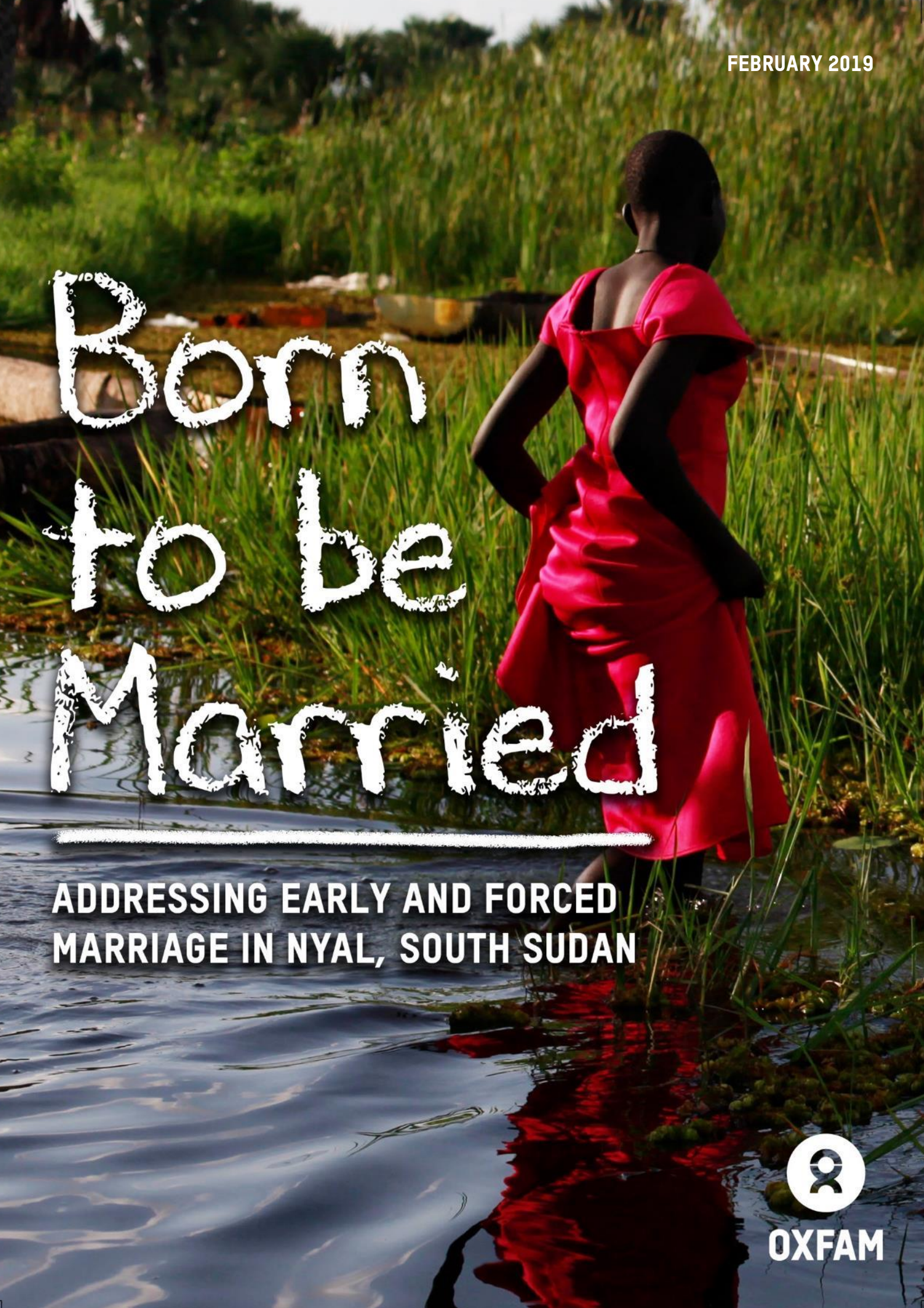


FEBRUARY 2019

Born to be Married

ADDRESSING EARLY AND FORCED MARRIAGE IN NYAL, SOUTH SUDAN

OXFAM

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This paper was written by Elysia Buchanan. Research was undertaken with the invaluable assistance of Mary Nyayien Kuol, Gatmai Kong Tap, and Nyakuoth Sarah Kuol – although the views expressed in the report do not necessarily reflect their own. Oxfam acknowledges and expresses appreciation for the assistance of Tim Bierley, Rhea Catada, Emma Fanning, Mohammed Allaw, Hope Tichaenzana, Sunita Maharjan and all others who provided input on the research tools or report. We would also like to sincerely thank all those who participated in the research, and shared their stories and perspectives with us through the survey, key informant interviews and focus group discussions.

For further information on the issues raised in this paper please email advocacy@oxfaminternational.org

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The information in this publication is correct at the time of going to press.
Published by Oxfam GB on behalf of Oxfam in South Sudan, Oxfam House, Thong Ping, Juba, South Sudan. ISBN: 978-1-78748-392-7; DOI: 10.21201/2019.3927

Cover and back cover photos: Andreea Campaneau

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A girl crosses the swamps in Nyal
[Photo: Andreea Campaneau/Oxfam]

EXECUTIVE SUMMARY

Recent research by Oxfam has found that the rate of child, early and forced marriage (CEFM) in Nyal – an area that has bordered some of the most brutal fighting in South Sudan's five-year conflict – is among some of the highest rates in the world. In Nyal, located in Panyijiar County of former Unity State, an estimated 71% of girls are married before the age of 18, a significantly higher rate than the national pre-conflict average of 45%. The research also revealed that 10% of girls and women in Nyal are married before the age of 15.

It is not possible to draw concrete conclusions as to why rates of CEFM in Nyal seem higher than the national rate before the conflict began – especially as the underpinning cultural, social and economic drivers found in Nyal generally follow national patterns. However, the findings from this report suggest that the practice may also be more pervasive in other areas than national pre-conflict trends would suggest.

High rates of CEFM in South Sudan take place in a context in which women and girls face threats to their rights and well-being throughout their lives. The UN and ceasefire monitors have noted that there is growing evidence that rape has been used as a weapon of war, and that women and girls have been routinely abducted and forced into sexual slavery. Additionally, humanitarian organizations have highlighted that domestic and other forms of gender-based violence have also increased since the start of the conflict.

Since South Sudan's leaders signed a peace deal in September 2018, there has been a marked reduction in fighting in the country. Yet, rates of sexual violence continue to be extremely high. Meanwhile, while leaders have agreed to ensure that 35% of executive positions are held by women, it is not encouraging that they have so far been unable to achieve this quota in all but one of the bodies set up to date to oversee the transitional period.

Any vision of a recovering South Sudan must be one that protects women and girls from violence, nurtures their rights and empowers them to lead. Ending CEFM is one vital step in that direction.

The devastating impacts of child, early and forced marriage

Child, early and forced marriage has many devastating consequences: it increases girls' risk of death or complications during pregnancy and childbirth in a country with one of the highest rates of maternal mortality in the world; it is one of the primary reasons why 76% of South Sudanese girls are out-of-school; and, it puts girls at greater risk of sexual, physical and emotional violence.

In Nyal, community members were very aware of these risks. Women, men, adolescent girls and boys all highlighted the impacts of the practice on maternal health, and CEFM was identified as the most common reason girls in Nyal drop out of school. Yet, all adolescent girls interviewed expressed a strong desire to continue with their education. Indeed, in one focus group, adolescent girls said they motivated themselves to perform well in school to mitigate the risk of early marriage, since it could motivate their parents or relatives to support their further education. Community members also highlighted the profound impacts CEFM had on the mental health of women and girls, even leaving some to contemplate suicide.

Community members also spoke of how domestic violence, including marital rape is very common and generally seen as normal. In a survey conducted with nearly 200 women and adolescent girls in Nyal, 88% of married women and girls said that they had experienced or witnessed physical violence between husband and wife, while 84% said they experienced or witnessed sexual violence between husband and wife.

Poverty and hunger are pushing women and girls into marriage

No pre-conflict baseline exists for Nyal, and CEFM has long been common in South Sudan. However, in focus group discussions and interviews, community members described how the extended impacts of the conflict have interacted with the practice.

While Oxfam's research was not able to determine if the rates of CEFM are increasing in Nyal as a result of the conflict, anecdotal evidence from other sources suggests this may indeed be the trend in South Sudan. In Nyal, community members spoke of how the dynamics and driving forces behind the practice have changed since the conflict started in 2013. Conflict-fuelled poverty and food insecurity are now considered to be the most common reasons for families to marry off their young daughters. Additionally, girls displaced by conflict were considered at greater risk of being married before 18. The increased threats of sexual violence and breakdown of rule of law – including respect for traditional authority and customs – were also linked to CEFM in Nyal. While the signing of a peace deal in September provides some hope that the situation in South Sudan may improve, the conditions that have exacerbated girls' risk of CEFM remain. Recovery will be gradual and will require sustained peace and substantial investment.



