were shaped by European considerations.

Kenya was left in a similar predicament, at independence, with Kikuyu domination. Sudan achieved independence in 1956, as a Muslim-dominated reality

focused on Khartoum, Islamization and Arabization. Since then, both countries have struggled with nation-building in their own distinct ways and have been less than successful. South Sudan became the newest African nation-state after struggling for inclusion for more than four decades, the bulk of which were spent in civil war.

Kenya, despite its economic successes has also been periodically engulfed by civil strife since independence, even if to a lesser degree. Since 1991 it has been host to a massive numbers of refugees, who came in greater numbers than could be assimilated.

The UNHCR began its efforts in Kenya with the same objectives as in post-war Europe: to provide humanitarian relief in the form of housing, food, medical support and education for refugees until they could be relocated to their post-conflict national homelands. But conflict in the Horn of Africa has never ceased. Currently Dadaab houses the greatest number of refugees in the world - with little hope of immediate repatriation. The average length of stay in a protracted refugee setting such as Kakuma is 17 years.<sup>47</sup> The UNHCR struggles to manage Kakuma with a staff of fewer than three dozen to tend to the needs of some 86,000 refugees. Further, global governmental donations to UNHCR have slowed in recent years. Understaffed and underfunded, as well as charged with an untenable mission, the UN must rely on assistance from NGOs to provide what services it can at Kakuma and other UNHCR refugee camps.

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<sup>47</sup> U.N. High Commissioner for Refugees, "Challenging Times-Dangerous World." In UNHCR's Global Appeal for 2012-2013, U.N. High Commissioner for Refugees Antonio Guterres states there are "more than 7 million refugees (or two thirds of all refugees for whom UNHCR has responsibility) find themselves in protracted situations of exile, without a solution in sight."

The opportunities for refugees to work and generate income are extremely limited, with many traditional functions taken over by UNHCR and partnering agencies.<sup>48</sup> “[The GoK] gives UNHCR permission to work in the country, ship in food and equipment free of taxes, and provides security in the camp.”<sup>49</sup>

In Kakuma, the UNHCR is the umbrella organization which:

. . . coordinates protection and assistance efforts, in collaboration with [the] government of Kenya, UN agencies and others. While most projects are undertaken by UNHCR implementing partners, certain activities, such as flight services, refugee transportation and medical evacuations are directly implemented by UNHCR. There are 20 UNHCR staff (4 international, 13 national and 3 UN volunteers working in of Kakuma).<sup>50</sup>

UNHCR supervises and coordinates international agencies with which it has contracted.

The main private agencies in Kakuma are Lutheran World Federation (LWF), World Food Programme (WFP), International Rescue Committee (IRC), Don Bosco and Jesuit Refugee Services (JRS) and Gemeinschaft fur Technologische Zusammenarbeit (German Development Cooperation), (GTZ).

The LWF “implements camp management activities, including food distribution, storage and distribution of non-food items, lorry management, education, shelter, water and sanitation, and community services.”<sup>51</sup> Additionally:

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<sup>48</sup> Horn, “Exploring the Impact of Displacement,” 366.

<sup>49</sup> Princeton Study, “A Case Analysis of Kakuma Camp,” 46.

<sup>50</sup> Jamal, *Minimum Standards*, 38. In a personal interview in Kakuma, July 2009, the author was told that the UNHCR staff consisted of 12 international and 32 nationals.

<sup>51</sup> Jamal, *Minimum Standards*, 38.

. . . within the camp, LWF has responsibility for security. It employs a number of Kenyans mainly ex-military personnel, and refugees from the various national groups resident there. They patrol the camp and all issues relating to security have to be reported to them. . . . When a case arises in Kakuma and it is reported to the security, it will be referred, depending on its gravity, to the UNHCR or to the refugee leaders' 'court'. Cases referred to UNHCR may then be handed over to the Kenyan police. Thus, cases of theft and assault may be handled either by the Kenyan police or the refugee leaders.<sup>52</sup>

The WFP is responsible for securing and delivering food rations for distribution twice monthly, and:

. . . works closely with UNHCR in both emergencies and protracted refugee situations to deliver food to refugee populations. . . . WFP provides food assistance to refugee populations of 5,000 or more . . . whereas UNHCR is responsible for the food needs of smaller groups<sup>53</sup>

The IRC provides health care, shelter, assists in providing clean water, supports education, job training and runs micro-enterprise development programs. However, health services are minimal by western standards. Kakuma only has one 120-bed hospital and four clinics.<sup>54</sup>

JRS is primarily concerned with equipping refugees with skills, to enable them to venture into businesses such as carpentry and masonry.<sup>55</sup> It also provides micro-finance loans to assist in the establishment of small businesses.<sup>56</sup> Further, JRS runs a protection

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<sup>52</sup> Verdirame, 62-63.

<sup>53</sup> Loescher, Betts and Milner, *The United Nations*, 2008 ed., 86.

<sup>54</sup> Author's field notes from Kakuma Kenya, July 2009.

<sup>55</sup> Opata, Grephas, *The Economics of Displacement*, 23.

<sup>56</sup> Jon Fowler and Pete Manfield, "Assessment of livelihood and settlement conditions in Kakuma camp, Kenya; Rumbek Town and South Bor County, south Sudan." *University*

area for women most at risk of violence. “Safe Haven” Protection Center provides counseling and other services for victims of sexual and gender-based violence. The only other apparent option for women at risk (i.e. raped, abused or abducted) is the UNHCR protection area. This is a fenced in area approximately the size of a football field. Women seeking shelter, along with their children, reside within the confines of this area. This author has been told that there are women that have lived in this protection area for years.<sup>57</sup>

GTZ is an environmental organization that has been active in Kenya on behalf of the German Federal Ministry for Economic Cooperation and Development. GTZ focuses on development projects that reduce adverse impacts on the environment. GTZ is in charge of the distribution of firewood in the Camp.

All these international agencies, as Horst suggests, “are highly heterogeneous, and it is therefore quite difficult to form a unified and coherent system of communication. . . . The main link that binds the different actors together is the aid itself”.<sup>58</sup>

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*of Cambridge and UN-Habitat Disaster Management Programme* (July 2003): 24: In 2003, 374 businesses received support from Don Bosco. The following are the sectors and percentages of those businesses: Shops – 28%, Bicycle taxis ‘boda bodas’ - 25%, Sugar retailers – 25%, Restaurants – 8%, Grocery – 5%, Secondhand clothing – 2%, Barber shops – 1%, Makuti (roofing) and building materials – 1%, Video show places – 1%, Butchery – 1%, Carpentry workshop – 1%, Dry fish retailers – 1%, and Bicycle spare parts shops and repair shops – 1%.

<sup>57</sup> William Edonga, Interview by author. Personal interview, June 30, 2009.

<sup>58</sup> Horst. *Transnational Nomads*, 80.

Despite collaboration between the UNHCR and private organizations, the delivery of services to Kakuma's diverse population far from adequate. Food supply services are insufficient,<sup>59</sup> as are medical and fuel resources for Kakuma's inhabitants. Security services to protect refugees are all but non-existent. Further, living conditions are abhorrent.

Most dwellings within the camp are minimal to sub-standard. Some are small abodes with walls made of mud and roofs which are thatched or made from sheets of corrugated scrap metal or plastic sheeting. Other structures in which individuals reside are worn tents or nothing more than cardboard boxes pieced together.

The primary source of energy in the camp is firewood which is a supplementary item distributed by GTZ every other month. Most often, the amount distributed is insufficient. Refugees must purchase or barter for adequate firewood or charcoal using food rations, or go without for lengthy periods.<sup>60</sup> Locals "cut down trees to either sell as

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<sup>59</sup> Kanere, "Insufficient Food Supply Leads to Trade and Bartering" *Kakuma News Reflector – Refugee Free Press*, March-April 2009: Food rations are distributed every 15 days according to the number of people living in a household. However refugees claim that rations actually last between 10 to 12 days at most. "For 2-5 days at the end of each cycle, those are dependent on rations go without food. For an estimated 40% of families staying in Kakuma Camp who are totally dependent on food aid, these are called "black days.""

