

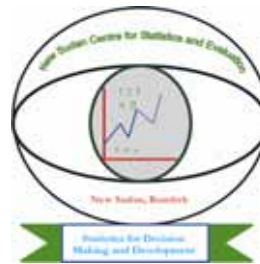
A Foundation for Peace

CITIZEN THOUGHTS ON THE SOUTHERN SUDAN CONSTITUTION

Findings from Focus Groups with Men and Women Across Southern Sudan
Conducted March 23-April 8, 2005

Prepared for the National Democratic Institute for International Affairs
and the New Sudan Centre for Statistics and Evaluation
By Traci D. Cook with the assistance of Luka Biong Deng

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NATIONAL DEMOCRATIC INSTITUTE

The National Democratic Institute for International Affairs (NDI) is a nonprofit organization working to strengthen and expand democracy worldwide. Calling on a global network of volunteer experts, NDI provides practical assistance to civic and political leaders advancing democratic values, practices and institutions. NDI works with democrats in every region of the world to build political and civic organizations, safeguard elections and promote citizen participation, openness and accountability in government.

Democracy depends on legislatures that represent citizens and oversee the executive, independent judiciaries that safeguard the rule of law, political parties that are open and accountable, and elections in which voters freely choose their representatives in government. Acting as a catalyst for democratic development, NDI bolsters the institutions and processes that allow democracy to flourish.

Build Political and Civic Organizations: NDI helps build the stable, broad-based and well-organized institutions that form the foundation of a strong civic culture. Democracy depends on these mediating institutions—the voice of an informed citizenry, which link citizens to their government and to one another by providing avenues for participation in public policy.

Safeguard Elections: NDI promotes open and democratic elections. Political parties and governments have asked NDI to study electoral codes and to recommend improvements. The Institute also provides technical assistance for political parties and civic groups to conduct voter education campaigns and to organize election monitoring programs. NDI is a world leader in election monitoring, having organized international delegations to monitor elections in dozens of countries, helping ensure that polling results reflect the will of the people.

Promote Openness and Accountability: NDI responds to requests from leaders of government, parliament, political parties and civic groups seeking advice on matters from legislative procedures to constituent service to the balance of civil-military relations in a democracy. NDI works to build legislatures and local governments that are professional, accountable, open and responsive to their citizens.

International cooperation is key to promoting democracy effectively and efficiently. It also conveys a deeper message to new and emerging democracies that while autocracies are inherently isolated and fearful of the outside world, democracies can count on international allies and an active support system. Headquartered in Washington, D.C., with field offices in every region of the world, NDI complements the skills of its staff by enlisting volunteer experts from around the world, many of whom are veterans of democratic struggles in their own countries and share valuable perspectives on democratic development.

NEW SUDAN CENTRE FOR STATISTICS AND EVALUATION

The New Sudan Centre for Statistics and Evaluation (NSCSE) provides expertise in data collection through surveys and assessments, information dissemination and, importantly, the provision of capacity building for the Centre's stakeholders. In Southern Sudan, the Centre works in collaboration with public institutions such as the Secretariats of Agriculture, Education, Finance and Economic Planning, Wildlife, Minerals, Health and county authorities, as well as civil society institutions such as farmers' associations, chambers of commerce, professional associations, non-governmental organizations, women's and youth groups and research and international institutions. As such, the Centre is responsible for coordinating sectoral information systems and supplying statistical data in opposition-held areas of Southern Sudan. Currently, NSCSE collects and analyzes information on agriculture and crop yields, climate and market prices, among others. The Centre also plays a critical role as a point of reference on statistical methodology and standards in Southern Sudan.

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PREFACE

The historic signing of the Comprehensive Peace Agreement between the Sudanese People's Liberation Movement (SPLM) and the Government of Sudan (GOS) on January 9, 2005, creates a new political paradigm for Sudan and empowers the leaders and people of the South to embark upon a six year interim period of self-government. This report explores the opinions of the people of Southern Sudan¹ at this critical moment in their history and is based on a series of 23 focus groups conducted in ten locations across Southern Sudan between March 23 and April 8, 2005. In total, 242 Southern Sudanese participated in the groups, making them the first people in Southern Sudan to be consulted about their views on constitutional issues and, through this effort, to be engaged in a constitutional drafting process. (See Appendix A for a breakdown of participant attendance by group.)

Creating participatory and democratic government structures presents enormous challenges for a new GOSS, which according to the peace agreement must be comprised of a multi-party coalition led by the SPLM. Perhaps the single most critical step in this process involves the creation of the South's guiding principle or, as one of the focus group moderators termed it, "the grandparent of all laws": the Southern Sudan Constitution. Because scarce resources and limited communication facilities in Southern Sudan impede opportunities for consultation between the people and their leaders, this research was undertaken to gauge citizen understanding of principles typically included in a constitution, and more importantly, to provide leaders charged with drafting the Southern Sudan Constitution with input from the citizens they serve.

Focus Group Results & Usage. Focus groups are semi-structured group discussions directed by a moderator and following a pre-set guideline. Unless otherwise noted, the conclusions presented here represent views commonly, and repeatedly, cited during the groups. The interaction between participants in a focus group setting provides insight into *how* citizens think and feel and is an even more powerful means of understanding *why* these attitudes exist. Information gathered in this way takes into consideration citizen values and needs and is critical to helping decision-makers test their assumptions and incorporate the will of the people into policy-making.

A Snapshot of Public Opinion. Any research, including focus groups, is only a snapshot of public opinion at the moment it is undertaken. Public opinion is dynamic and evolves as people experience and react to major events, not the least of which in Southern Sudan will be the large influx of refugees, the return of Internally Displaced Persons (IDPs) to their home areas and the creation of a completely new government. Therefore, the conclusions reached in this report can only be said to represent opinions in late March and early April 2005. NDI will be conducting focus groups in Southern Sudan approximately once every six months and so as attitudes shift, future focus group

¹ In this report, Southern Sudan refers to areas currently controlled by the SPLM and also may be used in reference to areas that are not in opposition-held territory but are expected to be governed by the Southern Sudan Constitution. Opposition-controlled areas of Abeyi, Southern Blue Nile and the Nuba Mountains may be referred to as part of Southern Sudan as well.

research will be able to capture any change in attitudes and measure it against baseline information from previous groups.

A Qualitative Research Tool. Focus groups are a qualitative, not a quantitative, research tool. Although focus groups are a superior research method in teasing out the meanings behind commonly-held attitudes, the total number of participants in focus group research is always relatively small and thus, it is not statistically representative of the larger population. References in this report to what “most” or the “majority” of Southern Sudanese think, for example, are a reflection of the attitudes of the participants in our research. For the same reason, this research should not be considered a replacement for a true consultative process (which should reach much larger numbers) between the people of Southern Sudan and their leaders during the drafting of the Southern Sudan Constitution.

Location of Groups. The focus groups outlined in this report were conducted in locations inside Southern Sudan currently under the control of the SPLM. Twenty-three group discussions were spread across ten locations in Bahr el Ghazal, Equatoria, Upper Nile and the three transitional areas. (See Appendix A for a list of focus group locations.) Although people in the opposition-held areas of Southern Blue Nile and Nuba Mountains will be part of the North, they will have input into their own interim constitution and into how they will be governed through popular consultation. People in these areas were, therefore, included in this research. In a similar vein, the opposition-held area of Abeyi was included in the research because those citizens will have an opportunity to vote in a referendum that will determine their administrative fate. As visits to garrison towns controlled by the GOS and to IDP locations in the North Sudan were not possible, the opinions of people in those areas are not included in this report. In addition, there is no way to predict who among the people in refugee camps or in the Diaspora will decide to return to Southern Sudan to live under a new Southern Sudan Constitution and so research was not conducted with these populations.

Composition of Groups. Focus groups are organized to be as homogeneous as possible to ensure that participants are comfortable in expressing their opinions and to determine whether perspectives differ based on the type of participant in the group. In this instance, the groups were stratified by gender, ethnicity, age, religion and education. Single ethnicity groups were convened among three sections of Dinka and also Nuer, Shilluk and Zande. In areas where several ethnic groups live in close proximity and interact with each other frequently, we conducted multi-ethnic group discussions. These included groups in Ikotos in Eastern Equatoria, Kauda in the Nuba Mountains and Kurmuk in Southern Blue Nile. In this report, if the participant quoted is from a single ethnicity focus group, this is duly noted. If the participant quoted is from a multi-ethnic focus group, only gender and location are used to identify the participant.

NDI’s ongoing focus group work in Southern Sudan is funded by the U.S. Agency for International Development (USAID) through a multi-year grant. The Democracy and Governance Team in USAID’s Sudan Field Office built in the provision of regular focus group work as part of their democracy and governance design in order to foster and

ensure a link between policy makers and citizen's views. USAID officials in both Nairobi and Washington provided substantive and critical assistance to the focus group questionnaire by identifying key constitutional issues and sharing their intimate knowledge of Southern Sudan's current political situation.

Having a local partner who understands the indigenous cultures and languages invariably improves the quality of data gathered and this experience was no exception. NDI's local partner, the New Sudan Centre for Statistics and Evaluation (NSCSE), and its executive director, Luka Biong Deng, were a key part of the successful completion of these groups. Mr. Deng provided objective and professional advice on the drafting of the questionnaire and suggested additional areas of inquiry that deserved attention but would have remained unexplored if not for his familiarity with the region. He also reviewed the focus group locations chosen by NDI to ensure an appropriate distribution of ethnicities in the groups. Among other tasks, the staff of NSCSE provided logistical and administrative assistance, played a significant role in organizing and conducting the focus groups in Rumbek and offered feedback on NDI's analysis of the results. The entire staff of NSCSE in Rumbek and Lokichoggio deserve our thanks, but those meriting special mention are: Acwil Odhyang Akoc, Viola Aluong, Maker Ayiel, Adak Costa (consultant), Eliaba Damundu, Ciengkueu Mading, Majok Bol Makuel, Majak Malak, Sunday Manyang and Sarah Santino. NDI also owes a debt of gratitude to the local and international NGOs that assisted with staffing, accommodation and transportation in each location. Without the hospitality offered by these groups, the research would not have been possible.

Several NDI staff contributed to the focus group research and this report. NDI Sudan Resident Representative Kym McCarty directed all planning and preparation for the groups, oversaw the development and approval of the moderator guideline and supervised focus group moderators in three locations. NDI Sudan Program Assistant Mary Kagunyi recruited Southern Sudanese moderators from the Nairobi Diaspora, led logistical preparations and supervised focus group moderators in two locations. Joseph Andrews of NDI's Washington office oversaw the project and joined the team in Southern Sudan, supervising focus group moderators in one location. Traci Cook, an experienced opinion research consultant, designed the research framework, drafted the focus group guideline, supervised the research in the field and authored this report.

This is the second in a series of focus groups NDI will conduct over the next three years, generally at intervals of once every six months. The first Southern Sudan focus groups conducted in late 2004 explored citizen attitudes toward peace and self-governance, and there was a striking unanimity of opinion on most issues. During this round of groups on constitutional principles, we discovered more diversity of opinion, which is likely to continue as Southern Sudan moves from the politics of liberation to day-to-day governance. Nevertheless, certain themes continue to rise to the top as broad-based concerns of the people. When we asked about the future GOSS civil service, people immediately speak of the problem of favoritism and nepotism. When we asked about who should be president of the new GOSS, heard over and over again is a longing to have someone who can bring the tribes of the South together. When we asked about courts

and local government, corruption is often the first word mentioned. Through this research, Southern Sudanese are making their fears and desires known and are asking – and expecting – their leaders to respond. NDI is pleased to have this opportunity to contribute in a small way to the ongoing dialogue between the citizens of Southern Sudan and their leaders.