Women and children displaced by violence in Leer and Mayendit arrive in Nyal. (Photo: Bruno Bierrenbach Feder/Oxfam)

Addressing CEFM is, first and foremost, about protecting young girls, adolescents and women. But improving the status of women and girls could also be essential to South Sudan's overall prospects of recovery. CEFM reflects and reinforces gender inequality. It restricts women's influence by severely constricting their perceived value, roles and decision making capacity at household and community levels. Yet, when women are accorded their equal right to participate and influence decision making at all levels, families, communities and the whole country benefit: peace is more likely to be inclusive and sustainable, and economic recovery and development are accelerated.

Overall, stepping up interventions to address CEFM and other manifestations of gender inequality reflect the vision for the future of South Sudan that all actors should strive for: one that is not only free from conflict, but also provides equal opportunities and protection to all its people.

Key recommendations from the research include the following.

The Government should:

- Fully implement its Strategic National Action Plan to End Child Marriage and invest transparently in addressing the drivers and consequences of CEFM.
- Review the legal framework – working with customary judges and local authorities – to enact a harmonized law on CEFM that is effectively implemented and enforced.
- With other parties to the Revitalized Agreement on the Resolution of Conflict in South Sudan, honour the quota of at least 35% representation for women' participation, including appointing women in key positions of leadership and influence.
- Provide and expand space for South Sudanese civil society and media, uphold freedom of expression, and encourage their meaningful engagement in issues of women's empowerment and addressing sexual and gender-based violence, including CEFM.

Donors and humanitarian actors should:

- Integrate CEFM prevention and response, and women's empowerment activities, across humanitarian and development planning and programming at all stages of the programme cycle
- Increase investment in programmes specifically designed to promote (1) women's leadership and empowerment, (2) challenge harmful gender norms and expectations of women and men, and (3) address the drivers of CEFM. This should include establishing a dedicated pool of funding for gender-transformative programming in emergencies.
- Support and build on the capacities, strategies and mechanisms that women and girls and local communities have already begun to develop to transform gender relations and address sexual and gender-based violence in all its forms, including CEFM.
- Increase funding and training opportunities for community-based action and for national organizations working to challenge harmful gender dynamics, and increase local actors' access to humanitarian decision making forums.
- Build long-term, meaningful partnerships with local women's groups and national humanitarian organizations to support grassroots-driven change, with activities that challenge harmful gender dynamics.

1 INTRODUCTION

South Sudan – the world's youngest country – has spent more time at war than at peace. Since the start of the conflict in 2013, hundreds of thousands of people have been killed and more than 4 million have been forced from their homes.[1] More than 7 million people are in urgent need of humanitarian assistance.

The distinct impacts of the conflict on women and girls have been devastating. Rape has been used as a weapon of war,[2] women and girls have been routinely abducted and forced into sexual slavery,[3] and domestic and other forms of gender-based violence have also increased.[4] According to one study, up to 65% of women and girls in South Sudan have experienced physical and/or sexual violence in their lifetime.[5]

Even prior to the conflict, nearly half of all girls in South Sudan were married before the age of 18.[6] Recent research by Oxfam suggests that in some parts of the country, rates of child, early and forced marriage (CEFM) are likely to be much higher. In Nyal, in Panyijiar, former Unity State, Oxfam undertook research into CEFM after the issue was repeatedly raised by staff and community members as a critical threat facing women and girls in the area. While the research was not able to provide quantitative evidence on whether the conflict has led to more women and girls marrying young or being forced to marry in Nyal specifically, rates of CEFM in the area are much higher than national pre-conflict statistics, with 71% of surveyed women aged 20–49 married before the age of 18. The research also revealed that 10% of girls and women in Nyal are married before the age of 15.

While Nyal has largely been spared sustained periods of fighting since 2013, it borders areas which have seen some of the most intense clashes. Thousands of people have fled these areas, and many have sought safety in Nyal. The area has also been affected by the broader consequences of South Sudan's conflict, including rising poverty and food insecurity, disrupted livelihoods, displacement, increasing sexual and gender-based violence (SGBV) and militarization of the community.

While certain cultural factors continue to drive CEFM, people repeatedly noted that the conflict has affected the way that marriage, and its role in society, is perceived. Specifically, CEFM is seen as a coping mechanism amid rising poverty and food insecurity, and



Nyal, Panyijar County, South Sudan (Photo: Tim Bierley/Oxfam)

as protection against sexual violence and premarital pregnancy. While there has been a tangible reduction in fighting since South Sudan's leaders signed a revitalized peace deal in September 2018, it will likely take years for Nyal and other South Sudanese communities to recover from the compounding impacts of the conflict.

In order to tackle CEFM and other kinds of sexual and gender-based violence, far more must be done to move from rhetoric to action in promoting gender equality and justice in South Sudan. The response cannot wait; ignoring harmful gender dynamics – or operating without challenging them – means that women and girls will continue to face crisis throughout conflict, and long after it ends. Women can be powerful agents for change, but are often denied the authority to make decisions about their lives, their community, or the future of their country. Furthermore, peace is more likely to be inclusive and sustainable when women's perspectives and preferences are reflected in decision making at all levels – from the household level, up.[7] As South Sudan envisions a future without conflict, women and girls must not be left behind.

This report contextualizes CEFM in Nyal, South Sudan, examining its consequences and the impacts of the conflict on CEFM as reported by community members in Nyal. It then goes on to identify key entry points for interventions to address the practice and to challenge harmful gender norms. The research suggests that there are opportunities for change, and that well-directed action by various stakeholders to end CEFM and empower women and girls to meaningfully participate in decision making can not only help to protect their rights, but also support accelerated recovery, development and sustainable peace for all people in South Sudan.

2 METHODOLOGY

Oxfam carried out eight focus group discussions in Nyal with adolescent girls and boys (defined as youth between the ages of 13 and 18), women and men in March and September 2018. Focus group participants were members of Oxfam's community protection committees, which aim to empower women and men with knowledge of their rights, pathways for case referral, and advocacy skills to report on and bring about change at community level.

Researchers also conducted 17 key informant interviews in Nyal and two in Juba with local authorities, a school headteacher, community leaders and chiefs, women's leaders, youth leaders, and a representative from civil society, the Ministry of Gender, the United Nations, and staff from national and international non-government organizations (NGOs).[8] Oxfam Protection staff also randomly surveyed 198 women and girls (aged 15–49) to inform the research with quantitative data. A power-mapping exercise to identify key power-holders in the community was also conducted by the researchers, who included local Oxfam staff. Throughout the research period, relevant literature was reviewed to inform and ground the research findings, including programme assessments, humanitarian and academic reports, South Sudan country policies, and international law documents.

The researchers gave careful attention to potential ethical concerns. In Nyal, prior to starting the research, local authorities were informed about its nature and objectives, and how the report would be used. The names and job titles of participants have been withheld or pseudonyms used to maintain anonymity.

Researchers (members of Oxfam's Protection team) were chosen because of their background in dealing with complex and sensitive issues. Survey and interview guidelines were designed to limit the likelihood of generating risk, including asking questions about general perceptions rather than personal experiences.

While data collection tools were designed in English, some translation was required for the focus group discussions, key informant interviews and survey, which could have led to some changes to meanings or interpretation. To mitigate this risk, data collection tools and translated versions were tested to minimize loss of meaning.

Due to the scope of the research, this report is not adequately able to take into account the intersectionality of vulnerability and inequality with other facets of identities, such as age, ability, ethnicity, sexuality and religion. Exploring these intersections further will be critical to understand the diversity of people's experiences and to more effectively address gender inequality.

The views presented in this report only reflect the perspectives of those engaged in the research conducted by Oxfam, which involved a relatively small sample of Nyal's population. It is also only reflective of the area of study. This means that the findings are not representative of the whole country, but very specific to the dynamics of a particular area. However, given that the factors driving CEFM in Nyal are likely to be similar to those in other areas of the country, they indicate trends that may well have relevance elsewhere in South Sudan.

