December 2021

Role of Native Administration in Integrated Natural Resource Management and Conflict Resolution in Central Darfur State, Sudan

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Acknowledgements

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Acronyms

FGD	Focus group discussion
HH	Household
IDP	Internally displaced person
KI	Key informant
KII	Key informant interview
NA	Native Administration
NCA	Norwegian Church Aid
NGO	Non-governmental organization

Glossary of colloquial Arabic terms

Local term	Definition
Aballa	Pastoralist camel herders (can be different ethnicities)
Ajaweed	Local mediation group
Akol gom	Literally means "eat and leave." It is a system of land access whereby individuals are given temporary permission to use lands owned by other individuals or families for short or long periods free of charge, but they are not given ownership.
Baggara	Pastoralist cattle herders (can be different ethnicities)
Damrah	A semi-permanent settlement for pastoralists
Dar(s)	Tribal homeland under customary law
Demingawi	The highest-rank Native Administration (NA) person in Central Darfur State
Demlig	Person under the NA system responsible for keeping records of incidents between different conflicting parties
Deret	End of the rainy season, characterized by increasing temperatures and reducing humidity, allowing crops to mature prior to harvesting
Diya	Blood money
Furgan	Temporary nomad camps
Fursha	Role/seniority level of NA in the Massaleit tribe
Gowat mushtaraka	Joint forces
Hakura/hawakeer (pl.)	A concession or estate under the system of the Fur Sultanate, which ruled Darfur for almost three centuries, from 1650 to 1916. Under this system, Darfur's Sultan grants the right to manage and use a specific geographical area to a specific community.
Idara ahliyya	Native Administration
Janjaweed	Tribal army
Judiya	System that is carried out by *ajaweed*. They may be members of the Native Administration or ordinary individuals respected by the community who bring together the points of view of the conflicting parties until a solution is reached.
Khareif	The established rainy season
Kilinkab	Borders between two farms
Magdoom	Role/seniority level in the NA in the Fur tribe
Malik	Role/seniority level in the NA in the Bartei tribes

Maraheil or massarat (pl.)	Migratory route used by pastoralists, especially camel herders
Mosharaka	Partnership farming
Nazir	The paramount chief of the NA for Arab tribes, e.g., Southern Rizeigat in Darfur. Other non-Arab tribes call the same rank *Shartie*.
Ogarra	Renting of land
Omda	An executive who conducts local courts and acts as a spokesman and negotiator with other groups over matters of land, grazing, and water rights
Rakuba/rawakeep	A customary precedent that will dictate subsequent agreements between conflicting parties. Usually, it is a part of successful *judiya* in cases that ended with the compensation of human injuries or death.
Rushash	The first rains
Seif	The hot dry season
Shariya	The Islamic system of inheritance
Shartaie	Paramount chief of tribal leadership at the Native Administration in Darfur, particularly for Fur and other non-Arab tribes
Sheikh	An executive at community or village level
Takhsees	Allocation of land
Talaig	The date set by the local tribal authorities when pastoralist livestock herds are permitted to enter farms after the harvest of rain-fed sorghum and millet in order to graze on the stubble and crop residues
Tingad	Local word in Ardeiba and Fugo villages that means "renting"
Torabora	Group that stood with the armed movements against the government. This group were mostly sedentary tribes with African roots.
Ushoor	Ten percent of grain production taken by the Native Administration from farmers after the harvest
Wadi	Valley surrounding a seasonal watercourse
Warrisa	Inheritance of land
Weedi elyad	Land use for a long period
Idara ahliya	Native administration

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Executive summary

The Native Administration (NA) in Sudan is still commonly known by the term "traditional leadership," the name given to the formal system in the early 1930s during the British colonial period (1916–1956). Among the powers and responsibilities of the NA system were the management and conservation of the environment and natural resources, and resolution of conflict over land and natural resources. This study was conducted to improve the understanding of the role played by the NA and local traditions in integrated natural resource management in Central Darfur over the last twenty years, and to understand the conflicts and disputes associated with land access.

There were several ways to obtain land rights and access as mentioned by the different livelihood groups we spoke to. These were inheritance, long-term use, allocation, *akol gom,*[1] and renting. When the community is unable to access land via these routes, conflicts and disputes arise.

Study respondents mentioned three main types of conflict and dispute. The first one was between farmers or pastoralists themselves around farm borders. This type is very common, and it often does not develop into a serious conflict. The second one most frequently mentioned occurs when livestock destroy crops, especially during the *deret* (harvest season), which may cause complete loss of the crop production. The third one, which emerged after 2003 as a consequence of the Darfur conflict, was the occupation of farmers' farms by some pastoralist groups.

The main conflict resolution mechanisms mentioned were the *judiya*[2] system and some committees that have been formed by communities in collaboration with authorities at different levels. These committees are new mechanisms and one of the changes in conflict resolution mentioned by respondents.

One change to the role of the NA reported by study participants was the absence of high-ranking NA men, who preferred to live in towns during the Darfur conflict. Because of this, they have been separated from their communities who were displaced and settled in internally displaced persons (IDP) camps around the towns. This led to the loss of daily follow-up of their followers' affairs. The vacuum left by these high-ranking NA men, especially in the IDP camps, has been filled by new leaders. These new leaders have been shaped inside the camps by the conditions of war and have a new and unconventional style.

During the National Congress Government, which ended in 2019, the government armed some pastoralist groups in Darfur to help them fight the opposition, which led to an imbalance of power between farmers and pastoralists. The National Congress Government also pursued systematic policies to weaken the role of traditional leaders. This in turn led to fundamental changes to the level of influence and role of traditional leaders in Darfur.

One of the challenges mentioned by most farmer groups was that their NA lost government support, mainly after 2003, and this led to a reduction in NA power and prestige. Because of this, the armed pastoralist groups have stopped complying with the decisions of the NA of the farmers' groups who are responsible for managing the use of the land.

