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1　After six decades of struggle for independence and two civil wars, South Sudan recently became Africa's newest state and the 193rd member of the United Nations. In practice, however, for the Southern Sudanese residents of Sudan, the question of whether an individual becomes a citizen of the new country or remains a citizen of the Republic of Sudan has been an intricate socio-political question, a complex legal issue, and a practical matter of rights, documents, relocation, and personal attachments.

2　"Between 1983 and 1991, close to 3 million people were estimated to have been displaced from the South. By mid 1991, some 425,000 of them had taken refuge in Uganda and Ethiopia. The remainder flocked to southern cities, such as Juba and Malakal, and an estimated 2.3 million southerners took refuge in the North, of whom 1.8 million settled in Greater Khartoum" (de Geoffroy 2007: 6-7). The favoured destination clearly shifted towards Khartoum during this period as the dimensions of displacement mushroomed. When the Comprehensive Peace Agreement (CPA) was signed a decade later (2005), ending the civil war in Sudan and paving the way for the independence of South Sudan, the majority of internally displaced Southern Sudanese were still resident in Khartoum's shantytowns[1].

Source: Franck, 2007, UNOCHA, 2005, Bannaga, 2002   Created by Agnès de Geoffroy
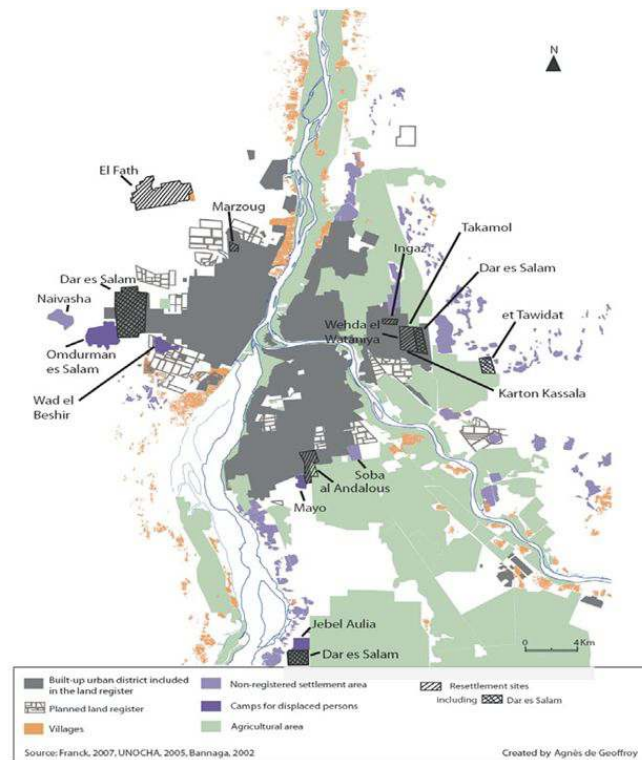
The data gathered from my second PhD fieldwork[2] in Al-Baraka shantytown in Khartoum - where South Sudanese people form the second largest ethnic group - suggest that the decision taken by thousands of South Sudanese shantytown settlers both before and after the referendum (January 2011) and South Sudan's official independence of (July 2011) to return to South Sudan was informed by numerous factors, which include:

- sentiments of Southern Sudanese nationality: many informants told me very proudly: 'we are Southern Sudanese people; we no longer belong to Sudan'.
- the negative life experiences of Southern people in the North because they found themselves at the bottom of the urban social hierarchy, and due to racism. Many Southern people expressed the feeling that they are treated as 'second class citizens in Khartoum'.
- post-referendum pressure from the government of Sudan, which dismissed Southern Sudanese employees from their formal jobs in the public and private sectors, treated them as foreigners, and put pressure on the government of South Sudan in the political negotiations over secession.

3   In a previous work,[3] I argued that the decision to return to South Sudan was predominantly informed by the lifestyles and life experiences of Southerners in the shantytowns of Khartoum. First-generation residents were more likely to decide to return first, and forced migrants also tended to return to the South as soon as possible, as happened when many people returned to their rural home areas immediately after the signing of the Comprehensive Peace Agreement in 2005. Many economic migrants preferred to return to urban areas of South Sudan to utilize their work experiences in formal jobs. Second-generation young people and educated people generally returned to Juba, the capital of South Sudan.