<sup>60</sup> Opata, "Manmade Environmental Hazard," 430; *Ibid.*: In a survey conducted in 2001, Opata found that the firewood distributed per refugee was 10kgs person per month which is not adequate. "The survey established that what is distributed constitutes 30% of the firewood requirements." As stated in, "Insufficient Food Supply Leads to Trade and Bartering" *Kakuma News Reflector – A Refugee Free Press*, March/April 2009: GTZ provides 10kg of firewood per person approximately every 40 to 60 days. For additional information on GTZ see: <http://www.gtz.de/en/aktuell/1004.htm>

firewood or to burn and sell as charcoal. They sell firewood to contractors for agency distribution in camps.”<sup>61</sup>

Sanitation is sub-standard. The pit latrines situated throughout the camp are serviced by trucks dumping sewage in “open wasteland, in the process exposing the local population to pathogenic microorganisms.”<sup>62</sup>

Jamal observes that “for people who may have lost all material possessions, education is the most portable asset, the one most likely to enable the refugee to thrive upon attainment of a durable solution.”<sup>63</sup> Schools, however, are limited in their ability to provide preparation which would be transportable to other environments, either through repatriation or relocation to host nation-states outside Africa.

According to international standards, refugees should be protected from criminal abuse:

In practice, however, powers of arrest, adjudication and punishment appear to have been assumed by institutions which are indigenous to the different refugee populations. The ‘traditional judges’ and ‘bench courts’ which characterize the Sudanese community in Kakuma, for example, are said to wield immense (and somewhat arbitrary) power – including the power of corporal punishment and detention in a prison facility.<sup>64</sup>

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<sup>61</sup> Opata, “Manmade Environmental Hazard,” 431; Ibid.: Erosion due to loss of vegetation result in dust storms, known in Kakuma as “Kakuma rain”.

<sup>62</sup> Ibid., 431. See also: Jamal, *Minimum Standards*, 19: “In terms of sanitation, there is an average of one latrine per 15 persons; adequate by emergency standards (1 latrine /20 persons), but undignified for persons who have been in one place for several years.”

<sup>63</sup> Jamal, *Minimum Standards*, 22.

<sup>64</sup> Crisp, “Forms and Sources of Violence.” 55.

Consequently, many crimes go unpunished, or justice is miscarried by the very oppressors who committed them. The marginalized existence of Kakuma's refugees manifest themselves through uncontrollable acts of rape, alcohol dependence, theft, domestic violence, depression, suicide, murder and psychotic behavior, all of which have been observed throughout the years at Kakuma. Feyissa and Horn suggest:

The negative psychological effects of living in a refugee camp are exaggerated further when the stay in the camp is protracted. Not only do refugees in protracted displacement situations have to cope with prolonged exposure to the stresses of life in a refugee camp, but also the ongoing uncertainty about their future.<sup>65</sup>

However, frequently the dislocation of refugee camp life is an extension of the trauma of the preceding shocks of war that brought them to refugee camps. In south Sudan, for instance, invading north Sudanese forces systematically killed all the adult males, raped females, burned the villages, and committed terrible atrocities involving children. The very fabric that wove the threads of these patriarchal societies together is irreparably torn. Among the Dinka, for example, all social institutions were tied to the

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<sup>65</sup> Horn, *Exploring the Impact of Displacement*, 369 citing: Feyissa and Horn in "There is More than One Way of Dying: An Ethiopian Perspective on the Effects of Long-term Stays in Refugee Camps," in Hollenbach, 13–26. See also: Gil Loescher and James Milner, *Protracted Refugee Situations: Domestic and International Security Implications* (Abingdon: Routledge for the International Institute of Strategic Studies, 2005), 21: "UNHCR defines a protracted refugee situation as: "one in which refugees find themselves in a long-lasting and intractable state of limbo. Their lives may not be at risk, but their basic rights and essential economic, social and psychological needs remain unfulfilled after years in exile. A refugee in this situation is often unable to break free from enforced reliance on external assistance." In identifying the major protracted refugee situations in the world, UNHCR uses the 'crude measure of refugee populations of 25,000 persons or more who have been in exile for five or more years in developing countries.'" See also: U.N. High Commissioner for Refugees, "Challenging Times – Dangerous World": "More than 7 million refugees, or two thirds of all refugees for whom UNHCR has responsibility," are currently in protracted refugee situations.

stability of place, traditional “coming of age” rites and practices, the certainty of a stable family, and an assured succession of generations. These comforts were taken from the lives of survivors, including young men who could not assume their status as adults; not being initiated to it in their homelands; denied of the opportunity to establish themselves as productive marriageable prospects; not knowing whose children the raped women would bear, even if they were already married. And, it is men who perpetrate internal sexual and other violent crimes in refugee camps. In Kakuma, “young men are particularly challenged, as they are at a stage in life where they ought to be finding their place in society as fathers, husbands, protectors, and providers in short, as men.”<sup>66</sup>

Life in Kakuma and Dadaab is “constrained in the best of times. For the disproportionately large numbers of male adolescents, and for others, there are few salubrious outlets for their energies.”<sup>67</sup> Jamal suggests that the:

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<sup>66</sup> Simon Turner, “Angry Young Men in Camps: Gender, Age and Class Relations Among Burundian Refugees in Tanzania.” Geneva, Switzerland: *UNHCR. Working Paper No. 9* (1999): 145.

<sup>67</sup> Jamal, *Minimum Standards*, 18. See Also: Marc Sommers, *Islands of Education: Schooling, Civil War and the Southern Sudanese (1983-2004)*. (Paris: UNESCO, International Institute for Educational Planning, 2005): 164: Kakuma, for its conception in 1992, has been overwhelming young and male. “An early head count of the 1992 refugees found that there were 10,885 boys and young men between the ages of 6 and 23, 830 girls and young women between ages 6 and 23 (married women between the ages of 15 and 23 were not included), and 1,901 children between 0 and 5. Those refugees aged 24 and above numbered 4,684, or 25 per cent. Three quarters of the initial Sudanese refugee influx, in other words, was under age 24, and nearly 60 per cent of the camp’s founding population were males between the ages of 6 and 23, nearly all of whom were minors. Ten years later, even after steady increases in the refugee population and following the exodus of nearly 3,800 Lost Boys to the United States between 1999 and 2002, a UNHCR report nonetheless indicated that the population breakdowns has remained virtually unchanged, with 74 per cent of Kakuma’s population under age 25 and 60 per cent of the population comprised of male refugees. As a result, the report

. . . loss of role and status may be particularly problematic for males. Female refugees are often able to maintain their traditional roles and responsibilities in camps, and so maintain their gender identity, whilst men are more likely to lose their central roles, especially that of protector and provider, which makes it difficult to maintain their sense of themselves as men in the community and family.<sup>68</sup>

An Ethiopian refugee in Kakuma explained to Feyissa and Horn that “his life in Kakuma was for him like life in the Dead Sea, where one cannot find a trace of life, where no natural phenomena exist, where one cannot swim out of it.”<sup>69</sup> Refugee camp realities present an additional particularly pernicious form of culture shock for both males and females.

International aid agencies often place increased emphasis on women by asking them:

. . . to participate in decision-making structures, in food distributions and in training and income generation programs. Women, as a result, may feel more empowered than previously; men may feel even more emasculated. As a result of these activities, though, women may be burdened with ever more responsibilities, and humanitarian agencies need to be cognizant of women’s often immense workloads before overloading them with additional tasks.<sup>70</sup>

Women, though, are perhaps the most victimized of the refugee population, from the times that the wars made refugees of them, into their circumstances in refugee camps.