THE VOICE OF THE PEOPLE

Although their experience is limited, the people of Southern Sudan eagerly embrace the opportunity to participate in the formation of their government and to give voice to their perceptions, opinions and fears about democracy and self-governance. Below are some of the opinions participants voiced in this focus group exercise on the issues surrounding the Southern Sudan Constitution:

- *People say there is peace but there are still two sides of the river.*
- *I don't know if peace will last because I don't have any information.*
- *There is no change. Peace is signed but there is still conflict. People are still killing themselves with rifles and guns.*
- *We have just heard [about peace]. It has not been put into practice and action because our problems still persist such as education, health.*
- *A citizen of Southern Sudan is not necessarily any person staying in South Sudan, but a person with blood relationship and government documentation.*
- *If they [Muslims] are coming [to the South] for the purpose of praying, it is okay, but not for recruitment.*
- *If we [northerners and southerners] want to live together, then you can't talk bad things about each other. That will bring war.*
- *[We need a president who] works with other tribes. A person who does not do that is a not a good leader.*
- *[Assembly members should be elected] from the county regardless of his political party, as long as somebody will be our voice.*
- *People should be judged and treated fairly and [judges] should avoid corruption....Today, there is nepotism, tribalism and segregation [in courts].*
- *Corruption is in the government [at] all levels: employment, location of water points, schools, hospitals, food distribution, etc.*
- *Local government [should have the power] because they will be the ones sitting with the people to determine what they need.*
- *Men and women should be treated equally according to the culture...God didn't treat men and women equal.*
- *If the husband makes a mistake, does he accept that the wife hits him? That is equality.*

EXECUTIVE SUMMARY

- 1. The signing of the Comprehensive Peace Agreement – although greeted with great joy by the people of Southern Sudan – has not significantly raised the level of confidence in a long-term peace.** Southern Sudanese² are happy about the prospect of a peace that they see as legitimate and broadly supported by the people. Nevertheless, peace is still talked about in conditional terms. Poor communication about the peace, a lack of tangible progress on the ground, past history with the GOS and continued conflict in some areas all contribute to a continued uncertainty about peace.
- 2. People want the GOSS to focus on development but, at the same time, see a government commitment to equality, reconciliation and accountability as essential for the democratic and participatory government they desire.** Because of the devastation of the last 21 years of conflict, the development needs that participants express are extensive, and among the priorities are education, health clinics and hospitals and food security. The issues of tribalism and favoritism are never far from the surface in Southern Sudan and, apart from development needs, participants want most for their new government to concentrate on addressing these two issues. When participants focus on what they do *not* want a new Government of Southern Sudan (GOSS) to do, the discussion often turns to their wish for the GOSS to demonstrate a commitment to transparency and accountability.
- 3. For Southern Sudanese, citizenship is primarily conferred by birth patrilineally and is based on shared ethnic characteristics.** The primary criteria participants cite when speaking of citizenship rights in Southern Sudan are birthplace and residency – and the shared traditions those imply – and the origin of the father. The Nuer are the only ethnic group, among those involved in this research, that believe citizenship is granted matrilineally as well. Cultural immersion through long-term residency, marriage and/or registration by the local chief would be required for anyone outside the South to be considered for citizenship in Southern Sudan. The Southern Sudanese Diaspora is almost unanimously seen as having citizenship rights in Southern Sudan, but about two-thirds of participants rejected the idea that people in the Diaspora could maintain dual citizenship in Southern Sudan and another country.
- 4. People are most comfortable with the GOSS using an area’s indigenous language at the local level but see the need for more unifying languages at higher levels of government.** Participants want an area’s indigenous language used in local government both to ensure that citizens understand the activities of government and

²This report reflects the opinions of the 242 Southern Sudanese who participated in the focus groups. General terms, such as “people,” “citizens,” “southerners” and “Southern Sudanese,” are used throughout to represent the attitudes of these participants; however the Preface to this report as well as the Methodology Notes appearing at the end of the report should be consulted by all readers to understand the sub-set of Southern Sudanese interviewed for this research.

to promote local languages. At higher levels of government, more neutral languages – specifically English and Arabic – are seen as necessary to unify the many ethnic groups of the South.

5. **Among knowledgeable citizens, a constitution is a mechanism for guiding and protecting them as they move into a new era of self-governance.** A new constitution for the Southern Sudan is seen as an important step in developing a participatory government that will uphold the principle of equality and protect the average citizen.
6. **Individual rights as ideals are broadly supported, but a history of centralized government control, cultural practices and a deeply ingrained fear of conflict lead many Southern Sudanese to support limits on some of those rights.** The provision of equal rights by the GOSS is seen by most Southern Sudanese participants as a necessary validation of their sacrifice during the war and essential to maintaining peace and stability. In theory, individual rights were supported by participants, but the exercise of those rights makes some people uncomfortable. Freedom of speech, freedom of religion and freedom of movement, among others, all prompted fears that “too much freedom” would ignite conflict.
7. **There is strong support for widespread suffrage among peoples considered Southern Sudanese, but northerners living in the South would not be welcome voters in GOSS elections.** Southern Sudanese participants in SPLM-controlled areas support voting rights for all people of southern origin, including women, all southern tribes, southerners living in garrison towns and southerners living abroad. At the same time, most southerners reject the idea that a person of northern origin – even those born in Southern Sudan and/or those currently living in garrison towns – could vote in elections in the South.
8. **Southern Sudanese concerns about unity within the South are reflected in the desire to have a southern president skilled at combating tribalism, different tribes represented in the offices of president and vice president and a diversity of leadership ensured through presidential term limits.** When speaking of desired attributes in a president, participants focus on traits that promote good governance and ensure peace in the South, rather than tribal affiliation. In the same vein, Southern Sudanese strongly believe that the President and Vice President should be chosen from different tribes to avoid tribalism and that presidential term limits are appropriate to ensure a diversity of leadership.
9. **Believing that representatives close to home will be most effective at solving their problems, Southern Sudanese express a preference for chiefs’ involvement in local government and for an electoral system in the Southern Sudan Assembly based on small geographic divisions or tribal affiliation.** Most participants’ view of the role of a Southern Sudan Assembly member is someone who is elected to make life better in their localities. As a result, people support an electoral system for the Assembly based on a relatively small geographic division, such as a payam, or tribal

affiliation. For the same reason, participants very much want their local chiefs to have a role in government, but most believe chiefs can best serve them at the local level by communicating the people's needs and facilitating the government's policies.

- 10. Southern Sudanese believe the current court system in Southern Sudan does not function as a neutral arbiter of disputes or the law and that justice, or injustice, can be bought.** There is almost uniform agreement that bribery and favoritism guide court decisions, and there is a strong feeling that the courts must be addressed by the GOSS. Although in the minds of many the court system is broken, participants recognize that the war has impacted the ability of the courts to function and expect that peace and the establishment of the GOSS will signal the dawn of a new era for justice in Southern Sudan.
- 11. Corruption is a ubiquitous problem in Southern Sudan that impacts daily life and makes people fear it will create conflict if not addressed by the GOSS.** Nepotism, tribalism and bribery are all cited as commonplace on the local level in matters of hiring, in carrying out of government activities (food distribution, water point location, etc.) and in the courts. Although disliked on all levels, the greatest fear about corruption is that it will ignite conflict among the people of Southern Sudan. The lack of salaries, training and any system of accountability are seen as contributing factors to local officials' misuse of public assets and relief aid.
- 12. Civil service jobs in the GOSS will be highly prized positions, and many will view the awarding of these jobs as an important sign of whether their new government will treat all individuals equally and fairly.** Southern Sudanese want the process of hiring GOSS civil servants to be transparent and based solely on merit. Sensitivity about past experience with favoritism and tribalism make it possible for civil service employment to become a source for conflict during the establishment of the GOSS. Communicating civil service employment criteria to the populace clearly and frequently will help engender a feeling that everyone is being treated fairly.
- 13. A decentralized system of power and decision-making is the preference of most in Southern Sudan because it is at the local level that their problems are best understood.** In the eyes of Southern Sudanese participants, a truly representative government is most likely to be achieved if power is devolved to the local level. Most important to people is the accessibility of local government, which can provide a forum for direct input from citizens.
- 14. Southern Sudanese believe education is a right for all that should be strongly supported by the government through free education and laws requiring compulsory attendance.** Education is a top priority for Southern Sudanese, who believe it is a basic right to which all are entitled. As a result, free and compulsory education is widely supported. Extreme poverty and a need to make up for lost time are the reasons given by participants for their desire to have the government provide free education, even up to the university level.

- 15. Amnesty for those involved in the war is accepted by most Southern Sudanese as the best way to move the region forward. However, a significant minority believe that crimes against civilians should be punished.** A desire to move on quickly to a better future motivates most participants' acceptance of amnesty for crimes committed during the war. Nevertheless, the views of many Equatorians and some other participants scattered among various ethnicities represent a significant minority who believe punishment for crimes against civilians or crimes done intentionally must be pursued.
- 16. The women of Southern Sudan are hoping that a new GOSS will expand their rights in all areas – political, economic and social. For the majority of men, however, their support of many political and economic rights for women does not override cultural or societal restrictions.** Most women participants are enthusiastic about the possibility of gaining more rights under a new GOSS. Men in Southern Sudan demonstrate a high level of support for many political and economic rights of women but are also more likely to say they do not want the GOSS, or new laws, to change the family or social dynamic that governs women's domestic responsibilities, marriage or property ownership rights.
- 17. In the groups conducted, participants who indicate they own radios varies by location, and the radios owned are not always operational because batteries necessary to run the radios are either not affordable or of good quality.** In the 23 focus groups, participants who say they own radios are generally from border areas or larger towns, while participants in the interior areas and smaller, more isolated towns are less likely to say they have a radio at home. Even when participants claim radio ownership, many report that they are only able to afford batteries to operate the radios one to two weeks per month or less and that the batteries, depending on the brand, may only last for a few days.

PRINCIPAL FINDINGS

The signing of the Comprehensive Peace Agreement between the Sudanese People's Liberation Movement (SPLM) and the Government of Sudan (GOS) signals a new era for the country as a whole and for Southern Sudan in particular. The South is now taking its very first steps toward creating governmental structures that will guide the region for the next six years. Foremost among these tasks is the drafting of a Southern Sudan Constitution. A series of 23 focus groups was conducted from March 23-April 8, 2005, to gauge citizen understanding of principles typically included in a constitution (individual rights, citizenship and suffrage requirements, balance of powers, etc.) and to provide leaders charged with drafting the constitution with input from the citizens they serve.

1. The signing of the Comprehensive Peace Agreement – although greeted with great joy by the people of Southern Sudan – has not significantly raised the level of confidence in a long-term peace.

Southern Sudanese are happy about the prospect of a peace that they see as legitimate and broadly supported by the people. Nevertheless, peace is still talked about in conditional terms. People say they “hope” peace will be a success or that life will be good “if” peace comes or that peace “may” bring changes. Poor communication about the peace, a lack of tangible progress on the ground, past history with, and long-standing attitudes of, the GOS and continued conflict in some areas all contribute to a continued uncertainty about peace. Dinka and Zande participants generally question the prospects for a sustainable peace to a greater degree than other participants.

We are hoping in our hearts that peace will be a success. (Dinka Agar Chief (Man), Rumbek)

[Peace is] good because gunfire is brought to an end; however, it is not very clear that the signing of the peace agreement is a total and permanent agreement, which stops every suffering caused by the war. (Woman, Ikotos)

People say there is peace but there are still two sides of the river. (Dinka Agar Woman, Rumbek)

I don't know if peace will last because I don't have any information. (Dinka Agar Woman, Pacong)

The SPLM did not make public announcement [of the peace] compared to the Anyanya war which was announced openly...during the 1970s [peace] was announced with a plane. (Zande Woman, Yambio)

We have just heard [about peace]. It has not been put into practice and action

because our problems still persist such as education, health. There is no money. (Zande Woman, Yambio)

This is the fourth time for us to sign peace. The Government of Sudan said the Koran could not be altered...How will we sustain peace? The Arabs are Arabs. (Zande Man, Yambio)

There is no change. Peace is signed but there is still conflict. People are still killing themselves with rifles and guns. (Dinka Gok Man, Rumbek)

If we are not united, [peace] shall fail because we have tribalism amongst us. If we do not work for unity harder, it shall not succeed. (Zande Man, Nzara)

The few participants who are unconditionally optimistic about peace believe this peace is substantively different from past efforts and place their faith in the international community.