4   As a part of the process of secession of the Republic of South Sudan from the Republic of Sudan in 2011, people of South Sudanese origin who had been resident in the Republic of Sudan for decades were stripped of their Sudanese citizenship and normal livelihoods,[4] irrespective of their connections with either state, and regardless of their views on which

State they wished to belong to. These people now face the dilemma of lacking any recognized legal status in Sudan, and live with the constant risk of being arrested and charged with violating immigration laws, with the threat of expulsion to South Sudan (Sanderson 2014: 74, UNHCR 2010: 13). It is very possible that some of those people who are considered by the Sudanese government to be South Sudanese citizens might in the end find themselves without recognized citizenship of either state, essentially leaving them stateless (Manby 2012: 4).

5   Many are currently living in a state of anxiety, as they have lost their formal or informal jobs in the public and private sectors and are facing challenges to the maintenance of their rights to their homes and other property (the Sudanese Constitution only grants the right of property ownership to Sudanese nationals). In some instances, children have been refused entry to schools or treatment at clinics unless they pay higher fees, like other foreigners in Khartoum[5] (Interview with Andrea in Khartoum, 10/12/2015).

What is citizenship?

6   There is a general consensus among most political theorists that citizenship is both a status acquired through being a member of a collectivity (usually the State), and a system of rights and obligations built upon ideas of equality, justice, and solidarity (Keller 2014: 19).

7   While the first part of this definition focuses on the legal and institutional aspects of membership[6], which is a dominant theme in most citizenship studies, the second is always complex and heavily contested, due to the fact that there are differing views as to the nature of the rights and obligations of citizenship and to what extent this system might achieve equality and justice. My focus in this paper will be on the social and cultural aspects of this concept of citizenship, which is closely tied to the questions of "collectivity", "community" and "membership"; this is precisely what makes it important to link the concept of citizenship with concepts of identity and nationality.

8   At the same time, however, we need to keep the distinction between the concepts of identity and citizenship in mind. While identity may be shared by people from several different states, citizenship always refers to people who belong to a single modern state. Although the distinction between ideas of citizenship and nationality is not always a clear one, in many studies and in normative usage nationality can be used to refer to a legal relationship between an individual and a State (Abdulbari 2011: 158), which makes the concept of nationality virtually synonymous with that of citizenship.[7]

9   Following Miller (Miller 2002: 3), there are three schools of thought in Western literature on the concept of citizenship that developed within the institution of modern States in Western Europe during the nineteenth and twentieth centuries.

- **Liberal-Individualism**: this school stresses the autonomy of the individual citizen. Members of a State have a duty to respect the rights of others without any further obligations to society other than those established on this contractual basis. The contract based upon the rights of the individual with the state is primarily to pay taxes and defend it. The liberal tradition maintains that citizens share a belief in common rules that govern how they live together in a society without having a shared belief in a substantive common good. The idea of the common good is considered to be opposed to the pluralism of liberal democracy. "It is therefore important to acknowledge the specificity of modern democracy

and the central role played in it by pluralism. By this I mean the recognition of individual freedom, that freedom which John Stuart Mill defends in his essay "On Liberty" and which he defines as the possibility for every individual to pursue happiness as he sees fit, to set his own goals and to attempt to achieve them in his own way" (Mouffe 1992: 29).

- **Civic-Republican**: this school of thought derives from the French Revolution, during which the notion of fraternity and the shared experience of participation in a united political community gained popularity. Thus, a reliance on common values through patriotism and loyalty and an association through shared experiences of local community are crucial for civil citizenship. This means that the notion of common good lies at the heart of this concept of citizenship. In civic citizenship, individuals are considered as citizens only insofar as they are members of a community, and what makes individuals citizens is a shared commitment to a common good.