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concluded that, “the excruciating problem in Kakuma is the “demographic imbalance.””

<sup>68</sup> Horn, “Exploring the Impact of Displacement,” 365.

<sup>69</sup> Feyissa and Horn, “There is More Than One Way of Dying: An Ethiopian Perspective in the Effects of Long-Term Stays in Refugee Camps,” in Hollenbach. 20.

<sup>70</sup> Dale Buscher and Women's Commission for Refugee Women and Children, *Masculinities: Male Roles and Male Involvement in the Promotion of Gender Equality* (New York: Women's Commission for Refugee Women and Children, 2005), 21.

Rape as a weapon of warfare is common. Kagwanja suggests that the “rape of girls, perhaps more than any other act of aggression, exposes the utter defencelessness of the entire community; it is the exercise of ultimate power and control of one group by another.”<sup>71</sup> As Mertus asserts, rape is a “graphic demonstration of triumph over men who fail to protect ‘their’ women. . . . In one act of aggression, the collective spirit of women *and* of the nation is broken, leaving a reminder long after the troops depart.”<sup>72</sup>

Uprooted women in camps often find themselves on their own. As a result, women are forced into new economic and social roles:

The breakdown of community and family structures in Kakuma, together with the lack of opportunities to generate income to pay dowries were said to have changed traditional marriage practices in ways that make violence more likely, and to have disrupted some of the systems that protected women from violent husbands.<sup>73</sup>

As a result of civil war and displacement, an unprecedented number of women find themselves devoid of family. The Dinka and Nuer are lineage societies with extensive kin networks, but so many males have died that a number of females are virtually isolated for the first time in their lives.<sup>74</sup> Nowrojee suggests, “systems that

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<sup>71</sup> Kagwanja, “Ethnicity, Gender and Violence in Kenya,” 23.

<sup>72</sup> Julie Merus, “Refugees and Forced Displacement: International Security, Human Vulnerability, and the State,” in Edward Newman and Joanne van Selm, *Refugees and Forced Displacement: International Security, Human Vulnerability, and the State* (Tokyo: United Nations University Press, 2003). (Hereafter cited as: Newman and van Selm), 261.

<sup>73</sup> Horn, *Exploring the Impact of Displacement*, 370.

<sup>74</sup> Stephanie Beswick, ““If You Leave Your Country You Have No Life!” Rape, Suicide, and Violence: The Voices of Ethiopian, Somali, and Sudanese Female Refugees in

women had formerly relied upon to help address domestic violence – extended networks of family, neighbors, and community leaders – still exist, but in much weaker, more compromised, and less reliable forms.”<sup>75</sup> “The loss of social support is exacerbated by the destabilization of communities which typically accompanies displacement.”<sup>76</sup>

The dynamics of ethnicity contributes to violence against women, particularly in Kakuma. Kagwanja explains:

Sudanese male refugees and militia assaulted women, especially from the Dinka group. Sexual assault on Sudanese women revolved around the customary practices of child-marriage, forced marriage and remarriage. In the latter case, refugee women are kidnapped and remarried to men in Southern Sudan who were able to pay huge dowries to the family in the form of cattle.<sup>77</sup>

Border crossings are particularly dangerous for women. There are numerous accounts of women being used as chits in order for other refugees to cross the border, or those at the border crossings asking for sexual favors in exchange for passage.

“Ironically, when female refugees flee civil wars in their own countries across borders into neighboring territories, they often find themselves in either a far more insecure

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Kenyan Refugee Camps,” *Northeast African Studies* 8, no. 3 (2001). (Hereafter cited as: Beswick): 94.

<sup>75</sup> Binaifer Nowrojee, “Sexual Violence, Gender Roles, and Displacement” in Hollenbach, 128.

<sup>76</sup> Horn, “Exploring the Impact of Displacement,” 366.

<sup>77</sup> Kagwanja, “Ethnicity, Gender and Violence in Kenya,” 23: “Men who raped, kidnapped or forced women into marriages in Kakuma were seldom prosecuted because the UNHCR camp staff were wary of being seen to interfere when they were unsure as to what extent traditional cultural practices were involved.”

environment or an equally violent situation.”<sup>78</sup> In the words of one female Somali refugee, “We ran away from the lion, but we have only found a hyena.”<sup>79</sup>

Additionally, “displacement can increase the likelihood of cultural norms being more accepting of violence, and can contribute to shifts in cultural practices which facilitate violence.”<sup>80</sup> “Violence against women is perpetuated not only by men within the camp, but also by men from the local population who may resent the presence of refugees, particularly when there is competition for scarce resources.”<sup>81</sup>

“Even after they make it to a “safe zone,” women and girls are at risk of sexual assault. Often the perpetrators are the very forces that are supposed to protect them. . . . Female inhabitants of refugee camps are often forced to trade sex for food rations or asylum hearings.”<sup>82</sup>

The cost of recovering food rations frequently entails giving sexual favours to male refugees who are given rations to distribute. Other women are forced into prostitution in order to obtain adequate food for themselves and their children, as rations are barely enough.<sup>83</sup>

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<sup>78</sup> Beswick, 96.

<sup>79</sup> Fowia Musse, “War Crimes Against Women and Girls,” Judith Gardner & Judy El-Bushra, *Somalia--The Untold Story: The War Through the Eyes of Somali Women* (London: CIIR, 2004), 70.

<sup>80</sup> Horn, “Exploring the Impact of Displacement,” 362.

<sup>81</sup> Jane Freedman, *Gendering the International Asylum and Refugee Debate*. (Houndmills, Basingstoke, Hampshire: Palgrave Macmillan, 2007), 40.

<sup>82</sup> Julie Merus, “Refugees and Forced Displacement: International Security, Human Vulnerability, and the State,” in Newman and van Selm, 261.

<sup>83</sup> Opata and Singo, *The Economics of Displacement*, 8. See also: Karen Jacobsen, *The Economic Life of Refugees* (Bloomfield, CT: Kumarian Press, 2005), 34: “Deciding who

In the end, females' bodies are often the only currency they have left.<sup>84</sup>

Kakuma is, in summation, not only an East African and Kenyan or Sudanese, but an international travesty born of the application of paradigms appropriate to the circumstances of post-war Europe in the creation of the UNHCR on the one hand, and their application to the realities of post-independence Africa on the other. The African "nations" which successively joined the community of the United Nations simply did not match the universalist definitions of "nation" operative in post-war Europe. But they were assumed to do so. Hence, it was expected that what had worked so well in the relocation of European refugees would apply to Africa. Indeed, the human suffering that occurred as Sudan, Ethiopia, and Somalia, resembled that of displaced European populations. But, Europeans saw themselves as German, Polish, French or Dutch, while African identities were still based in ethnicities which had been irrelevant to the colonial powers which had drawn the boundaries of African nations - which had little meaning to those peoples included in them. There was no Sudanese, no Kenyan, and no Chadian identity and they are still yet to emerge. The "civil wars" within African nation-states were misinterpreted to be just that. But they were interethnic in character, a product of the inclusion of often antipathetic ethnic, religious, and cultural groups joined only by externally dictated geographic boundaries having nothing to do with African histories or

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should control food aid distribution in camps is very controversial, because of the power it bestows on the distributors."

<sup>84</sup> Elizabeth Ferris, "Protracted Refugee Situations, Human Rights and Civil Society" in Loescher, Milner, Newman and Troeller. *Protracted Refugee Situations: Political, Human Rights and Security Implications*. 89.

cultures. Hence, there was no “Sudan” to which to return after the “civil war” that displaced so many. Unlike America, Sudan hadn’t the nine decades to determine what had to be resolved before there was a Sudan. Officially, it already existed. But Britain left Khartoum never fully addressing the obvious reality that her own administration of southern Sudan had already recognized the differences between northern and southern Sudan, culturally, ethnically or politically. Leaving an Arabized, Islamic regime in place in 1956, the British set the stage for an Islamic and “Arab” regime to integrate a non-Muslim and traditional African southern Sudan.

