Taha Hagar
PhD (Political Sciences)
School of Oriental and African Studies alumna
University of London
Open Society Fellowships alumna
Independent Researcher and Consultant
94 Chopinlaan, 2625WE Delft, The Netherlands
tel: +31 687865165
e-mail: HagarTaha@gmail.com
ORCID ID: https://orcid.org/0000-0002-2869-3473
DOI: http://dx.doi.org/10.18524/2304–1439.2020.33.209267

THE LOCAL ELEMENT OF PEACE: THE CASE FOR COMMUNITY-BASED INTERVENTIONS IN DARFUR[1]

This article examines efforts of intervention and conflict resolution made by local formations of civil society in Darfur. Two main themes are explored here: the forms of intervention and conflict resolution offered on a local level and the argument for incorporating this local element. Although local formations in Darfur take shapes other than those recognized in western literature and societies as being 'civil society', recent interactions between these local formations, the state and the international community have produced something entirely different. Efforts made by local formations in Darfur to resolve conflicts are to be introduced and critically analysed. The purpose is to clearly distinguish traditional mechanisms of conflict resolution in Darfur as well as what communities have to offer after their reformulation through interaction with the modern state and international community. The division between traditional and modern here are entirely organizational and for establishing basic conceptual clarity. The reality depicted by fieldwork for this research has been entirely complicated, which this paper seeks to highlight. The paper provides an overview of interventions and conflict resolution mechanisms by local formations in Darfur and analyses the significance of integrating them in attempts to resolve conflicts in the region.
Key words: Darfur, Sudan, intervention, civil society, conflict resolution.

Liberal Peace Critique and The Local Element

This paper is part of a critical study on intervention and conflict resolution. Its purpose has been to problematize the liberal understanding and practice of these terminologies and to pose the question as to what extent do local communities have the capacity to lead interventions instead of being excluded or remotely included? The hypothesis with which this research started was that local communities — and what could loosely be called 'civil

---

[1] This paper is based on the doctoral research of the author at the School of Oriental and African Studies, University of London, during the years 2010–2014. The research was based on extended fieldwork in Darfur during the academic year 2011/2012.

society' in the southern context — have their particular visions that should be examined and included. This paper attempts to examine these visions that provide alternative methods of interventions available at the community level.

This research draws on literature on Security Studies and Peace and Conflict Studies, focusing particularly on intervention and conflict resolution (Burton 1969, 1997; Burton, Dukes, Mason, 1990; Booth, 1991, 2007; Waever, Buzan, Lemaitre, 1993; Weldes, 1999; Campbell, 1992; Duffield, 2001, 2007, 2008, 2010, 2012; Cramer, 2006; Marriage, 2013). These two have been mostly inspired in the literature as well as in practice by Liberal Peace, which represents an agreement on «Western-style democratization, 'good-governance' human rights, the rule of law, and developed open markets» (Mac Ginty, Richmond, 2007, p. 492) as a driving force behind what is considered to be peace and how to achieve it. This was created in the post-Cold War era and culminated in the production of the Responsibility to Protect doctrine in 2001 (ICSS 2011). Since then, and because of the recurrent failure of humanitarian intervention in several parts of the world (Murphy, 1996; Weiss, 2004; Dannreuther, 2007; Fletcher, Ohlin, 2008; Bellamy, 2006, 2007, 2008) there have been calls to integrate local initiatives of interventions into that discourse in order to better address conflicts. Significantly, the call to create global civil society (Kaldor, 2003) to respond to war has been combined during the past two decades with a call to engage civil society and other local formations in the process.

Two schools of thought within the debate on liberal peace are particularly interesting to this research; one offers a conventional critique revolving around its effectiveness and presents a problem-solving approach (Cox, 1981) that takes the «prevailing social relationships, and institutions into which they are organized, as the given and inevitable framework for action» (Newman, 2009, p. 23). This policy-oriented approach, which attempts to make liberal peace work in 'real-world' terms through seeking more 'local' ownership of the liberal agenda, becomes a way through which this school aspires to make the liberal project work.