- **Social Rights of Citizenship**: this school of thought was developed by the British sociologist Thomas H. Marshall (1893–1982) (Grest 2000: 4), who identified the three elements of citizenship as civil, political, and social rights. His central point was that citizens are all equal, and that social rights embody a whole range of concepts, from the right to a modicum of economic welfare and security to the right to share a social heritage and live the life of a civilized human being, according to the prevailing standards in the society. The importance of Marshall's contribution lies in its powerful influence on the formation of the Welfare State in Britain, where the idea of social citizenship helped recognize the injustices of the capitalist system at the time.

10   In summary, modern western concepts of citizenship are historically constructed from a set of rights and duties related to work and public service (such as the military or judicial services). This model of citizenship as a social right has been closely associated with Thomas Marshall's legacy, although "Marshallian citizenship has been subject to extensive criticism over the last two decades and the social model of citizenship has been expanded and deepened by approaches that emphasize the flexibility of social membership, the limitations of citizenship merely as rights, and by perspectives that emphasize identity and difference" (Turner 1997: 5).

11   The situation is very different in Africa: with the absence of a modern and democratic civic culture, many aspects of the rights and obligations set forth in constitutions and state laws are only on paper, and are not usually translated into rights in practice (Grest 2000: 4). Many countries, including the Democratic Republic of the Congo (DRC), Liberia, Malawi, Sierra Leone, and Uganda, still maintain an explicitly racial or ethnic basis for citizenship (Manby 2011:11).[8] In most other African countries today, however, as in the legal systems of most other modern states, the blood tie, or "*jus sanguinis*", principle has lost its ethnic basis: citizenship is generally granted to those who are born to a parent who is a citizen, including one who has acquired citizenship by naturalization and may not be of the same ethnicity as the dominant group (Abdulbari 2011: 160-161), or those who are born from mixed ethnicities. The Sudanese Constitutions of 1998 and 2005 follow this more moderate position, as noted by Marko, who states: "up until the secession of South Sudan in 2011, citizenship followed the logic of 'jus sanguinis', without directly excluding ethnic groups from the imagined political body of Sudan" (Marko 2015: 4).

12   Numerous previous experiences of an arbitrary stripping of nationality have made the international community aware of the seriousness of the problem and have promoted efforts to address this situation of statelessness, as with the recent Eritrea-Ethiopia

experience, when thousands were expelled from Ethiopia to Eritrea and vice versa (Abdulbari 2011: 172).

Legal citizenship versus 'community' citizenship for the Southern Sudanese in Khartoum

13   While in practice the current challenge for citizenship of Sudan and South Sudan is the presence of thousands of Southern Sudanese in Sudan with no legal citizenship status, I argue here that there is a need to differentiate between two types of citizenship for Southern Sudanese people in Khartoum (legal citizenship, and 'community' citizenship).

14   The main feature of the literature on the citizenship of South Sudanese people in Sudan is its focus on their legal and formal status as non-citizens;[9] however, very little attention has been paid to the social and cultural aspects of this new legal status, and how Southern Sudanese people deal with it in their daily struggles.

15   From a theoretical standpoint, the differentiation between legal citizenship and 'community' citizenship can be traced back to the influential work of Mamdani (Mamdani 1996), who argues that colonialism in Africa created two categories of people – citizens and subjects or, as they are sometimes referred to, citizens and natives. While natives were bound to their rural 'ethnic groups' and spoke the language of tradition and custom, citizens were usually those living in urban areas and ruled by rights, duties, and privileges. Mamdani claims that these particular historical and political formulations came to define the way citizenship was perceived in post-colonial Africa: on the one hand, African central states are governed by civil law and formal institutions – the domain of the national elites – while on the other, the local state or native authorities enforce laws based on custom. The former is the realm of the rights and duties associated with legal citizenship, while the latter is the realm of culture and custom. Therefore, Mamdani and Comaroff argue, natives are engaged by the state as subjects, and as such are not entitled to the rights and benefits of citizenship,[10] which means that "life as national citizen and life as ethnic subject are as likely to run up against one another – often in contradictory ways – thus making political personhood a fractured, fractal experience" (Comaroff 2010).