We feel like it is not like the previous peace agreement. For instance, Addis Ababa was signed by the Sudan government and a few individuals and some people didn't know what it was about. (Nuer Chief (Man), Ayod)

We are optimistic because the agreement is being set by the international community, the USA and UN. (Man, Kurmuk)

- 2. People want the GOSS to focus on critical areas of development, but, at the same time, see a government commitment to equality, reconciliation and accountability as essential for the democratic and participatory government they desire.**

Because of the devastation of the last 21 years of conflict, the development needs that people articulate are extensive. Better roads, new produce markets, decent housing, small loan facilities, electricity and clean water are all mentioned by participants as problems they want the GOSS to address. The top development priorities based on the number of times participants mentioned them are education, health clinics and hospitals and food security. In less secure areas, law and order was also a top priority.

[Development is] important because education helps us see beyond the scope. (Zande Man, Nzara)

[Need] improvement of hospitals...some people have to pay money to go to the hospital and we can't afford. (Dinka Agar Woman, Pacong)

Need schools for children to be organized. (Woman, Kauda)

The GOSS should restore laws because the absence of law and order has really devastated our home villages. (Nuer Gawaar Chief (Man), Ayod)

The issues of tribalism and favoritism, real or perceived, are never far from the surface in Southern Sudan and, apart from development needs, participants focused on these two areas in responding to queries about what they want from the GOSS.

Government must address inter-tribal fighting quickly. Right now. (Dinka Agar Chief (Man), Rumbek)

Set up a commission of inquiry to investigate the root causes of inter-clan fighting. (Nuer Gawaar Chief (Man), Ayod)

Dinka, they should consider small tribes...equal distribution of resources. (Zande Men, Yambio)

Justice...where fair and similar treatment is given for all citizens in all respect[s] and areas. (Man, Ikotos)

When participants focus on what they do *not* want a new GOSS to do, the discussion often turns to their wish for the GOSS to demonstrate a commitment to transparency and accountability and/or the fight against corruption.

There should be a democratic system, and the system should stop corruption. (Elder (Man), Kauda)

We don't need corruption. (Zande Woman, Nzara)

3. For Southern Sudanese, citizenship is primarily conferred by birth patrilineally and is based on shared ethnic characteristics, such as skin color, traditional practices and markings.

The primary criteria participants cite when speaking of citizenship rights³ in Southern Sudan are birthplace and residency – and the shared traditions those imply – and the origin of the father. Among the groups involved in this research, the Nuer are the only ethnic group that believe citizenship is granted matrilineally as well.

[A citizen is] someone who was or is born anywhere in the corners of South Sudan. (Nuer Gawaar Chief (Man), Ayod)

[A citizen has] Dark skin...lower teeth removed...short hair...marks...cattle and goat. (Dinka Agar Women, Rumbek)

³ For the purposes of this research, participants were asked about their perception of citizenship rights in Southern Sudan, not in Sudan as a whole. However, it is understood that the self-determination referendum in 2011 will ultimately determine the citizenship rights of southerners and until that time citizenship rights will be conferred by the GOS and no other entity.

A citizen of Southern Sudan is not necessarily any person staying in South Sudan, but a person with a blood relationship and government documentation. (Man, Ikotos)

You say you belong to your father. (Dinka Gok Man, Rumbek)

Because of the difference in cultural practices, the Nuer accept without question that a person born of a Southern Sudanese mother, whether or not the father is Southern Sudanese, is a citizen of Southern Sudan. A few other groups also indicate that children who are currently living in the South or who were born out of wedlock would be considered citizens of Southern Sudan even if their fathers are not Southern Sudanese.

Yes, if child is staying in the South, [they are a citizen]. (Dinka Agar Chief (Man), Rumbek)

Any Southern Sudanese woman married to a northern Sudanese is a northerner and all children she gives birth to are northerners, but any unmarried woman who committed adultery with a Northern Sudanese is not a northerner but a Southern Sudanese and the same with her children. (Woman, Ikotos)

The concept of “adopted” citizenship exists in Southern Sudan. Cultural immersion through long-term residency, marriage and/or registration by the local chief would be required for anyone not born in the area or not linked to the area by ancestors to be considered for citizenship in Southern Sudan.

Two types [of citizens]: adopted citizen, for example a Ugandan who lives for ten years can become later a Southern Sudanese, and a natural citizen is the indigenous. (Zande Man, Nzara)

A citizen is someone who has decided to stay in that particular place or is married to that place. (Dinka Ngok Man, Agok)

Although birthplace is considered a key component of citizenship, participants are almost evenly divided on whether a person of northern origin born in Southern Sudan is a citizen.

Still a Northerner even if staying in the South a long time. (Dinka Agar Woman, Rumbek)

If they marry, [can be a citizen]. If they don't marry, no they are not southerners. (Dinka Agar Man, Pacong)

A Northern Sudanese is not a Southern Sudanese and this needs not to be encouraged. (Man, Ikotos)

[The Northerner] must have stayed in the county for more than five years and

have declared their permanent stay in a given area and with the full recommendation from a local chief [to become a Southern Sudan citizen]. (Nuer Gawaar Chief (Man), Ayod)

People of southern origin living in garrison towns are considered citizens of Southern Sudan as are the people in the opposition held areas of Nuba Mountains and Southern Blue Nile. Shared ethnic identity and war experiences are the reasons participants outside those areas gave for supporting citizenship for these groups. Participants in the Nuba Mountains and Southern Blue Nile groups in opposition held areas have mixed views on their citizenship rights with some declaring their allegiance to the South and some to both North and South.

[Southerners in garrison towns are citizens] because some are there because of the war. (Dinka Agar Man, Pacong)

People in Nuba Mountains and Southern Blue Nile are Southern Sudanese because their culture is similar to those in Southern Sudan, and they suffered the same liberation struggle likewise that of southerners. (Woman, Ikotos)

People of Nuba Mountains belong to South Sudan. (Elder (Man), Kauda)

Geographically we belong to the North, but politically we belong to the South. (Man, Kurmuk)

The Southern Sudanese Diaspora is almost unanimously seen as having citizenship rights in Southern Sudan because they left the region due to war. However, some participants indicate the citizenship is only for those that return, and about two-thirds of participants rejected the idea that people in the Diaspora could maintain dual citizenship in Southern Sudan and another country.

Yes, [Diaspora are citizens] because they left the country due to the conflict. (Nuer Gawaar Chief (Man), Ayod)

If you are displaced because of war then come back, you are a citizen. (Dinka Gok Man, Rumbek)

[A person] should have only one citizenship. (Dinka Agar Woman, Pacong)

[No dual citizenship.] You cannot serve two masters at a go. (Zande Men Younger Nzara)

No [dual citizenship]. Be a Sudanese citizen or just be our friend. (Nuer Gawaar Chief (Man) Ayod)

4. People are most comfortable with the GOSS using an area's indigenous language at the local level but see the need for more unifying languages – specifically English and Arabic – at higher levels of government.

Participants feel that using an area's indigenous language in local government is important both to ensure that citizens understand the activities of government and to promote local languages. At higher levels of government, though, almost all participants see choosing a more neutral language as necessary to unify the many tribes of the South. English and Arabic are the preferred official languages, with all groups choosing English and just over half adding Arabic. Only a few participants objected to Arabic being used in government work, and these were in the Nuba Mountains groups as well as one Nuer and one Dinka group. Participants in Dinka groups were more likely than other participants to suggest that their local language also be used at the national level.

I want it [Dinka] to be used because its easy...people understand it. (Dinka Gok Man, Rumbek)

It's good for the local languages for the GOSS to use them. (Dinka Ngok Man, Agok)

Local languages are not unifying. Therefore, there should be a unifying usage of language in public: this [Juba] Arabic for communication, then English should be the official language. (Man, Ikotos)

Since English is the language learned all over the world, it should be used for communication by the GOSS. (Nuer Gawaar Woman, Ayod)

Arabic is not good. We don't want it as an official language...Dinka should be the national language. (Dinka Agar Chief (Man), Rumbek)

Many Southern Sudanese are concerned about the steady disappearance of their local languages and thus urge the teaching of an area's indigenous language in primary school in addition to English and Arabic. At the university level, more participants are more likely to say that, while studying other languages was important, English should be the sole language of instruction.

Our local languages should be written and taught in primary schools at least to maintain the culture. (Man, Kurmuk)

The use of local languages in South Sudan needs to be encouraged in schools because some are already disappearing. (Man, Ikotos)

All must use their languages, but we all agree English should be the language of instruction [at the university level]. (Zande Man, Nzara)

5. Among knowledgeable citizens, a constitution is a mechanism for guiding and protecting them as they move into a new era of self-governance.

Not all participants understand the term or even the concept of a constitution, but among those who do, a new constitution for the South is seen as an important step in developing a participatory government that will uphold the principle of equality and protect the average citizen.

The constitution should be practical because when it's something of the tongue only, it will not be respected. (Nuer Gawaar Chief (Man), Ayod)

[A constitution is:] rules that go together with the will of the people, so they aren't mistreated or their rights aren't widely violated. (Dinka Gok Man, Rumbek)

A constitution is made by the citizens and to be followed by all citizens regardless of titles, age and sex. (Man, Ikotos)

6. Individual rights as ideals are broadly supported, but a history of centralized government control, cultural practices and a deeply ingrained fear of conflict lead many Southern Sudanese to support limits on some of those rights.

Culture and experience influence Southern Sudanese attitudes on individual rights. In particular, decades of conflict have created a culture of secrecy and a fear of anything that may increase the chances for further fighting. As a result, while Southern Sudanese support many individual rights in theory, the exercise of some of those rights by others causes concern that they may serve as a catalyst for instability.

A. Equal Rights. The provision of equal rights by the GOSS to all tribes and even northerners living in the South is seen by most Southern Sudanese as a necessary validation of their sacrifice during the war and essential to maintaining peace and stability.

Yes, we wanted equality...we are crying for that. (Man, Kauda)

The fight for equality has been the backbone in the cause of our fight for freedom. (Nuer Gawaar Chief (Man), Ayod)

Good for all tribes to be treated equally. This is to avoid hatred and jealousy among tribes. (Woman, Ikotos)

Tit for tat is not proper. Any northerner in South Sudan should be treated equally and the same with southerners in the North. (Woman, Ikotos)

B. Freedom of Religion. Most Southern Sudanese express support for the principle of freedom of religion, but when the discussion turns to Islam,

concern about what participants term as a practice of forced conversions translates into mixed views about whether Islam should be allowed in the South.

Everybody is free to believe in what she wants. (Zande Woman, Yambio)

Any person should be free to worship anywhere or any time. (Man, Ikotos)

It is good for any faithful Muslim to pray in South Sudan because God is one but only approached in different ways of faith. (Woman, Ikotos)

If they [Muslims] are coming [to the South] for the purpose of praying, it is okay but not for recruitment. (Dinka Agar Man, Pacong)

Allowing freedom of Islamic religion in South Sudan is bad because there is danger of islamicization through Islamic religion, which bribes people as agents against other Christian religions. (Man, Ikotos)

They [Muslims] would destroy our communities because their god, Mohammed, is not a good god. It is a god of war. (Nuer Gawaar Woman, Ayod)

C. Freedom of Speech. Freedom of speech as a concept is generally accepted among Southern Sudanese, but there is support for some restrictions on speech because of a view that “too much freedom” can ignite tribal skirmishes, coups or other conflicts.