The other school is more critical of liberal peace as it raises questions regarding the existing institutions and their policy assumptions on intervention and peace. In that sense, this approach questions whether liberal peace should be liberal and whether it can provide a policy programme that can be applied to various contexts. Underlying this approach is a fear that liberal peace could be a «mechanism of hegemony» (Newman, 2009, p. 23). It questions the assumption that these conflicted societies are untouched territories onto which liberal ideas could be advanced, despite local differences. This is the school on which ideas this research has been built on. Particularly the work of Roger Mac Ginty who further stresses the importance of the participation of people and appreciation of their culture when it comes to intervention because otherwise the locals may not let peace take root within their societies (Mac Ginty, Richmond, 1995). Involving indigenous people is essential to legitimacy and sustainability, according to Mac Ginty. His critique

of liberal peace highlights that intervention is often, to local populations in conflict zones, something distant that happens elsewhere and that involves actors with whom they cannot relate. He analyses what is often looked at as 'local' by liberal interventions, as often a weak link with the populations involved and is restricted to a specific stratum, which is «urban, metropolitan and English-speaking» (Mac Ginty, Williams, 2009, p. 83). He draws on the idea of hybridity in this regard and stresses that peace is a top down *and* down up process that involves both liberal processes and local populations. This idea is critical to the argument presented by this paper. There is a need to re-evaluate and re-construct the liberal peace project in order to account for real peace transformations in places where conflicts occur and one aspect of this is to allow more space for local participation. Although this line of thinking is indeed changing the debate on intervention, it allows for further research regarding the capacity of the local element and the reality of the pervasive nature of liberal peace.

The fieldwork for this research was facilitated in Sudan through The Regional Institute for Gender and Women's Studies at Ahfad University for Women in Omdurman and the Nyala University in South Darfur. The State of South Darfur was chosen for both accessibility reason as well as its representation of the widest population of all Darfur states at the time of conducting research. This paper is based on qualitative research methods that involved ethnographic research combining semi-structured and in-depth interviews with field notes, participant observation and focus groups. In addition, archival material and documents were sought when relevant and accessible. The reason for choosing these methods is that essentially the study attempted to represent mainly the voices of the local actors.

Between Local Formations and Civil Society in Darfur

One of the main themes explored throughout this research has been the meaning of civil society in Darfur. Although traditional local formations in Darfur take shapes other than those recognized in the West as being 'civil society', recent interactions between these formations and the international community have produced something entirely new to both. That is why in this paper civil society in Darfur is sometimes referred to as local formations because in spite of existing similarities between these formations and what is understood to be civil society, profound differences still exist.

Ata Hassan Al Bathawy, Head of the Political Science Department at the University of Khartoum, defines civil society as the organizations, groups and institutions that fall between the state apparatus and the family unit. In this wide space there are various entities such as syndicates, NGOs, tribes, ethnic groups, religious groups, charity organizations, clubs, political parties, cultural associations, sport unions, environmental groups, lobbies, trade unions, relief organizations, academic institutions and service providers (Al Bathawy, 2003, p. 283–284). According to him, these formations flourish in an environment of competition and alliances in order to realize the interests, first of its members and then of the public. There is also a need for these

formations to be defined in relation to its 'civility', which refers to the ability and readiness to cooperate and publicly mobilize using institutional means based on transparency and representation in their political and social activities. Nevertheless, Al Bathawy stresses that a civil society formation needs to be defined as such not because of the space it consumes or its morale but because of its effectiveness in reconstructing relations with the society on one hand and the state on the other. This definition gives way to what this paper refers to as local formations as it leads to different understanding as to what extent there is a possibility of integrating tribal/ethnic groups as part of civil society in the case of Darfur.

During the fieldwork for this study in South Darfur, local actors were asked about their understanding of the meaning of civil society and its components. There was general agreement on certain elements of that society whilst there was a disagreement on others. It was notable how various actors defined local civil society as the space between the family unit and the government, i.e. in 'modern' terms. Nevertheless, traditional elements were often emphasized and the distinction between local formations in Darfur and civil society in the 'West' was asserted. It is important to note here that there are certain elements that were agreed on when talking about civil society in Darfur; those are national non-governmental organizations and the Native administration. Although there was mention of unions, syndicates and other groups, there was an agreement on these two elements. A possible explanation is that the Native Administration is the oldest form of community-based organization in Darfur. In addition, the introduction of modern civil society in Darfur took place mostly through relief organizations and in that sense, this type of organizations was associated with civil society.

There was also some general consensus that civil society occupies a space between the state and the family unit, though there was an agreement that its relation with the state is problematic due to the authoritarian nature of the state in Sudan up until the 2019 mass protests. Local actors often stressed their apolitical nature; this is an unspoken of condition in order for the government to not interfere with or suspend their work. Authoritarianism in that sense participates in shaping civil society as it creates boundaries that limits what is 'civil' and what is not. In addition to that, tribalism is seen as yet another factor giving the local formations in Darfur its specificity. The tribe as a main unit of governance and social organization has been in the heart of local formations in Darfur. In addition, there is a correlation between international actors whose interaction has brought an image of modern civil society on one hand and reshaped traditional formations on the community level, on the other. The international element has been also influential in shaping civil society particularly through interventions that aim at introducing security solutions from northern lens. These elements; namely authoritarianism, tribalism and international intervention have been essential in constructing and reconstructing what this paper refers to as local formations, giving them their uniqueness. An overall map of civil society in Darfur is provided in *figure (1)*.