16   If one adopts this approach, it appears that there has been little change in the relationship between the African state and its citizens since the time of colonization, as Mamdani has emphasised. I would argue that this dual type of citizenship (legal citizenship and 'community' citizenship) has allowed considerable numbers of people to be excluded from legal citizenship and to survive and sustain their social and economic life through 'community' citizenship. Whether this 'community' citizenship status is able to substitute – or even perhaps complement – legal citizenship, and more importantly, the ways in which the community of Southern Sudanese in Sudan have been able to construct and negotiate this 'community' citizenship, will be the focus of the remainder of this paper.

Legal citizenship

17   Legal citizenship is the legal status of being a member of a state according to international and national legal procedures and as evidenced by state institutions, which

grants certain rights and obligations, largely involving state institutions. Of course, many Southern Sudanese living in Khartoum currently lack this type of citizenship.

18   The estimated numbers of Southern Sudanese affected by this form of statelessness range between 500,000 and 700,000, a figure that includes those who are currently estimated to be affected as well as those who are 'obviously'[11] South Sudanese according to the normative interpretation (Manby 2012: 4). If the most recent amendments to the Sudan Nationality Act (2011) were to be applied on a comprehensive scale, they would lead to a loss of Sudanese nationality for a very significant number of people, including those with weak links to South Sudan, who have usually developed close links to the Republic of Sudan.

19   The Sudanese nationality law ignores the distinction between ethnic origin and the rights granted by the State. Accordingly, the law lays emphasis on ancestry (*jus sanguinis*), while citizenship by naturalisation is popularly considered to be an inferior status.[12] Sudan and South Sudan still use ethnic belonging as a primary basis for citizenship claims, although they are both among the most multicultural and ethnically diverse countries in Africa. Having a Sudanese or South Sudanese national birth certificate is generally considered to be insufficient proof of ethnic or territorial belonging. It is also harder for members of ethnic groups and minorities living near national borders to obtain nationality certificates or other identity documents, especially if they maintain links with neighbouring countries.

20   According to the Sudanese Nationality Law of 1957, which was amended in 1974 and 1994, nationality is based on descent, with the possibility of naturalization. Under this law, it will now be extremely difficult for Southern Sudanese people to gain citizenship of Sudan (Sikainga 2011: 17).[13] In South Sudan, on the other hand, according to Section 8 of the 2011 Nationality Act, South Sudanese nationality by birth can be based on five separate grounds[14]. The Act states that South Sudanese citizenship can be automatically obtained by eligible individuals regardless of their current residence (Scherr 2012: 101). "The combined effect of both laws is to 'renationalize' individuals with ethnic and familial affinities with South Sudan to South Sudanese nationality. It is not uncommon to denationalize someone following his or her voluntary acquisition or retention of a foreign nationality. However, it is very unusual to denationalize someone following his or her *involuntary* acquisition of a foreign nationality" (Sanderson 2014: 74-75).

21   It is widely acknowledged that there is a lack of proper population registration systems in both South Sudan and Sudan, including with regard to birth certificates, identity papers, and marriage certificates. This makes it difficult to provide proof that a parent, grandparent or great-grandparent was born or lived in South Sudan, which is one of the conditions for acquisition of nationality of the new state of South Sudan (Manby 2012: 4).

'Community' citizenship

22   'Community' citizenship refers to all kinds of protections and services that individuals may acquire by being a recognized member of a local community. This type of citizenship does not necessarily bear any relationship to a person's legal citizenship, in the sense that if individuals have acquired 'community' citizenship status, it might entitle them to satisfy all their rights and requirements without the need for legal citizenship. In my view, many members of the South Sudanese community in Khartoum have acquired

community citizenship by living in Khartoum (mainly in peripheral shantytowns) for many decades before the secession of South Sudan.