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[1] System of land access whereby temporary permission to use the land owned by individuals or families is given for short or long periods free of charge, but ownership is not given.

[2] A well-known conflict resolution mechanism in Darfur.

1 Introduction

Central Darfur State is one of five Darfur states. The population mainly practices crop cultivation and livestock rearing as sources of livelihood. The rainy season (June–October) and dry season (November–March) are important seasons for both farmers and pastoralists. Livestock herding and crop farming take place largely in the same space but at different times.

The region was seriously affected by the Darfur conflict, which started in 2003 in the central part of Darfur. See Flint and de Waal (2005) for more details on this. Most people in the region were directly or indirectly affected. Most people in rural areas identified with the opposition and were attacked by the government military, causing mass displacement. Many ended up in IDP camps around the urban centers. Some left the region and some left Sudan altogether, becoming refugees in Chad and the Republic of Central Africa. In some cases, the farms of displaced people were occupied and used by other people outside of the traditional land tenure system. As people were displaced and were separated from their traditional leaders, new leaders were created, especially in the IDP camps. Recently, because of improvements in the security conditions in rural areas, people have started to go back to their original homes, at least for cultivation during the rainy season.

As a result of the conflict, relationships between some herder and farmer groups have become polarized, resulting in significant shifts in access to natural resources and use patterns (Young and Ismail 2019). The local institutions that support and regulate the shared access and management of natural resources play a key role in the stability, productivity, and resilience of entire socio-ecological systems (Young and Ismail 2019). One of these local institutions is the Native Administration (NA). In this study, NA means the leadership positions that tribal leaders in Sudan have been assuming to perform specific social, economic, and security duties. The Native Administration developed differently in Darfur compared to other regions of Sudan because it was a well-rooted system long before the Anglo-Egyptian annexation of Darfur in 1916.

Historically, the NA has been well studied; however, we know little about how it has evolved over the past 20 years, or its current function, strengths, and weaknesses.

Box 1: About the University of Zalingei and the Taadoud partnership

> The University of Zalingei was established in 1994 and is headquartered in Zalingei town, the capital of Central Darfur State. One of the objectives of the university is to raise public awareness about environmental and natural resource issues through its different schools and departments, especially the Institute for Peace and Development Studies, which was established in early 2000.
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> Taadoud is a resilience program that aims to support conflict-affected households to rebuild their livelihoods and to prepare them to deal with future shocks and stresses. Taadoud aims to improve integrated natural resource management and governance, reduce chronic malnutrition, and increase the resilience of livelihoods of vulnerable populations within all five Darfur states to achieve more sustainable access to natural resources.
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> The Taadoud program includes two regional Darfur universities: the Universities of Zalingei and Al Fashir in the states of Central Darfur and North Darfur respectively.

2 Objectives

The objectives of this research were:

1. To improve the understanding of the role played by the NA and local traditions in integrated natural resource management in Central Darfur over the last twenty years;
2. To know what conflicts and disputes are associated with land access in the present day in Central Darfur.

The research focused specifically on access to land, conflict resolution related to land access, and changes over the last twenty years.

3 Methodology

The study focused on communities targeted by the Taadoud project that employ a range of different livelihood strategies, e.g., farming and herding. This followed consultation with Norwegian Church Aid (NCA) and related government institutions that are Taadoud partners in Central Darfur. Prior to the data collection, a comprehensive literature review was conducted. See Section 4 below.

The data were collected from 12 villages in Zalingei and Wadi Salih localities in Central Darfur State.[3] These villages were selected to represent different livelihood groups (farmers and pastoralists). The total sample size was 60 households (HHs), 36 key informant interviews (KIIs), and 24 focus group discussions (FGDs). See Table 1 below for the villages selected.

Table 1: Villages and damrahs *covered by the study*

Village or *damrah*	Locality	Primary livelihood activity
Abattab	Zalingei	Farmers
Jadda	Zalingei	Pastoralists
Tamar bol Jemail	Zalingei	Farmers
Kartti	Zalingei	Pastoralists
Tereij	Zalingei	Farmers
Dar-Elsalam	Zalingei	Pastoralists
Kankoli	Wadi Salih	Farmers
Fujo	Wadi Salih	Farmers
Kolongei	Wadi Salih	Farmers
Moro	Wadi Salih	Pastoralists
Diba Nirra	Wadi Salih	Farmers and Pastoralists
Ardeiba	Wadi Salih	Farmers

The study used semi-structured interviews for the FGDs, KIIs, and HH interviews. Two FGDs (one for men and one for women), five HH interviews, and three KIIs were conducted per village. The village leader selected the five HHs randomly but took into account where in the village they were located, so that there was an even geographic spread (e.g., one in the north, one in the south, etc.). The three key

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[3] NCA undertakes Taadoud activities in a total of 60 villages.

informants (KIs) included one NA member, one member of the youth community,[4] and one elder. The KIs were selected by the research team from the FGD participants depending on their knowledge. The research team selected participants from these groups so as to capture diverse points of view: they were expected to have different views, perceptions, and expectations of the role of NA.

The data collection was conducted over six working days, with two travelling days. The team adhered to local and NCA regulations related to COVID-19 during the field work.

3.1) Research sites and mobilization

With the assistance of the NCA Zalingei office, local leaders in each selected village were alerted before the data collection. This preliminary contact was used to inform the local leader about the study, ask them to identify potential participants, and to fix the date for data collection. Participants in the KIIs and HH interviews were both male and female. The participants were mobilized by the village leader before the arrival of the team to the village.

3.2) Development of the data collection tools

A guide for the data collection, describing each step of the process, was prepared for the field teams. The guide was tested at the nearest site for one day before the field work started. The whole research team then met to share impressions from the trial, and this feedback was used to revise the guide as required.

