

# **The Political Economy of Natural Resources-Based Conflict in Sudan**

**By**

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Conflict is an intense experience in communication and interaction with transformative potential. For marginal groups seeking to redress injustices or extreme inequities in resource distribution, conflict is an inherent feature of their struggle for change (Buckles and Rusnak 1999).

## **1. Introduction**

Conflict over natural resources, especially land and water, is ubiquitous. In many parts of the world, notably in Africa, discrimination in land access has been an important factor fuelling present ethnic and cultural tensions. The main issue, however, is often one of equal access to the land and live-based productive resources. Throughout the continent, customary forms of land tenure and access are under increasing threat from prevailing development orthodoxies and moves to undercut the powers of indigenous social institutions are strong. Accordingly, a history of conflict, poverty and livelihood insecurity among rural communities has been created and institutionalized.

The use of natural resources is susceptible to conflict for a number of reasons, summarized by Buckles and Rusnak (1999) as follows: “Natural resources are embedded in an interconnected space where actions by one individual or group may generate effects far off-site as a result of biophysical or ecological linkages”. According to Ascerlad (1992) “environmental conflict is made explicit when communities establish an immediate logical connection between environmental degradation and the activities of certain social agents”.

Natural resources are embedded in a shared social space where complex and unequal relations are established among a wide range of social actors. Those actors with the greatest access to power are also best able to control and influence natural resource decisions in their favor (Peet and Watts 1996), thus paving the ground for conflict to take place.

Natural resources are subject to increasing scarcity due to rapid environmental change, increasing demand, and their unequal distribution. Natural resources are used by people in ways that are defined symbolically. Land, forests, and waterways are not just material resources people compete over, but are also part of a particular way of life (pastoralism, farming, ranching, fishing...etc.), an ethnic identity, and a set of gender and age roles. Such symbolic dimensions of natural resources lend themselves to ideological, social, and political struggles that have enormous practical significance for the management of natural resources and the process of conflict management.

Abu Sin (1998) identifies three types of resource-based conflicts in the country: a) among pastoralists themselves, especially in the dry season and in years of severe shortage; b) between pastoralists and settled populations; and c) between pastoralists and large-scale agricultural projects established on land customarily claimed by pastoralists.

This study focuses on natural resource-based conflicts and the extent to which competition gives rise to serious conflict and the ways such conflicts are addressed in

three geographical locations in the country: Northern Darfur, Northern Kordofan and the Upper Nile States, all of which are conflict ridden areas. The objective of the study is to investigate the organic linkages between land tenure and local-level conflict with the aim of identifying medium and long-term policies for conflict resolution, enhancement of peace culture and promotion of sustainable community governance.

The study argues that conventional assumption that local-level conflicts emanate from ethnic, religious or cultural differences is limited in scope and is rather misleading. In Sudan, as elsewhere in contemporary Africa, natural resource scarcity, as argued here, is the most important factor behind local-level conflicts. However, ethnic and other sociocultural dimensions usually come into play, especially when a conflict persists. In a prolonged conflict, when the initial causes have faded away, abstract, ideological ethnicity can become a material and social force, and change from consequence to apparent cause of such conflicts (Suliman 1999).

The study also claims that the conflict types identified by Abu Sin are not exhaustive and they expanded to include conflict between agrarian producers and the state itself. Mohamed Salih (1999) correctly holds that under situations of increased competition, issues of ecology are interlinked with questions of human rights, ethnicity, and distributive justice.

Resource scarcity, however, is not necessarily a natural process as the neo-Malthusians seek to demonstrate. It is rather a structural process having its roots in the established socio-economic structures that deprive the poor of both effective demand and political influence (Rees 1985). The study argues that despite the huge land size of Sudan, scarcity of the rainlands for primary production systems (pastoralism and dry farming) has become increasingly felt and perceived by resource users. This scarcity is a structurally created process directly related to dualism in land-use policy and the contradiction between customary and statutory tenure arrangements, under conditions of population growth and increased climatic tendency towards aridity. The root causes of resource scarcity and the related conflict, as the study seeks to demonstrate, is to be traced back to the early 1970s with the passage of laws which undermined the control of local authorities and communities over the resources of the land and reorienting the national economy towards heavily capitalized export agriculture (Duglas 2000). This situation has been pushed to a logical extreme during the 1990s.

The study specifically claims that the abolition of customary rights to land and the dissolution of social institutions embedded in it brought about, in 1970, through the introduction of the Unregistered Land Act and abolition of the Native Administration system, respectively, have set the foundation for conflict over natural resources while setting in motion major economic and social disruptions in the rainfed sector. The 1970 Act, a de facto nationalization, transferred all of the rainlands to the government, which means heavy cuts in rural communities' rights to land and inducement of resource scarcity. The Act, together with the distorted and confused devolution of powers between the Central Government and the regions under the present Federal (decentralization) system, have also given rise to land claims with conflicting sources of legitimacy and contradictory outcomes regarding who can establish access to and control over land. This is believed to have brought about sharp swings in the land available especially for pastoralists, thereby suggesting an intensifying resource scarcity, competition and conflict over land between pastoralists and farmers and among pastoralists themselves. The situation is suggested to be triggered and sustained by the absence of effective institutional arrangements for resource management and conflict resolution, distorted governance and the appalling

poverty under situations of accelerating environmental degradation, frequent episodes of drought and population growth.