According to international law, Kenya’s refugee policies are less than generous, but from the Kenyan point of view, necessary. Fifteen thousand refugees, before 1991, could possibly have been absorbed, even into a nation struggling to fully integrate its own 42 ethnicities. But as Kenyan refugee populations swelled consequent to prolonged strife in the neighboring nations, the GoK had few options. It created refugee camps, ultimately consolidating them into two: Kakuma and Dadaab, located in remote areas. And it restricted refugees to those camps while abdicating responsibility for them. Left with no other viable options, the UN accepted the reality that Kenya could not absorb the forced migrations of the hundreds of thousands crossing its borders.

In effect, the paradigms embracing Kenya’s early refugee policies shifted according to African realities. The UN’s did not, placing the UNHCR in the impossible circumstance of managing what were no longer and still are not relocation camps. The GoK located both Kakuma and Dadaab in the most remote areas to ensure the least disruption to its own stability. But Kakuma is located on land that had long been used by

Turkanas. The GoK could neither restrict, nor enforce restriction of Turkana access to Kakuma. Further, the UNHCR could not mandate restrictions of its own, having neither the authority nor the fiscal and human resources to do so. Consequently, it was left to struggle to provide shelter, food, housing, education and medical services for tens of thousands at Kakuma with a miniscule staff. But, it had to rely on relatively large-scale NGOs to assume some of those responsibilities, at times with assistance from smaller, more specialized organizations. However, the staggering numbers of refugees at Kakuma alone, not even considering the growing diversity of ethnicities the camp hosted, rendered a number of services inadequate to meet international standards. Food and fuel shortages alone predisposed internal struggles among the camp's population. Medical services were and are inadequate. The maintenance of order was impossible due to the number and diversity of refugees. Open to groups such as the Turkana and the SPLA, external forces work to disrupt any semblance of security. Human rights abuses abound unpunished for failure of any reliable policing or justice systems. The camp is quite literally a prison.

To rectify the chaotic circumstances would require not only major paradigm shifts in international law concerning refugees and UNHCR mandates and radical changes in international donor nations' policies, which is unlikely given current economic and international political circumstances.

For the purposes of this project, Kakuma is therefore not a viable venue wherein to help displaced women, or any portion of the refugee population. Clearly, that alters the challenge of creating an NGO to ameliorate the chances for marginalized women and

their children to reintegrate into their communities considerably. Firstly, this study led to the realization that in order to help them at all, change had to be effected in the communities which rejected them, broadening the scope of the original intent of this project to include those communities. Secondly, it became clear that there had to be a measure of stability and security in the communities to which they returned. Thirdly, it is unclear whether South Sudan can provide such an environment. In response to those realities an approach had to be devised whereby it was possible to include women's host communities as beneficiaries to the possible developmental program. It is with these considerations in mind that the following chapter will address a proposal to accomplish some degree of reintegration for these women, as well as two alternative proposals should South Sudan not be stable enough to safely host an NGO.

CHAPTER 4  
REINTEGRATING MARGINALIZED WOMEN AND THEIR CHILDREN:  
A MODEST PROPOSAL

At its inception, this project was focused on what seemed a broad purpose: to create a non-government organization aimed at rendering African marginalized women and their children self-sufficient through the acquisition of skills which would provide them with adequate income to that end. The initial intention was to work in a refugee camp, addressing the issues confronted by so many who had been displaced because they had been raped in the course of the twenty-year conflict between northern and southern Sudan and now were residents of Kakuma Refugee Camp in northern Kenya. With that purpose in mind, I undertook two trips to Kakuma hoping to make contacts with UNHCR officials and NGOs operating in that facility. While both trips yielded invaluable insights, they diminished my hopes of expeditiously and directly meeting the needs of displaced women in refugee camp settings.

The idea to focus on women in a refugee camp was originally premised on the success of projects such as those of women in the Liberian camp established near Accra, Ghana. There, refugees were allowed freedom of movement and the opportunity to render themselves self-sufficient through the production of items aimed at both Ghanaian and international markets, yielding sufficient returns to sustain a modicum of prosperity.

That camp, however, was more ethnically uniform and located in a more stable social and political venue than Kakuma. Further, it was much smaller and offered the possibility for refugees to be assimilated into Ghanaian society. In other words, it was a camp established consistent with United Nations standards for refugee camps. My visits to Kakuma revealed conditions quite divergent from those in Ghana. Kakuma is host to a multiplicity of ethnic groups from numerous nation-states in Africa; situated in a hostile environment; open to intrusions from local and regional influences; and supervised by a staff charged with the provision of services of an unmanageable scale even just in the provision of basic survival needs. Regardless of which refugee population in Kakuma is targeted for aid, there is a common, prohibitive obstacle to successful intervention: that the traditional social, political, economic and cultural institutions which regulated them have been severely altered, truncated, or completely eliminated to the extent that the foundations of family and community have been rendered at best irreparably dysfunctional, or at worst, self-predatory. When combined with the circumstances of relocation and the severe restrictions upon all prospects of development in what is essentially a prison camp, it is clear that there is little possibility for a small NGO to help resolve women's plights in Kakuma.

My travel to southern Sudan and the preparation for it did, however, yield some possibilities for intervention in transitional or post-conflict situations, particularly in the realm of educational or medicinal challenges to be met there. Even in the course of its difficult transition to independence, some southern Sudanese have placed a primary emphasis on the development of schools to educate a largely illiterate population in order

to prepare for the developmental challenges of the future.<sup>1</sup> A small number of schools are already operative and well attended. But the sustained success of efforts to build, staff and operate schools is directly dependent upon the ability of the state to maintain sufficient civil tranquility to provide a stable venue for the integration of those schools into the communities which host them. As noted in the second chapter, the challenges before the Government of South Sudan are great. Mark Mattner notes that, “on average, countries coming out of war face a 44% chance of relapsing in the first five years of peace.”<sup>2</sup> Essentially South Sudan has emerged from nearly 50 years of civil conflict among competing regional, religious, ethnic, political and economic entities.

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<sup>1</sup> “Background of The Marol Academy”: An entire generation of South Sudanese has not attended school due to civil conflict. The illiteracy rate among females in South Sudan is 98%. See: <http://marolacademysudan.org/> “The Marol Academy” is a 501(C) (3) with the purpose “of reestablishing schools in rural South Sudan.” The Marol School is the first project to be undertaken by the Marol Academy.

<sup>2</sup> Mark Mattner, “Development Actors and Protracted Refugee Situations: Progress, Challenges, Opportunities,” in Loescher, Milner, Edward and Troeller, *Protracted Refugee Situations: Political, Human Rights and Security Implications*, 108. See also: Paul Collier, *The Bottom Billion: Why the Poorest Countries Are Failing and What Can Be Done About It*. (Oxford: Oxford University Press, 2007): Collier suggests that low-income levels, slow economic growth, stagnation or decline combined with dependence upon primary commodity exports, such as oil or diamonds, substantially increases the risk of civil war. The combination of these factors creates what Collier refers to as a ‘conflict trap’, which increases the likelihood of civil conflict as well as the recidivism of conflict. See also: Barbara Walter, “Conflict Relapse and the Sustainability of Post-Conflict Peace,” *World Development Report 2011 – Background Paper* (September 2010): Walter suggests that economic underdevelopment, political conditions and ethnic and religious fractionalizations are among the principle causes of recidivism in civil war.