It is good to let a person show his opinion...questioning is better than not to be asking. (Shilluk Women, Oriny)

It is good to have this right [freedom of speech], so that if something is wrong in the community, they can speak out to correct it. (Man, Kauda)

If we [northerners and southerners] want to live together, then you can't talk bad things about each other. That will bring war. (Dinka Agar Chief (Man), Rumbek)

A person who talks bad of another is not free to do so. Such a person must be stopped or taken under the constitution for trial. (Man, Ikotos)

It shows there is no government if everyone just speaks freely. (Dinka Agar Woman, Pacong)

People have greater tolerance, however, for speech or criticism that can be proven true and is not done in secret, particularly if related to government leaders.

[Freedom of speech is] good, if what they are saying is right. (Dinka Ngok Woman, Agok)

It is good for somebody to talk about the wrong deeds of John Garang as a leader because any leader needs correction for better services and strength. (Man, Ikotos)

[Talking about John Garang] out in the open is okay...bad things happen in secret...could lead to a coup. (Dinka Agar Men, Pacong)

If a person insults Dr. Garang, he has a right to do so...if it is not true, he has to be punished, but he still has a right to say it. (Elders (Man), Kauda)

D. Right to Own Property. Individual property ownership rights are widely recognized by Southern Sudanese, although some may place limits on this right based on cultural traditions, the role of women or a fear of northern intentions.

It [property ownership] is good because all people are individuals. (Zande Woman, Yambio)

A person has a right to own anything if he is one of the citizens. (Elder (Man), Kauda)

Should own property collectively as a family. (Dinka Agar Woman, Rumbek)

The government owns the land because the community is the government and the community is under the government. (Man, Ikotos)

Participants in about one-third of the groups – most strongly felt in the Zande groups in Yambio and Nzara – objected to northern ownership of southern lands. There was slightly less objection to women’s ownership of property (which includes cattle) with participants in approximately one-quarter of the groups indicating they would not be supportive of this right.

[It is] right and okay when any northerner owns property in South Sudan legally. (Man, Ikotos)

If the owner accepts it [northerner offer to buy], it is okay. (Man, Kurmuk)

Northerners are not entitled to any properties of South Sudan. (Zande Man, Nzara)

[Northerners] should not be allowed to buy or own property. Their owning of property contributed to the problem of war. (Zande Woman, Yambio)

Women should own the land because men are always moving around. A woman stays put. (Dinka Agar Woman, Pacong)

[Property ownership is] not okay. If a female makes money as a girl, it belongs to her father. If a female makes money as a married person, it belongs to her husband. (Dinka Agar Chief (Man), Rumbek)

E. Freedom of Movement. Freedom of movement through Southern Sudan is generally embraced for southerners, but for a significant minority of participants, people moving without clear intentions creates fear of continued conflict. These participants would prefer that movement be monitored through government documentation requirements. Likewise, a majority support similar requirements for northerners or would bar them altogether from movement in the South.

Free movement of Southern Sudanese within South Sudan is good. (Woman, Ikotos)

Yes, [freedom of movement] is what we need. (Shilluk Woman, Oriny)

[Freedom of movement is] good, but sometimes terrorists come in easily. (Dinka Gok Man, Rumbek)

It is not good for a person to move around the country unless he or she has a document that can allow that person to move. (Dinka Ngok Woman, Agok)

Northerners should not be allowed to move freely in South Sudan unless with documents from the government because the northerners are connected with terrorists and have malicious intentions about us. (Man, Ikotos)

F. Freedom of the Press. A press free from interference by the GOSS is the preference for most Southern Sudanese, although among older participants this concept is not as widely supported.

[Freedom of press is] good, because the government has to pay attention to the grievances of the people. (Younger Zande Man, Nzara)

It is not proper for the GOSS to control the newspapers and radios because they are meant for correction and information circulation. (Man, Ikotos)

[Freedom of press] is good but should consult government first... there are some secrets that should not be heard by others. (Older Dinka Agar Woman, Rumbek)

The government should be involved in control of newspapers and radios because security is the first step towards peace. (Older Man, Ikotos)

For most, any objections to a free press are dropped if critical information being reported about the government or John Garang is true.

[Freedom of press is] okay, if it is true because the government can learn good things and avoid bad things over the citizens. (Older Man, Ikotos)

[Reporting critical information if true] is okay because it shall enable people all over South Sudan to know it. This shall facilitate change in the officials. (Older Zande Woman, Yambio)

It is okay if they [media criticisms of John Garang] are true. (Older Dinka Ngok Women, Agok)

[Criticisms of John Garang are] good. The flow of information is the life to any country. (Older Nuer Gawaar Chief (Man), Ayod)

G. Equal Pay. There is unanimous support for the concept of equal pay for equal work done by men and women.

It is good to be paid the same amount because we are doing the same job. (Zande Man, Nzara)

[Jobs] should be equal in payment! (Dinka Agar Woman, Pacong)

H. Freedom of Association. Southern Sudanese are generally comfortable with the idea of freedom of association. Objections by a minority of the participants are based on fears of potential conflict that additional groups or political parties may bring. Dinka and Zande participants are more likely to oppose this right or to suggest that governmental registration of groups should be required.

[Freedom of association is good] after studying the programs of the party or association. (Man, Ikotos)

It is okay for a person to join any political party because every person is to fulfill his achievements. (Elder (Man), Kauda)

The government should register every group. They may plan to contradict what the government is doing. It can create problems. (Dinka Agar Woman, Pacong)

[Freedom of association] is bad because here people may create or develop chaos and shall cause another war. This we do not want to happen again. (Zande Woman, Yambio)

I. Right to Bear Arms. Fears of increased crime and additional conflict cause most Southern Sudanese to reject the idea that guns can be owned by private citizens. Even those who support private gun ownership want it only for hunting or see the need for some government regulation through registration, age limits and/or automatic weapon restrictions. Participants in Kauda were more likely to support private gun ownership than others.

[Private gun ownership] might fuel the increase of crime and murderous acts. (Nuer Gawaar Chief (Man), Ayod)

No [guns] because if he has a problem with a neighbor, he will just use it. (Zande Woman, Yambio)

If owning a gun, must have a proper document from the GOSS with a genuine reason why he is having that gun. (Dinka Ngok Woman, Agok)

J. Search and Seizure. Most people believe that some sort of permission should be obtained, either from the accused, a chief or a judge, before police are allowed to search a home. A significant minority, however, see a need for the police to have unfettered access to homes during criminal investigations.

No, the police have no right to do that [search a home without permission]. They might even pick something from your house or damage your house as they enforce the law. (Zande Woman, Yambio)

Police have the right to search the house without permission because of the reason that maybe that person is a criminal and if informed then they might get the evidence. (Dinka Ngok Woman, Agok)

K. Children and the Disabled. The rights of the disabled and children are fully supported. People believe that children have the right to have their basic needs met and that the disabled should not only have equal rights but perhaps be given preferential treatment.

[Children have the right to] shelter, food, medical treatment, education, clothing and protection. (Men, Ikotos)

[The rights of a disabled person] should even be upgraded from the rights of the regular person. (Dinka Agar Woman, Pacong)

- 7. There is strong support for widespread suffrage among peoples considered Southern Sudanese, but northerners living in the South would not be welcome voters in GOSS elections.**

There is no hesitation on the part of Southern Sudanese to grant voting rights to all people of southern origin, including women, all southern tribes, southerners living in garrison towns and southerners living abroad. Voting age is generally agreed to be in the range of 15-20 years.

Voting is for all...Every tribe has the right to vote. (Shilluk Woman, Oriny)

We [women] can vote because we are citizens of South Sudan. (Nuer Gawaar Woman, Ayod)

It's good for southerners living in the garrisons to vote. (Zande Woman, Nzara)

It's their [southerners living abroad] right to vote, and it should be like the ones of Iraq held recently abroad, to enable them to express their feelings towards the referendum. (Zande Woman, Yambio)

Most southerners reject the idea that a person of northern origin – even those born in the South and/or those currently living in garrison towns – could vote in elections in the South, although a minority would be open to allowing Northerners who were citizens of the South through local registration to vote in certain elections. However, the self-determination referendum is a special circumstance and very few Southern Sudanese would be tolerant of northerners voting in that election due to the fear that northern votes would be cast for unity.

Northerners staying in South Sudan have no right to vote and elect a leader for the southerner. (Woman, Ikotos)

Northerners should only be allowed [to vote] if registered and known as South Sudanese. (Man, Ikotos)

They [northerners] have no right to vote for self-determination because they might vote for unity, which is what we don't want. (Dinka Ngok Man, Agok)

- 8. Southern Sudanese concerns about unity within the South are reflected in the desire to have a southern president skilled at combating tribalism, different tribes represented in the offices of president and vice president and a diversity of leadership ensured through presidential term limits.**

Tribal affiliation is never mentioned as a necessary qualification for the presidency. Instead, participants focus on attributes that promote good governance and ensure peace in the South.

[We need a president who] works with other tribes. A person who does not do that is a not a good leader. (Dinka Agar Chief (Man), Rumbek)

[Need] someone who is not a tribalist...who makes all people equal. (Nuer Gawaar Woman, Ayod)

[Need] someone elected by majority and has the ability to lead people and also take care of people's opinions. (Dinka Ngok Man, Agok)

Education is viewed as an important qualification for a president who must rule over an ethnically and politically complex region, but a leader who is educated through the secondary level is acceptable to most, given the lack of educational opportunities available during the war. Older participants are more likely to say that wisdom is all that is needed. Educated women are seen as fit candidates for the presidency by all women and most men; only Dinka men in Rumbek County said women would not be qualified due to cultural or religious restrictions.

[For president, we need] a person of secondary level of education and has the characteristics of a leader. (Younger Dinka Ngok Man, Agok)

It is not a matter of education, but a matter of what one knows. (Older Dinka Agar Chief (Man), Rumbek)

Any Southern Sudanese woman capable with good character is also worth the office of the president. (Woman, Ikotos)]

Yes, [an educated woman can run for president] if she has the ability to lead people. (Dinka Ngok Man, Agok)

It is well-indicated in the Bible that man should be the leader. Why should we rebel against God's making? (Dinka Gok Man, Rumbek)

Southern Sudanese prefer to elect their vice president rather than to have the position appointed, but at the same time strongly believe that the President and Vice President should be from different tribes to avoid tribalism and possible conflict.

[Vice presidents] shouldn't be appointed by the president because the president may get a person who always says yes and yes. (Dinka Agar Chief (Man), Rumbek)

[Vice presidents] should be elected because it's a democratic process. (Zande Woman, Yambio)

Vice presidents should be appointed so that other problems may be avoided, for example, insecurity and tribalism. (Man, Ikotos)

[The President and Vice President] can not be from one place because even when the chief is from this clan, the secretary is from another clan to avoid clan clashes. (Nuer Gawaar Woman, Ayod)

A term limit (in the range of 2-3 terms) for the office of the presidency was embraced by most participants to ensure a diversity of leadership, although fewer supported any limit if applied to John Garang.

[President should be elected] twice only so that someone else will come. (Zande Woman, Nzara)

Two terms in office is enough so that chances are given to other liberators to contribute to the development of the same country. (Man, Ikotos)

John Garang shouldn't be limited to 10 years to serve as president of South Sudan because he served as the chairman for 21 years during the war. (Dinka Ngok Man, Agok)

A certain level of maturity is seen as a prerequisite to serve as president with most participants supporting a minimum age in the range of 35-45 for the office. Mental ability is also a concern, leading many participants to support an age limit on the office of the president in the range of 75-85 years.

9. Believing that representatives close to home will be most effective at solving their problems, Southern Sudanese express a preference for chiefs' involvement in local government and for an electoral system in the Southern Sudan Assembly based on small geographic divisions or tribal affiliation.

Most participants view the role of Southern Sudan Assembly member as someone who is elected specifically to make life better in their localities. As a result, people support an electoral system for the Assembly based on a relatively small geographic division, such as a payam, or – as slightly fewer participants indicated – tribal affiliation.