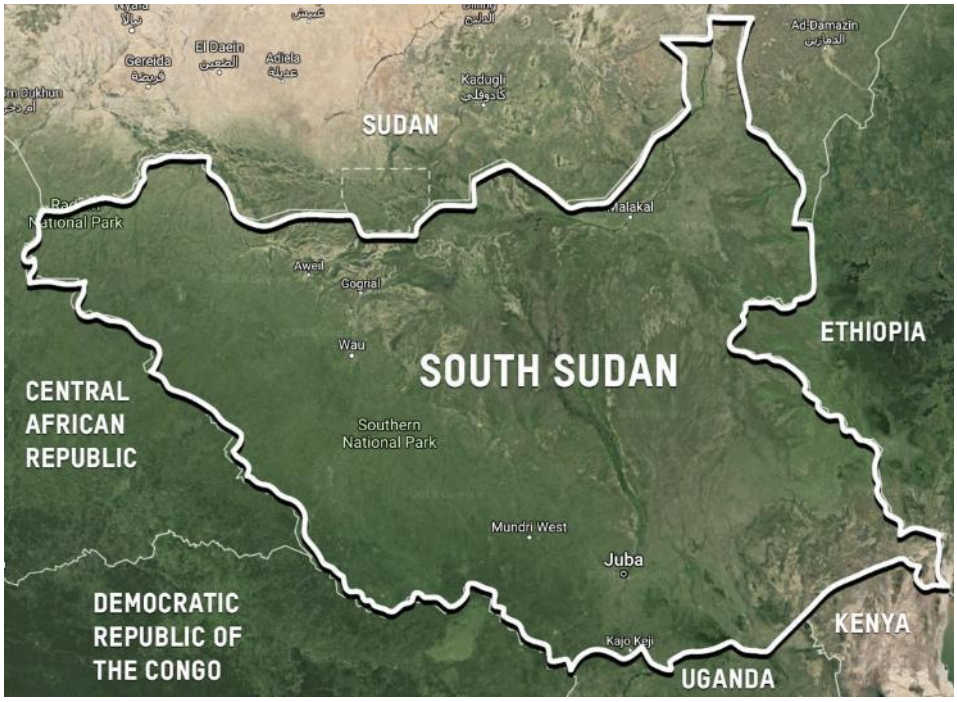
3 CHILD, EARLY AND FORCED MARRIAGE IN SOUTH SUDAN

Child, early and forced marriage (CEFM) refers to any marriage where one or both of the parties is under 18 years of age, or has not expressed their full and free consent to the union.[9] Even before the current conflict, data from the 2010 South Sudan Household Health Survey showed that 7% of women aged 15–49 years were married before the age of 15, and 45% of women aged 20–49 were married before the age of 18.[10] Globally, trends indicate that rates of CEFM increase in times of conflict,[11] and anecdotal evidence suggests that South Sudan is following this trend, as conflict-related food crises, economic downturn, and family separation and displacement leave families ever more desperate.[12]

Child, early and forced marriage is itself a form of gender-based violence, and often leads to the violation of several other human rights.[13] Among its many harmful consequences, early marriage:

- Increases girls' risk of death or complications during pregnancy and childbirth. South Sudan has one of the highest rates of maternal mortality in the world,[14] and globally, maternal mortality is 28% higher among girls and young women aged 15–19 than those aged 20–24;[15]

- Interrupts or deprives girls of their education. South Sudan has the highest rate of out-of-school girls in the world (76%)[16] and marriage is the most common reason for girls dropping out;[17]
- Puts girls at greater risk of sexual, physical and emotional violence.[18] Globally, girls who are married by the age of 15 are almost 50% more likely to experience physical or sexual violence than women who marry after 18.[19] Girls who marry young are also more likely to believe that husbands are justified in beating their wives [20]; and
- Has profound economic impacts at household, national and global levels in the form of lost earnings and intergenerational transmission of poverty. According to a report by the International Center for Research on Women (ICRW) and the World Bank, eliminating child marriage could benefit individual countries by millions of dollars – through increased earnings and resulting improvements in health, nutrition and education indicators.[21]



Map of South Sudan

Child, early and forced marriage in South Sudan: the role of cultural norms and practices

Marriage practices in South Sudan are usually closely linked to and defined by the cultures and traditions of different groups and communities, most of which are deeply patriarchal. Marriage defines the individual roles of each partner, forges alliances, and can bring wealth to a family. In many communities, marriage and motherhood are considered the most important roles for women and girls.[22] Marriage determines their future, their status and their security. From an early age, many girls are told – as one female community member put it – that they are 'born to be married and give birth to children'.[23]

In most South Sudanese communities, including the Nuer who live in Nyal, marriage involves the payment of dowry – usually in cattle or cash – to the girl's family. Cattle are central to the culture and economy of South Sudanese pastoralist communities, and cattle raiding has claimed hundreds of lives and increased insecurity. They are a key indicator of a person's (usually a man's) wealth and social status. In pastoralist communities, the bride's family may

receive anywhere from 10 to several hundred cows, with the price varying depending on the community, family wealth and status, or the bride's age, education, beauty or even height.

As with other forms of sexual and gender-based violence, CEFM is rooted in gender inequality. In a largely patriarchal country where marriage practices are so central to tradition and culture, and where high levels of poverty, conflict and instability persist, there remain strong incentives for parents to push their daughters into early or forced marriage. Another factor is that early marriage is seen as a way to 'protect' girls against premarital sex and pregnancy outside marriage, both of which can be seen to undermine family honour and diminish the value of a girl's dowry.

National policies and legislation

While South Sudan does have laws criminalizing CEFM, provisions are often unclear and contradictory.[24] Legislation protecting women and girls from CEFM include: the Transitional Constitution (2011), which guarantees the right of women and girls to consent to marriage; the Penal Code (2008), which penalizes husbands who marry young brides; and the Child Act (2008), which protects children's rights, including the right to be free from sexual abuse and exploitation and GBV. However, there is no legal minimum age for marriage and no comprehensive law criminalizing CEFM; and while the Penal Code penalizes husbands, it does not include penalties for those who make the decision to marry girls young (such as brothers, fathers and uncles) or those who preside over the ceremonies. Poor enforcement, understanding of laws, and weak judicial systems also mean that perpetrators are rarely brought to justice.

Furthermore, customary law – which is the manifestation of the customs, beliefs and practices of different groups of people – plays a key role in regulating marriage practices in South Sudan. The Transitional Constitution also includes a provision (article 33) recognizing 'the right [of communities] to practice their beliefs, use their languages, observe their religions and raise their children within the context of their respective cultures and customs in accordance with [the] Constitution and the law'. As CEFM is deeply rooted in culture and beliefs, it is unclear whether this provision actually protects those who practice CEFM.

The Government of South Sudan has adopted several gender policies and repeatedly reiterated its commitment to gender equality.[25] In 2012, the Ministry of Gender, Child and Social Welfare finalized a gender policy that proposed new laws to tackle sexual and gender-based violence, and establishing 'safe centres' for psychosocial support, among other activities to address CEFM in South Sudan. However, these frameworks remain largely unimplemented, and there is a general lack of comprehensive and coordinated programmes to address the root causes of CEFM in communities across the country.

That said, under the Gender Policy, in 2018 the Ministry launched a Strategic National Action Plan (2017–2030) (SNAP), which aims to guide all child marriage stakeholders to work in a coordinated manner and to design, implement and monitor effective interventions to eradicate child marriage in South Sudan. While the development of the national plan is a signal of the government's commitment to fulfil its obligations to address CEFM, it must be urgently prioritized and vigorously implemented if its vision of ending child marriage by 2030 is to be realized.



A woman stands on the edge of swamps in Nyal
[Photo: Andreea Campaneau/Oxfam]

4 RESEARCH FINDINGS

Oxfam's research found that among those interviewed and surveyed, the majority of girls in Nyal were married by the age of 18; 7 out of 10 women aged 20–49 said they were married before the age of 18, and 1 out of 10 said they were married by the age of 15. Survey findings are supported by the focus group discussions and key informant interviews, during which the vast majority of respondents said that girls usually marry before the age of 18. In comparison, respondents in focus groups and key informant interviews noted that most men usually marry (for the first time) between the ages of 19 and 25 years, once they have accumulated sufficient wealth for dowry payments. Focus group discussions also indicated that while it is true that men face significant social pressure to marry, women and girls face much greater pressure; indeed, many respondents highlighted that women were valued most for the dowry they bring, and for their role as wife and mother. Women and girls who were interviewed felt that their personal opinions and aspirations regarding marriage were frequently ignored (see box 1).

"Girls are valued most as a source of income. If you have more girls, you will become rich."

Interview with local women's leader, Nyal

Many of the consequences of child, early and enforced marriage (CEFM) – such as high rates of domestic violence, maternal and mental health impacts, and interruption or denial of girls' education – pre-date the most recent conflict. Still, despite being a relatively stable area, Nyal has seen the extended impacts of the conflict, including poverty, lack of services, market distortion, displacement, rising sexual and gender-based violence, and the increasing militarization of communities. These challenges have all had an impact on CEFM practices. The signing of a peace deal in September provides some hope that the situation in South Sudan may improve. However, the impacts of five years of conflict mean that the conditions that have exacerbated girls' risk of CEFM will likely persist for years to come. Recovery will be gradual and require sustained peace and investment.

BOX 1: REBECCA'S STORY

Rebecca, a 15-year-old girl living in Nyal, is married with a young daughter. Despite being married young, she believes the best age to get married is 29. She hopes to go back to school soon but is still too nervous to ask her husband – partly because someone else will have to look after her child. When her daughter is older, though, Rebecca said she wants to make sure that her daughter goes to school and has more power to make her own choices, so that, in Rebecca's words, she 'does not face the same history as me'. Only 7% of women and adolescent girls surveyed in Nyal felt that any age up to 18 was the best age for women and girls to be married.