23   Since the civil war broke out in the South in mid-1983, it has displaced about 4 million people from South Sudan, of whom 1.5 million have ended up in the capital (Nilsson 2000: 9). When these populations reached Khartoum, they found that the situation was no less difficult than it had been in their home areas, other than their physical security: at the time of mass displacement, the capital was in deep economic recession: less than 30 per cent of industrial capacity was being used – industrial labour being the main source of jobs for rural migrants – and inflation and declining real wages were affecting the remainder of the city's population. Long queues to obtain bread and food riots were both frequent, coinciding with the inability of the municipalities and local government councils to provide basic services due to budget cuts (Akoy 1994: 13-14).

24   Not all the residents of the shantytowns were IDPs affected by conflicts and famines in the Western and Southern regions of Sudan. Others had settled in the city earlier, starting in the 1960s. In a joint survey conducted by a group of NGOs in 2003 covering all major shantytowns in Khartoum, it was found that "the major ethnic groups are Dinka and Nuba (representing 25.4% and 20.6% of the households respectively).[15] Arab ethnic groups (including Misiri) make up 14% of the IDP households and Fur 13.1%. Other significant groups include: Shilluk – 4.1%; Bari – 4%; Firtit – 3.2%; Nuer – 2.3%; and Funj – 2%" (CARE et al 2003: 14). These figures indicate the diverse ethnic backgrounds of shantytown residents, and it represented a huge challenge for these disparate ethnic groups to live together in a new urban environment.

25   This urban environment required many resources and newly-acquired knowledge of the displaced Southern people, who had to change the way in which they built their homes and planned their streets, and also needed to learn how to deal with paperwork and bureaucratic procedures. Furthermore, they had to work collectively to provide their areas with basic services, besides learning different ways to protect ownership of their new suburban homes. The residents of the Southern Sudanese shantytowns were also forced to deal with the challenges of adapting to new livelihoods: many had been farmers, pastoralists, or a combination of the two in their areas of origin. The only way they could survive in Khartoum was to learn how to be workers in government institutions, or in small factories as unskilled labourers. Alternatively, they could choose to become part of the informal economy and work as small traders. The informal economy is the only economic arena in which the capacity for recruitment is unlimited, despite the risks of financial stress and the restricted opportunities for advancement, but for many, there are often no other options. Southern Sudanese people frequently switch between informal activities, with careers that are often dependent upon trial and error. When a new, profitable business opportunity opens up, large numbers of people will switch to it, thereby swamping the market and reducing profits. Recent estimates of the size of the informal economy in Khartoum have put the figure at 45% of the working population (Pantuliano 2011: 15).

26   According to the ethnic hierarchy that prevails in the northern parts of Sudan, people from Southern Sudan and the Nuba Mountains, and to a lesser extent those from Darfur, are considered by Northern Sudanese people to enjoy the lowest status, due to their different cultural features, such as religious or ethnic backgrounds. This is because the majority of people from these regions consider themselves as having African ethnic origins, while the majority of the population of North Sudan consider themselves as

having Arab origins. Ja'aliyiin, Shaygiyya, and Danagla, the main ethnic groups in the Nile Valley (North Sudan), have dominated the Sudanese State since the pre-colonial period, particularly since the introduction of Islam and Arabism to Sudan in the sixteenth century, accompanied by a bitter legacy of slavery.

27   Historically, after the rise of the Funj Sultanate (1504-1820) and the Fur Kingdom[16] and the spread of Islam and the Arabic language in Northern Sudan, the slave-raiding frontier moved further south. The adoption of an Arab/Islamic identity by some Northern Sudanese groups became a major criterion for differentiating themselves from the non-Muslim groups of the South and other areas of Sudan. The construction of any particular identity involves the development of specific perceptions regarding others, and so the Arabized Northern Sudanese – who were fewer in number, but more powerful – adopted stigmatizing ethnic labels to refer to non-Muslim groups in the South. As such, the slave-raiding frontier was defined and maintained in ideological, ethnic, and geographical terms: the inhabitants of Dar Fertit, the Nuba Mountains and the Upper Blue Nile became easy targets for slave traders from Northern Muslim groups (Sikainga 1996: 8).

