

PART III

MIGRATION

**The Dynamics of Legal and Illegal Livelihoods and Gender Relations, the Case of Displacement Camps in Khartoum, Sudan / AMIRA AWAD OSMAN**

*Abstract*

*The Sudanese Islamic patriarchal state has used its power to frame and define the legality of different livelihood strategies and to criminalise those who practice what the state refers to as, illegal livelihood strategies. For example, the Khartoum State Public Order Act (KSPOA), which was introduced in 1996 marginalised women's role in public life, praised their roles at domestic level and prevented them from working in certain occupations, such as restaurants, hotels and petrol stations.*

*Based on empirical research data, this paper investigates the patterns of the newly developed livelihood strategies (legal and illegal) practiced by women and men at the camps and argues that internally displaced women at Al-Salam and Mayo displacement camps in Khartoum were able to develop a wide range of legal and illegal livelihood strategies. To protect their illegal livelihood, women were able to develop risk minimising and protection techniques, such as building personal relations with police officers, who would inform them when and where a *kasha* (rounding up and arresting) was most likely to happen, thus showing resilience and great ability to cope with the laws that tended to criminalise their livelihood activities. On the other hand displaced men seemed less fortunate in developing new livelihood strategies.*

*The paper also highlights the impact of these livelihoods on gender roles and relations by first exploring the 'adjustment period' during which gender roles and relations began to change and how men reacted to the change. Second, it highlights men's roles at the reproductive level, women's non reproductive roles and women and men community roles.*

**Keywords:** *Law, livelihood, displacement, gender*

**Introduction**

The Sudanese Islamic patriarchal state has used its power to frame and define the legality of different livelihood strategies and to criminalise those who practice what the state refers to as, illegal livelihood strategies. Based on empirical research data, this paper investigates the patterns of the newly developed livelihood strategies (legal and illegal) practiced by displaced persons, notably women at Al-Salam and Mayo displacement camps at the outskirts of Khartoum, the capital of Sudan and argues that internally displaced women at Al-Salam and Mayo displacement camps were able to practice a wide range of legal and illegal livelihood strategies and to develop different mechanisms to protect their livelihoods and that these newly developed livelihoods led to changes in gender roles and relations. This paper is based on a research carried out in the two camps in 2002 and 2009<sup>78</sup>. The research

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<sup>78</sup> This article is part of my PhD research entitled the dynamics of livelihood and gender relations in Sudan: the case of displacement camps in Khartoum, University of Bradford, 2012

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involved in-depth interviews of 50 women and 15 men from each camp, 17 focus group discussions (women-only focus groups, men-only focus groups and mixed focus groups) in both camps and oral testimonies.

### **Al-Salam and Mayo camps**

Al-Salam and Mayo displaced persons' camps, at the outskirts of Khartoum, became the home for many displaced persons from Eastern, Western and Southern Sudan who escaped drought, famine and war. Some of the displaced had been living at these camps for more than 10 years and some had just arrived, escaping the war. Therefore, life at the camps formed a crucial part of their displacement cycle.

Before displacement both female and male research participants were engaged in productive roles in different ways, and farming and rearing of animals were the major traditional livelihood activities. There were, of course variation across regions. For example, in Western Sudan the gender division of labour revealed that women made a greater contribution to subsistence farming around their houses. By contrast, men were involved with cash crops. Women were also involved in cash crops as household labour, undertaking planting, wedding and harvesting. However, empirical evidence shows that only men earned income from cash crops. Women were denied financial gain from their labour, because their contribution was regarded as reproductive.

In Eastern Sudan men were responsible for taking care of camels far from home, looking for pasture, whereas women took care of household animals such as goats and chickens. Men were more mobile compared with women and had opportunity to look for alternative livelihood strategies, as they could migrate to nearby cities leaving women at home. These gender divisions of labour were based on norms and traditions which limited women's movement and restricted their behaviour.