CONSEQUENCES OF CHILD, EARLY AND FORCED MARRIAGE IN NYAL

Domestic violence

Community members – both male and female – spoke of how domestic violence, including marital rape, 'is very, very common' and generally seen as normal. The vast majority (88%) of married women and adolescent girls surveyed said they had experienced or witnessed physical violence between husbands and wives. In focus group discussions, adolescent girls and boys spoke of the perception within the community that a man had the 'right' to beat his wife because he had paid dowry and now effectively owned her.[26] Violence against women and girls was not only perpetrated by husbands, but was also extended to the broader family unit, including brothers, fathers and in-laws. Women and girls described how they could be beaten for 'simple issues' like not doing chores or not getting enough food to eat.[27] In one focus group discussion, women said that girls who married young were particularly vulnerable to this, as they were unprepared for the burden of household responsibilities that marriage brought. They could, as one male NGO worker put it, be caught 'skipping rope' instead of doing their chores.

> *"The girl will be treated badly because the man will say that 'I have bought you with many cows, so I have the right to kill you'."*
>
> **Focus group discussion with adolescent girls, Nyal**

Women and girls also spoke of how they could be beaten at night for refusing to sleep with their husband, and were unable to refuse sex within marriage – whether they entered the union willingly or otherwise. The vast majority (84%) of married women and girls surveyed said they had experienced or witnessed sexual violence between husband and wife.

> *"When the marriage is done by force, sex is also by force."*
>
> **Focus group with women in Oxfam Community Protection Committee, Nyal**

Maternal health

Community members said that, given the cultural primacy of women's role as mothers, together with the cultural and social value attached to children, there was pressure on women and girls to have as many children as possible. They noted that married women and girls often start having children soon after they are married, and have as many children as they can for as long as possible. Of the women and adolescent girls surveyed who had children, nearly half said they had given birth to their first child before the age of 18, and most women and adolescent girls in focus groups said they take no steps to limit the number

of children. According to community members, some women have 10 or more children, with very little spacing between births.[28]

At the same time, of the many consequences of CEFM, women and men alike were most concerned about challenges during pregnancy and childbirth. They recognized that girls who married young are at greater risk of complications during childbirth or miscarriage, as their bodies are not yet fully matured. They also linked miscarriage to the level of work that women continue to carry out during pregnancy (much of it heavy, manual work), and to hunger. Food insecurity in Nyal is at crisis levels and women and girls tend to face the brunt of scarcities, usually eating last and least in the household.[29] If the pregnancy goes to term, many women and girls also die in childbirth – 'obviously', as one male community member put it.[30] Humanitarian workers in Nyal noted that most women and girls give birth at home, as they live far from health facilities (often up to a six-hour walk and/or several hours by canoe) so find it difficult to attend check-ups or seek medical assistance if something goes wrong.[31]

Mental health

Women and girls especially were keenly aware of the mental health impacts of CEFM. When faced with a marriage they do not want or trouble within their marriage, many said they feel they have no one to turn to. Several respondents explained how CEFM could make girls 'feel sad and unhappy all the time', which could lead them to 'run away or commit suicide'. While the research did not identify any specific cases of suicide linked to CEFM, respondents spoke of cases where girls had contemplated suicide – demonstrating the profound mental and emotional toll of early and forced marriage on women and girls in Nyal.

Previous research has demonstrated that once married, girls in South Sudan are often socially and physically isolated from their friends and family and forced to rely completely on their husband and in-laws for emotional support and basic needs.[32] In these relationships, women and girls frequently lack influence and decision making power, which can have a profound effect on their mental, emotional and social well-being, as well as their ability to seek and attain protection.



Two girls tend calves in Nyal (Photo: Bruno Bierrenbach Feder/Oxfam)

INTERRUPTION OR DENIAL OF EDUCATION

Staff from an international NGO in Nyal identified CEFM as the most common reason girls dropped out of school. While humanitarian staff interviewed noted that 'most' children are out of school in Nyal – particularly among those who live long distances from schools or struggle to pay fees – they also said that girls are more likely to be out of school or to drop out. Taking into account the poor quality of education (including teacher training and relevancy of curriculum), the limited alternative opportunities available, and added societal pressures on girls to marry and/or take on household chores, interviewees explained that parents may not value education for their daughters. At the same time, male and female respondents noted that lack of access to education makes girls especially vulnerable to CEFM; globally, girls with no education are three times more likely to be married by the age of 18 compared with those with secondary or higher education.[33]

And, while primary education is available on the mainland (although entirely dependent on humanitarian assistance),[34] there is no access to secondary education in Nyal. To proceed beyond primary, students have to make the expensive trip to Juba, or go to neighbouring Kenya or Uganda. Respondents noted that few boys do so, and even fewer girls. Yet research shows that moving from primary to secondary education is a pivotal transition to delay marriage.[35] Indeed, during one focus group discussion, adolescent girls said they motivated themselves to perform well in school to mitigate the risk of CEFM, which could in turn motivate their parents or relatives to fund their further education.

IMPACT OF THE CONFLICT ON CHILD, EARLY AND FORCED MARRIAGE PRACTICES IN NYAL

Poverty, lack of livelihoods and food insecurity

When asked about the impact of the conflict, interviewees cited the consequent rise in poverty as the most significant driver of child, early and forced marriage (CEFM). While the practice existed in Nyal well before the current crisis, community members perceived that girls are now being pushed into marriage because of lack of resources and income. Because of dowry practices, marriage could mean gaining important resources for the survival of the rest of the household and one less mouth for the bride's family to struggle to feed. This suggests that while culture and traditions continue to perpetuate CEFM, poverty was also becoming an increasingly significant factor as a result of the crisis.

> *"Some girls are getting married because of the conditions of the crisis. Because of poverty, some fathers are deciding to give their girls in marriage in order for the rest of his family to survive."*
>
> Interview with male local authority, Nyal

Farming – one of the main income-generating activities before the conflict – was also described as having become more challenging, as insecurity has meant that people are unable or too fearful to plant and harvest their crops outside town. This has severely impacted food production, contributing – along with several other conflict-related factors – to crisis levels of food insecurity.[36]

Displacement

Community members described how girls who had been displaced were at greater risk of CEFM, particularly if they were orphaned or separated from their families.[37] For displaced girls, marriage can be a route out of poverty. It can also provide a support system and connections to the local community that could help them settle peacefully in the community and begin rebuilding their lives. Several interviewees referred to the 31,000 people who fled fighting in Leer and Mayendit in April and May 2018,[38] many of whom sought refuge in Nyal. These clashes included reports of serious violations of human rights and international humanitarian law, including rape and gang rape, destruction and plundering of schools and hospitals, and deliberate killings of civilians.[39] Staff from a national NGO and several other community members considered that rates of CEFM among this population may be especially high due to loss of assets and desire to integrate into the host community in Nyal.[40]

"Once you came from wherever you have been, you have only your life. But when you arrive here safely with a girl, you will marry off this girl so you will get cows. You will get land to settle, and you will get a family in the community. For [internally displaced persons] to settle peacefully in this community, they have to get these relationships."

Interview with male community member working with national NGO, Nyal



A family arrives in Nyal after armed violence in Leer (Photo: Rhea Catada/Oxfam)

Sexual and gender-based violence

In Nyal, most community members who were interviewed (both male and female) felt that women and girls faced serious risks of SGBV, and that these risks had increased as a result of the crisis – to the extent that women and girls could not move alone to fetch water or food, or go to school or markets without risk. They described how this actually reinforces CEFM, as many families want their daughters to marry as soon as possible both to protect them from sexual violence and because falling victim to sexual violence would reduce their potential dowry. Some interviewees also noted that there have been cases where victims of rape are forced to marry the rapist or another man.[41] Previous studies have also documented how the conflict has resulted in more frequent and more brutal domestic violence[42] – a trend that has also been reported in Nyal.

Masculinities and connections to child, early and forced marriage

Conflict in South Sudan has contributed to the normalization of violence, breakdown of rule of law, absence of effective national security organs, and proliferation of small arms. In Nyal, many male youth and men are armed, and many have fought in national and/or community-level conflicts. Men engaged in Oxfam's community protection committees have previously identified revenge killings and forced recruitment to armed forces as key protection threats in Nyal.[43] In response to these threats, some male community members noted that families were seeking marriages for their daughters to gain protection for the wider family – particularly if the groom or his family were well-connected and powerful.[44]

Many men and boys spoke of the significant social pressure they face to marry, as they are not considered to be 'men' until they are married and in charge of their own household.[45] At the same time, loss of livelihoods and resources (including cattle) as a result of the conflict are also a major factor in dowry affordability. Several male respondents also noted that before the crisis, many people in Nyal were employed by the government, and there were also greater opportunities for business and trade. That this was particularly identified by men supports findings from other analyses that the depletion of assets and high unemployment have particularly impacted men's capacity to live up to gendered expectations of their role as provider and protector of their households.[46] Indeed, adolescent boys in one focus group discussion explained the dilemma that while marriage was positive in that it meant they would become head of their family and household, it also meant they may struggle to fulfil traditional/community perceptions of masculinity, including their role as providers, as 'they will face challenges based on food consumption and struggle for wealth'.

Cattle raiding is a key way men can afford to pay high bride prices.[47] In some cases, women and girls are 'eloped' – either with their consent or by force – when the man has not received consent from the parents or paid the full dowry, or any dowry at all.