Figure 1. Civil society according to Ministry of Social Affairs in South Darfur
The figure was created by the author

The following section of the paper examines community-based interventions and local mechanisms of conflict resolution that have been existing in the Darfur context.

Native Administration

The Native Administration as an institution is as old as tribal formations in Darfur. Ever since the existence of tribes in Sudan, each has had an administration figure to organize various aspects of life, and in particular for conflict resolution. Native Administration (or Tribal Rule) in general means a community-based leadership that applies policies that broadly stem from the needs and traditions of the people in that particular community. Essentially these communities in Sudan have been structured along tribal lines and customary laws. This has enabled a clear division of land and resources among the tribes in Sudan for a long time. Native leaders were not bound by state boundaries or laws but were essentially restricted to customs and traditions passed on through generations. These were mainly linked to blood ties and family relations, which necessitated mutual rights and obligations. The Native Administration in Darfur is the product of several factors: one is the enormous landscape, and another is the wide variety of customs and traditions that rule the different tribes. In that sense, tribal-based rule was an essential form of local governance used to legislate and execute rules among communities spread over a large area of land (Ahmed, 1998, p. 52–53).

But the Native Administration in its current form has gone through a lot of changes over the decades, which were mainly influenced by how colonial powers and later state authorities thought about controlling these regions under the native leaders' rule. Before 1898, tribal leaders had extensive

powers based mainly on customs and traditions. They were also completely independent since their relationship with the government was restricted to paying taxes, declaring allegiance and keeping order and stability. During the 1830s the Ottoman Rule maintained the status quo whilst defining the hierarchal structure of the Native Administration and connecting it to the bureaucratic apparatus of the state in order to maintain the flow between the central and local authorities. During the Mahdi era in Sudan, the Native Administration did not change in nature as the tribe remained the main administrative unit and various tribes were drawn into Jihad under ideas of tribalism. *Shariah* Law was then deeply integrated into the customs of native rule in Darfur.

When Anglo-Egyptian rule took over Sudan in 1898, it worked initially on keeping the structure of the Native Administration intact. This was built on an understanding that there was a need to keep local structures in place so as to maintain order among the people (Abdullah, 2008). But later on, the authorities of the Native Administration began to be disseminated. The British colonization period (1898–1955) is considered to be an important stage in integrating the Native Administration in Sudan into the state system. In his work, *Governance and Administration in Sudan,* Ali Hassan states that the main steps taken in this regard included: linking native leaders to the state and giving them legal authorities; forming tribal courts; giving security functions to native leaders such as the authority to arrest criminals; asking native leaders to collect taxes; integrating small tribes into bigger units; and giving financial independence to major tribes on the condition that they performed administrative tasks for the state (Abdullah 1968).

Slowly the relationship between the Native Administration and the government started to change. Local Governance (*Al Hokm Al Mahali*) began to compete with the Native Administration, which was intended to take over its authority gradually. In 1937, a law was issued to regulate Local Governance and based on that, local government units were created in localities, cities and rural areas. The native leaders did not welcome this because it undermined their authority.

President Jafaar Nimeiri had the most significant impact on breaking the relationship between the government and Native Administration as he has issued a law to completely dismantle the institution in 1970. Nimeiri created alternative structures inspired by Communism in order to reach the grassroots level of various communities. The Native Administration was seen as an outdated institution that created a barrier between citizens and the modern state.

Al Inqaz Government[1] started to slowly revive the institution of the Native Administration because the state police was incapable of dealing with the crime and conflicts that emerged as effectively as the native leaders had done and thus the security situation started to slowly deteriorate. The Native Administration Law was issued in 2004 in relation to South Darfur State, in

---

[1] The government that led Sudan from since the Islamic Revolution in 1989 by Omar El Bashir until the mass protests that overthrew him in 2019.

order to give more authority to the institution and to counterbalance previous laws in favour of Local Governance. Regarding security, the law gave the head of the Native Administration the right to follow all proper procedures in order to maintain stability. The law also asserted that native leaders should regularly receive salaries and financial incentives from the government. It gave judiciary power to the native leaders but at the same time put them under the direct supervision of the state judiciary. In that sense, the government managed to revive the Native Administration with its experience and ability to deal with emerging conflicts in South Darfur but at the same time kept it under control.

The structure of the Native Administration in a sense has not changed to a great extent over the years because in spite of being dismantled several times and restructured by the colonial and state authorities, it has remained deeply rooted in the majority of communities in Darfur. The native leaders have continued to play their economic, social and political roles as leaders of their communities even when the authorities have intentionally limited them. It is important to note that not all of the native leaders were incorporated into the governmental structures and agreements. Some remained separated from the government while others were incorporated into Native Administration structures that coordinated with and were monitored by the government. The following section is based on the fieldwork interviews with native leaders — both within the governmental structure and outside it. The purpose is to clarify the structure of the Native Administration in Darfur in general and particularly in South Darfur State.