3.3) Team composition and training

The data collection for this study was carried out by individuals from the University of Zalingei. In the field, the research team was divided into two groups, each one including four people (two for the FGDs, one for the KIIs, and one for the HH interviews). The research teams were trained at the University of Zalingei in different field survey techniques and tools[5] with the aim of building their capacity in qualitative research methods. In addition, they were trained on research ethics and how to do informed consent. After the fieldwork, an analysis workshop was conducted to capture preliminary findings and analysis.

3.4) Study limitations

1. Pastoralist groups covered by this study included *baggara* only (cattle herders). The other major group, *aballa* (camel herders), were not found in the study sites at the time the field work was conducted, so it was not possible to include their perspectives in this study.[6]

2. In the villages covered by the study the *Shartie,* high-ranking NA men, were not found during the time of field work because they are living in towns.

3. The COVID-19 pandemic delayed the field work by about 10 months.

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[4] Defined as between the ages of 18 and 25, male or female.
[5] Data collection and report writing, participatory rural appraisal tools for data collection, livelihood analysis in the Darfur context, and conflict analysis.
[6] Note *abballa* and *baggara* are the two main groups of pastoralists. However, there are also sheep herders and keepers of mixed herds.

4 Literature review

4.1) History of the Native Administration in Darfur

The Native Administration in Sudan is still commonly known by the term "traditional leadership," the name given to the formal system in the early 1930s during the British colonial period (1916–1956). Among the powers and responsibilities of the NA system were the management and conservation of the environment and natural resources, and resolution of conflict over land and natural resources. However, the traditional or NA system, as it exists today, is markedly changed from what existed in colonial and pre-colonial times, and is under severe pressure, with most of its historically mandated responsibilities overtaken by formal governance institutions (Takana 2008).

British historian R. S. O'Fahey, a specialist in the history of Darfur, mentioned in his book *The State and Society in Dar Fur* that when the British subjugated Darfur in 1916 and removed Sultan Ali Dinar (1898–1916), they kept all his administrative and tax systems unchanged: the underlying structures, consisting mainly of *Shartaie* (provincial governors), remained (O'Fahey 2000). This constituted the administrative system in Darfur, which continued until the local government changes that took place during the era of President Jaafar Nimeiri in the early 1970s. However, O'Fahey and Tubiana emphasize that many changes were made in both the colonial and independence periods, and that "even under the sultans the system was far from static, as witnessed by the evolution of the *hakura* system"[7] (O'Fahey and Tubiana 2007, 11).

During the period of British administration in Darfur, the NA men were granted great powers to manage the affairs of their tribes and their local communities, especially in the areas of maintaining security, managing the land and its resources, and resolving tribal disputes, in addition to imposing martial law on members of the tribe in individual and collective issues. During this period, the traditional leaders in Darfur provided security and stability for the members of their local communities, because the leader was considered primarily responsible for preserving the rights of his tribe's men and women (Hidub and Ebeid 2016).

From around independence in 1956, this role of the traditional NA leaders in Darfur gradually started to weaken and change over time due to the policies of successive national governments in Sudan. Since independence, subsequent governments have challenged and reduced the authority and political power of traditional leadership in Darfur, as it was felt to be incompatible with what they thought a national government in Sudan should look like. The local tribal authority held by traditional leaders was inconsistent with the political aspirations of members of government at the national level, which led successive governments to adopt new policies that weakened the influence of the NA and tribal leaders and brought them under national control (Adam and Saad 2016).

4.2) The different levels of Native Administration in Darfur

There are different levels of NA leadership according to the different tribes in Darfur. These levels were created at the beginning of the Sultanate of Darfur and are still in existence today. See Box 2.

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[7] A concession or estate, under the system of the Fur Sultanate, which ruled Darfur for almost three centuries from 1650 to 1916. Under this system, Darfur's Sultan grants the right to manage and use a specific geographical area to a specific community.

Box 2: How the Native Administration is structured across different tribes

> Written documents and oral traditions stated that the present Darfur region, during the rule of the Fur sultans, was divided administratively into districts (states) according to directions: north, south, west, east, and central. This remains the political division today, dividing Darfur into five states.
>
> In that historical period, a chief was chosen for each district by all the tribes that lived in it at that time, and then he was appointed by the Sultan as chief of that district. The chiefs of the districts were called by different names. For example, the chiefs of the south and the north were called *al-magdoom*, and their presidency was in Nyala and Kutum respectively. The chief of the west was called *al-damanqawi,* and his presidency was in Zalingei. The chief of the center was called *al-malik,* and his presidency was in Al Fashir. When the Kordofan region was annexed to Darfur during the period of Sultan Tirab, a chief was appointed, and he was called a*l-magdoom*. His presidency was in Al-Obeid. Then each district was divided into smaller administrative units, each called a *dar*. To this word was added the name of the large tribe that inhabited this area; for example, Dar Rizeigat and Dar Zaghawa. The *dar* were ruled over by chiefs from that large tribe with different names likes *Shartaie* or *Malik* or *Nazir*. Under these *dar,* there are smaller units headed by chiefs called the *Omda*, followed by *Sheikh*. These chiefs are responsible for distributing land to families and individuals and managing its use according to customs and traditions.
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> **Fur tribe:** In this tribe, there are five levels of NA. They are Sultan, *Magdoom* (or *Demingawi*), *Shartaie, Omda,* and *Sheikh*. In this system, the Sultan is like the president and *Magdoom* or *Demingawi* is like the governor of the state. *Omda* and *Sheikh* are community leaders. This system of NA is the same system that different sultans used to manage Darfur for more than 450 years.
>
> **Massaleit tribe:** In this tribe, there are three levels of NA. They start with Sultan, then *Fursha* (equal to *Omda* in other tribes), and lastly *Sheikh.*
>
> **Zagahwa tribe:** In this tribe, there are three levels of NA with different names depending on the branch of the tribe. They are Sultan (Kobe) or *Malik* (Tuer, Artage, Kitiya, and Kabka) or *Shartaie* (Gola), then *Omda,* and *Sheikh*.
>
> **Bartei tribes:** In this tribe, there are also three levels of NA starting with *Malik,* then *Omda,* and lastly *Sheikh*.