28   This inferior position was maintained and extended to the shantytown settlers, and was consolidated by other urban factors (such as their high rate of illiteracy and poverty and their rural origins). This historical and social background means that relations between shantytown dwellers and the rest of the city's population have always tended to be based upon a majority-minority hegemony, which has created a stereotypical image of shantytown residents as the most vulnerable and stigmatized segment of the population. Whenever Southern shantytown dwellers cross the invisible boundaries into other parts of Khartoum, they encounter significant barriers of enforced behavioural patterns, stigma, and social values that remind them of their positions on the city's ladder, and which both persuade and force them to adhere to their rural traditions and their 'Southern Identity'.[17]

29   One way to overcome these internal divides has been for the residents to broaden their definitions of themselves and incorporate new ethnic groups under the umbrella of larger ethnic groups from their area of origin. This has meant that ethnicity in the shantytowns of Khartoum has come to have different meanings and implications from the way it is understood in their rural home areas. If we look at all the large ethnic groups in the Khartoum shantytowns (including the Fur, 'Southerners', Nuba and Kalmba[18]), we see that none of them directly resemble their counterpart identities in their homelands; 'Khartoum' identities are sometimes non-existent in these home areas, having been invented to satisfy the urban needs of the local population (Bakhit 2015: 29).

The pros and cons of 'community' citizenship

30   Questions still remain to be answered on the extent to which this 'community' citizenship is giving people what they need, and how far it can protect them.

31   Apparently, 'community' citizenship status for Southern Sudanese people in Khartoum is operating as a substitute for their lack of legal citizenship. On the one hand, the South Sudanese in Khartoum are not legal citizens, but nor do they have clear refugee status, which places them in a very ambiguous situation not only for senior politicians but also for the low-level officials with whom Southern people usually interact in government institutions. On the other hand, however, the Southern Sudanese who have returned to

Khartoum from South Sudan or have stayed all along are benefiting from their long experience and the social networks they have been able to build in Khartoum while they have been living in the city.[19] Through their knowledge of the city's geography, culture, and economic opportunities, therefore, it is not especially hard for Southern Sudanese people to navigate their lives, albeit with rather more difficulty than was the case before the independence of South Sudan. They have now largely lost ownership of their homes,[20] and have lost their jobs in public and private institutions, although they still have the ability to work in the informal economy, as is especially the case with women who work as domestic workers in neighbouring areas.

32   All of this suggests a reliance on the part of the Southern Sudanese on a new type of status that does not belong to any formal set of legal definitions (such as citizen, refugee, or IDP), but has been appropriated and established through their lengthy social and economic experience in Khartoum. This 'community' citizenship status therefore differs in terms of its dynamics and evolution, in that it is negotiated, constructed, and communicated on a daily basis through the interactions among different, but related, groups (returnees from South Sudan, South Sudanese who stayed in Khartoum, old neighbours in shantytowns, old friends from Sudan, and old work colleagues).

33   'Community' citizenship status therefore gives Southern Sudanese people fewer rights than they had when they were citizens of Sudan, but has still enabled the Southern Sudanese in Khartoum to live and survive with at least the minimum standards of Khartoum's shantytowns, and more importantly has provided the Southern Sudanese people with the security and protection from violence they lack in South Sudan at the current time.

Conclusion

34   This article has sought to look at the processes of citizenship changes for a group of South Sudanese people who have remained residents of Khartoum, as "the production of concepts of membership, their legalisation and, currently, their so-called flexibilisation and renegotiation have been the paramount themes in recent analyses of the changing nature of citizenship. Its 'flexibilisation' relates to both membership practices and the legal regimes differentiating the allocation of rights (and duties) according to criteria other than those of territoriality, such as economic profit or 'blood'" (Julia, 2011,311). The paper has employed the concept of 'community' citizenship as an alternative to the conventional concept of legal citizenship, which usually dominates the literature on the South Sudan secession of 2011.