In Southern Sudan, subsistence and semi-subsistence farming, which depended on family labour and simple tools, were the main livelihood activities. Rearing of animals such as cattle and goats was another livelihood activity practiced by people in Southern Sudan, in particular the Nilotic tribes such as Dinka, Nuer and Shilluk. These livelihood responsibilities were gendered. Men were responsible for the large animals such as cattle and grazed them far from home, whereas women took care of household animals, such as goats and sheep. Fishing, hunting and gathering of wild food were additional livelihood activities for both women and men in Southern Sudan, and the children there used to collect wild food and fruits.

These former livelihoods which people had relied on for a long time were disturbed by crisis, notably drought, famine and war. These triple factors also became push factors that led people to flee to destinations far from home, such as Al-Salam and Mayo displaced persons' camps. These camps were on infertile land, which was unsuitable for farming. They had poor pasture to rear animals, lacked streams to practice for fishing and had no wild food to gather. Therefore, previous livelihood strategies became irrelevant at the camps and the challenge for the displaced was to build new livelihoods and to survive in their new alien environment. Some of these livelihood strategies were legal but some were not.

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### Legality of livelihoods

The Sudanese Islamic patriarchal state has used its power to frame and define the legality of different livelihood strategies and to criminalise those who practise what the state refers to as, illegal livelihood strategies (Osman 2001 p. 13). For example, the Islamic regime relied on *Shari'a* (Islamic) law and since then Sudan entered an era which was characterised by Islamisation of life where people's daily practices and behaviour, particularly those of women, were constrained by what Islamic scholars declared. This included what women should wear, how to behave on the street, how to obey their husbands etc. In terms of people's livelihood strategies, making and selling of alcohol, for example, has become illegal and sinful since the introduction of *Shari'a* law in 1983. Those who were caught making, selling or consuming alcohol were subject to severe punishment, such as imprisonment, fine, and confiscation of the utensils and/or whipping in public (Osman 1985 p. 124).

Ms. Mahjoub from Sudan Human Rights Organisation (SHRO), who was a human rights activist and an advocate for displaced women representing them in courts, indicated that court hearings dealing with alcohol could last for a few minutes and lawyers were not necessarily present. In fact many of those accused were denied lawyers. She also indicated that Omdurman prison for women had a high percentage of displaced women with their children who were caught trading in *marisa* (local alcoholic drink).<sup>79</sup> Nevertheless, *marisa*, which was made mainly of sorghum, a cereal rich in protein, was an important food source in Southern Sudan and parts of Western Sudan.

Moreover, the Khartoum State Public Order Act (KSPOA), which was introduced in 1996 by the governor of Khartoum criminalised women who worked in certain jobs, such as restaurants and petrol stations (Doebbler 2001 p. 10). In this sense the KSPOA minimised the chances of less-educated and poor women, of which there were plenty, in the displaced persons' camps, of getting jobs.

### Illegal livelihood strategies

Making and selling of *marisa* and 'araq (local alcoholic drink) was the main illegal livelihood activity which was practiced by women from Southern Sudan and Nuba Mountains. Women from Eastern Sudan did not practice such livelihood activity. This is perhaps because they came from a much more restricted background. Women made alcoholic drinks either to sell them from home to customers they trusted or to supply local bars where customers, mainly from the camps, were gathered. Only ten female respondents (10%), mainly female heads of households, served customers in their household compounds.<sup>80</sup> No woman had mentioned selling alcohol outside the camp for to fear of prosecution. Customers from outside the camps had come into the camps to buy it. By this strategy women managed to minimise chances of being caught and kept their livelihoods secure.

Some women practiced prostitution, which was one of the better-paid jobs practiced by displaced women at the camps. Interview data reveal that the number of female respondents who practiced this occupation, at different stages of their lives in the camps, as a means of earning an income was 3 (8.1%), a small but significant number. These prostitutes represented the rainbow of the displaced community, as they came from Nuba Mountains, Darfur and Southern Sudan. Their ages were 21, 25 and 50 years old. The two youngest prostitutes were single and the third was a widow. They earned a lot from prostitution. These

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<sup>79</sup> In-depth interview, Khartoum, July 2002.

<sup>80</sup> In-depth interviews, Al-Salam and Mayo camps, June -August 2002.