South Sudan must include and integrate its culturally diverse and ethnically complex citizenry into the government while at the same time respect both individual and group identities. As Jok Madut Jok and John Ryle suggest:

The new government in South Sudan and the main government party, the Sudan People's Liberation Movement (SPLM), face a historic choice. One path they can take is to turn away from the authoritarian habits developed during the civil war and embrace the principles of an open-society. . . . This would entail a commitment to accountability, respect for free speech and promotion of human rights. The other path would be to adhere to the repressive and autocratic style of politics established by earlier governments in Sudan, allowing predatory administrative practices and short-term pursuit of financial gain to entrench themselves, while social welfare and the conservation of natural resources are neglected, leading to the establishment of another security state on the Nile. Which path is taken will determine the fate of a new nation.<sup>3</sup>

My limited experience at Kakuma, the Rift Valley Institute courses, and the preponderance of the literature mandate a need for me to readjust my objective to solely ameliorate the circumstances of marginalized women. Patriarchal kinship systems are at the social root of the East African political, social and cultural institutions. Hence, as the Women's Refugee Commission asserts, "simply targeting women does not guarantee that they will enjoy increased decision-making power over financial resources, nor does it address their social and economic marginalization."<sup>4</sup> In order to address women's needs, the support of the men who have the power to make decisions affecting the entire community must be enlisted. It is an indispensable part of the establishment of any successful developmental program. If the education of females were the goal, it would

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<sup>3</sup> Jok Madut Jok and John Ryle, "Epilogue: The Next Sudan," in Ryle et al., *The Sudan Handbook*, 187.

<sup>4</sup> Women's Refugee Commission, *Building Livelihoods: A Field Manual for Practitioners in Humanitarian Settings* (New York: Women's Refugee Commission, 2009): xvii.

have to reward the fathers, brothers and uncles as well. In other terms, the goal has to be integrated into the needs and desires of the community as a whole.

That being the case, it would seem that the establishment of an NGO aimed at improving the lot of marginalized women would most effectively interlock with either established schools or medical facilities, or possibly both. There are established organizations based both in the United States and Africa for which such an NGO might provide useful programs. Whether this project yields an independent entity, or one that cooperates with numerous agencies is yet to be determined. Contacts have been made on both continents. Determining the nature and the mission of this organization will require a return to East Africa to explore the possibilities based on local needs there. Those will define the nature and scope of the non-government organization which emerges.

It is difficult to further this narrative in the abstract. Hence, a hypothetical proposal for a focused, collaborative program put into the context of South Sudanese reality will follow. Several factors are taken as givens in this scenario:

1. Education is a nationwide priority in South Sudan.
2. Even basic dietary and medical needs are extreme in South Sudan.
3. Relative safety and stability of the host area is assured.
4. Social, political and economic institutions are functional and traditionally based.
5. There are returning marginalized women with children of undetermined paternity.

However, the reasons for local support of education are complex, and not necessarily tied to the national goal of preparing the South Sudanese population for the future. For example, while young male students may ultimately benefit directly from literacy in terms of their participation in the development that may occur, educated girls may be more of an economic asset to their brothers and uncles who would profit from their marriage. The attraction to the education of women may well be that they may bring greater “bride wealth” to their families in that an educated girl may bring greater returns, for instance. But there is also the reality that there is a premium put on pre-pubescent girls as marriageable, given greater likelihood of their virginity.<sup>5</sup> Thus, this proposal is premature, in that it might well predispose unintended consequences. Only research “on the ground” can hope to possibly prevent them.

The above is noted to illustrate that the factors included in this modest proposal are oversimplified, pointing to the need for further fieldwork prior to any effort to implement it. Nonetheless, the hypothetical will be developed as an example of what might be done to assist a limited cohort of the female children of repatriated marginalized women in South Sudan predisposed to their reintegration into local communities via education.

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<sup>5</sup> Author’s field notes from Rumbek, Sudan. Based on discussions with Salima Otieno, an instructor at Loreto Girls Secondary School, June 2010. See also: Jonah Leff, “Pastoralists at War: Violence and Security in the Kenya-Sudan-Uganda Border Region,” *International Journal of Conflict and Violence* 3, no. 2 (2009): 192: Chiefs, in interviews, from Lokichoggio, Kenya in June 2007 explained how the number of livestock given to the bride’s family is dependent “on the economic status of the groom’s family. Wealthy families give dowries of up to 300 animals worth [which at the time was] roughly US\$25,000. Many young warriors will raid cattle camps in order to provide large numbers of cattle to their bride.”

## A Proposal

Firstly, there are a number of schools already operative in South Sudan. Most require some payment of tuition. While the tuition is minimal measured by western standards (about US \$32.00 annually at Rumbek Senior Secondary School),<sup>6</sup> that is a considerable cost even for the typical villager earning an average-US \$984 per year.<sup>7</sup> Among the attractions of education for villagers is that children receive noon-time meals. But, even at those modest rates, repatriated women, being socially and economically excluded from the communities to which they return cannot afford to send their children to school.

Secondly, public health conditions in South Sudan are vastly inadequate. Death rates for children under five years of age are 112 per 1000. Maternal mortality rates are over 2000 per 100,000 births. Medical help is all but nonexistent. The ratio of physicians to population is 1 to 500,000.<sup>8</sup> The reasons for these statistics are complex, but fundamentally they are based in the realities of rural life in South Sudan.

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<sup>6</sup> Tony Calderbank, "Forging a Future in Southern Sudan," *British Council*, (July 9, 2011).

<sup>7</sup> Thomas Danielewitz, "South Launches its First GDP Estimate." *The World Bank*. (August 2011). (Hereafter cited as: Thomas Danielewitz): At first sight the GNI /cap seems far too high considering the conditions on the ground. The estimated GDP/cap of US\$1,546 is "confirmation that the country is rich in oil and natural resources, but has yet to transform the abundant natural endowments into infrastructure and improved livelihoods. Export of oil amounts to 71 percent of GDP, and oil revenue accounts for almost 98 percent of total Government revenue. Income inequality is high (Gini coefficient is 46), which may explain some of the mismatch, but more importantly, coming out of civil war and strife, the Government of South Sudan still spends around one third of the budget on "security and the rule of law."

<sup>8</sup> John Mutenyo, "South Sudan: Time to Focus on Challenges," *The Brookings Institute*,

Water supplies are sub-standard; human waste facilities are usually unsanitary latrines; food supplies are limited and subject to crop failures due to drought, resulting in chronic malnutrition; and parasitic infections are rampant due to environmental considerations, etc.<sup>9</sup>

But the consequences for this proposal are that there is a significant need for relatively simple medications - beginning with dietary supplements such as prenatal vitamins for women; children's vitamins to offset the effects of poor and insufficient food supplies; anti-parasitic medications to fight intestinal disorders, and the like.

These products are readily available for little more than the cost of transporting them to South Sudan.

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(February 15, 2011). See also: Medecins Sans Frontieres/Doctors Without Borders, "South Sudan" 2011: "People in South Sudan are at a high risk of contracting: Malaria, Tuberculosis, Kala azar (visceral leishmaniasis), Dengue fever, Rift Valley fever, Yellow fever, African trypanosomiasis, Meningococcal meningitis, Rabies, Hepatitis A, B, and E, and diarrheal diseases such as cholera, dysentery, and typhoid fever."

<sup>9</sup> National Bureau of Statistics for the Republic of South Sudan (2011), (formerly known as the Southern Sudan Center for Census, Statistics and Evaluation): South Sudan has a population density of 13/sq. km which is less than one tenth of Uganda, where the density is 136/sq. km. 83% of South Sudan's population resides in rural areas with 83% of the population residing in tukuls. 80% of the population does not have access to any toilet facility. 38% of the population must walk for more than 30 minutes one-way to collect drinking water. 50% of the population use firewood or grass as the primary source of lighting while 96% of the population uses firewood or charcoal as the primary fuel for cooking. (These statistics are derived from the 2008 Population and Housing Census.); Thomas Danielewitz discusses the statistical challenges in regard to South Sudan. The population numbers from the 2008 Census are disputed. The official population of 8.3 million "is probably closer to 9 million." Additionally, the GDP estimate of US\$1,546 was based on "expenditure information, i.e. survey data on household consumption, government expenditure records, capital investment information, in addition to data in exports and imports." Danielewitz suggests that a stronger estimate could be constructed by estimating GDP from the production side, i.e. by analyzing actual production volumes, along with values and costs of producers from the major industries in the economy. The Government of South Sudan hopes to conduct a new Census by 2016.