## **2. Rainlands of Sudan in a Cultural History Perspective**

The three study areas (Darfur, Kordofan and the Upper Nile) are part of Sudan's rainlands. Here human adaptations, as in much of East Africa in general, are particular responses to the unequilibrium environment that ranges from extreme dry conditions in the north to poor and rich savanna towards the south. Such adaptive patterns have been flexible enough to cope with the inherent high risks involved. This has involved traditional pastoralism based on transhumance movements, crop cultivation and agropastoralism. Seasonal movements across zones, hunting and gathering and wage labor were supportive engagements.

This type of adaptational game has also affected cultural and political boundaries. Population movements, historically as well as contemporary ones, can be understood in this context. Such movements and adaptations have also forged links between groups, violent ones such as cattle rustling and raids, peaceful ones of marriages, reciprocal relationships built on sharing of animals or collaborative labor creating networks. Regional markets and trading centers as well as towns were important meeting places that further added to the development of relationships. The same can be said for the development of various power centers. East African states, in general, can historically be viewed as an interaction between different ecological zones, and hence different adaptational regimes; the highland-lowland dimension in Ethiopia and Eritrea, the Nile Valley-savannah dimension in the Sudan, etc. Recent structural politico-economic processes such as commercialization and commodetization of land, land tenure legislations and general modernization that generate resource scarcity, shape the adaptive responses of the groups and mediate relations and links between them while contributing to increased social tensions and hostilities can be understood within that perspective. Similarly, the arming of the local groups escalates many problems.

Customary land tenure that followed historically derived territorial rights, where each tribe had its territorial domain was prevailing until recently (1970). This traditional system of territorial rights and affiliations embodied its own customary institutional structures, understood here as: "Sets of rules governing the actions of individuals and organizations, and encompass[ing] the interaction of all-relevant parties and negotiations among participants (Rugumamu 2000)". The Nilotic's land rights system is of the simplest usufructuary kind. Land is usually an integral part of a collective ownership that embraces all types of land necessary to their subsistence economy.

The following features usually characterize customary land tenure systems in rural Sudan:

- Occupied lands for cultivation, pasture, woodcutting, etc., are not formally registered;
- Usufructuary rights, not ownership rights, are the predominant forms;
- Rights are liable to be defeated/reversed after the lapse of a certain period of time over which such rights are not exercised;
- Rights are interfered with where a man and his family have the prescriptive right to use the land they have cleared for cultivation without necessarily excluding others from the use of the same land;

- Land is deemed to be the property of a tribe or clan and dealings in land are an exception rather than the rule.
- The allocation of land rights is vested in the village headman (Sheikh) who has the right to divide the land within his domain among his villagers as well as to allot land to outsiders or to settle a dispute if he wishes to do so.

### 3. Nature of Resource-Based Conflict in Sudan

Conflicts over access to land and its resources have evidently increased dramatically during the last few decades. Evidence from N. Kordofan State tells us that natural resource based conflict is the most dominant form of conflict in the State. It is found that all the 23 recorded conflicts in 2001-02 were involving pastoralists. Partners to the conflict were:

- Pastoralists Vs Farmers (55%)
- Pastoralists Vs Native Administration (16%)
- Pastoralists Vs GOS (16%)
- Pastoralists Vs Farmers Vs N. Administration (7%)
- Pastoralists Vs Dairy Producers (3%)
- Pastoralists Vs Local Councils (3%)

The following case studies from the three study areas illustrate the nature and causes of the local-level conflicts.

**Case study 1:** Conflict over land between the farmers of Gagrur village and the Sebeihat pastoralists.

The context is the Gawamaa tribal land of east Kordofan (around Obied). In 1998, SOS Sahel helped Gagrur farmers to establish a community forest. The forest denied the Sebeihat access to dry season grazing grounds and resulted in a serious conflict between the two groups. More complications have taken place when the Government of Kordofan State allocated an area of 48 sq km to the Amir (tribal leader) of the Shanabla in the vicinity of Gagrur village to settle with his people (Sebeihat).

**Case study 2:** Dispute over land due to the settlement of the Zaghawa pastoralists (from N. Darfur) in the Gawamaa land in Kordofan.

While the Gwamma'a cultivators consider themselves to be the sole proprietors of land, the Zaghawa consider the land as government land and as Sudanese citizens they have the right to such land.

**Case study 4:** Conflict between Birgid farmers and Zaghawa pastoralists.

The Birgid's Sheik made use of his authority to collect revenue (through lease) by allotting land for cultivation to outsiders. By so doing, the Sheik denied the Zaghawa pastoralists the right of passing an area that is presumably open access from their point of view. The incident led to a bitter confrontation causing physical suffering to both parties (Birgid cultivators and Zaghawa pastoralists).