According to interviewees, aside from this being another form of forced marriage (where non-consensual), it can also result in revenge attacks. While inter-communal and intra-communal conflict involving cattle raiding or revenge killings have a long history in South Sudan, newer research suggests

that they have become more frequent and more deadly since the start of the conflict in 2013.[48]

"If a man doesn't have cows, he will go and raid the cattle so he can get married."

Interview with male community member working with an international NGO, Nyal

Many community leaders and men interviewed for this research also noted that, since the start of the conflict, they had observed a breakdown in respect for traditional authority and customs, particularly by male youth.[49] In the power-mapping exercise, Oxfam Protection team staff noted that because of the spread of weapons,[50] most community leaders and local authorities in Nyal (with the exception of the commissioner) had very little control over male youth. Interviewees believed that this was a contributing factor to more girls getting pregnant young, increased sexual violence and elopement – all of which could contribute to CEFM. This kind of behaviour was linked by interviewees to lack of education and livelihood opportunities.

LOCAL POWER DYNAMICS AND CHILD, EARLY AND FORCED MARRIAGE

Power in decision making about marriage and responding to child, early and forced marriage (CEFM) rests overwhelmingly with men. Fathers, brothers or uncles negotiate the dowry, and when the cattle are paid, they go not only to the bride's parents, but are also distributed among the bride's extended family. In the vast majority of cases, arranging a marriage or dealing with problems within a marriage is handled at the family level (see Box 2).

"The marriage is between the parents of the girl, and the parents of the man."

Interview with national NGO staff member, Nyal

If faced with an unwanted marriage, women and girls described how they would usually try to negotiate with their father or another male relative – depending on who is arranging the marriage. According to one girl, you 'have to speak to them gently', [51] as women and girls are expected to respect and obey their fathers. Relatives with the most sway are almost always male; two community leaders said that even mothers are sometimes beaten by their husbands if their daughter refuses to marry.[52]

BOX 2: NYALUOK'S STORY

Nyaluok, a 13-year-old girl in Nyal, said that she does not want to get married until she is 30 years old – when she is "done with everything." She said that she wants to go to university and spend some time working as a doctor before her wedding. But she is already experiencing pressure from her parents to marry. Over 60% of married women and girls surveyed said they had felt pressured to marry, and nearly all said this pressure came from their families or in-laws.

If family or friends cannot or will not help, interviewees said cases of CEFM are sometimes reported to community leaders, teachers, or even humanitarian partners. In most cases, however, they have very little influence or power to act – despite usually being the most supportive of the women and girls involved. Their main role is as interlocutors or advocates on behalf of girls; usually these actors would attempt to negotiate with the family or report the matter to the local authorities. But, while the local authorities can be more influential, most interviewees said they do not systematically take up cases of CEFM. Some community members also noted that it is often difficult for women and girls to take their case to these actors directly.[53]

"The way women are perceived in the community is they are inferior. They are just at home. It is really difficult for women to open up and share their grief with the payam *[administrative division] administrator, chiefs, or the commissioner. It is very difficult for them to access [these authorities]… [since] they are just kept there in the house."*

Interview with male staff member of national NGO, Nyal



Women working in Nyal (Photo: Bruno Bierrenbach Feder/Oxfam)

The role of local authorities and traditional leaders

While local authorities are typically regarded by community members as having most influence in responding to CEFM, their exact role is not clear. Many interviewees felt they did not take action at all or often enough, and were not clear about what kind of action they should take. Some community members advocated for something as simple as speaking out against CEFM. According to interviewees, when local authorities speak, the community listens. Overall, though, the local authority officials interviewed for this research did not see themselves as having an intervention role, and two male interviewees even said that some authorities have married under-age girls themselves.[54]

> **"The local authority does not take any action [to address CEFM], because it is something that is in the culture."**
>
> **Focus group with men, Nyal**

Additionally, while interviewees said that traditional justice mechanisms in Nyal may take action in some cases related to dowry payments, rape, domestic violence, and divorce, they do not intervene in cases of CEFM. While many interviewees were aware of recent changes to national laws on these issues, they had only limited understanding of the laws; decisions were overwhelmingly described as being based on customary law, which rarely favours women.

> ***"When you look at the customary [law], they are more supportive of men than women… They end up blaming the woman."***
>
> **Interview with female staff member of international NGO, Nyal**

A male member of staff at one national humanitarian organization in Nyal recounted an incident from 2016 in which a 14-year-old girl was going to be forced to marry a man of 25 or 26 years as his second wife. The NGO reported the case to the local authorities, but because it was seen as a family matter, nothing was done. Because of the conflict, raising cases like this to the national or state level was not possible. According to the staff member concerned, it was too dangerous and difficult to travel, and – even still – he considered many of the systems involved to be dysfunctional. The girl eventually married and quickly became pregnant. At 15, both she and her baby died during the birth.

The absence of women in decision-making positions

Several women and girls interviewed in Nyal said they felt powerless and alone when faced with a marriage they did not want. There are very few women in positions of authority in the community, and those who do occupy such positions are not perceived as having much power or influence. According to the power-mapping exercise Oxfam conducted, nearly all local authority officials and traditional leaders are male. That exercise also highlighted the fact that before the crisis there were a few female police officers who were seen as more engaged on issues such as CEFM and sexual and gender-based violence. However, at the time of writing, there were no women in such positions. The reasons for this are not clear, though Oxfam staff noted that – as those women were public servants – lack of pay (due to the conflict-related economic crisis) could be a driving factor.

> *"When they are forced [to marry], there is no other help from anywhere, unless the girl will escape to another place or will be eloped by the one she loves or commit suicide."*
>
> **Focus group with adolescent girls, Nyal**

The power-mapping exercise also suggested that even the few women in positions of authority may not have much influence. For example, while the few chiefs who were women technically had the same power as their male counterparts in judging cases of dowry payments, rape, domestic violence, and divorce, fathers or husbands may be 'upset' if female chiefs ruled against them. In the case of one female local authority official whose role is to advise the payam administrator, local Oxfam staff engaged in the power-mapping exercise felt that she was not properly engaged in decision making, but rather that she 'sits in meetings but has little influence and does not talk'.



Women drawing water from a borehole constructed by Oxfam in Nyal
(Photo: Bruno Bierrenbach Feder/Oxfam)



Photo by Andreea Campaneau

5 POTENTIAL RESPONSES

Without comparative studies in other areas, it is not clear why rates of CEFM in Nyal now seem higher than the national rate before the conflict began – especially as the underpinning cultural, social and economic drivers have generally followed national patterns. However, this – paired with Oxfam reports and analysis in other parts of the country – suggests that CEFM may also be more pervasive in other areas than national pre-conflict trends would suggest.

Eliminating CEFM requires systematic multi-sector interventions that engage girls, boys, parents, teachers, local authorities, and a range of other stakeholders. Yet efforts to address the practice are often sporadic, uncoordinated and limited in scope. Given the significant harm caused by CEFM, and the prevalence of the practice across the country, duty-bearers – at community, national and international levels – must step up action to protect women and girls.

TRANSFORMING POWER DYNAMICS

CEFM reflects and reinforces power inequalities between men and women.[55] It reduces women's influence by severely constricting their perceived value, roles and decision-making capacity at household and community levels. It also affects their influence and decision-making capacity as a result of intimidation through violence and the impact of their reduced educational possibilities. Men's dominance in all reporting or response mechanisms for CEFM also contributes to silencing the voices, concerns and experiences of women and girls. Research demonstrates that women in positions of authority may be more likely to focus their attention on the issues that affect women's lives the most,[56] as evidenced by the perception in Nyal that female police officers would be more responsive to CEFM. This, of course, is not necessarily true of all women – women (like men) have diverse interests and agendas. However, excluding women from decision making fails to recognize their capacity for leadership at all levels.

Women have an equal right and capacity to participate in and influence all decisions surrounding their family, their community and the future of their country. Change must enable them to access information on their rights and on relevant policy issues to give them the confidence and skills to speak with authority and demand action on the issues that affect them. For example, a recent survey by the South Sudan Civil Society Forum – a coalition of more than 200 South Sudanese civil society organizations – found that South Sudanese women were more than twice as likely as men to feel uninformed about the most recent peace talks, the High Level Revitalization Forum.[57]

Ensuring women's representation in decision making bodies is an important first step for making sure that women's voices are heard, but 'inclusion' must go further than this.[58] An enabling environment must be created for women's meaningful engagement on a broad range of issues at household, community and national levels. This must include actions to address the existing barriers to women taking up leadership roles, such as their disproportionate burden of care and domestic work, lack of recognition of their capacity and influence, and potential backlash from their community or family.