[An Assembly member's role is] to go and advocate for this area. (Dinka Agar Woman, Pacong)

[An Assembly member is a] spokesman to speak about the difficulties facing us. (Zande Woman, Nzara)

[Support electing Assembly members from the payam] because representation will come from all corners of the country and these people know the problems of their areas. (Dinka Gok Man, Rumbek)

It is right to elect from tribe and section. (Woman, Ikotos)

[Assembly members should be elected] from the county regardless of his political party as long as somebody will be our voice. (Nuer Gawaar Chief (Man), Ayod)

For the same reason, participants want very much for their local chiefs to have a role in government, but most believe chiefs can best serve them at the local level – boma, payam or county – by communicating the people’s needs and facilitating the government’s policies.

Yes, [chiefs] should be part of the government....because he is the eye of the GOSS and facilitates government policies at the grassroots level. (Zande Man, Nzara)

Yes [chiefs should be involved in government] at the boma level...because they know what the people want. (Zande Man, Yambio)

No [chiefs] can not go and rule [in the national government because] we already have a chief here, so they are already ruling here. (Shilluk Woman, Oriny)

Chiefs would be effective in the GOSS only from the county, boma and payam levels. (Man, Ikotos)

Similar to the findings about the office of the president, people in Southern Sudan mostly support term limits for members of the Southern Sudan Assembly. This is primarily because they view it as a fair and good thing if different people are allowed to serve.

There should be a time limit of two terms of 5 years each [on serving in the Assembly]. This is because there are a lot of people who have fresh ideas for the same area and should be allowed to serve or given a chance to. (Zande Woman, Yambio)

A discussion of specific qualifications and procedures for the Southern Sudan Assembly led to consensus on several issues.

A. Quotas for Women. There is almost unanimous support among both men and women for a certain number of seats to be reserved for women in the Southern Sudan Assembly. Twenty-five percent of seats in the Assembly is seen by most as a fair number to set aside for women, although female participants are more likely to suggest an equal division of seats between men and women.

B. Age Requirement. The generally accepted age at which a person should be allowed to run for member of the Southern Sudan Assembly is in the range of 25-35 years.

- C. Literacy Requirement.** Literacy is a desired qualification for a member of the Southern Sudan Assembly because people see it as “important for communications and skills.”
- D. Open Assembly Meetings.** Southern Sudan Assembly meetings open to the public are seen as necessary for an informed and participatory citizenry. A concern among a few participants about government secrets is mostly addressed by a provision that would allow closed Assembly meetings on the vote of its members. In this case, most participants suggest that a two-thirds vote or more of the Assembly be required to close a meeting.
- E. Removal of the President.** The power of the Southern Sudan Assembly to remove a president for misconduct before the next election is endorsed by the people, although many support a procedure that encompasses warnings and second chances for the president as well.
- 10. Southern Sudanese believe the current court system in Southern Sudan does not function as a neutral arbiter of disputes or the law and that justice, or injustice, can be bought.**

Apart from development issues, the court system as it currently exists in Southern Sudan is perhaps the single most troubling issue in participants’ local areas. There is almost uniform agreement that bribery and favoritism guide court decisions, and there is a strong feeling that the courts must be one of the problems addressed by the GOSS. In addition, female participants lament what they see as one-sided judgments favoring men and in certain areas military interference with the courts is a problem.

It [the court system] is the major problem facing us...judges are usually bribed because they do not swear an oath in front of the public. (Dinka Gok Man, Rumbek)

People should be judged and treated fairly and [judges] should avoid corruption....Today, there is nepotism, tribalism and segregation [in the court system]. (Zande Woman, Yambio)

The court system in South Sudan has no laws and so they are not doing the work they are supposed to do [and] instead [are] giving favors or being corrupt. (Dinka Ngok Man, Agok)

This judiciary system in South Sudan is not good, since it is men who judge and they judge in favor of men, so it is not fair to women. (Nuer Gawaar Woman, Ayod)

Military interference in courts is common. (Man, Ikotos)

Although the court system is broken, participants did not place all the blame on local judges or court officials. People recognize that the war has impacted the ability of the courts to offer justice and have a number of suggestions for improving the courts in Southern Sudan. Among these are the:

- Adoption of court guidelines or a code of conduct;
- Development of written laws;
- Training in legal procedures for all court officials;
- Salaries for judges;
- Supervision of judges;
- Hiring of experienced, qualified and competent judges;
- Discipline of judges and court officials for misconduct;
- Addition of female judges and court officials;
- Changes in laws to ensure equality for women (e.g., the law on adultery);
- Elimination of bribery;
- Rotation of judges to throughout Southern Sudan to eliminate bias;
- Training of chiefs in the law; and the
- Rendering of decisions based on fairness according to the law.

Participants were asked about several legal concepts or procedures and, although some concepts were difficult, their responses provide some insight into their positions on these issues.

A. Judge or Jury. The practice of having community members review or rule on a case in some instances before the case is referred to a judge clouded this issue, and many saw the community's action as already having met the standard of a 'jury of peers.' Because of this and the familiarity with a judge-based system in the higher courts, participants were slightly more inclined to favor a judge, rather than a jury, ruling on guilt or innocence.

B. Presumption of Innocence. While slightly more participants felt the accused should be made to prove their innocence, people do not express a clear opinion of where the burden of proof should lie. Many people talk about the importance of evidence, investigation and inquiry in determining guilt and some say that both parties to a case are equally charged with proving guilt or innocence.

C. Defendant's Right to Legal Assistance. The majority of people express some level of support for the idea that the GOSS is obligated to provide legal assistance to those who could not afford to pay a private advocate.

D. Death Penalty. Currently, serious crimes within the immediate ethnic group in Southern Sudan are primarily addressed through compensation to a victim's family. If given a choice, however, a solid majority would support the death penalty for serious crimes under a new GOSS court system. Crimes for which the death penalty is considered most appropriate include murder (with intention), treason and the rape of a child.

11. Corruption is a ubiquitous problem in Southern Sudan that impacts daily life and makes people fear it will create conflict if not addressed by the GOSS.

Nepotism, tribalism and bribery are all cited as commonplace on the local level in employment, government activities (food distribution, water point location, etc.) and the courts. Although disliked on all levels, the greatest fear about corruption is that it will ignite conflict among the people of Southern Sudan.

Corruption is in the government [at] all levels: employment, location of water points, schools, hospitals, food distribution, etc. (Dinka Gok Man, Rumbek)

They sell [our] timber and tea and don't use it for war. They use it for personal reasons. (Zande Man, Yambio)

Corruption is the root cause of conflict in Ayod...the relief aid which was meant for us turns to be the wealth of some of our leaders here. (Nuer Gawaar Chief (Man), Ayod)

If not tackled by the government, it [corruption in the distribution of resources] will create another conflict. (Dinka Agar Woman, Rumbek)

The lack of salaries, training and any system of accountability are seen as contributing factors to local officials' misuse of public assets and relief aid. As a result, only about one-third of the groups suggest imprisonment as a way to discipline those found to be corrupt, with most preferring the lesser penalties of dismissal, transfer, suspension or warnings.

[We] need a good system that the GOSS can set in place to stop corruption. (Dinka Agar Chief (Man), Rumbek)

Salaries should be enough for GOSS officials in order to avoid corruption. (Zande Woman, Nzara)

The way to stop corruption is accountability and remove the person who did it from his post. (Chief (Man), Kauda)

[A corrupt person] should be warned first and then sacked second time. (Dinka Gok Man, Rumbek)

Although there is some fear of opening the door for corruption, a majority of participants believe that it is the right of an elected official to own a private business while in office due to, among other things, the need to support a family. A cultural tendency not to disclose personal wealth means that people have more mixed feelings about whether elected officials should be required to declare their assets. Almost half of the groups say this should not be a requirement, about one-quarter of the groups have mixed views on the subject and about one-quarter support the declaration of assets.

Yes, [owning a private business is allowed] because as a human being an MP has other private and family responsibility to attend to. (Man, Ikotos)

Yes, such people [elected officials] have rights to set their business as long as they are clean. (Nuer Gawaar Woman, Ayod)

Yes, [owning a private business is allowed] but if the business doesn't go well he or she might think of taking money from the office budget. (Dinka Ngok Man, Agok)

No, it is very bad to make an MP tell about private belongings to the public because it is a sign of no trust and a source of suspicion, pride and arrogance. (Man, Ikotos)

[Elected officials] shouldn't have to tell the public [their assets], but telling the government is okay. (Dinka Ngok Woman, Agok)

They [elected officials] should disclose [assets] because it will deter corruption. (Zande Man, Yambio)

12. Civil service jobs in the GOSS will be highly prized positions, and many will view the awarding of these jobs as an important sign of whether their new government will treat all individuals equally and fairly.

Southern Sudanese want the process of hiring GOSS civil servants to be transparent, with advertised positions and clear, even written employment policies. Participants support hiring practices based solely on merit and, because it is the hope of all to get beyond tribalism, there is little support for an ethnic quota system, even if it is devised to ensure fairness. Sensitivity about past experience with favoritism and tribalism in employment make it possible for civil service employment to become a source of conflict during the establishment of the GOSS. Communicating civil service employment criteria to the populace clearly and frequently will help engender a feeling that everyone is being treated fairly.

There should be public advertisement for any chance of employment. (Woman, Ikotos)

People should be chosen [for civil service jobs] on qualifications, experience and capability. (Man, Ikotos)

It is not a tribal government but a government of the people. Jobs should be filled on qualifications and merits. (Nuer Gawaar Woman, Ayod)

While merit hiring is preferred for the general population, there is general support for giving certain groups of people special consideration in hiring because of past sacrifice,

vulnerability or marginalization. These include soldiers, the families of fallen soldiers and women.

Yes,[set aside jobs] because they [soldiers] have done a lot for the GOSS. (Zande Woman, Yambio)

Yes, it is a good idea to set aside some job opportunities to former soldiers because they missed such chances. (Man, Ikotos)

Widows should be given specific jobs because they are most vulnerable. (Dinka Agar Woman, Pacong)

It is bad for us women. Our job is to do domestic work, so the GOSS should set aside jobs for us because we are the marginalized group. (Nuer Gawaar Woman, Ayod)

Southern Sudanese in the Diaspora are generally valued for the skills they can bring to Southern Sudan. Participants in larger towns, however, want assurances that their sacrifice in fighting the war is not ignored in the hiring process in favor of the Diaspora's superior educational qualifications.

They [Diaspora] can help build capacity because they have knowledge from where they are. (Dinka Agar Woman, Rumbek)

Because of the war, many people did not go or finish their studies but contributed into the war. They should be considered and given chance to study and work. They should be awarded a scholarship and trained on the job. (Zande Women, Yambio)

Many of us have been fighting in the bush and we have not had a chance to go to school...we will go back to war if we are not given jobs. (Zande Man, Yambio)

13. A decentralized system of power and decision-making is the preference of most in Southern Sudan because it is at the local level that their problems are best understood.

In the eyes of Southern Sudanese, a truly representative government is most likely to be achieved if power is devolved to the local level. Most important to people is the accessibility of local government, which can provide a forum for direct input from citizens.

Local government [should have the power] because they will be the ones sitting with the people to determine what they need. (Dinka Gok Man, Rumbek)

Boma level should have the most power of decision-making and laws because if that one is removed the other four [levels of government] shall not function. (Zande Woman, Yambio)

Nothing should come from the national at all unless it's a policy from outside the country. (Nuer Gawaar Chief (Man), Ayod)

14. Southern Sudanese believe education is a right for all that should be strongly supported by the government through free education and laws requiring compulsory attendance.

Education is a top priority for Southern Sudanese, who believe it is a basic right to which all are entitled. As a result, free and compulsory education is widely supported. Extreme poverty and a need to make up for lost time are the reasons given by participants for their desire to have the government provide free education, even up to the university level. Although the concept of compulsory education through at least Form 2 for boys *and* girls is embraced, it is unclear what participants' reaction would be if penalties for taking a girl out of school were imposed by the government. Comments in two chiefs groups suggest that extracting a girl for marriage before she finishes her education would be considered by some an appropriate exception to compulsory education.