4.3) Changes in Native Administration roles and responsibilities

During the conflict, the NA became politicized and was divided between supporting either the government or the opposition. The government's policy of arming tribes loyal to them and pursuing policies to systematically weaken the role of traditional leaders has had the most negative impact on the influence of the NA leaders. These armed tribes (militia) are organized, possess military equipment, and enjoy legal cover from the government. They have become the real leadership of tribal societies, which has robbed traditional leaders of influence and power.

Despite this weakening of traditional leadership, some traditional leaders are still able to provide protection to members of their communities, especially within the IDP camps (Takana 2008). In the early stages of the conflict, there was an almost complete collapse of the NA system and its authority. Native

Administration leaders, particularly at the middle- and high-ranking levels, fled the war and became distanced from their people, many of whom were displaced and living in IDP camps. Some leaders at a senior level allied with the government in order to protect their positions. This led to a power vacuum and new leaders, from both farmer and pastoralist groups, took their place, particularly within the camps. These educated leaders have knowledge of the structures of modern national, regional, and international management and have introduced modern concepts such as women's and children's rights. They also act as mediators between their people and the humanitarian organizations that provide basic services. However, whilst these new leaders enjoy the trust of their followers, they lack familiarity with traditions and tribal norms upon which conflict resolution depends. This has led to the return of some traditional leaders, which has intensified competition between the old and new leaders for influence and power (Takana 2008).

A more detailed explanation of the changes to NA since the beginning of the conflict can be found in Annex 1.

4.4)   Natural resources in Darfur

Geographically, the Darfur region is characterized by variation in climate and natural resources. The inhabitants depend on various complementary livelihood activities. Different natural resources in Darfur are used by different livelihood groups. Therefore, most of the disputes that occur are centered on using these natural resources, despite there being legislation and local customs and traditions that set out how a person can use them.

Pasture, for example, is one of the natural resources in Darfur that is very important for pastoralists and farmers alike. However, the competition between farmers and pastoralists is over the land itself rather than the pasture. Pasture is available everywhere in Darfur, especially on land not suitable for crop cultivation. However, due to the increasing population and low production of crops,[8] farmers need to expand the area of land used for agriculture in order to increase their crop production. Farmers or even pastoralists[9] prepare new farms on land that has not previously been used for crop cultivation (i.e., pastureland), which leads to a reduction in the pasture area and thus to conflicts between farmers and pastoralists.

The opening of *maraheil* or *massarat* (animal routes) each year is one solution that has been used in the past to avoid disputes between farmers and pastoralists in the rainy season, when pastoralists start moving from south to north and back again through land used for cultivation.

4.5)   Conflicts and disputes related to land access today

Before the conflict, all communities in Darfur practiced crop cultivation and animal herding to varying degrees. Farmers depended on cultivating crops as their main source of livelihood and raising animals as a secondary source. Pastoralists relied on animal herding as the main source of livelihood and cultivated crops as a secondary source. But there were changes to this after 2003, brought about because of the conflict. Most farmers lost their animals, abandoned their farms, and became IDPs; some pastoralists lost some of their animals and started cultivating crops and partially settled. As the pastoralist groups settled,

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[8] Using the same land for crop production continuously for several years can lower crop production.
[9] Nomads have recently started cultivating crops as well.

they began to cultivate food crops on the farms of farmers who had been displaced to cities due to the war. As the security situation improved and farmers felt a sense of stability return, they began to go back to their original areas, at least in the rainy season for the purpose of cultivation. In many cases, they found that the pastoralists were still cultivating their farms. This remains the case today. From here, problems emerge between farmers and pastoralists despite the efforts of the NA to solve these problems. In some cases where no expert or high-ranking NA men are available, the problems can escalate and become a major problem that may cause loss of life between the two parties (Ismail 2019).

5   Research findings

5.1)   Regulating access and use of natural resources

Our study showed that there are five main ways of obtaining land access rights and ownership. These are detailed in Table 2 below.

Table 2: Different ways of gaining land access and use

Name in Arabic	Name in English
1. *Warrisa*	Inheritance
2. *Weedi Elyad*	Using for long period
3. *Takhsees*	Allocation
4. *Ogarra*	Renting
5. *Akol Gom*	Eat and leave

Many ways of land access were mentioned in the FGDs and KIIs in the different livelihood groups (farmers and pastoralists) in the two localities (Zalingei and Wadi Salih). All farmer focus groups mentioned that inheritance is the main way of obtaining land rights and ownership. Inheritance is transferring of land ownership from parents to children and depends on the *Shariya* system.[10] In many cases, the daughters inherit half that of the sons, although the Fugo women's focus group mentioned that daughters may not even receive that, especially if they married a man outside of the family.

Pastoralist groups in general did not mention inheritance as the main way of obtaining land rights and ownership. Instead, they talked about *weedi elyad,*[11] which refers to using the land for a long period, i.e., 20 years or more, but they did not mention a specific name for this type of land use. An *Omda* in Moro village (pastoralist) said that it has been more than 20 years since they came from South Darfur and settled in this area. They rear animals (cattle, goats, and sheep) but at the same time they cultivate crops, at least for subsistence. He added that the empty land belongs to the government and every citizen has the right to use it. This long-time use that the *Omda* of Moro referred to can be considered a second type of land access. It is worth noting that although this method may comply with governmental laws for the use of land, at the same time it may violate local customs and traditions.