Assuming a stable and safe host area, and a functional, traditionally based community venue to which marginalized women are returning, some description of their likely circumstances is in order. Returning females face various risk factors during reintegration, including physical insecurity, food security challenges, gender-based violence, lack of male and community support systems, and the absence of economic and educational opportunities. Further, they are often faced with abuse, exploitation and discrimination upon return.<sup>10</sup>

Helping these women directly through an NGO aimed solely at enabling them to become economically self-sustaining would only serve to distance them further from the communities into which they are denied total re-entry. Such action would seem to yield only greater rejection of not only the women themselves, but the organization which helped them. A less direct way of reaching them might be to help their offspring by association through an already accepted developmental institution: a school.

As a local Boise organization has demonstrated, the delivery of medications to impoverished rural communities can be accomplished very effectively through schools.<sup>11</sup>

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<sup>10</sup> Dale Buscher, *Displaced Women and Girls at Risk Factors, Protection Solutions and Resource Tools* (New York, N.Y.: Women's Commission for Refugee Women and Children, 2006): 28.

<sup>11</sup> D.O.E.R.S (Dominican Oversees Education and Relief Society) is a locally based NGO whose mission is to “help kids to grow up to be healthy and strong” through clean water, the killing of parasites, maternal health and child nutrition programs. A recent trip to Honduras in October 2011 resulted in the distribution of \$160,000 worth of pharmaceuticals and medical supplies. Included in those supplies were 58,000 doses of deworming medicine and 3.2 million prenatals which benefitted approximately 80,000 individuals. Due to previously established partnerships the actual cost of the medicines and supplies for this trip totaled approximately \$2000.00. For additional information on D.O.E.R.S see: <http://www.doersmissions.org/>

The students themselves can distribute necessary food supplements, including prenatal and children's vitamins, as well as anti-parasitical medications to their families, rendering the school a distribution center. A barrier to the inclusion of the children of marginalized women's attendance in South Sudanese schools is the poverty of those women. If tuition and related costs (uniforms, etc.) were to be absorbed by the school and paid, instead, through a sort of 'work study program' accessible to the children of those women and those of needier members of the community, a certain number of the students could work as the distributors of prenatal vitamins to children with expectant mothers, sisters or aunts. Children's vitamins could be supplied to sisters and brothers of attending students. And, anti-parasitics for all could be delivered as needed. The work would pay off their tuition obligation. This would make the school accessible to children of members of the community and those of marginalized women. At the school, perhaps this would foster an atmosphere of acceptance of the socially marginalized child, while perhaps raising the acceptance-level for the mother. There might also be opportunity to use the mother in some capacity, such as helping cook the noon-time meal, or performing some other function associated with the NGO securing the pharmaceuticals. Established schools, by virtue of their educational function and because they feed children do have certain social leverage.

An NGO which came to serve the community by providing the means to reduce malnutrition and provide relief from parasitical diseases as well as other minor universal health issues through the distribution of antibiotics, for instance, might gain enough community support to serve as a vehicle of greater acceptance of those who deliver it.

Clearly this is all speculation, but it serves as an example of the sort of program which could serve to integrate the whole community. The decision to distribute medications would have to include consensus on the part of the host community and therefore include heads of family and village councils and elders. In the process, it would open doors for those who were delivering the services, including the targeted women, their children and the NGO involved. Perhaps one of the most effective ways to assist socially and economically marginalized repatriated females is to partner with already functioning schools and programs in an attempt to address needs which have already been identified in relatively successful venues. The need for food supplements and antibiotics is clear.

There are four potential schools already known to the author in South Sudan where partnerships may be possible. Two are in Rumbek, one being a secondary school for girls, and the other, a secondary school whose students are primarily male.<sup>12</sup> The third school is in Marol, while the fourth is located in Marial Bai. Should the situation in South Sudan be too volatile for effective intervention by an NGO, there are two additional possible partnerships at the time of this writing: the Turkana Indigenous Youth to Youth Programme, which is based in Lodwar Kenya, approximately 65 miles from Kakuma, and the Nsumba orphanage two hours southwest of Kampala, Uganda.

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<sup>12</sup> (Rumbek is located in the Lakes State in the Bah Al-Ghazal Province in central South Sudan. It is approximately 235 miles NW of Juba, South Sudan's Capitol. As of 2011, the United Nations estimated the population of Rumbek to be 32,100.)

Primarily a boarding facility, the Loreto Girls Secondary School, with its average enrollment of 55-60, is located five miles from Rumbek's town center on the road to Wau.<sup>13</sup>

Due to early marriages, girls often times must abandon their educations. A member of the teaching staff explained that, there are few economic opportunities for females in the Lakes State, due to high rates of economic and developmental marginalization, combined with strong provincial beliefs. Therefore, females, in her opinion, would benefit from learning skill sets that could be applied either by a married female at home, or be useful to a socially and economically marginalized female. Skills such as sewing, tailoring or baking sweets were discussed as possible examples of what might be marketable in Rumbek and throughout the region.<sup>14</sup> At this facility, an NGO might address both this possibility and the distribution of basic medications.

The second prospect is Rumbek Senior Secondary School (RSSS), with an enrollment of 1500 males and 50 females as of July 2011. Yearly tuition at RSSS is 20 Sterling Pounds, which is the equivalent to about \$32.00US.

The Rumbek Senior Secondary School's needs are many. Much of the school's infrastructure is in need of attention due to either damage resulting from years of civil

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<sup>13</sup> The Roman Catholic Order of, Sisters of Loreto from Ireland, run the Loreto Girls School Secondary School. For information see the Loreto Girls School Secondary School website: <http://www.loreto.ie/rumbek/112-rumbek>. At the time of the author's visit to Rumbek in June 2010, 49 girls were enrolled. Annual tuition at that time was 800 Sudanese pounds or approximately \$300.00US.

<sup>14</sup> As of June 2010, all tailored items and baked sweets had to be brought in from Kampala, Uganda or Nairobi, Kenya. Kampala is roughly 720 miles to the west of Rumbek while Nairobi is approximately 1,125 miles to the east.

war or from a long-standing lack of funding and resources. Classrooms, toilet facilities, books, school supplies, food, fuel for the generator, and the provision of security on school grounds are all needed. Additionally, access to sustainable funding for teaching salaries is of monumental concern.<sup>15</sup> In fact, student riots broke out in August 2011 as a response to the unsatisfactory conditions in RSSS. At issue were the extreme shortages noted above and the lack of qualified teachers. As a result of the riots, RSSS closed for five months and reopened January 2012. Meeting any one or more of their immediate needs could be combined with medications to shape the mission of an NGO.

The third institution, Marol School, is located in a village of the same name in the Warrap State of South Sudan. Founded in 2008, Marol School is the only fully functional school in an area with a population of 700,000 people. Originally, Marol School was to be a school solely for girls. On the first day however, only boys came to register. As a result, the school is now “an all girls school with boys” with a current enrollment of over 600 students.<sup>16</sup> Emphases, along with academic achievement, are:

1. HIV/AIDS and public health awareness, particularly as it relates to female health issues.
2. Ecological and sustainable environmental training.
3. Non-violent, peaceable conflict resolution within and between communities.

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<sup>15</sup> When the author attended the 2010 Rift Valley Course on Sudan, dozens of students had to stand outside of their classrooms and listen through the barred windows as their teachers taught, due to overcrowded classrooms. As stated in the field notes of the author: In June 2010, RSSS teachers explained to the author that the teaching staff was in their 5<sup>th</sup> month of having received no pay for their services.