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three prostitutes indicated that they had many clients not only from the camps but also from outside.<sup>81</sup> In fact, those who came from outside the camps were mainly middle class men who could afford to pay a good price for such scarce service, as prostitution was a criminal act in Sudan and according to *Shari'a* law those who were caught doing it were subject to stoning. This was the main reason why this occupation was done secretly.

Although making and selling of alcohol (as well as prostitution), according to the state policy, is illegal, it was in high demand by customers not only from the camps but also by the host community, the people from the capital. This gave the providers a chance to earn a good income but also put them and their clients at risk.

To minimise the risks involved in prostitution, the prostitutes tended to limit their service to people they knew, to their old customers or to new customers introduced to them by their old customers or local people they trusted. Although this strategy may help to reduce the chances of being caught, thus saving the livelihood itself, it reduced the income a prostitute could get.

Female Genital Mutilation (FGM) was another source of illegal livelihood. Here it is worth mentioning that displaced persons from Southern Sudan and the Nuba Mountains did not use to practice FGM at their place of origin. In all the other areas they did. Therefore, midwives who relied on FGM, as an illegal means to earn a living, mainly practiced this way of earning income outside the camps because they had a few customers at the camps, mainly from Darfur and North Kordofan.

To sum up, criminalising some livelihood strategies did not prevent displaced women from adopting them. This could be attributed to three main reasons. First, some illegal livelihood practices, such as the making of *marisa*, was a traditional practice, as *marisa* was an important food intake for people from Southern Sudan as well as the Nuba Mountains, especially during celebrations such as wedding parties. In this sense, those who were involved in trading *marisa* did not see their actions in the same way their government perceived them. Second, despite the risk involved, *marisa* production and prostitution were profitable sources of income which were difficult to resist. Third, as many displaced persons at the camps did not believe that *marisa* and *'araqi* should be forbidden, they may have been reluctant to report those who were involved in making, selling or consuming them, including customers, to the police.

### **Legal livelihood strategies**

As most of the profitable jobs were concentrated outside the camps, in the Triple Capital, the majority of female respondents moved into jobs outside the camp, which included street trading, domestic service and *ghasil* (laundry work).

*Ghasil*, unlike street trading, for instance, was one of the legal livelihood strategies where those who were involved in it did not have to worry about materials needed to do the job. These materials included soaps and water or livelihood assets such as *ghasil* equipments and space, as employers had to supply them. Some displaced women had customers for up to ten years, and they were able to build good relationships with their customers. This good relationship could be seen as not only a relationship between an employer and his employee but also as a relationship between the host community and the displaced community.

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<sup>81</sup> In-depth interviews, Al-Salam and Mayo camps, June-August 2002.

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Women also practiced street trading. They sold food, tea and second hand clothes in streets inside the camps and at the city. Those who traded in the city earned more money than those who traded in camps, but, they had to make the journey into the city. This meant they either had to first carry out their reproductive role; preparing breakfast, cleaning, fetching water and wood for fuel if their husbands were not helpful, or they had to leave their reproductive tasks undone until later in the day when they were back from work.<sup>82</sup> Women street vendors, especially in the city, were also subject to police harassment, on the spot fines or confiscation of items.<sup>83</sup> By contrast, those who traded in the camps did not need transport to get to their work area, had more time to do their domestic tasks before they started their productive tasks but they earned less money unless they sold alcohol, secretly, along with food and tea.<sup>84</sup> In this regard, an illegal livelihood strategy would go hand in hand with a legal livelihood strategy to generate more income. Here it is relevant to mention that many women were practising more than one livelihood strategy, for instance, doing laundry in the morning and making and selling of alcohol at night.

To protect their trade in food and tea and to avoid being caught if they were and unable to renew their licenses, some women petty traders were able to build personal relationships with the police who would tell them to be vigilant and when *kasha* (rounding up and arresting) would be done. This was at least the case with Fatma, a woman from the Nuba Mountains, and lived in Al-Salam camp, but had to serve a prison sentence, at Omdurman women's prison, for repeatedly selling food without a license in Khartoum city centre. At the prison she met a police man, who showed sympathy to the prisoners, and managed to develop a good relationship with him. Later he became one of her customers. This demonstrated how displaced women were flexible in building relationships beyond their gender and displacement community. It also shows a relationship between the displaced and the host community which demonstrated support rather than a hostile attitude.