In Deiba Nira village (pastoralist), a women's focus group mentioned that it has been more than 20 years since they arrived from South Darfur due to the tribal conflict there. When they arrived, they were hosted

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[10] The Islamic system of inheritance.
[11] Literally means "putting hand."

by the NA who manages this area. The NA gave them a piece of land to cultivate, and they repeated their thanks to the NA who hosted them during the FGD. So, allocation is the third type of land access, which was mentioned in different FGDs across the 12 villages. Allocation is done by the NA for lands that are not owned by individuals but are customarily owned by the tribe (*hakura*). Land is allocated to individuals or groups coming to the region for various reasons, with the aim of cultivating it without owning it. The livelihood groups benefiting from this type of land access are mainly semi-pastoralist, especially the cattle herders. They have been settled in these areas next to the original inhabitants for more than 20 years. Some of them came from other parts of Darfur, and some of them came from neighboring countries (e.g., Chad and Republic of Central Africa) according to the men's FGD in Ardeiba village.

The fourth type of land access mentioned was renting land via either in-cash or in-kind payment, especially for winter cultivation mainly around *wadis* (valleys surrounding a seasonal watercourse), where irrigation systems are used to cultivate some vegetables (e.g., tomato, potato, okra, etc.) as cash crops. This type of land access was mentioned by the men's FGD in Abatta village in Zalingei locality. Also, the local term *tingad* was used, which means renting, in Ardeiba and Fugo villages in the Wadi Salih locality. This practice usually applies to land owned by individuals or families that is rented by others seasonally (or for more than one season) via in-kind or in-cash payment according to the agreement between them. The person who rents the land might have been living in the village for a long time but does not have enough land or might be a newcomer to the village for a variety of reasons, for instance displacement or marriage.

The fifth type of land access mentioned in the FGDs in the different villages was *akol gom*, which literally means "eat and leave." This is where land owned by individuals or families is given by its owner to individuals free of charge for short or long periods but does not mean they have ownership of the land.

The sixth type of land access mentioned by the respondents during the study was partnership farming (*mosharaka*), where an individual or family who own land can share with another individual or family in exchange for labor. Usually those who do not own the land do all the agricultural practices (planting, weeding, and harvesting) and then give a proportion of the produce to the owner (sometimes half, sometimes one-third, or another percentage according to the agreement).

Native Administration men in Kankolei, Fugo, and Kolnei villages (Wadi Salih locality) mentioned that each year at the beginning of the rainy season a Peaceful Coexistence Committee consisting of semi-pastoral and farmer groups living in the same area meet to determine specific rules for planting and other rules for grazing. Any person, whether a farmer or a herder, who violates this agreement can be punished by the committee or the NA.

The system that determines the time for animals to enter the fields after harvesting in rain-fed cultivation areas is called *talaig*. It is determined by the Peaceful Coexistence Committee at state level, which includes the NA from farmer and pastoralist groups, and other local authorities. The committee determines the time according to the season, and it is usually between December and February. This system is well known all over Darfur and has been used for a long time. This can be considered evidence of the long history of integration between pastoralists and farmers. In some cases, however, the farmer focus groups mentioned that pastoralists allow their livestock into farms before the time of *talaig*, or before farmers harvest their crops, and most problems between them happen because of this.

The KI from the youth group in Ardeiba village, the NA KI in Fugo village (Wadi Salih locality), and the NA KI in Abatta village (Zalingei locality) mentioned that the federal government, starting in 2003, armed some pastoralist groups all over Darfur to support the government against armed opposition fighters. This led to the displacement of most of the farmer groups in these villages. The pastoralist groups who live in the area began cultivating the land of the displaced farmers and recently (around 2–3 years ago) when the security situation in Darfur improved, the farmers began to return to their villages. However, in some cases they found that their land was being cultivated by the pastoralist groups.

5.2) Conflicts and disputes related to land use and access

The following types of conflict and dispute were mentioned in the FGDs and during the KIIs across both livelihood groups (farmers and pastoralists) in the study area. The most frequently mentioned type of dispute was when pastoralists' livestock destroy farmers' crops, especially during the *deret* (harvest season). An *Omda* in Moro village (pastoralist) in Wadi Salih locality complained of the *aballa* who were deliberately destroying their subsistence crops. In fact, it is common knowledge that the destroying of farms in many cases happens at an individual level and not as a collective idea among the pastoralists: some pastoralists are very seriously against destroying crops for any reason.

The second type of dispute mentioned in all the FGDs and KIIs but mainly by the farmer groups was *kilinkab* (farm-border disputes). These occur when one farm exceeds the borders of another when there are no clear demarcations between them. This type of dispute occurs frequently between farmers themselves in all villages, especially when returning to their areas after a long period of displacement after which they may have forgotten the real borders.

The third type of conflict that was mentioned in the FGDs and KIIs of Ardiba and Fugo villages in Wadi Salih locality, and also in Abatta village in Zalingei locality, was the use of farms by some individual pastoralists who have settled around these villages for a long period (e.g., 20 years or more). This happened when most of the farmers in those villages who had been displaced by the conflict started to return to their villages (2–3 years ago), at least during the rainy season for cultivation. In some cases, they found that their farms were being used by some individual pastoralists. The NAs of the two groups in those villages were able to solve most of these conflicts peacefully. But a few cases were not solved because some of the individual pastoralists refused to leave the land to their original owner, under the pretext that the land vacant had been vacant for a long period (of up to 20 years). Sometimes they use the power of weapons to prevent farmers from returning to their farms.

Also mentioned among the disputes that occur between farmers and pastoralists was farm expansion for cultivation at the expense of pastures or animal routes and the closure of roads to water sources.