Promoting women's empowerment and transformative leadership is a slow process that requires long-term, systematic and dedicated commitment and investment in context-specific interventions centred on women's political participation and broader empowerment at all levels. The domestic burden placed on women reflects harmful inequalities in the home. However, this disproportionate role as primary caregivers for their families often means women view human security differently from men, prioritizing spending on education, health and broader resilience over physical (or military) security.[59] The UN Secretary-General has also noted that women's meaningful participation in decision making also measurably accelerates post-conflict recovery and economic growth, and leads to more sustainable peace.[60]

AREAS OF INTERVENTION

Community members felt that more could be done to address CEFM in Nyal. Interviewees identified entry points for action to challenge harmful gender norms, including: increasing targeted awareness-raising, working more closely with leaders, building communities' capacity for self-protection, increasing access to quality education, and addressing food insecurity and lack of livelihoods. Indeed, there are clear opportunities within these sectors to integrate actions to prevent and respond to CEFM, emphasising that gender equality is central to development and sustainable peace.

To promote gender justice in South Sudan, there also needs to be increased focus on and dedicated funding for stand-alone, locally driven gender-transformative programming, including programmes to address CEFM during and post crisis. Conflicts and crises can radically affect social, cultural and political structures – and can exacerbate violence and inequalities. On the other hand, though, shifts in these structures can create opportunities to renegotiate discriminatory gender norms.[61] Yet interventions that aim to address gender inequalities are often only 'mainstreamed' into humanitarian response sectors with limited focus or funding available for specific gender-transformative programming.

Awareness-raising and working with leaders

Advocacy and awareness-raising activities to prevent CEFM need to be stepped up. Change will be slow, and not easy to measure. But the people interviewed for this research felt that perceptions and practices in Nyal will change over time if these efforts are more strategic and systematic. Humanitarian organizations can play an important role in initiating and providing space for these conversations, but they should be designed and led by local actors and community members. Many interviewees recommended greater use of drama and sport to engage the community on CEFM, gender equality and related issues.



BOX 3: 'PEACE OF HER MIND' ON EYE RADIO

Oxfam and the independent national radio station Eye Radio have partnered to produce 'Peace of Her Mind', a bi-weekly show hosted by veteran journalist Hellen Samuel Mangindo (popularly known as Mama Hellen). The show invites South Sudanese women and male feminist champions to share messages on women's empowerment and to discuss issues that are important to women across the country – including domestic violence, the division of domestic labour and women's role in peacebuilding. Listeners – women and men from diverse backgrounds – also call in to share their opinions and experiences, and initiate discussions. In a recent episode, a male listener sent in a message arguing that CEFM is important for population growth, giving Oxfam's Roving Gender Officer Flora Aniku the opportunity to reply that: 'If girls forced into marriage die of childbirth – because their bodies are not yet fully formed for labour – then you are killing the nation'.

Advocacy and awareness-raising needs to target both those most affected, and those with the most influence to generate change at the local level. This means empowering women and girls with information and skills, but also engaging the broader community and persuading leaders to initiate dialogue on gender equality. This could, for example, include expanding women's roles in media through women radio hosts and storylines – at the same time providing positive role models for women and girls affected by CEFM (see Box 3). In other contexts, media programming that highlights women as leaders and brings women's issues to the fore has led to increased focus on these issues at community level.[62]

Many interviewees also highlighted the need to directly engage local authorities in dialogue on CEFM, and to promote their role in prevention and response. This points to the need to explore some context-specific ways that local authorities, community leaders and security actors in Nyal (and other areas where CEFM is widespread) can engage more effectively to fulfil their obligations on gender equality and justice – not only to take action but also to promote community buy-in for interventions. When leaders become champions for the rights of women and girls, this underpins broader community mobilization and more effective, community-based action.

"[Awareness-raising activities] don't target the really influential people in the community. The commissioner [needs] to be present. Chiefs who are judging the case [need] to be present. The payam administrator [needs] to be present. [Not only] some women and some youth."

Interview with male staff member of national NGO, Nyal

Community capacity for self-protection

In many areas of South Sudan, there is a need to build strong and accountable security and justice institutions, locally and nationally, to prevent and respond to protection issues, including the effective implementation of legislation and policies addressing CEFM. Communities themselves must also be engaged their own protection, as community members are often the first line of response in the face of crisis or threats – including CEFM. Integrating a community-based protection approach is especially relevant in humanitarian settings, when the institutions and processes that normally protect communities may have become weakened or ineffective.

Building the capacity of communities for self-protection involves supporting individuals and groups to identify, understand and respond to protection threats, including addressing CEFM. This could include engaging communities in a range of activities, such as advocacy and dialogue, programme design, strengthening referral and response mechanisms, and the creation of local protection committees and systems. As well as helping people to keep themselves safe, it also creates links to local authorities, NGOs, and other duty-bearers, empowering communities to advocate for strong, accountable and effective local protection mechanisms.

"There is no issue here for the girl alone. Issues are based on the community at large."

Interview with school headteacher, Nyal

By actively promoting women's involvement and empowerment, these processes can also have powerful effects for gender equality. They provide vital forums to discuss issues affecting men and women in the community on equal terms, and give women rare opportunities to enter the public sphere and directly engage with local authorities. Protection committees and community protection centres can also provide safe spaces for women and girls to raise issues that affect them, and peer networks for comfort and support (see Box 4).

BOX 4: LESSONS LEARNED FROM OXFAM'S COMMUNITY-BASED PROTECTION PROGRAMMING

On one of the islands off the mainland of Nyal, women in one of Oxfam's community protection committees interviewed for this research gave an example of the impact these types of interventions can have. A man had wanted to force his 15-year-old daughter to get married; her prospective groom had lots of cattle. Having identified the issue as a key protection threat locally, and having received training in influencing, the Community Protection Committee (CPC), comprising local women and men, decided to approach the girl's father 'in a good way': they told him of the advantages of girls' education and the disadvantages of CEFM. One year on from their intervention, the girl is still unmarried, and remains in school. Every now and then, CPC members go and check in on the family and remind the father of their message.

This is a powerful example of how local advocacy and engagement can lead to behavioural change. Research shows that these types of interventions can also be sustainable beyond the intervention period. In an analysis of Oxfam's CPCs in the Democratic Republic of Congo (DRC), most committees were still meeting and/or carrying out activities at least a year after direct support ended. Committee members were still strongly motivated to help their community, to share the knowledge they had gained from the programme, and – having seen that their activities can lead to change – to make sure the situation in their communities improved, especially for those who are most vulnerable.

Education

Adolescent girls interviewed for this research spoke repeatedly of their desire to stay in school, which they said was a pathway to future opportunities and a barrier against forced marriage. At a global level, education is described as the most important factor in preventing child marriage: when education is of good quality, it empowers girls to be more vocal and make decisions about their lives, and gives them the chance to use their knowledge to influence others.[63]

> *"The children should not be left without teaching … [but] we don't have any choice. Unless someone from the humanitarian [organizations] says "I'm going to pay for this, this, this'."*
>
> Interview with school headteacher, Nyal

Formal and informal education opportunities can provide peer networks and safe spaces that are crucial to addressing CEFM.[64] They are also centres for youth, both boys and girls, to be engaged – not just in classes, but other activities that can also integrate protection messaging. A rights-based approach to education activities is critical, including for providing an entry point to engage students on human rights principles and challenge CEFM and other harmful gender norms. Yet a headteacher in Nyal highlighted that – at

least at his school – there are currently only infrequent and fragmented efforts to integrate human rights and gender equality messaging into education activities.

> *"When we encourage girls to stay in school, sometimes the girl can get married at 18 or 20."*
>
> Focus group with women, Nyal

Adolescent girls noted that poverty was a particular barrier to girls' education in Nyal, and suggested that incentives could help girls stay in school. Similar programmes – such as cash transfers that are conditional on girls remaining unmarried and/or enrolled in school until age 18 – have had positive impacts in other contexts.[65] However, it is important to note that these activities need not all be through formal education opportunities. Research and Oxfam's own experience of providing 'accelerated learning programmes' in Panyijiar also demonstrates that non-formal, flexible and catch-up education programming that targets women who were married young as well as out-of-school girls (married and unmarried) can help empower women and girls. It can equip them with life skills and increased self-confidence, provide important reproductive health and rights knowledge, and promote the education of their children.[66]

BOX 5: GIRLS' EDUCATION SOUTH SUDAN (GESS)[67]

Girls' Education South Sudan (GESS) was a six-year programme funded by UK Aid that ran from April 2013 to September 2018. It was led by the Ministry of General Education and Instruction and supported by implementing partners who provided technical advice. The programme aimed to increase girls' access to quality education in all 10 former states of South Sudan, reaching around 4,000 not-for-profit, government, faith-based and community schools.

A key component of GESS was cash transfers to support girls' access to education and mitigate poverty at household and community levels, conditional on girls' enrolment and regular attendance at school. By the end of the programme in 2018, cash transfers had been given to 295,145 girls, with many having received annual transfers repeatedly over the programme's life cycle. Payments were made directly to girls, and evaluations show that in almost every case, the girls were able to spend the money themselves – typically on items such as books, clothing and sanitary pads to facilitate their staying in school. Evidence also shows that the programme helped beneficiaries remain in school longer, improved attendance, and made schools more likely to stay open – even when conflict was ongoing.