35   Given the recent political crisis that has devastated the newly-established country of South Sudan (December 2013, July 2016), the impact of the current conflict on the perceptions and expressions of South Sudanese national identity and the settlement preferences of the Southern Sudanese, the relations between the neighbouring countries, and the decision taken by Southern Sudanese in Khartoum as to whether to stay or return are all important issues that will require further investigation. This has become all the more necessary in the light of the Cooperation Agreement of 27 September 2012 between Sudan and South Sudan, as a part of which Sudan and South Sudan have ratified a Framework Agreement that includes, inter alia, the Four Freedoms Agreement, which is intended to grant nationals of each State freedom of residence, movement, and economic

activity, and the right to acquire and dispose of property in the territory of the other State.

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NOTES

1. See map no. 1

2. For my fieldwork, I rented two houses in different quarters of Al Baraka (No. 2, and No. 4), each for six months (April-September 2010, and October 2011-March 2012 respectively), and sought to follow the daily lives, activities, and events of various groups and individuals living in those areas.

3. This argument was made in a paper entitled: 'Life Construction in Al-Baraka Shantytown: the decision to return back to South Sudan', presented at the Conference of the African Studies Association in Germany (VAD) - Bayreuth University, June 11-14 2014, Bayreuth, Germany.

4. In August 2011, the Sudanese government approved an amendment to the Sudan Nationality Act 1994 according to which any individual who acquires South Sudanese nationality *de jure or de facto* automatically loses his or her Sudanese nationality, while the South Sudan Nationality Act 2011 attributes South Sudanese nationality to individuals with one parent, grandparent or great-grandparent who was born in South Sudan, to individuals belonging to one of the "indigenous ethnic communities of South Sudan", and to those who (or whose parents or grandparents) have been habitual residents of South Sudan since 1956, the date of Sudanese independence (Manby 2012 : 2-3).

5. The city of Khartoum is also home to large numbers of migrants and refugees from neighbouring countries such as Ethiopia and Eritrea.

6. The focus here is on how they are becoming members, how they can acquire this membership, and what kinds of duties and rights might be generated in legal and institutional terms.

7. A rather significant theoretical discussion is under way on the relations between the concepts of nationality, identity, citizenship, and state. See, for example: Eriksen, Thomas Hylland. 1993. *Ethnicity and Nationalism: Anthropological Perspectives.* London: Pluto Press; Dorman, Sara, Daniel Hammett and Paul Nugent (eds). 2007. *Making Nations, Creating Strangers: State and Citizenship in Africa.* Leiden: Brill; Brubaker, Rogers. 2008. "Ethnicity, Race, and Nationalism" *Ann. Rev. Sociol. 35: 21–42*; and Miller, David. 2002. *Citizenship and National Identity.* Cambridge: Polity Press.

8. National laws generally distinguish types of citizenship, with different rules for those acquiring citizenship by birth and those obtaining citizenship by a process of naturalisation. Citizenship by birth can be defined by the place of birth (*jus soli*) or by ancestry (*jus sanguinis*). Countries that follow a *jus sanguinis* policy grant citizenship based on ancestry or ethnicity, while countries that apply the *jus soli* grant citizenship to anyone born in the territory of the state (Assal 2011: 3).

9. For example, Bronwen Manby has written three books on citizenship law in Africa and Sudan: *Citizenship Law in Africa: A Comparative Study*, (Open Society Foundations, 2nd Edition, 2010); *Struggles for Citizenship in Africa* (Zed Books, 2009); and *The Right to a Nationality and the Secession of South Sudan: A Commentary on the New Laws* (Open Society Initiative for Eastern Africa 2012). See also Assal, Munzoul A. M. 2011. *Nationality and Citizenship Questions in Sudan after the Southern Sudan Referendum Vote.* Sudan Report 1. Chr. Michelsen Institute. For a mainly legal and constitutional perspective, see Abdulbari, Nasredeen. 2011. "Citizenship Rules in Sudan and Post-Secession Problems." *Journal of African Law,* 55 (2): 157-180.

10. Perhaps it is inevitable that a dual approach such as this will be complicated, as it has been shown in many studies that sharp differentiations such as rural/urban, traditional/modern, custom/law are rarely useful for explaining complex hybrid African realities.