<sup>16</sup> Jok Madut Jok’s description of Marol School clearly illustrates the importance of being both flexible and adaptable. Although the school is co-educational, attention is given providing an environment that is, “accessible and safe for girls.” There are students at Marol School that walk up to 11 miles each way to school.

Tuition to attend Marol School “is maintained by public subscription and community support until such time as the fledgling government of South Sudan is in a position to take over its administration. Fees may be introduced if the recovering local economy permits so.”<sup>17</sup> Still struggling financially, it might be a promising prospect for the dispensation of medications as a principal mission for an NGO partnering with it.

The final school to be discussed is Marial Bai Secondary School located in the village of Marial Bai in the Northern Ghazel State of South Sudan. Having opened in May 2009, it is the region’s first ever secondary school which serves 500 students during the day and in the evening, offers adult literacy classes. The founder, Valentino Achak Deng, resided in Marial Bai until he was forced to flee as a result of the Second Civil War, becoming one of the many lost boys. Since its inception, a teacher’s training college, a public library, dormitories, a sports facility and community center have been brought to various stages of completion. Additionally, microfinance opportunities are now available to local community members through Valentino Achak Deng’s Foundation.<sup>18</sup> It, too, seems a likely partner for a medically oriented effort, especially given that some of its students are adult members of the community.

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<sup>17</sup> The Marol Academy, “Aims and Management.”  
<http://marolacademysudan.org/pages/aimsandmanagement.html>

<sup>18</sup> The Valentino Achak Deng Foundation states that, “the Foundation will administer a limited number of micro-loans to local people who demonstrate the skills necessary to establish and maintain a small business. The Foundation made its first loan to a local carpenter who recently returned from the refugee camps in Kenya. Forced to leave his tools behind in Kenya, he needed some small financial assistance to purchase new tools and open a shop. He and future loan recipients will receive small business training in order to maximize their economic potential.” See: <http://www.valentinoachakdeng.org>

Although each school is unique in regard to locale, gender ratios and composition of teaching staff, they all share many of the same challenges. All are in need of sustainable access to and supply of textbooks, learning materials and food. All have security needs to be addressed along with financial sustainability issues. All need buy-in from the local community. All must be able to both attract and retain teachers and all have health care issues in one form or another. It is these needs on which I would like to focus.

An alternative to the above-mentioned programs, Turkana Indigenous Youth to Youth Programme (TIYY) is a Christian based non-profit program that targets socially and economically marginalized females. The mission of the TIYY program is to:

reach out and help the needy destitute girls of the age bracket 10yrs -16yrs achieve their full potential by equipping them with desirable education and skills to enable them [to] tackle effectively their future challenges of life in terms of illiteracy and unemployment.<sup>19</sup>

The driving force behind this program is Niva Lopetet. Ms. Lopetet's program focuses on young females whose parents and families have abandoned them; who do not have access to education or support; who have suffered domestic abuse, or forced into early marriages which have interfered with their health and development. TIYY needs are also sustainable access to funding and supplies. Security is an issue, as is reintegration into the local community which has marginalized them. The challenge is to bring funding to the efforts of the TIYY to provide its protégées with the means to sustain themselves by learning a marketable skill such as the making of clothing. That will

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<sup>19</sup>“ Turkana Indigenous Youth to Youth Programme” brochure.

require start-up funds to buy equipment and materials, as well as to create a base of sustainable funding to continue the effort as new cohorts of marginalized young women join the ranks of the organization. Whether this is done through micro-loans, or through exogenous organizations will need further exploration. Again, however, there are possibilities to combine the dispensation of medicines with the mission of the TIYY as vehicles of reintegration of marginalized young women into their communities.

The final project to be mentioned is the Nsumba Orphanage, which is located two hours southwest of Kampala in Nsumba, Uganda. The orphanage serves over 600 children, ages 22 months to 22 years of age. Approximately 450 students reside in Nsumba Orphanage while the remainder are local children who are enrolled in the orphanage's school. Supported by the Kampala Catholic Diocese and managed by the Ggogomya Sisters, the needs are many. A medical team from the United States visits the orphanage several times a year providing basic medical care while focusing on the treatment of HIV/AIDS and other pertinent health-care issues. Expanded access to a variety of pharmaceuticals, medical supplies and vitamin supplements could greatly assist those individuals already working on the ground. Possibly an opportunity has arisen to form such a partnership. Further research is needed and will focus on Ugandan Health Ministry laws and restrictions.

The brief listing of the possibilities for the creation of an NGO to ameliorate the circumstances of East African communities above is clearly preliminary – the result of two short investigative trips to the Horn of Africa, two short but intensive courses offered by the Rift Valley Institute, and volumes of reading in preparation for this project, which

was meant to lay the groundwork for the establishment of an organization meant to reintegrate marginalized women into their communities by rendering them economically self-sufficient in ways that would predispose that re-entry. But it represents a virtual odyssey, a long journey through a turbulent sea of shifting perspectives. Mere arrival at Kakuma, three years ago confirmed that the UNHCR's mission in Africa represented an application of paradigms inconsistent with African realities. But these were not and are not likely to shift. Delving deeper into the literature also implicated a corrupt Kenyan Government, which abrogated its responsibility to protect and assimilate refugees, allowing them freedom of movement and participation in the Kenyan economy. But the acceleration of chaos in surrounding nation-states brought staggering numbers of refugees, leaving the government no option but to keep receiving fleeing populations who had no hope of repatriation, but to render them the responsibility of the United Nations, lest they undermine the fragile stability of the Kenyan people. There was no other possibility but to limit refugees to camps located where they would have the least impact. The prospect of helping women, or any group in the chaotic environment of Kakuma through the establishment of a modest NGO evaporated in the heat of this socially arid environment.

The camp, however did underscore the significance of much of my reading concerning the necessity of the inclusion of stable functioning social institutions in any developmental plan. The plight of women could not be addressed unless their host community acceded to that effort. Hence, the metaphorical winds directing my voyage turned my emphases toward more stable, transitional and post-conflict venues. And as

Sarah Michael emphasized, “to be sustainable, development has ultimately to be controlled by those most concerned and affected.”<sup>20</sup>

When I arrived in southern Sudan to attend my second Rift Valley Course in the summer of 2010, which met in a classroom of Rumbek Senior Secondary School, my odyssey was about to come full circle. Meeting in that sparsely equipped venue underscored the fundamental poverty of the physical conditions of the African educational environment. But the Rumbek school was a success, despite the austere conditions. Crammed into a room that felt crowded for the sixty instructors and students in the Rift Valley Course, were 150 eager Sudanese students. More students assembled outside the barred windows, straining to hear what their teachers had to say. The success of the school was clearly locally driven.

I had considered meeting the needs of schools at the outset of this project. They had been among the success stories throughout Africa. The Peace Corps had built many through the years, many of which succeeded, but some of which failed.<sup>21</sup> But my perspective on them was premised on a centralized, universalist conviction that education was yearned for in Africa. The schools that succeeded in southern Sudan did so because their communities supported them. This humble destination of my journey pointed to the best way to play a minor role in the amelioration of the circumstances of

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<sup>20</sup>Sarah Michael, *Undermining Development: The Absence of Power Among Local NGOs in Africa* (Oxford: James Currey, 2004): 130.

<sup>21</sup> For discussion on failed projects see: Courtney Keene, “Development Projects that Didn’t Work: The Perils of Narrow Approaches to Complex Situations,” *Globalhood - Development Across Disciplines* (October 2007).

marginalized women as well as in their alienated communities: partnering with an already accepted and functional organization, whether it is educational, medical, or economic in its mission.