**Case study 5 (N. Darfur):** Conflict over Kebkabiya fertile lands between the Arab pastoralists and the Fur agriculturalists has lasted for more than a decade by now.

In the past, the ties between the two groups were expressed in a spirit of cooperation. At harvest time, both pastoralists and cultivators join hands to organize ceremonies

for the equitable share of the fruits of their labor. At present, the production cycle in Kabkabiya and its surroundings has changed. Kabkabiya's traders have upset the production system by the introduction of water pumps. This implied the full-year occupation of the land, producing highly valued crops (vegetables and fruits). Furthermore, the expansion of irrigated agriculture with increasing capital intensity has taken place at the expense of pasture. The situation was complicated by severe droughts and the Chadian conflict that resulted in the proliferation of arms in the area.

**Case study 6 (Upper Nile):** conflict between the "Lou-Nuer" and the "Jikany-Dhor", over fishing rights in Khor Mashar of Sobat Basin.

The introduction of costly fishing technology and the monopoly over fish trade by merchant capital are other forms of interventions that are obliterating the native customary fishing rights. Another type of conflict in the Sobat Basin is over cultivation and grazing rights. The conflict is brought about by the eastwards movement of Lou-Nuer during the dry season to the Sobat River and to the country bordering the Pibor River. This movement is presumably an outcome of an increasing pressure of human and animal populations over natural resources, and the desire for better fishing, which the rivers provide.

#### 4. General Discussion

Empirical investigation suggests that competition over scarce natural resources is the root cause of local level conflict and that this scarcity is a structurally induced process created by the interaction among six broad level issues, under a situation of population increase and a climatic tendency towards more drier conditions. Those issues were:

- Conflicting claims of access to land;
- Increased pressure on land —due to prevalent development policies;
- Civil war;
- Ambiguity in laws governing access to land;
- Distorted local governance;
- Weak institutional arrangements and structures for conflict management and transformation.

Customary land tenure systems in the three areas, as elsewhere in the Sudan, are in a state of gradual disintegration as a result of the pressure of commercial circles, arbitrary measures of powerful groups and the development of exploitative tenure systems, especially since 1970, the year that witnessed the birth of the Unregistered Land Act (URLA). The 1970 URLA abolished customary rights of land use and transferred the ownership of all unregistered lands (all of Sudan's rainlands) to the state. The Act applies countrywide, even in places (the South) that have or had no previous system of land registration (Dewit 2001). The Act effectively enabled the government to implement its development policy based on the horizontal expansion of the agricultural sector, both the irrigated and rainfed mechanized. By 1999, the total area under mechanized farming reached 17.2 million feddan compared to 2.0 million in 1970/71, an increase of 606%. In addition, upon facilitation by the Investment Act 1998, vast tracts of land have been allotted to private capital investments, including foreign capital. The result has been widespread local conflict among the various stakeholders. This was exacerbated by the abolishment of the system of Native Administration in 1970-1, which used to act as an important institution for regulation of land and management of conflicts over it. Despite its

reinstatement since the late 1980s, the N.A. system has remained weak and ineffective in settling disputes, managing grazing resources and facilitating seasonal mobility.

The rapid pace towards the market economy and commercialization of land- use brought a new dimension to the problem. The symbiotic relations that previously existed between pastoralists and farmers have been replaced by competition and collectivism by individualism.

Resource scarcity for both the pastoralists and farmers have been accentuated by the prolonged periods of drought and widespread environmental degradation, especially in N. Darfur and N. Kordofan, a situation that forced camel pastoralists to move towards the savanna belt where large concentration of population competing for an already dwindling resource base has taken place. Environmental degradation and drought have also inspired farmers to expand their agricultural fields to compensate for their declining yields and real incomes.

The escalation of the civil war in Southern Sudan and the expansion of the war zone and insecurity further north and the resultant large population movements have also undermined adaptive patterns and contributed significantly to the shrinking of geographical space for the operation of the pastoral economy and congregation of population in small geographical space, thus adding to an already intensive pressure on land. Oil in the pastoral areas of the south and the political conflicts around it also recognized it as an important factor in the generation of local conflict.

The distorted local governance and the absence of effective institutional arrangements for conflict resolution and natural resource management have further reinforced the environment of local-level conflict. Although the process of decentralization in Sudan has created greater closeness of the administration to local communities and more opportunities for participation in development decisions, the experience is still faced with many difficulties. Significant among these are:

- The division of responsibilities between the federal and state governments is confusing in many aspects. This has resulted in conflicting decisions over land use and the encroachment of the federal government on the states' natural resources.
- The clear legislative gap in the field of pastoral resources conservation and development;
- Absence of land register for agricultural land forests and pastures.
- Conflicts over jurisdiction between the federal ministries of agriculture and livestock;
- Technical and financial institutional weaknesses.