One key informant working on education programming with an international NGO also noted the importance of promoting women's leadership in education. Almost all leaders in the education sector in Nyal are male – including headteachers and school administrators – and there are very few female teachers. At one school, only 7 out of 25 teachers were women – although this is above the national average of 16%.[68] According to humanitarian staff interviewed for this research, this contributes to an environment where,

instead of monitoring and encouraging married and/or pregnant girls to remain in school, they are often stigmatized or pushed out of the education system. As noted previously, teachers are also an important part of the CEFM reporting network, and research shows that having trusted women in positions of authority makes girls more likely to report sexual and gender-based violence, and provides important role models for girls.[69]

To realize the transformational potential of education, there is a need to address pre-conceived ideas of the gendered roles of women and girls and men and boys in communities, while at the same time improving the relevance of education to people's lives and contexts, and addressing barriers to access. A focus on improved access and quality needs to be combined with rights-based messaging, and the promotion of female leadership. Each priority needs to be part of a holistic strategy rather than treated as ad hoc interventions. Increasing investment in quality education is essential to promoting gender equality; it not only provides an alternative to CEFM for girls and their families, but is also an essential means of empowering women and girls with the knowledge, skills and confidence necessary to fully participate in decision making at household, community and national levels, and to hold their leaders to account.

Food security and livelihoods

Five years of conflict means that more than half the population in South Sudan face starvation: as of September 2018 (the end of the lean season), 6.1 million people were severely food insecure. It will take years for South Sudanese people to recover and rebuild their lives and livelihoods. As already noted, rising hunger and poverty, driven by the conflict, have had detrimental consequences for many girls who have been pushed into early or forced marriage.



Oxfam food distribution in Nyal. (Photo: Rhea Catada/Oxfam)

Global trends show that CEFM decreases as food security and wealth increase, pointing to clear opportunities for programming that can help change such practices.[70] Communities should be increasingly engaged on ways to build employment activities – particularly throughout agriculture value chains to increase access to food and expand market activity, including a focus on opportunities for women. There is also a need to explore ways to reduce hunger and to buffer shocks, especially around the lean season, and to mitigate the long-term impacts of sustained humanitarian assistance on people's resilience.

> *"There are women who make money through small business. They want to use it for feeding their families and health, but men want to make the decisions."*
>
> **Interview with female staff member of international NGO, Nyal**

Increasing women's livelihood and vocational skills, also improves their economic standing, which can give them higher status in their family and thus greater control over decision making (see Box 5). Women's economic empowerment, through their involvement in the formal and informal labour market, not only increases individual incomes but – as research has shown – also has ripple effects on communities' economic development[71] and positive impacts on household well-being.[72]

> *"The man is the head of the family – household resources are directed to him. Even if a visitor comes, the woman asks the man for permission to welcome them, and asks what to do."*
>
> **Interview with male local authority official, Nyal**

While it was not raised as a concern in Nyal, it is important to note that in some contexts, increasing women's control over economic resources at household level has actually increased levels of domestic violence.[73] This demonstrates the importance of conducting proper analyses of existing gender power relations to adopt a 'do no harm' approach, and continuously engaging men and boys on gender equality. This is especially true as increasing women's control over resources can also lead to the redistribution of unpaid care work and household chores between women and men, especially when paired with awareness-raising about gender inequality.

BOX 5: FORTIFYING EQUALITY AND ECONOMIC DIVERSITY (FEED) PROGRAMME

The Fortifying Equality and Economic Diversity (FEED) programme – jointly implemented by World Vision, Oxfam and CARE in several areas of South Sudan – demonstrated the impact of programmes seeking to strengthen women's economic empowerment and long-term food security and resilience. The programme, which was funded by the Government of Canada and ran from 2015 to 2018, promoted women's rights at community level while simultaneously providing women with skills and tools to improve agricultural productivity. Women took on non-traditional roles like oxen-ploughing, demonstrating that women's roles and capacities need not be fixed. Men were also engaged throughout the programme in supporting women's rights. Through FEED, the ability of targeted households to meet basic needs for their family increased by 14%, while the number of women in community leadership positions increased by 12%; in terms of changes in attitudes, the belief that women should be involved in decision making increased by 28% among men.

The programme also resulted in a notable reduction of gender-based violence. Anecdotal evidence suggests that, as a result of the programme, some men started to change their own roles, including taking on more household chores and involving women in decision making at household level.

Engage men and boys

As men and boys are the fathers, husbands and future husbands of women and girls affected by CEFM, challenging harmful expectations of masculinity – including assertions of dominance over women and normalization of violence – must be part of any response that seeks to advance women's rights. Although there is relatively little investment in promoting women's empowerment and tackling sexual and gender-based violence in humanitarian settings, there is even less investment in systematically engaging men and boys and/or challenging harmful masculinities in such settings.

> "[Activities need to target men] because they are the ones in control of the family. If the father says that the daughter is going to marry, the mother will just keep quiet. Because if she talks, he will beat [her] with the daughter."
>
> Focus group with women, Nyal

As CEFM and harmful gender dynamics affect the whole community, there is a need to engage women and girls and men and boys in achieving gender justice. The issues facing men should be addressed alongside those affecting women. Expanding economic, social and political opportunities for women without creating positive opportunities for men – especially when traditional gender roles are significantly challenged or shifting, as is often the case in conflict and crisis – can be paralleled by perceptions of diminished self-worth among men.[74] In Nyal, as already discussed, the militarization of communities, challenges accessing education, and the lack of alternative livelihood opportunities means that 'male youth' often lack opportunities beyond providing armed protection, and therefore find it difficult to fulfil their

traditional role as providers.[75] At the same time, several male community members interviewed for this research indicated that male youth are the main perpetrators of many protection threats, including SGBV, as well as responsible for elopement or getting unmarried girls pregnant.[76] This was linked to the absence of alternative, potentially more positive, opportunities.

Even though the need to engage men and boys is well recognized, how to do this is not always clear. Community consultations and further research should explore how to engage men and boys more effectively on CEFM as well as how to address harmful masculinities and engage with the challenges facing men and boys. For example, one female youth leader in Nyal suggested that emotional and rational appeals around the consequences of CEFM to those arranging the marriages – particularly around maternal health concerns – could help discourage CEFM. Experience from other contexts also suggests that men and boys could be engaged by reaching out to them in public spaces that they commonly frequent, and mobilizing local authorities and other community leaders who have influence to support engagement.[77] This could also mean integrating activities and messaging on harmful gender norms, targeted at men and boys, into humanitarian programming and activities, including in the sectors outlined earlier.

> *"The conflict has forced youth to have access to guns to protect their resources. This puts [them] at risk because when you have a gun, you can easily be killed, or you can easily kill a person."*
>
> Interview with male local authority official, Nyal

Efforts to change harmful gender norms must provide space for the views and experiences of men and boys, to gain their support and to reinforce the message that women's empowerment is not at the expense of men – but rather benefits the entire community. While the interventions outlined in earlier sections of this report largely focused on women and girls, it is true that men and boys also need to be engaged throughout, including: as feminist champions who influence change; as safety and security actors in communities; as students who will be taught that women and men have equal rights; and as fathers who will not need to force their daughters to marry as a solution to their family's hunger. Such male role models working to promote gender equality and change harmful gender norms are already present in South Sudan; they should be engaged, given support and encouraged to take opportunities to influence their communities.

BOX 6: GENDER ACTION LEARNING SYSTEM (GALS)

Oxfam is working with national partners to implement the Humanitarian and Resilience in South Sudan (HARISS) programme in several areas of South Sudan. HARISS is funded by UK Aid and aims to meet essential life-saving needs (including water, sanitation and hygiene (WASH) and food security) as well as supporting livelihood opportunities. The programme has adopted the Gender Action Learning System (GALS) methodology – a community-led approach that engages both women and men on increasing gender awareness and improving power relations at household level. In Malakal, former Upper Nile State, weekly GALS conversations have contributed to change. Some women reported that men are now more supportive of women engaging in income-generating activities, while men commented that they felt more able to share ideas and household-level decision making with women. This demonstrates the importance of engaging women and men on gender equality, and the impact of integrating these efforts into existing programming for families and communities.

SUPPORTING LOCAL CAPACITY

To the greatest extent possible, the interventions outlined above should be delivered by, or in partnership with, local actors. In many cases, they are the first – if not the only – responders to vulnerable populations, particularly in hard-to-reach areas. As established members of their communities, they are also often best-suited to deliver culturally appropriate and sustainable interventions,[78] especially if supported to effectively integrate gender considerations into these responses. Oxfam's research shows that many local actors are well aware of issues around CEFM, deeply concerned by them, and often intervene as best they can to stop harmful practices (see boxes 3,4 and 7).

There should be greater efforts to move beyond simply 'consulting' local actors, to opportunities for their real, systematic and meaningful participation in decision making processes, programmes and policies that affect them. Existing funding mechanisms and processes of the broader humanitarian system also need to be sufficiently adapted to support the long-term and robust participation of local actors, women and men, in humanitarian and development responses.