5.3) Conflict resolution mechanisms over natural resources

Many conflict resolution mechanisms were mentioned in the FGDs, HH interviews, and KIIs in the villages of different livelihood groups (farmers and pastoralists). *Judiya* has been a well-known conflict resolution mechanism in Darfur for a long time. It is a system carried out by the *ajaweed*, who may be NA or ordinary individuals who have wisdom and who can bring together the points of view of the two conflicting parties until a solution is reached. *Ajaweed* are usually members of the local community. They work as volunteers to solve problems between individuals and groups, and society knows them and trusts them. *Ajaweed* are like mediators.

The other system of conflict management mentioned frequently by all respondents in the FGDs and KIIs across the different livelihood groups is *rakuba*. This is a customary precedent that dictates subsequent agreements between conflicting parties. Usually, it is the result of successful *judiya* in cases that ended with compensation for human injuries or death. This system is usually used among ethnic groups in which there is no *diya* (blood money) payment system between them. The person responsible for managing this system is called the *demlig.* Especially in farmer communities, the *demlig* is responsible for keeping a record of the incidents. This system is mainly used for the incidents of killing and serious bodily harm.

The two mechanisms mentioned above have been operational in the Darfur community for a long time, but during the period of the National Congress Government (1989–2019), many types of new committees[12] were formed to solve local problems between different livelihood groups. Some of these committees were formed by local authorities and others by NGOs with activities in the area.

There are also other mechanisms, which can be classified as government mechanisms. One of them is *gowat mushtaraka* (joint force), which is a government force combining police, military, and public security into one force. The role of the joint force is to protect the cultivation season (i.e., prevent the destruction of farms by animals). The other mechanism is to use the courts of law, and people resort to this mechanism when all the previous mechanisms fail to solve the problem.

5.4) Changes in the Native Administration over the last 20 years and implications for accessing natural resources

Many changes in the NA were reported in the FGDs and KIIs, mainly by the farmer groups. They mentioned that in the past (i.e., before the conflict), people used to help the NA leader with cultivating his farms and keeping his houses, so that he could be fully devoted to serving them. This practice has disappeared in most villages, which has made the NA leader busier with his family's livelihood, with little time for managing land affairs and resolving disputes. Also, the government has been replacing NA leaders who are not considered loyal, especially in the higher ranks (*Shartaie*, *Nazir,* and Sultan). Thus, the NA has become more politicized. This has reduced people's loyalty to the NA, as this change took place without the citizens' consent.

The most significant change in resource management during the past twenty years is that in most pastoralist groups at least part of the household is now settled in *damrahs* (permanent nomad camps), and they cultivate as well as herd. This has increased competition between these pastoralist groups and farmers over the use of land. The *Omda* of Moro village in Wadi Salih locality said that they decided to settle because they needed services, such as education, health, and clean water, at least for their children.

Some of the younger KIs now see the NA as an outdated system that has become ineffective in solving local problems. Others think it is a good system but needs support to be strong. In the past, people used to pay a part of their harvest (about 10%) to the NA leaders as a type of support, but this tradition has disappeared.

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[12] For example, the Peace and Reconciliation Committee, the Peaceful Coexistence Committee, and the *Ajaweed* Committee.

One of the changes frequently mentioned in the farmer FGDs and KIIs regarding the NA was that some of the high-ranking NA men, especially *Shartaie*, have become separated from their communities due to displacement, and this has led to the loss of daily follow-up of all their followers' affairs.

One of the serious changes mentioned mainly by the farmer groups but never mentioned by the pastoralist groups was that the National Congress Government armed some pastoralist groups in Darfur to help them fight the opposition. Meanwhile, the government assumed all farming communities to be on the side of the opposition and thus enemies of the state. This has changed the way the pastoralist groups perceive the farming communities and their NA leaders. The armed pastoralist groups have ceased to comply with the decisions of the NA of the farmer groups who are responsible for managing the use of the land.

6 Discussion

6.1) Regulating land access and use

The history of the Darfur Sultanate, its expansion and the development of its administrative systems, including local administration (*idara ahliyya*) and land tenure system (the *hakura*), goes back many centuries (O'Fahey 2000). Historically, the Darfur Sultanate allocated lands or estates known as *hakura* to officeholders and holy men. Estates were formed, some of which consisted of several *hawakeer (*plural of *hakura*) and were then transformed into new administrative units. The term *dar* refers to a tribal homeland, not necessarily the Fur tribe, which had its own administration under the wider administration of the Fur Sultanate (pre-1916). All livelihood groups (farmers and pastoralists) present at that time were included in the system with known boundaries (with exceptions; see below). Inside the *dar*, which could include different livelihood groups, some families were granted a piece of land called *hakura*. The exception was camel herders to the north, who by the nature of their livelihood depend on migration rather than crop cultivation. However, the *dar* system ensured their access to pasture even though they were outside of the *dar*. Thus, lack of attribution of a *dar* or *hakura* to these nomadic tribes did not mean exclusion from the land in practice, or indeed the right to exclude on the part of those who were attributed a *dar*.

People in Darfur have deep-rooted institutions and practices with regards to land access; local institutions protect the rights of all individuals regardless of whether they are individuals or groups. In the *hakura* system, the land is passed from generation to generation through inheritance, but that does not mean that there are no rights for others; for example, the same land may be used by more than one user at different times of the year, such as in the *talaig* system. Also, as this study showed, there are many ways of obtaining land access and rights, like renting, *akol gom*, allocation, share-farming, and via long-term use. All these methods give the individual or group the right to use the land. Therefore, land ownership can be considered an honorary right only. Some types of ownership may have a negative impact on the relationship between farmers and pastoralists. Some people in Darfur denounce the discussion of land ownership and *hawakeer* as part of the negotiation agenda between the opposition and the government, because for them this issue is not a fundamental problem.

6.2) Conflicts and disputes related to land access and use

Some of the types of conflicts and disputes mentioned by respondents have been around for many years and are triggered by different events and circumstances. The farmer-herder conflict in the rainy season is the most frequent one.