Displaced women also worked as maids and domestic servants. Kibreab (1995 p. 13) pointed out that since the 1970s there has been an increasing demand for domestic service in Sudan. This could be attributed to the fact that domestic activities were women's duties even among professional families. Thus, lack of men's contribution to domestic work as well as absence of time-saving equipment such as washing machines, dishwashers, vacuum cleaners, electric irons, etc. were the main factors behind employing domestic servants.

Moreover, in Sudan, it seemed that there was no legislation to protect maids and domestic servants or to set minimum wages for such occupations. Those who worked as maids or domestic servants were more likely to work long hours with little pay. However, no respondent mentioned physical or sexual harassment from their employers, which might be seen as a positive sign encouraging many displaced women to seek working in this sector. Nevertheless, the fact that the respondents did not testify to sexual harassment did not mean that it did not occur, as respondents might be afraid to talk about it due to cultural constraints, which put more blame on the victims than on the violators.

Another relevant issue to the new livelihood strategies developed by women was the ability of some to gain transferable skills, as demonstrated by the following narrative from Fayza, a displaced woman aged 51 and from Mayo camp.

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<sup>82</sup> Women-only focus groups, Al-Salam and Mayo camps, August-September 2002.

<sup>83</sup> In-depth interviews, Al-Salam and Mayo camps, June-August 2002.

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My husband died last month. He left me with three children and no money or skills. First I did not know what to do. I would go to houses in Omdurman and ask for any job. I had done all sorts of jobs and gained skills from that. Sometimes I did laundry, washed dishes and slaughtered chickens etc. I am now a middle woman helping women to buy furniture. If a woman wants to buy furniture I go with her and do the bargaining so nobody cheats her. I can do laundry if that is available. Sell food if possible. I am *beta kolo* [can do everything].<sup>85</sup>

As the above narrative shows, the respondent had managed to gain transferable skills that allowed her to multi-task in order to survive. She also showed persistence in her efforts to do a wide range of jobs even when she did not have any particular skill, so gaining the abilities that allowed her to obtain future employment.

### Men’s livelihood strategies

Any visitor to the camps would see many men sitting under trees chatting or playing cards, suggesting that men had no jobs. Some of the women perceived the displaced men as lazy and frustrated by displacement conditions and loss of their former livelihood traditions. However, it would be misleading and simplistic to conclude that displaced men did not manage to develop any new livelihood strategies. My fieldwork data reveal that 37% of my male in-depth interviewees had managed to gain work, as compared with 86.6% before displacement.

Displaced men’s work included trading in grains (mainly sorghum), second hand furniture such as tables and chairs as well as building materials such as thatch. On the other hand a very few of them were able to work as guards with the NGOs at the camps or casual labour at Omdurman or Khartoum markets.<sup>86</sup> These casual labour jobs included making mud bricks. However, changing livelihood strategies and finding new ones was not an easy task as mentioned by many male respondents. A displaced man from Southern Sudan aged 47 years in Mayo camp who was trading in second hand chairs said:

I had cattle but I lost them due to war...I then had to search for any job in the city...I spent two years looking for a job...I later found a job as a casual labour in Khartoum. I did not earn a lot from that. After a year I became sick and unemployed for three years. I borrowed some money from a relative to develop a business in trading of second hand furniture...my situation is now better.<sup>87</sup>

It seems that competition for casual labour was high. Hamid (1992 p. 233) pointed out that job availability depended on the availability of materials needed for the job, such as building materials in the case of construction, the number of those who were queuing for the jobs and the health of the labourers themselves. All of these factors led to job insecurity, even though the work sought was legal.

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<sup>85</sup> Oral testimony, Mayo camp, August 2002.

<sup>86</sup> Men-only focus groups, Al-Salam and Mayo camps, August-September 2002.

<sup>87</sup> In-depth interview, Mayo camp, June 2002.