100%, it [education] is a right. (Man, Kurmuk)

[Education] is a right for children and adults. (Zande Woman, Yambio)

Free education should be given for primary to university level up to 21 years old. This shall compensate for the time lost in the last three to five decades. (Man, Ikotos)

In the six years [interim period], free to the university and then the government can decide. (Dinka Gok Man, Rumbek)

All children will go to school, if given the chance. (Shilluk Woman, Oriny)

[Compulsory education] is good...if left to the parents, some children will be sent to the cattle camp. (Dinka Agar Woman, Rumbek)

15. Amnesty for those involved in the war is accepted by most Sudanese as the best way to move the region forward. However, a significant minority – and felt particularly strongly among participants in Equatoria – believe that crimes against civilians should be punished.

A desire to move on quickly to a better future motivate most participants' acceptance of amnesty for crimes committed during the war. Dinka participants are more likely to accept the concept of amnesty and Equatorians the least likely to accept it. The views of Equatorians and some other participants scattered among various ethnicities represent a

significant minority who believe punishment for crimes against civilians or crimes done intentionally must be pursued. Opinions about amnesty are likely to be fluid based on revelations of exactly what types of crimes would be included or excluded. Further research will be needed to determine the level of support for amnesty once these specifics are known.

[Amnesty is] okay if people are coming in peace. They can be forgiven. (Shilluk Woman, Oriny)

Things of the war are the old things. We need to open a new page. (Dinka Agar Woman, Pacong)

It is okay to forgive both [North and South combatants]...what happened in the war is past, so we need to start now. (Woman, Kauda)

Those in the SPLA or GOS who attacked civilians should be punished. A military tribunal should try those responsible. (Zande Man, Nzara)

It is bad for the GOSS to pronounce forgiveness at the grassroots on crimes during the 21 years of war because some crimes are intentionally done...Amnesty should be awarded to crimes on the front lines of the war, not behind the front lines. (Man, Ikotos)

- 16. The women of Southern Sudan are hoping that a new GOSS will expand their rights in all areas – political, economic and social. For the majority of men, however, their support of many political and economic rights for women does not override cultural or societal restrictions.**

Most women are enthusiastic about the possibility of gaining more rights under a new GOSS. Men in Southern Sudan demonstrate a high level of support for many political and economic rights of women through, for example, unequivocal support of equal pay for equal work and quotas for women in the Southern Sudan Assembly and the civil service. However, Southern Sudanese men, particularly those in Dinka and certain Zande groups, are also more likely to say they do not want the GOSS or new laws to change the family or social dynamic that governs women's domestic responsibilities, marriage or property ownership rights (which also includes some economic rights).

Men do nothing for the children, so it's women that should have equal rights. (Dinka Agar Woman, Rumbek)

Men say they should be given priority; now what about women? What we need is equal treatment. (Zande Woman, Nzara)

I doubt that it [equal rights for women] will happen because men don't want our rights to exist...they beat us like dogs, forgetting that we brought them into this world. (Nuer Gawaar Woman, Ayod)

Women are not considered in whatever decision is made so we also want the GOSS to look into that. (Dinka Ngok Woman, Agok)

Women should be given 40 out of 100 [seats in the Assembly] simply because we want to balance national decisions. (Nuer Gawaar Chief (Man), Ayod)

Women are not equal. We have our own ways of handling them. They can cook, wash clothes. Nobody should interfere. The roles can not mix. A man can not be told to do the work of a woman. A woman can not do the work of the man...[but] women's rights are okay in job qualifications. (Dinka Agar Chiefs (Man), Rumbek)

Men and women should be treated equally according to the culture...God didn't treat men and women equal. (Zande Men, Yambio)

No [people] are not allowed to freely marry...it is not in our culture. (Dinka Agar Men Chief (Man), Rumbek)

“Discipline,” in the form of hitting, of women by their husbands is an acknowledged practice in Southern Sudan, but men are more likely to see it as justifiable than women, some of whom want the practice to be changed by the GOSS. Southern Sudanese say that only hitting with “small force” is acceptable, but what that means was never fully defined.

The husband has a right to beat his wife on doing any wrong things...however, it is good for the husband to understand without beating the wife upon her doing something bad. (Woman, Ikotos)

A man has no right to hit a woman...that is not a freedom. (Dinka Agar Woman, Rumbek)

Wife beating should be discouraged by the GOSS. (Nuer Gawaar Woman, Ayod)

It [hitting] is right because according to Zande culture, you must show your red eyes to your wife. (Zande Man, Nzara)

Yes, [a husband] has a right to do so [hit a wife], but it cannot be with an intensive force...small force only. (Dinka Gok Man, Rumbek)

A goat [tail of a rhino] is the one that our women fear most...20 slashes can bring her back. (Nuer Gawaar Chief (Man), Ayod)

If the husband makes a mistake, does he accept that the wife hits him? That is equality. (Woman, Kurmuk)

- 17. In the groups conducted, participants who indicate they own radios varies by location, and the radios owned are not always operational because batteries necessary to run the radios are either not affordable or of good quality.**

In the 23 focus groups, participants who say they own radios are generally from border areas or larger towns, while participants in the interior areas and smaller, more isolated towns are less likely to say they have a radio at home. In addition, women in the groups who claim radio ownership are mostly referring to a son's or husband's radio, and so it may be that they have less access to the radio on a full-time basis. Even when participants claim radio ownership, many report that they are only able to afford batteries to operate the radios one to two weeks per month or less. In Southern Sudan, the more expensive, and thus less affordable, battery brands available may last up to 2 weeks, while the least expensive batteries last only a few days. However, participants do report that they are sometimes able to listen to a neighbor's radio or hear the radio in the market if they do not own one or theirs is not working.

Among participants, BBC, VOA and Omdurman (as you travel further north) are popular stations. Sudan Radio Service (SRS) is widely recognized, though like radio ownership, those in the focus groups who indicate they listen to SRS varies by location. In general, fewer participants in our groups who reside in the more northern sections of Southern Sudan indicate they listen to SRS. The exceptions to this were a Shilluk group in Oriny that said they listened to SRS when it is broadcast in Shilluk and participants in the Southern Blue Nile town of Kurmuk, who say that they listen to a woman who speaks in Arabic on SRS and that SRS has come to Kurmuk to interview some local people.

CONCLUSION

Anticipation among the people of Southern Sudan for self-government is high, but a measure of autonomy from the North will not alone satisfy the citizenry's thirst for a democratic and participatory government. Equality, accountability and responsiveness are all attributes that Southern Sudanese expect to be foremost in their leaders and the new GOSS. Reflected in these expectations are the two things people say they want from a constitution: protection of their rights and a guarantee that their government will embody the will of the people. Only a few months into the pre-interim period, Southern Sudanese do not yet see the changes they desire, but they remain hopeful that the new GOSS be able to deliver upon the promise of a better life and a more representative government for all.

Delivering on this promise will not be an easy task due to, among many other challenges, the need to quickly establish workable government structures in an ethnically complex region where people's experience with democratic ideals is limited. Correcting the already ingrained mindset of corruption among local government officials will require a tremendous amount of political will. Educating the masses on the importance of respect for individual rights in a democratic society will require resources and commitment. And navigating the many ethnic sensitivities in Southern Sudan, while ensuring equality for all, will involve concentrated effort and enormous skill.

As noted at the onset, the conclusions set forth in this report represent a snapshot of public opinion in March and April 2005. Southern Sudan will undergo many dramatic changes in the coming months and years as the peace protocols are implemented. Once people experience these changes, public opinion will likely shift on many issues. For now, however, the opinions and attitudes expressed by the 242 people who participated in the focus group research suggest the following as a course of action for Southern Sudan's leaders and for donors who wish to assist in the establishment of the Government of Southern Sudan:

Step-Up Communication About Events *and* Plans. Communication is a daunting challenge in Southern Sudan due to the lack of infrastructure and the relatively few radios in the region. Nevertheless, the signing of a peace agreement ending 21 years of conflict did not significantly increase confidence in a long-term peace. Two primary reasons for this are little direction from leaders on the protocols or on what peace will mean, and little evidence that peace means anything real to people's daily lives. Both are communication failures on the part of the SPLM, and if not acted upon quickly, the opportunity the signing of the CPA presents to build confidence in the peace and promote unity among tribes will be lost. While people are not expecting overnight changes, they do yearn for more information from leaders about development in their areas. Going forward, the SPLM and the GOSS need to make a greater effort to communicate about plans and timing for development, even if actions planned are years in the future and statements about what will and will not be accomplished need to be communicated in a clear and concise manner. It would be a mistake to make grandiose development

promises that cannot be fulfilled, but for ordinary citizens a government that does not communicate about development issues appears both uncaring and unresponsive.

Draft a Constitution that Delivers a Representative and Responsive Government.

People want a Southern Sudan Constitution that creates the most representative and responsive government possible. Southern Sudan Assembly elections based on some affiliation close to home, the involvement of chiefs in local government, quotas for women in the Southern Sudan Assembly and the decentralization of power are all seen as ways to deliver a people-centered government. A constitution that maximizes the voice of the people will be widely embraced.

Undertake Civic Education on Individual Rights. In theory, Southern Sudanese support many of the individual rights typically included in a democratic constitution, but it is clear that the exercise of some of these rights by others makes people uncomfortable. As a result, there is significant support for limiting rights such as freedom of religion, freedom of speech and freedom of movement. This should not be read, however, as a complete rejection of these rights or of democracy. Culture, experience with centralized, non-democratic forms of governance and, most importantly, fear of additional conflict all contribute to Southern Sudanese approaching these rights cautiously. There are times in any country's history when leaders must step out in front of their people to take on difficult issues. The SPLM, and eventually the GOSS, need to take seriously the responsibility of educating citizens on key freedoms and rights in a democracy. As soon as possible, effort should be devoted to civic education. For example, radio programs and a school curriculum could be developed to educate citizens on the new constitution and on their roles and responsibilities in a democracy. Ignoring this issue risks the possibility of conflict as some choose to exercise their rights while others seek to limit those rights. Because of the credibility the SPLM currently enjoys, the people will listen to leaders who take the time to endorse and explain these rights.

Make Addressing Tribalism and Tribal Antagonism a Top Priority. Another avenue for addressing people's concern about certain rights is to address one of the underlying causes: fear of tribal conflict. Although tribalism and tribal/clan conflict were not the focus of this research, participants bring up this issue again and again during the discussion of other topics. Peace among tribes is the necessary for development in Southern Sudan, and there should be a sense of urgency in addressing this issue. The creation of GOSS structures to arbitrate ethnic disputes should be among the first activities of the new government.

Be Aware of Civil Service Employment as a Possible Source of Conflict. The creation of the GOSS civil service will provide one of the very few viable options for employment in Southern Sudan. In larger towns and border areas where people have some level of education, these positions will be coveted and employment practices will be highly scrutinized. Any perception of tribalism, favoritism and/or nepotism in civil service employment has the potential to spark conflict, and so whatever extraordinary measures are necessary to demonstrate the process is fair should be taken. Actions that will help clarify the process include: (1) creation of a merit-based hiring system; (2)

development of clear, written employment procedures; (3) the frequent publication and broadcast of employment procedures; (4) explanation of motivations behind any job set-asides for certain groups like soldiers or women; (5) provision of training for people who have not had the opportunity for education outside Southern Sudan; and (6) adoption of policies to curb nepotism.

Revamp the Court System from Top to Bottom. There is no faith in the justice system in Southern Sudan, and any government that purports to be a defender of equality and fairness will need to address this problem. According to participants, there is little about the current court system that works. Salaries, training and guidelines are critical to creating a system, and although written laws are an important first step, widespread understanding of key laws is necessary not only for court officials but for citizens as well.