11. 'Obviously' in terms of their direct belonging to South Sudan territory, which is also used in the South Sudan Nationality Act 2011, which attributes South Sudanese nationality to individuals with one parent, grandparent or great-grandparent born in South Sudan, to individuals belonging to one of the "indigenous ethnic communities of South Sudan", and to those who (or whose parents or grandparents) have been habitual residents of South Sudan since 1956, the date of Sudanese independence.

12. A senior Sudanese immigration officer has stated that "nationality by birth gives more rights than nationality by naturalization" (Assal 2011: 3).

13. See the amended Sudanese Nationality Act 1994 and the South Sudanese Nationality Act 2011 in the footnote on page 2.

14. Article 8 of the new South Sudanese Nationality Act (SSNA), which was adopted in June 2011 just before the secession of South Sudan, provides that: *(1) A person born before or after this Act has*

entered into force shall be considered a South Sudanese National by birth if such person meets any of the following requirements — (a) any parents, grandparents or great-grandparents of such a person, on the male or female line, were born in South Sudan; or (b) such person belongs to one of the indigenous ethnic communities of South Sudan. (2) A person shall be considered a South Sudanese National by birth, if at the time of the coming into force of this Act — (a) he or she has been domiciled in South Sudan since 1.1.1956; or (b) if any of his or her parents or grandparents have been domiciled in South Sudan since 1.1.1956. (3) A person born after the commencement of this Act shall be a South Sudanese National by birth if his or her father or mother was a South Sudanese National by birth or naturalization at the time of the birth of such a person. (4) A person who is or was first found in South Sudan as a deserted infant of unknown Parents shall, until the contrary is proved, be deemed to be a South Sudanese National by birth (Manby 2012: 25).

15. The group included CARE, IOM (the International Organization for Migration) and the UNDP (the United Nations Development Programme). Their aim was to conduct a socio-economic/demographic survey of IDPs (Internally Displaced Persons) in different areas of Khartoum. The sample population consisted of 1,800 households.

16. Both kingdoms were ruled by non-Arab ethnic groups but adopted an Arabic\Islamic ideology as the basis for their authority.

17. An in-depth analysis has been carried out on the construction of identity and different lifestyles of the shantytown population in Khartoum, including the Southern Sudanese, according to which there are three basic lifestyle groups in the shantytowns: the first generation, educated people, and the second generation. These lifestyle groups have formed as a direct result of the specific variables that created the shantytown settlement. The social groups are based upon certain ways of life pursued by their members. For further details, see Bakhit, Mohamed (2015). *Identity and Lifestyles Construction in Multi-Ethnic Shantytowns: A Case Study of Al-Baraka Community in Khartoum, Sudan.* LIT Verlag: Berlin.

18. Kalmba includes several ethnic groups from Western Sudan; other ethnic groups describe them as people who have migrated from Chad to Sudan.

19. Multiple interviews with Southern Sudanese who live in the Al-Baraka area, Khartoum, May-June 2016.

20. Southern Sudanese people acquired ownership of their homes as a part of the planning and legalization of what had previously been squatter settlements during 1980s and 1990s. For further details, see Bakhit, Mohamed (2013). "From illegal squatter settlement towards legal shantytowns: negotiations of power and responsibilities in Khartoum shantytowns". In *BIGSAS Working Papers* 4/2013. pp. 7-21. Also available online on https://epub.uni-bayreuth.de/113/1/BIGSASworks_4_05oct2013.pdf

ABSTRACTS

The aim of this paper is to investigate the processes of citizenship changes for South Sudanese citizens who were previously formally considered to be Sudanese citizens and have remained residents of Khartoum's shantytowns since South Sudan gained independence in 2011.

The paper argues that there are currently two types of citizenship for the Southern Sudanese communities in Khartoum – legal citizenship and 'community' citizenship – and that this has allowed considerable numbers of people who do not enjoy legal citizenship to survive and support their social lives through community citizenship. 'Community citizenship' status differs from legal citizenship in terms of its dynamics and evolution, by which it is negotiated,

constructed, and communicated through the interactions of Southern Sudanese people on a daily basis.

To what extent does this community citizenship give these people what they need, and to what degree can it protect them? These are the questions this paper will attempt to answer.

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