The conflict around the ownership of the land has arisen recently, triggered by the displacement of farmers due to the Darfur conflict and when some farmers tried to go back to their land. Although in many cases the NA and different committees were able to solve those problems, there are still some cases they cannot solve. With regard to farms, border disputes are limited and not considered a big problem in Darfur.

The conflicts mentioned in this study can be placed in the first level of the Bromwich classification (Bromwich 2020), meaning that they are local conflicts and disputes between different users. Some of them occur every year, and most of them happen at the individual level, but if not addressed they rise to the collective level.

6.3) Conflict resolution mechanisms

The respondents mentioned many types of conflict resolution mechanisms. The majority of these mechanisms have been used in Darfur for a long time and are still being using by the NA or *ajaweed,* such as *judiya* and *rakuba*. Committees and *gowat mushtaraka* (joint forces) have been established more recently. *Judiya* and *rakuba* are mainly used by local people, and *gowat mushtaraka* can be considered a government system to prevent crop damage during the rainy season until the harvest. These mechanisms may be used together simultaneously or can be use separately depending on the type of conflict. *Gowat mushtaraka* are usually used when other mechanisms have failed or when one of the disputing parties refuses to accept the solution reached by another mechanism like *judiya*. The fact that these mechanisms have been used to solve local disputes for such a long time can be considered evidence that they are efficient.

6.4) Changes during the last 20 years

There have been many changes over the last 20 years that have negatively affected the role of the NA. One is weak community and government support to the NA, which negatively affects the power and prestige of the NA leaders. Another is the emergence of new conflict resolution mechanisms (committees) that have reduced the power and prestige of NA leaders.

6.5) Challenges facing Native Administration in integrated natural resource management

One of the challenges mentioned in the study findings is the arming of pastoralist groups by the National Congress Government. This has led to an imbalance of power between farmers and pastoralists, which has negatively affected their relations and has affected the use of traditional mechanisms of conflict resolution.

The other challenge facing the NA in villages is the absence of high-ranking NA leaders, as they prefer to live in the cities. NA at lower levels, such as the *Sheikhs*, are unable to fill this gap.

The third challenge faced by the NA today is from youth groups who, despite appreciating the NA as a system, may not appreciate the leaders of the NA because they think that they are out of date.

7 Conclusion

Central Darfur State is one of five Darfur states. The population mainly practices crop cultivation and livestock rearing as sources of livelihood. The region was seriously affected by the Darfur conflict, which started in 2003 in the central part of Darfur. Most people in rural areas identified with the opposition and were attacked by the government military, causing mass displacement. In some cases, the farms of displaced people were occupied and used by other people outside of the traditional land tenure system.

The National Congress Government, which ended in 2019, armed some pastoralist groups in Darfur to help them fight the opposition, which led to an imbalance of power between farmers and pastoralists. Also, it pursued systematic policies to weaken the role of traditional leaders. This in turn led to fundamental changes to the level of influence and role of traditional leaders in Darfur.

One of the challenges faced by the NA is losing government support, mainly after 2003. This led to a reduction in NA power and prestige. Because of this, the armed groups have stopped complying with the decisions of the NAs of the farmers' groups who are responsible for managing the use of the land. Despite facing many challenges, the NA has succeeded in many cases to keep the land tenure system going and has retained its legitimacy.

Although issues of land use and access in the region have caused many conflicts and disputes between farmers and pastoralists, every group of users has the right to access the land in one way or another. Both the community and the NA are able to facilitate rights of access through different mechanisms, like the *judiya*[13] system and some committees that have been formed by communities in collaboration with authorities at different levels.

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[13] A well-known conflict resolution mechanism in Darfur.

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Annex 1: Changes in Native Administration roles and responsibilities

During the first stages of the Darfur conflict between 2003 and 2008, the leadership of the NA became politicized and was divided between supporting either the government or the opposition. Those leaders supporting the government were brought into conflict with the opposition. The native leaders were divided into three groups:

1. This group stood with their tribes against the armed movements, and most of these were *baggara* (cattle herders) and *aballa* (camel herders) from Arab Bedouin tribes. They were also known as the *janjaweed*. Initially, the *baggara* tribal leaders resisted based on their earlier negative experiences of *baggara* militias in South Sudan. Eventually, the government convinced them to join.

2. This group stood with the opposition against the government. This group were mostly sedentary tribes with African roots and were called the *torabora*.

3. This group rejected both the position of the government and the opposition and preferred neutrality. However, this group was targeted by both the government and rebel movements. It became powerless, was unable to play its role, and lost its influence.

The most negative impact on the influence of the NA leaders was the government's policy of arming tribes loyal to them. This drove out the tribal leadership, and traditional local communities and tribal leaders were given positions in the armed militias such as border guards, quick support army, central reserve, popular police, and public defense. All of these military organizations are of tribal origin and owe allegiance to their tribe, and therefore several tribal militias existed that fought each other. For example, border guards and the quick support army were mainly from *aballa* groups. Central reserve and public defense were mainly from *baggara* groups. There are many cases of fighting between these two groups in Darfur. Because these militias are organized and possess arms, military equipment, and legal cover from the government, they have become the real leadership of tribal societies, which has robbed traditional leaders of influence and power. This operation outside of norms and the law provokes sedentary citizens to protest. This has led to fundamental changes in the influence and role of traditional leaders in Darfur since the outbreak of the conflict. The government has pursued systematic policies to weaken the role of traditional leaders in their tribal and local societies. Despite this, some traditional leaders are still able to provide protection to members of their communities, especially within the IDP camps (Takana 2008).

In the early stage of the conflict and in the beginning of displacement to IDP camps in cities, there was an almost complete collapse of the NA system and its authority. Men of the NA, especially middle and high levels such as *Omdas* and *Shartaie*, fled from war zones without being able to provide any kind of management or support to their followers during their displacement. Later, many of these leaders preferred to live in towns instead of living in IDPs camps with their followers. This led to a wide gap between these leaders and their followers, even though the higher authorities in the NA retained a measure of legitimacy. This has created a new reality in the NA's traditional powers.