Address Corruption Emphatically in the Establishment of the GOSS. In any society, eliminating corruption is an ongoing battle, but for Southern Sudan, where economic resources and employment opportunities are scarce, the probability that corruption will become a debilitating problem, particularly as large amounts of oil revenues become the basis for the GOSS budget, is high. What makes this even more concerning is that devastating and perhaps even peace-ending conflicts among tribes, sections and clans may be sparked by government corruption, which will inevitably be read as favoritism to one group or another. Since there are no existing GOSS structures, the SPLM has a unique opportunity to wipe the slate clean of past corrupt practices by local officials and impose tough new anti-corruption measures at all levels of government. Measures such as these would be welcomed and praised by the people of Southern Sudan.

APPENDIX A – FOCUS GROUP PARTICIPANT DEMOGRAPHICS**SOUTHERN SUDAN CONSTITUTIONAL FOCUS GROUPS
Participant Demographics**

DATE	NO. IN GROUP	GENDER	REGION/COUNTY	LOCATION	ETHNICITY	RELIGION	AGE GROUP	EDUCATION
03/23/05	12	Male	Bahr el Ghazal/Rumbek	Rumbek	Dinka Gok	Christian	Younger ⁴	Late Pri-Early Sec
03/23/05	8	Female	Bahr el Ghazal/Rumbek	Rumbek	Dinka Agar ⁵	Christian	Older	None-Early Pri
03/24/05	13	Male	Bahr el Ghazal/Rumbek	Pacong	Dinka Agar	Trad ⁶ +Chris	Older	None-Early Pri ⁷
03/24/05	9	Female	Bahr el Ghazal/Rumbek	Pacong	Dinka Agar	Christian	Younger	In School-Pri
03/25/05	8	Male	Bahr el Ghazal/Rumbek	Rumbek	Dinka Agar ⁸	1Trad+Chris	Older	None-Early Pri
03/31/05	6	Male	Nuba Mountains	Kauda	Mixed ⁹	Christian	Mixed	Pri-Sec
03/31/05	9	Female	Nuba Mountains	Kauda	Mixed ¹⁰	Christian	Older	None-Early Pri
04/01/05	9	Male	Nuba Mountains	Kauda	Mixed ¹¹	Christian	Younger	Early Pri-In Pri
03/30/05	11	Male	W. Equatoria/Yambio	Yambio	Zande ¹²	Christian	Older	Sec or Above
03/30/05	12	Female	W. Equatoria/Yambio	Yambio	Zande ¹³	Christian	Older	Pri-Sec
03/31/05	14	Male	W. Equatoria/Yambio	Nzara	Zande	Christian	Younger	Sec. or In Sec
03/31/05	14	Female	W. Equatoria/Yambio	Nzara	Zande	Christian	Younger ¹⁴	Late Pri-Early Sec
04/01/05	13	Female	Upper Nile/Ayod	Ayod	Nuer Gawaar	Christian	Younger	None-Early Pri
04/01/05	11	Male	Upper Nile/Ayod	Ayod	Nuer Gawaar ¹⁵	Trad+Chris	Older	None

⁴ Younger refers to participants age 30 and below; older is above age 30.

⁵ Two participants were from different sections of Dinka, Gok and Jeng, but lived among the Agar community.

⁶ 'Trad' indicates that participants were neither Christian or Muslim but adhered to traditional religious beliefs.

⁷ One participant was a senior secondary graduate.

⁸ Participants were chiefs, sub-chiefs & home area (gol) leaders.

⁹ Participants were primarily Gilgi and were area leaders.

¹⁰ Participants were primarily Otoro-Lukawara.

¹¹ Participants were Gilgi and Albaji.

¹² One participant was Balanda and one Moru.

¹³ One participant was Moru.

¹⁴ One participant was above age 30.

SOUTHERN SUDAN CONSTITUTIONAL FOCUS GROUPS
Participant Demographics (Continued)

DATE	NO. IN GROUP	GENDER	REGION/COUNTY	LOCATION	ETHNICITY	RELIGION	AGE GROUP	EDUCATION
04/01/05	9	Female	Upper Nile/Fashoda	Oriny	Shilluk ¹⁶	Trad+Chris	Older	None-Early Pri
04/05/05	9	Male	Southern Blue Nile	Kurmuk	Mixed ¹⁷	Muslim	Older	None-Sec
04/06/05	12	Female	Southern Blue Nile	Kurmuk	Mixed ¹⁸	Muslim+Chris	Mixed	None-Late Pri
04/08/05	12	Male	Abeyi/Abeyi	Agok	Dinka Ngok	Christian	Younger	None-Univ
04/07/05	10	Female	Abeyi/Abeyi	Agok	Dinka Ngok	Chris+1 Trad	Older ¹⁹	None-Sec
04/06/05	11	Male	E. Equatoria/Torit	Ikotos	Mixed ²⁰	Christian	Older ²¹	Late Pri-Sec
04/06/05	18	Female	E. Equatoria/Torit	Ikotos	Mixed ²²	Christian	Mixed	Pri-Sec
04/07/05	12	Male	E. Equatoria/Torit	Ikotos	Mixed ²³	Christian	Mixed	Late Sec or Grad

¹⁵ Participants were chiefs, sub-chiefs & home area (gol) leaders

¹⁶ Due to food distribution activities, it was not possible to complete a men's focus group in Oriny.

¹⁷ Participants were Barta, Buron and Ragarig.

¹⁸ Participants were Uduk, Barta, Dawala and Buron.

¹⁹ Three participants were age 30 and below.

²⁰ Participants were Lotuko, Pari and Lango.

²¹ Four participants were age 30 and below.

²² Participants were Lotuko and Lango.

²³ Participants were Lango, Otuho, Acholi, Lopit, Dongotona, Langairo and Lobwaye.

APPENDIX B – METHODOLOGY NOTES

Focus Group Research: Focus groups are open-ended group interviews directed by a moderator and following a pre-set guideline. The purpose of focus group research is to understand the attitudes, opinions and experiences of participants who are recruited for the exercise. Focus groups are particularly useful in gaining a deeper appreciation for the motivations, feelings and values behind participants' reactions. In addition, the group format enables respondents to participate in an exchange of ideas – thus revealing a more in-depth understanding of why opinions are held – that may not emerge in individual in-depth interviews or quantitative surveys.

Focus group discussions are comprised of a small number of participants, typically 8-10 per group. However, depending on the specific situation, groups may be slightly smaller or larger than the ideal. In the Southern Sudan context, a chiefs' group, for example, might work better with a smaller number because chiefs are generally well-informed and have strongly held opinions. A women's group in a more isolated area may benefit from being slightly larger because it is likely that one or more of the participants will refuse to speak at length even if pressed.

Focus groups are recruited to be homogeneous – so, for example, men's and women's groups are conducted separately – to enhance the comfort level of the participants and to clarify the views of a particular sub-group. The number of groups conducted varies widely based on the goals of the research, but the total number of participants is always relatively small and cannot be considered statistically representative of the larger population. It is important to always be aware that focus groups are a qualitative, not a quantitative, research tool.

Logistics: The logistical challenges of conducting research in Southern Sudan are immense. Covering a large area of Southern Sudan is only possible through the air, yet flights are highly dependent upon scheduling and seating availability of the United Nations air service and various charter companies. Pre-planning for the groups is difficult and requires labor-intensive coordination to organize flights, accommodation and local staff in each location. This is further complicated by the fact that NGOs inside Southern Sudan can only be reached by radio at certain times of the day and that the radio operator may not be a high-level staff member.

Staffing: The conflict in Southern Sudan devastated the educational system, and so it is very difficult to find moderators and recruiters within the region who are fluent in the local language and have good English skills. To combat this problem, NDI recruited and trained Southern Sudanese in the Nairobi Diaspora to travel with the research team inside Southern Sudan and act as moderators for the groups. The exceptions to this were in Oriny where a local NGO staffer was used as a moderator; in Kurmuk where a person involved in local education moderated the groups; and in Rumbek where the staff of the NSCSE provided expert moderation. Due to the lack of competent female moderators, a

few of the women's groups were conducted by a male moderator with a female staffer also present.

Group Composition: The focus groups in this report were stratified by gender, ethnicity, age, religion and education. Single ethnicity groups were convened among three sections of Dinka and also Nuer, Shilluk and Zande. In areas where several ethnic groups live in close proximity and interact with each other frequently, we conducted multi-ethnic group discussions. These included groups in Ikotos in Eastern Equatoria, Kauda in the Nuba Mountains and Kurmuk in Southern Blue Nile. (See Appendix A for a further information on participant demographics.)

Age: Based on the experience of the first focus groups, the age category was wider and included only a broader range of "younger" or "older." This was done to ensure a relatively consistent range of ages within any one group, since people in some areas inside Southern Sudan do not know their ages and the ability of local recruiters to identify a narrow age range is limited.

Religion: The majority of groups conducted were among those who identify themselves as Christians and those who say they adhere to traditional beliefs or some combination of the two, which is not uncommon in Southern Sudan. Although small pockets of non-Arab Muslims exist inside Southern Sudan, they are either in GOS-controlled areas or in hard to reach areas. As a result, the only purely Muslim group we were able to conduct was in Kurmuk in Southern Blue Nile.

Education: Participants sampled in the groups had widely varying degrees of education, ranging from none through university. As much as possible, the groups were stratified to include participants with relatively similar education backgrounds. We did not attempt to stratify by education when we were recruiting chiefs groups, since their position was the more important criterion.

Group Locations: The focus groups outlined in this report were conducted in locations inside Southern Sudan currently under the control of the SPLM. Twenty-three group discussions were spread across ten locations in Bahr el Ghazal, Equatoria, Upper Nile and the three transitional areas. (See Appendix A for a list of focus group locations.) Visits to garrison towns controlled by the GOS and to refugee locations in the North Sudan were not possible, and so the opinions of people in those areas are not included in this report. In addition, there is no way to predict who among the refugees in camps outside the North or in the Diaspora will decide to return to Southern Sudan to live under a new Southern Sudan Constitution, the relatively narrow subject of this research, and so research was not pursued with these populations.

Facilities: In more rural areas, there are few structures appropriate for focus group research. As a result, groups were sometimes conducted in open-air settings, although this reduces the privacy of the group.

Remote Areas: Due to the lack of available local transportation, this research is limited to areas with airstrips. As a result, more remote peoples were not reached.

APPENDIX C – MODERATOR’S GUIDELINE

Southern Sudan Constitutional Focus Groups Moderator Guideline March 23-April 8, 2005

I. INTRODUCTION

Hello, my name is _____, and I work for the New Sudan Center for Statistics and Evaluation, a Sudanese organization that is trying to learn more about what citizens of South Sudan think about the important issues in our country. I am the facilitator for today’s discussion.

- There are no right or wrong answers.
- Everyone’s opinion is equally important. We want everyone to speak.
- If you disagree with someone, that is okay.
- This discussion is only between those of us here.
- I have this recorder to help me when I write the report. Your name will not be used in the report. The report will only say a [woman/man] from [location] said this or that.
- The person here is taking notes to help with the report.
- Please speak loudly so the recorder can pick up your voice.

Thank you. Now let us begin.

II. PEACE AGREEMENT (5 minutes)

1. What do you think about the peace agreement that was just signed?
2. Do you think the peace will be a success?

III. CONSTITUTION (15 minutes)

1. Let us say that today you are helping set up the Government of Southern Sudan (GOSS). Name the five things that you think are most important for the GOSS and its citizens to be able to do.
 - a. Name the five things you think are most important for the GOSS and its citizens NOT to do.

[If no response, say:] To give a funny example, I would say that the GOSS must allow people to dance freely and must make sure that cattle do not have all the power.

[MODERATOR: For each response given, ask why it is important.]

2. Does anyone here know the word, “constitution”?

[MODERATOR: Do NOT define constitution for the participants.]

a. [If yes:] What does the word mean?

b. [If yes:] What are the most important things you would want in a constitution?

IV. CITIZENSHIP (10 minutes)

1. Can anyone describe in your own language the meaning of a ‘citizen’?

2. Who can say they are a citizen of South Sudan?

3. Is a person a citizen of South Sudan if only their father is Southern Sudanese?

4. Is a person a citizen of South Sudan if only their mother is Southern Sudanese?

5. Are Southerners living abroad citizens of South Sudan?

6. Is a person a citizen of South Sudan if one or his/her parents is a Northern Sudanese and the other parent is from South Sudan?