That modest conclusion was enough to identify the common needs of east African communities, all of which pointed to schools, existing but struggling development projects, and medical necessities. Certainly schools have other needs as well. Programs such as the TIYY require more than stated, such as perhaps a building to house the project. Orphanages and medical programs might profit from more than access to medications. But identifying those will involve more than what even their established primary needs demand: time in Africa to reveal them fully, and the development of a viable way to fulfill them without disruptive unintended consequences.

Unintended consequences alone would mandate return to a designated venue before attempting to implement any program aimed at distribution of vitamins or anti-parasitical agents, for instance. As an extreme example of such consequences, surely the UNHCR did not envision the possibility that women would be subjected to the exchange of sexual favors for food when they designated certain refugee men to distribute rations at Kakuma. Certainly, not all unintended consequences are so directly discernable. But, just as the benefits of educating women can be undermined by rendering them more attractive to suitors as wives because they yield more bride wealth, there might be a corruption of intent if the items dispensed had greater value on some black market than immediate benefits to the children for which they were intended. Perhaps *The Oxfam Handbook of Development and Relief* frames the wording best;

“To do nothing is better than to do something badly.”<sup>22</sup>

That alone dictates the next step in organizing my proposed NGO. I must return to Africa to revisit the best potential institution with which my organization will collaborate. Its internal administrative, social and economic workings must be carefully examined. The mechanics and dimensions of the relationship between the partners must be carefully considered and closely defined. Instruments of mutual accountability have to be established. If this project entails the distribution of supplements and anti-parasitical agents using students as the distributors, the eligible cohort including marginalized girls and other students must be defined. Further, elements of oversight must be included, as well as close criteria of eligibility for the items to be dispensed. The economic impact of the program has to be gauged. Community approval of the program has to be earned and ensured. There must be vehicles ensuring the proper delivery of the items. Sustainability of the program must be assured to be to the benefit of the school, the students involved and the community as best possible. Proper training for the student aids must take place. Other relevant issues will surely arise in an ordered site study as the complexities of the relationship among the displaced, their host communities, and the target school reveal themselves. All possible complicating factors have to be addressed, and every knowable contingent issue must be resolved before the organization, its mission and the means of accomplishing it are implemented.

Just as, ultimately, all politics are local, so are all community needs in

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<sup>22</sup> *The Oxfam Handbook of Development and Relief: Resources Directory for Development and Relief NGOs* (Oxford, UK: Oxfam, 1995), 833.

post-conflict venues. The very foundations of society must, in some fashion, be relayed. Economic stability must be achieved in order for self-sufficiency and civil order to flourish. But the needs of African villagers are many and complex. What is clear is that these needs must be met in accordance with the parameters of local culture and its socioeconomic institutions. Development projects aimed at fulfilling local needs, no matter what their nature, have had some degree of success in the past in stable environments. The establishment of schools as a consequence of local initiative has already laid the foundations for a more hopeful future based on community support in South Sudan. But the needs of the re-emerging communities are many, if holistically expressed. A better future also entails public health issues. Maternal, infant and child mortality rates due to environmental perils are also an issue, as is the need to develop economic infrastructure, whatever its character. To tackle these separately can put them at cross-purposes. It is the opinion of this writer that needs are best met through collaborative efforts. The building of schools, for instance, given the proper environment, can stimulate locally based industry. Schools and health services, if separately addressed, nonetheless express themselves together in healthy or unhealthy children. Hence, the premise of collaboration as the basis of the delivery of these services as a joint effort holds promise. It is the intention of this project to somehow partner with a school in the effort to engineer not only a mutual connection with a community, but to predispose at least a partial reintegration of displaced female children, and hopefully their mothers.

Some of the African challenges before such an effort have been identified, and surely more will arise. That is not to ignore the stateside challenges and opportunities. Some opportunities have already presented themselves and materialized. A seemingly inexhaustible supply of inexpensive drugs, food supplements and other medical supplies has been identified through a local NGO which stands ready to collaborate on the acquisition and delivery of such products to African venues. Preliminary considerations for the formal establishment of an NGO have been entertained. In the interest of creating a sustainable base of funding for such an organization, a specialist in fundraising has been consulted. The efforts surrounding these considerations are yet in their incipient stages, but will need to be addressed squarely in the future. What is clear is that in the order of considerations, most of the questions arising from them are premature. The first order of business is to create a coherent program and a well-defined mission. That will not be possible until the groundwork on the African continent is complete, and perhaps even in its early stages of implementation. More remote yet are staffing issues. The scope and scale of the development project must first be identified. To attempt that at this juncture would be not only naïve, but ineffectual.

At the outset of this project, its purpose seemed clear and well defined. It seemed focused and seemed to address a fairly straightforward need: the empowerment of women in Sudan who had been marginalized by the communities to which they belonged because they had been raped in the chaos of twenty years of war between northern and southern Sudan. Given that other such women had succeeded in at least reintegrating into their communities economically with external assistance they found various ways of sustaining

themselves and their children, it seemed a realizable goal. But the dimensions and the scale of destruction wrought by unrelenting conflict in southern Sudan created untold numbers of internally displaced people within southern Sudan and hundreds of thousands who fled to refugee camps in surrounding nation-states.

At the advice of my graduate committee, all of whom agreed that any effort to start an NGO should begin with an assessment of the local circumstance in a chosen area, I decided to visit Kenya with its two large camps, Kakuma and Dadaab. They agreed that it seemed logical to focus on Kakuma, a camp first established for the “lost boys” who had first marched to Ethiopia and then Kenya seeking refuge. What I found there was deplorable. At first blush, it seemed that the UNHCR grossly mismanaged the camp, confirming what I had heard in rather polemical conversations. I determined to explore the evolution of UNHCR in an effort to understand how it was that there was such violence, such hostility, such grinding poverty and hunger in an internationally supported refugee facility. My initially harsh judgments of the UNHCR’s poor performance were somewhat tempered as I came to understand the many constraints and conditions under which they worked in Kenya. The UNHCR is burdened not only by the margins of its mission, but by the realities of its host’s policies, as well as the fact that the camp itself came to house refugees of multiple ethnicities from surrounding nation-states and was located in the territory of the Turkana who have complete access to the camp. Further, Dinka housed at Kakuma were accessible to the SPLA, who came to claim taxes, bribes, military recruits and conscripts at will. And the UNHCR had neither the resources nor the authority to intervene.

In order to comprehend the nature of the dilemma, an understanding of the situation in Sudan was required. Much of that was accomplished through the Rift Valley Institute Course and the information I gained from locals in that town. The rest of the second phase of the project entailed fleshing out the Sudanese context which generated the lost boys and subsequent Dinka refugees who were to spend years at Kakuma as the latest twenty year conflict in southern Sudan dragged on. That required familiarity with the religious, cultural, political and economic roots of Sudan.

The next year was spent studying and researching Sudan to prepare myself to be an informed participant in the next Rift Valley Course at Rumbek, Sudan. Clearly neither academic learning nor on-site study alone could prepare me sufficiently to address the formation of an NGO to help displaced women and their children. I needed both. Out of this second phase of my study came the realization that in order to help women, I would have to engage the communities into which they sought re-entry as well. Additionally, I would have to explore the circumstances at Kakuma.

A second visit to that Kenyan camp was no more productive than the first. It became absolutely clear that to work there was impossible. I would have to work in a stable post-conflict venue. But in order to work with the repatriated men and women, it was necessary to study the camp in which they had endured life for so many years before returning to South Sudan.

The three preceding chapters were meant to help others who might undertake to create a relief or development organization, either in Sudan or another nation-state in Africa. Its conclusions are modest and not far removed from its original premise: that

one must, to have any chance of success not only study whatever literature is available concerning both the founding of NGOs, but physically engage the site where a project might be launched. This research has been focused on how to start, rather than proposing a specific start. Hopefully the “bookwork” is complete, at least for the moment. The next step is to apply it to Africa. To accomplish that, a new trip there to explore the possibilities at the most promising of the sites noted above is necessary.

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