The vacuum left by NA leaders at the middle and high levels, especially in the camps, was filled by new leaders. These new leaders were shaped by the conditions of war inside the camps and have a new and unconventional style. Most of those who took over the leadership of the displaced people in the IDP

camps were young and educated and rejected the policies of the government that armed Arab tribes. This new group of educated leaders in the camps have become mediators between the IDPs and the humanitarian organizations that provide health, education, and other necessary services. Through this mediation role, they are managing the distribution of these services, which has gained them great influence.

These new leaders in the camps were able to bring about changes in the traditional leaders' powers in the system of the NA, especially at the intermediate levels. They also introduced modern concepts such as women's and children's rights, and accordingly they established new structures for women and youth. Whilst these new leaders have enjoyed the trust of their followers and other citizens in and outside the camps, they lack familiarity with the traditions and social and tribal norms upon which conflict resolution and advancing the social fabric inside and outside of the IDP camps depends. This has encouraged the return of some old traditional leaders to take over the management of some tasks in settling disputes and problems through customs and traditions, which has led to intensified competition over influence and power between the old and new groups of the NA (Takana 2008).

As for the NA of pastoral groups, in the first stage of the conflict they allied with the government, and war became the primary concern of their leaders. This alliance with the government brought these traditional leaders some benefits such as increasing the number of followers and allocating new administrations as well as some logistical and financial gains. The militarization of a large number of these pastoralist groups created militias that possess tribal power and political influence. This situation gave Arab NA men who lead these militias more power at the expense of NA leaders from other ethnic groups. This was the effect of the conflict in Darfur in its early stages: weakening of the legitimacy of the old traditional leaders of the NA and the emergence of new local leaders in the farmer and pastoral societies alike.

As for the senior leadership level, they had to ally with the government to maintain the positions they had inherited from their fathers in leading their tribal societies; otherwise they would have been replaced by others loyal to the government. In light of these political circumstances, a large number of them preferred to join the regime, which in turn paved the way to senior positions in the state, and to combine their traditional and inherited positions with higher positions in the executive, legislative, and political fields. There are many examples of this in Darfur (Takana 2008).

This new alliance rewarded traditional leaders with senior executive and political positions in government institutions at the state and federal levels. Their local legitimacy decreased, as their followers were no longer their main concern. The NA leaders also moved away from their people geographically, going to live in the state capitals or in Khartoum. Their old interests were replaced with new ones, and there was an almost complete separation between them and their people and their concerns. These traditional leaders became part of the government, and their local communities no longer had their protection. As a result, these leaders became negligible in the field of addressing the issues of the local community in general or even their tribes and other societies, and their role has been limited to traveling to attend traditional tribal reconciliation conferences (Takana 2008).

With this deterioration, new NA leaders emerged with a high degree of credibility among their people, and they were able to support their followers during the conflict period. In all farmer and pastoral groups, most of these new leaders distinguished themselves with awareness and a degree of education that enabled them to understand the new reality and how to adapt to it. They formed links between their

families in the IDP camps and humanitarian organizations, as well as contacting the government agencies responsible for managing the camps such as humanitarian aid commissions, security services, and the police (Takana 2008). In light of this process, the leadership capabilities of this group developed, and many reached the top leadership levels in the IDP camps, chairing the various committees.

Finally, they the new leaders and their followers participate through the experience of the conflict years in Darfur. They have knowledge of the structures of modern national, regional, and international management and the mechanisms through which to communicate with them and present civil issues and appropriate solutions to them. Despite their addressing and dealing with issues from conflict situations and tribal wars, their contributions in the traditional customary field of Darfur society in the area of *Judiya* and tribal reconciliation conferences have remained weak. These types of men of the new NA leadership are working only in the IDP camps, and they do not have legitimacy in the government institutions. This may constitute a transitional period before a new stage in the structures, performance, and role of this administration in the future in Darfur (Takana 2008).

Appendix 1: Research questions

Specific objectives - 1

- How does NA manage land access in Central Darfur?
- What local traditions regulate land access in Central Darfur?
- What is the relationship between local traditions and the management of land access by the NA?
- What differences can be identified in the management of land access with regard to different kinds of use or groups of users?
- How is the management of land access by the NA perceived by the different groups of users, including livelihood specializations, wealth differences, and gender?
- How regulatory frameworks to land by pastoralists have been changed over recent years
- What are the main challenges to NA management of land at present?

Specific objectives - 2

- What conflict and disputes are associated with land access in the present time in Central Darfur?
- What conflict resolution mechanisms are available and used by the NA?
- What is the relationship between local traditions and the management of conflict related to land access by the NA?
- What differences can be identified in the NA's management of land access related to conflict with regard to different kinds of use or groups of users?
- How is the management of land-access related conflict by the NA perceived by the different groups of users, including livelihood specializations, wealth differences and gender?

Specific objectives- 3

- How has the role of the NA changed in the last 20 years with regard to the management of land access?
- How has the conflict-resolution mechanisms available and used by the NA changed in the last twenty years?
- How has the relationship between local traditions and the role of the NA changed in the last twenty years?
- How has the NA's management of land access and related conflict changed with regard to different kinds of use or groups of users, including livelihood specializations, wealth differences and gender
- How is the legitimacy and viability of the NA perceived at present?

Appendix 2: Photos from field interviews

Interview with KI (NA) pastoral community

Men FGD under tree – pastoralist

Women FGD Farmers community

Men FGD (Pastoral) Moro village

Men FGD farmers Kolne village

Women FGD Moro village (pastoral)

Cattle grazing crop residues after harvest

Crossing wadi with difficulty