7. Is a Northerner who was born in South Sudan a citizen of South Sudan?

8. Are people who live in garrison towns citizens of South Sudan?

9. Is it okay to be a citizen of South Sudan and another country at the same time?

10. Are the people of Nuba Mountains and Southern Blue Nile citizens of South Sudan?

V. LANGUAGE (5 minutes)

1. How do you see your local languages being used in government in South Sudan?

2. What language or languages should be used at the national level by the GOSS?

3. What language or languages should be used in schools?

[MODERATOR: We are asking about the language of instruction here...what language children will be taught geography or math in, for example. We are NOT asking about additional languages that should be taught as subjects.]

4. What should the language of instruction (see above note) be at the university level?

VI. PERSONAL RIGHTS (20 minutes)

Please tell me if each of the following is a good OR bad thing and why.

[MODERATOR: Be sure you understand how strongly the participants feel about each of these before moving on. NOTE-TAKER: Be sure and record the strength of reaction to each of these.]

1. Equal rights for all...good OR bad?
 - a. Is it good OR bad for people of different tribes to be treated equally by the GOSS?
 - b. Is it good OR bad for Northerners living in South Sudan to be treated equally by the GOSS?
 - c. It is good OR bad for men and women to be treated equally by the GOSS?

2. Freedom for all people to practice their religion or belief...good OR bad?
 - a. Is it okay OR not for people to practice Islam in South Sudan?
 - b. Is it okay OR not for Northerners to practice Islam in South Sudan?
 - c. Can someone be fined or imprisoned for practicing a religion of their choice?

3. Freedom for people to say whatever they think without fear...good OR bad?
 - a. What if a person says something bad about [name local tribe]? Is that person still free to say what they think?
 - b. What if a person says something bad about the John Garang? Is that person still free to say what they think?
 - c. What if a Northerner says something bad about Southerners?
 - d. Can a person be fined or imprisoned for saying what they think?

4. Every person has the right to own property...good OR bad?
 - a. Is it okay OR not for a Northerner to own property in South Sudan if he or she has bought it fairly?
 - b. Is it okay OR not for a woman to own property?
[MODERATOR: Define property as land and cattle. Ask about each separately if people have different opinions on each.]

5. Every person has the right to move around the country and in and out of the country freely...good OR bad?
 - a. Is it okay OR not for Northerners be allowed to move around South Sudan freely?

6. Newspapers & radio can report the news freely and the GOSS can not tell the newspaper or radio what to say or not saygood OR bad?
 - a. Is it okay OR not for newspapers and radio to say bad things about the GOSS if they are true?

- b. It is okay OR not for newspapers and radio to say bad things about John Garang if they are true?
7. If a man and woman are doing the same job, they must be paid the same amount...good OR bad?
8. Every person can join with others to form any type of group or political party...good OR bad?
- [MODERATOR: If participants don't understand this question, give the example of a group of farmers that wants to come together to put pressure on the GOSS to create markets for their produce.]
9. Do you think a man has a right to hit his wife if she makes a mistake?
a. What type of 'hitting' is allowed? What is not?
10. Do children have rights that need to be protected?
a. [If yes:] What are these rights?
11. Do people with disabilities have equal rights like other people OR not?
12. Does a private citizen have a right to own a gun?
13. If you are accused – not guilty, just accused – of a crime, should the police be able to search your home without your permission?

VII. ELECTIONS/REFERENDUM (10 minutes)

1. Who can vote in elections/referendums in South Sudan?
- a. Should people of all tribes be allowed to vote for who will be President of South Sudan?
 - b. Should Northerners living in South Sudan -- in garrison towns for example -- be allowed to vote for who will be the President of South Sudan?
 - c. Should women be allowed to vote for who will be President of South Sudan?
 - d. Should members of militias living in South Sudan be allowed to vote for who will be President of South Sudan?
- Self-Determination Referendum*
- e. Should Northerners living in South Sudan have the right to vote in the referendum on self-determination in South Sudan?
 - f. Should Southerners living abroad be allowed to vote in the referendum on self-determination in South Sudan?
2. At what age, should a person begin to vote?

[MODERATOR: Since ages are not always known, answers may also relate to a

certain times in a person's life like initiation or number & birth of children, etc.]

VIII. THE PRESIDENCY (10 minutes)

1. Who can run for president?
 - a. What level of education should a candidate for president have?
 - b. Can an educated woman run for president?
2. How old should a person be to run for president?
 - a. Is there an age at which a person would be too old to be president?
 - b. [If yes:] What is that age?
3. How should the Vice President of South Sudan be chosen? [If no response:] Elected or appointed?
4. Should the President and Vice-President be from different tribes OR does that not matter?
5. If the President of South Sudan serves for 5 years each time he or she is elected, should there be a limit on how many times one person can be elected President of South Sudan?
6. If elected, should John Garang be limited to serving as President of South Sudan for 10 years?

IX. THE LEGISLATURE (15 minutes)

[DEFINITION OF ASSEMBLY:] In the GOSS, there will be something called the South Sudan Assembly. The Assembly, which is the same thing as a Parliament, will be made up of people you have elected to represent you in the government.

1. What is the role of a Member of the Assembly/Parliament?
2. Which of the following ways would you want to elect someone to represent you in the South Sudan Assembly [Parliament]?
 - Elect a person from a list of people provided by political parties like the SPLM and who are from all across South Sudan.OR
 - From a list of people that represent the different tribes & sectionsOR
 - From a list of people who may be a member of a party OR not and who may be a member of your tribe OR not BUT they definitely ARE from your payam

[MODERATOR: Use the word Parliament in addition to the word Assembly if you see that participants understand 'Parliament' better.]

3. How old should a person be to run for the South Sudan Assembly?
4. Is it important OR not for a member of the South Sudan Assembly to be able to read and write?
5. If a person serves for five years in the South Sudan Assembly each time he or she is elected, should there be a limit on how many times any one person can be elected to the Assembly?
6. Should chiefs be part of the Government of South Sudan?
 - a. [If yes:] How?
 - b. At what level (s)? (Boma, County, State and/or National)
7. Should the South Sudan Assembly be able to remove the President before the next election if he has done something wrong?
8. Should South Sudan Assembly meetings be open to the public and media?
 - a. [If yes:] If the President or the Assembly decides that it is necessary to close an Assembly meeting, how many members out of a 100 do you think should have to vote in favor of closing the meeting before that is done?
9. If the South Sudan Assembly is made up of 100 members, how many do you think it would be fair to set-aside for women? The answer can be 0 up to 100.
 - a. [If less than 25:] How would you feel if the GOSS said that one-fourth (or in our example, 25 seats) in the Assembly must be held by women?

X. THE JUDICIARY (15 minutes)

1. What do you think of the court system in South Sudan?
2. What can be done to make the court system better in the GOSS?
3. How should judges be chosen?
4. If you are charged with a crime, who do you want to decide if you are guilty: a local judge OR a small group of people like you from your area?
5. If someone is charged with a crime, does that person need to prove they are innocent OR does the person accusing them need to prove they are guilty?

6. If you are charged with a crime, should the GOSS give you someone who can help you defend yourself (a paralegal, lawyer or other legal advisor)?

a. [If yes:] What if this costs the GOSS money that every person may have to help pay for in taxes?

7. If a person is found guilty of a very serious crime, should one of the possible penalties be death?

a. [If yes]: What crimes are serious enough to put a person to death?

[MODERATOR: Wait for responses and then ask about the specifically about the crimes below.]

i. Treason (e.g., spying for another country)?

ii. Murder?

iii. Rape?

iv. Slavery?

XI. CORRUPTION (5 minutes)

1. Do you think corruption is a problem in South Sudan?

a. [If yes:] What types of corruption do you know about?

b. [If no:] Do you think corruption will become a problem in the future?

2. What is the best way for the GOSS to prevent officials from being corrupt?

3. Should elected officials be able to also have their own private businesses OR not?

a. Should elected officials have to tell the government and the public how much money and other assets, like land and cattle, they personally have each year?

4. What should happen to a GOSS official who is found to be corrupt?

XII. CIVIL SERVICE (5 minutes)

1. As the GOSS gets started, there will be many jobs available in the new government. How should people be chosen for these jobs?

2. Is it okay OR not for the GOSS to say that a certain number of jobs will be filled by certain tribes to ensure fairness?

a. Should a certain number of jobs be set aside for former soldiers?

b. For wives, sons or daughters of soldiers killed in the war?

c. For women?

[MODERATOR: If participants focus on qualifications, ask them to answer the

question again and to assume the job training will be available.]

3. Should the GOSS make sure (guarantee) that people who are CURRENTLY working in the SRRC have jobs in the government?
 - a. Should people coming from other countries (the Diaspora) be guaranteed jobs?

XIII. DECENTRALIZATION (5 minutes)

There will be several levels of government in South Sudan: the ‘national’ level known as the Government of Southern Sudan, a state level, a county level and a local – payam and boma – level of government.

1. What level of government do you want to have the most power over making decisions and laws that affect your life?

XIV. EDUCATION (5 minutes)

1. Is there a right to education?
 - a. [If yes:] Is it just for children?
2. Should the GOSS make parents send all their children, including girls, to primary school OR not?
3. Should all children, including girls, be made to stay in school until they finish the Form 2 OR not?
4. Do you think the GOSS should provide free education?
 - a. [If yes:] What is the highest level at which education should be free?

XV. FAMILY & MARRIAGE (5 minutes)

1. What is the youngest age at which a person – man or woman, girl or boy – should be allowed to marry?
2. Is it a good OR bad thing if the GOSS says that BOTH the male and the female must freely agree to marry each other?

XVI. AMNESTY (2 minutes)

1. How would you feel if the GOSS said that no one from the North or South could be punished for death, injuries or destruction of property that occurred as a result of military operations, such as battles, during the war?

- a. [If the answer is not clear ask:] What if military or militias from the North or South attacked unarmed civilians? Is it okay OR not if these people are not punished?

XVII. OIL REVENUE (2 minutes)

1. What do you think should be done with oil revenues that will be coming to the GOSS in the Interim Period?

XVIII. RADIO PENETRATION (5 minutes)

1. Does anyone here own a radio?
NOTE: For women, this should be asked, “Does anyone in your home own a radio?”

[MODERATOR & NOTE-TAKER: Count and record the number.]

2. For those who own or have a radio in their home, how long do the batteries you buy last?

- a. How often are you/your family member able to buy batteries for the radio?

3. For those that do not own a radio, how often do you get to listen to someone else’s radio? (NOTE: Define this as intently listening, not just over hearing a neighbor’s radio from afar)

[MODERATOR & NOTE-TAKER: Count and record the responses to each.]

4. For those who have listened to a radio, have you listened to any of the following:

Omdurman_____

BBC_____

Voice of America_____

Sudan Radio Service_____

Others (record names) _____

[MODERATOR & NOTE-TAKER: Please record the number of people who say they have listened to each station, as well as the names of any stations not listed.]

XVIII. CONCLUSION (5 minutes)

1. Does anyone have any other comments about what the GOSS should or should not do as it begins its work?

APPENDIX D – ABOUT THE AUTHOR

Traci D. Cook works as an independent consultant to several organizations, including the National Democratic Institute. An experienced opinion researcher who has done similar work elsewhere in Africa, she previously served as the senior director for strategic and corporate communications at the Women’s National Basketball Association and as Vice President of Marketing Communications at Shepardson Stern + Kaminsky in New York, where she supervised and analyzed focus group research for Fortune 500 companies. As Country Program Director for NDI in Malawi between 1993 and 1996, she also designed and conducted a series of focus groups on democracy and governance. Complementing her work in the field of international development and in the private sector is her experience as the political director for the Mississippi Democratic Party, legislative work on Capitol Hill, and research work for various U.S. House and Senate races. Ms. Cook previously completed a 2004 focus group study of political attitudes in Southern Sudan.