In particular, working with women's rights organizations and women's leaders – including providing the operational and technical support they request – can help women secure access to decision making spaces, engage decision makers to advocate for women's rights, and hold those decision makers to account.[79] Academic research analysing 20 years of experience in 70 countries suggests that the most effective strategy for improving national policies combating violence against women is a strong, feminist civil society movement.[80] Given the limited number of women-led CSOs and national NGOs in South Sudan, as well as the limited number of women in the media, increasing long-term support through funding, capacity building and partnership could help bring SGBV and other gender issues to the fore.



Women carrying life-saver water filtration cubes from an Oxfam distribution in Nyal.
(Photo: Angus McBride/Oxfam)

One South Sudanese activist closely involved in activities to prevent CEFM suggested several ways through which international humanitarian organizations and donors could support local CSOs and national NGOs in addressing CEFM. They could, for example, support local capacity by providing funding, skills training (including on advocacy and research) and information-sharing, including learning from other contexts that could be adapted to South Sudan. International actors can also provide support by facilitating access to international and regional platforms such as the UN and the African Union (AU), in order to raise awareness and increase pressure on leaders to take action. Partnerships with international actors can also provide greater space to advocate, as it shows that local actors have 'international back-up' – especially when speaking out on sensitive issues such as CEFM.

Collective action and voice are critical for women's safety, and in order to raise concerns and take demands to forums occupied by those in power.[81] Overall, the provision of support must be sensitive to the particular risks and threats faced by women's rights organizations and women's leaders. Violence – and the threat or fear of violence – are genuine barriers to women's participation in public life, work and education in South Sudan. Therefore, there is a need to explore and support explicit efforts and strategies aimed at protecting women and girls and mitigating the risks they may face.

BOX 7: NATIONAL ALLIANCE FOR WOMEN LAWYERS (NAWL) AND SOUTH SUDAN WOMEN'S COALITION (SSWC) CALL FOR AN END TO CHILD, EARLY AND FORCED MARRIAGE IN SOUTH SUDAN

On 1 November 2018, the National Alliance for Women Lawyers (NAWL) released a statement in response to the auctioning on Facebook of a girl aged 16 (or possibly 17) for marriage. In the statement, the NAWL – a member of the South Sudan Women's Coalition (SSWC) – called on the Government of South Sudan to intervene in the case. Furthermore, it called for the effective implementation of national and international human rights laws protecting women and girls against CEFM. It said: 'As a women's movement, we are challenged beyond doubt that even with the laws and legislation in place, we feel vulnerable and unprotected'. It also highlighted the importance of improving girls' access to education – particularly secondary education – and the need to engage community and traditional leaders in dialogue to change harmful gender norms.

This case is a clear example of how – despite continued restrictions on civil society and media space – South Sudanese civil society continues to be vocal in calling for gender equality and justice. But they face an uphill task. In this case, the girl was married a few days later. Her father reportedly received 500 cows, 3 cars and US$10,000 in exchange for his daughter, and bidders included high-ranking government officials. The case garnered national and international media attention and brought renewed pressure on the government to tackle CEFM.

CONCLUSION

There must be a shift from rhetoric to concrete action on ending violence against women and girls and women's empowerment in South Sudan. After five years of war, the signing of the Revitalized Agreement on the Resolution of the Conflict in South Sudan (R-ARCSS) has brought some hope for sustainable peace. Too much time and money has been invested in violence, and too little on protecting and nurturing the capacity and rights of women and girls. Any vision of a recovering South Sudan must be one that sees women and girls realizing their right to live a life free from violence – one that promotes and protects their rights, and empowers them to lead.

Addressing child, early and forced marriage (CEFM) is, first and foremost, about protecting young girls and women. Oxfam's experience across the country suggests that CEFM is a considerable threat for many communities in South Sudan – one that causes significant harm and often silences the voices of women and girls. In Nyal, community members were concerned that CEFM can increase domestic violence against girls, have serious maternal and mental health consequences, and deny girls their right to education. They also said that many girls were being pushed into marriage because of the consequences of the conflict, particularly rising poverty and hunger. This reinforces the fact that the distinct impacts of conflict on women and girls are varied and devastating, with consequences that reverberate throughout their lives. Yet often, responses to these impacts and the harmful gender dynamics that drive them are relegated to the sidelines during and after a crisis.

Crucially, as one school headteacher in Nyal said, this is not just an issue that affects women and girls. Gender inequality is a prominent feature of fragile and conflict-affected contexts.[82] Indeed, there is evidence from other research that gender inequality and harmful gender norms are a driver, a symptom and a consequence of conflict.[83] At the same time, when women have a meaningful say in decision making at all levels, communities recover from crises more quickly and peace is more likely to hold. Addressing harmful gender norms is therefore crucial to addressing the underlying causes of conflict in South Sudan[84] and promoting sustainable peace and development.

It is clear that dedicated action to combat CEFM is urgently needed. This will require long-term commitment and investment, and integrating activities for prevention of harmful practices and in support of women's empowerment into interventions across sectors. Men and boys must be engaged as feminist champions, and change must be locally driven. Change may be slow and difficult to measure, but no less impactful. This means that all stakeholders – at community, national and international levels – must step up action to eliminate harmful practices and violence against women and girls, and invest in their protection and empowerment. Ending CEFM is a critical step towards gender justice, women's leadership and, ultimately, a more sustainable peace in South Sudan.



A young girl in Nyal
[Photo: Andreea Campaneau/Oxfam]

RECOMMENDATIONS

The Government of South Sudan should:

- Ensure the full implementation of the Strategic National Action Plan to End Child Marriage (SNAP), and invest transparently in addressing the drivers and consequences of child, early and forced marriage (CEFM). These efforts should prioritize areas where women and girls may be particularly vulnerable to CEFM, including conflict and poverty-affected areas.
- Undertake a review of the legal framework and enact and enforce a harmonized law on CEFM, ensuring the implementation and enforcement of laws and policies protecting women and girls from CEFM and its consequences. This must include improved outreach on and dissemination of relevant international and national laws and policies and the SNAP across the country, including customary judges and local authorities. Improved monitoring of trends and consequences and accountability for those perpetuating CEFM should be ensured.
- Provide, protect and expand space for South Sudanese civil society and media, uphold their freedom of expression and encourage their meaningful engagement in promoting women's empowerment and tackling sexual and gender-based violence, including CEFM.
- With other parties to the Revitalised Agreement for the Resolution of the Conflict in South Sudan, (R-ARCSS), honour the quota of at least 35% representation for women's participation in the executive, and extend this to apply at all levels of decision making, including appointing women in key positions of leadership and influence. This is in line with other studies which suggest that increasing the participation of women in politics and public office encourages greater political engagement and mobilization of a broad spectrum of women at all levels.[85]
- Most importantly, ensure that the signing of the R-ARCSS leads to long-term and sustainable peace for South Sudanese communities. Lasting peace is necessary to address the drivers of CEFM and to build the strong institutions needed to respond to it.

Donors and humanitarian actors should:

- Integrate CEFM prevention and response, and women's empowerment activities, into humanitarian and development planning and existing programmatic efforts. This should be done across programmatic life cycles – from needs assessment to evaluation. Planning should incorporate lessons learned on what works to prevent CEFM by using a multi-sector approach.
- Increase investment in programmes specifically designed to promote (1) women's leadership and empowerment, (2) challenge harmful gender norms and expectations of women and men, and (3) address the drivers of CEFM. This should include establishing a dedicated pool of funding for gender-transformative programming in emergencies.
- Set clear and realistic targets and include specific indicators on addressing the drivers and consequences of CEFM in humanitarian response strategies and programme planning and monitoring (in line with the SNAP) and regularly assess progress on these targets.
- Increase investment in multi-year programming. This helps actors build relationships and strengthens the extent to which activities, structures and messaging are embedded in the community, and gives more time for

measurable behavioural change to take place. Donors should consider and respect that even valuable change may not be of significant scale or take place rapidly, and engage humanitarian organizations to work together to set realistic goals that do not require delivery in the short-term.

- Undertake and implement the recommendations from context-specific gender and power analyses in areas of operation to identify the most influential individuals and institutions, and to explore concrete ways in which programmes can address harmful gender norms and expectations of women and men. Interventions need to be carefully designed so that they accurately reflect the local context, do not result in backlash or foster stigma and/or discrimination against community members, particularly women and girls.
- In line with the Grand Bargain and Charter for Change which aim to increase global momentum towards the localisation of humanitarian assistance, increase funding and training opportunities for national actors and community-based action, and increase local actors' access to humanitarian planning and policy decision making mechanisms and positions. They should also seek to further develop and increase the number of long-term, meaningful partnerships with local women's groups and national NGOs to support grassroots and locally driven change, particularly on activities that challenge harmful gender dynamics. These partnerships should be as equal as possible, with partners involved at all stages – particularly on activities challenging harmful gender dynamics.
- Support and build on the capacities, strategies and mechanisms that women and girls and local communities have already begun to develop to transform gender relations and address SGBV in its various forms, including CEFM.
- Prioritize and provide funding for gender specialism and capacity, including in recruitment and partnership development, as well as strengthening capacity among staff and partners through opportunities for induction, training and reflection.[86]

NOTES

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