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### **Gender relations**

The study examined gender arrangements at places of origin and finds that gender roles at places of origin used to be of a 'traditional' nature. Men were seen as 'natural' main income earners and breadwinners of their families, with no clear reproductive roles and despite some women's involvement in productive tasks, such as farming, as mentioned earlier, women's tasks were seen as 'ancillary' because their main role was a reproductive one and they had less change than men to access resources such as credit and land. Women's failure to perform their reproductive duties might not be tolerated by their community and could lead to questioning of their motherhoods.

Another important finding in relation to the traditional gender arrangements at places of origin is that both women and men seemed happy about them, so there was no evidence of gender conflicts, resistance and/or complaints about them from either women or men.

However, the new livelihood strategies women developed inside and outside the camps led to significant transformation of gender roles and relations. This transformation included new responsibilities, new obligations and access to resources. However, before this transformation took place, there was an 'adjustment period' during which men showed signs of resistance to the new emerging gender roles and relations, and there were conflicts and tensions within many households, regardless of places of origin and time of arrival to the camps.

The 'adjustment period' was also a period of uncertainty, during which women suffered from violence, conflicts within the households, stress, exhaustion, tiredness, inability to perform their reproductive tasks and sexual duties in a way that would please their husbands, and husbands leaving home. Despite this, most women did not reject their husbands or ask for a divorce because, apart from the stigma and risk of blame, women believed that good wives needed to stick to their husbands during hard times even if the husbands became abusive.

Nevertheless, the long-held traditional gender belief which assigned women to domestic tasks while men had to do productive tasks was shaken. Men became unhappy, as they were denied services they used to get from their wives, refusing to accept changes in gender roles or to perform domestic tasks.

However, men's attitude and resistance to changes in gender roles was different from one household to another, and so change as a social phenomenon was difficult to measure. Relying on my fieldwork data, the study finds that men's resistance to the emerging new gender roles and relations gradually started to weaken when women were able to earn an income and to make significant contributions to the provision for their families. Then more men than before started to accept the new gender roles and became more involved in domestic tasks, such as preparing meals, cleaning the house and doing laundry, challenging the traditional perception which saw reproductive tasks as entirely women's work. There were limitations to the men's reproductive duties, as they were reluctant to fetch water or to wash dishes. So, despite displacement conditions and men's acceptance of new roles, fetching water and washing dishes were still seen by displaced men and the displaced community as 'feminine duties' and it was inappropriate for men to do them.

Men's active involvement in reproductive tasks eased some of women's reproductive burden and also suggested co-operation within the household after the conflict or 'adjustment period'. It also strengthened the women's position as breadwinners and motivated them to take on further non-reproductive duties. In this sense, the new gender relations the displaced

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developed at the camps were, in several ways, different from the ones people used to practice in their homeland.

Displaced women were further able to demonstrate their resourcefulness and to develop social relationships within their gender and to form *tajammu'at* (groups). These groups provided assistance, comfort and advice to women in the camps. Women invested in their social assets to boost their financial and social institutions by, for example, developing financial self-help schemes, child care facilities, and to have fun and to settle down. These achievements promoted women's self-hood and self-esteem based on their gender and displacement experience and made them proud of themselves. On the other hand, men were unable to develop such community networks within their gender, though men could meet to socialise with each other or to drink alcohol, secretly, but their networks would not provide services that the women's groups could provide.

### Conclusion

Despite laws that have been developed to criminalise certain livelihood activities, displaced women were able to be actively engaged in the so called illegal livelihoods, such as making and selling of homemade alcohol and prostitution. Women were also able to practice legal livelihood such as street trading and domestic services. To protect their legal and illegal livelihoods, women were able to develop risk minimising and protection techniques, such as selling homemade alcohol at the camps and providing their services, notably, sexual services, to customers they knew and by building personal relations with police officers, who would inform them when and where a *kasha* was most likely to happen, thus showing resilience and great ability to cope with the laws that tended to criminalise their livelihoods. On the other hand displaced men seemed less fortunate in developing new livelihood strategies. Therefore, the new livelihood strategies developed at the camps by both women and men did not correlate with livelihood activities at their places of origin. These new livelihood activities led to changes in gender roles and relations – men became more involved in reproductive tasks, while women became more involved in productive duties. Women were also able to invest in their gender by developing women's only groups, thus revealing resilience and ability to cope with displacement.

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