1- Native Administration: Tribal Hierarchy

Umdah A. S.[1] of the Coordinating Council for Native Administration in South Darfur State speaks of the Native Administration as a social system that connects individuals and democratically-elected community leaders. The division is hierarchal as demonstrated in figure (2):

In this hierarchal division, Arab tribes have the basic rank of *Shartai* followed by a Sheikh then *Umdah* then *Nazir*. Non-Arab tribes follow the same structure but usually have the highest rank of either *Sultan* or *Malik*, according to their specific traditions. With regard to South Darfur, the Arab tribes include *Ta'aisha*, *Al Rizaigat*, *Al Ma'alia* and *Al Habania* (or *Baggara*[2] tribes). In addition, there are non-Arab tribes, which have been referred to since Al Mahdi era as *Ahl Al Sudan* (people of Sudan). They moved to Sudan hundreds of years ago and mixed with the Fur and Arab tribes. They include *Al Biqo, Al Masalit, Braged* and *Dago* (Ahmed, 1998, p. 75–76).

Umdah A. S. further explains that all of the work they do is associated with traditions, customs and *Shariah* Law but the main principle is Customary Law. According to him, Customary Law is to resolve a conflict based on

---

[1] For the sake of protecting the security of the interviewees in a sensitive conflict situation, they are being referred to in this paper by only their initials.

[2] Those are called *Baggara* because they are nomads and thus herd animals, which are usually cows. *Baggara* comes from Arabic word *Baqara* which means cow.

customs that have been developed previously at the community level. This mainly involves assessing the damage that has occurred and then deciding on the customs to be applied in each case. Those who are concerned with this are called *Ajaweed*. This method is applied to all tribal clashes and even clashes between families. In addition, the Native Administration has governmental tasks as they collect taxes from the people and deliver them to the state. In the past, the process of choosing the Native Administration was completely community-based, as people used to choose *Sheikhs* while the government had to approve their decision through *Al Mu'tamad* (Chief) or *Al Wali* (governor). These are usually chosen from among people who have a history of native leaders in their families but currently they do not have to be selected by the people; the government can appoint them (Umdah A. S., personal interview, August 18, 2011).
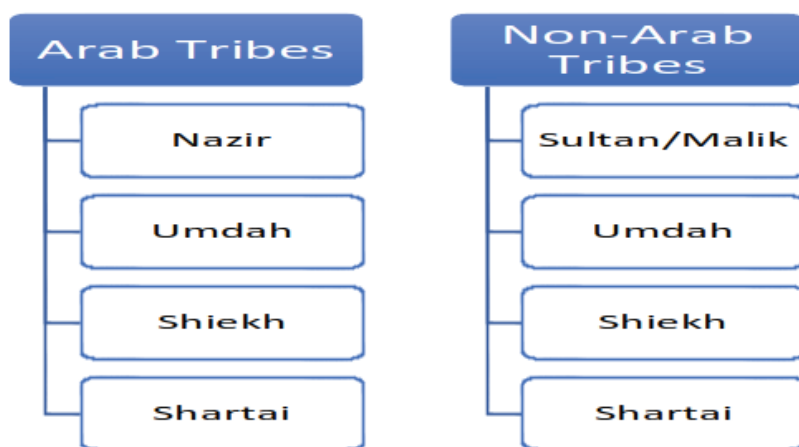

Figure 2. Native Administration Hierarchy in Darfur (except for Fur Tribe)
The figure wascreated by the author

In relation to electing native leaders, Al Tijani Salih, in his sociological study *Tribal Conflict in Darfur: Reasons, Consequences and Remedy,* argues that according to the customs and traditions of most Darfur tribes, leadership of a tribe should be inherited through the elder son (primogeniture) or the elders of the original inhabitants of the land. In that sense, the people in a community might choose one leader from among several 'candidates' but they themselves would never run for the position in respect of the customs and traditions of the hierarchal structure of native leaders and the process of their selection. However, this has slowly changed, as electing the *Malik*, *Nazir* or *Sultan* takes place through the *Shurah* process[1] and a majority vote between the *Umdahs* and *Sheikhs* who represent the communities in this regard. Usually they still elect a leader from among a family of native leaders but this is no longer necessarily the eldest son (Salih, n.d).

---

[1] A democratic process within *Shariah* Law for selection.

Shartai A. K., who participated in the Doha negotiations on Darfur[1], further explains that, the Fur has four layers of administration as follows:
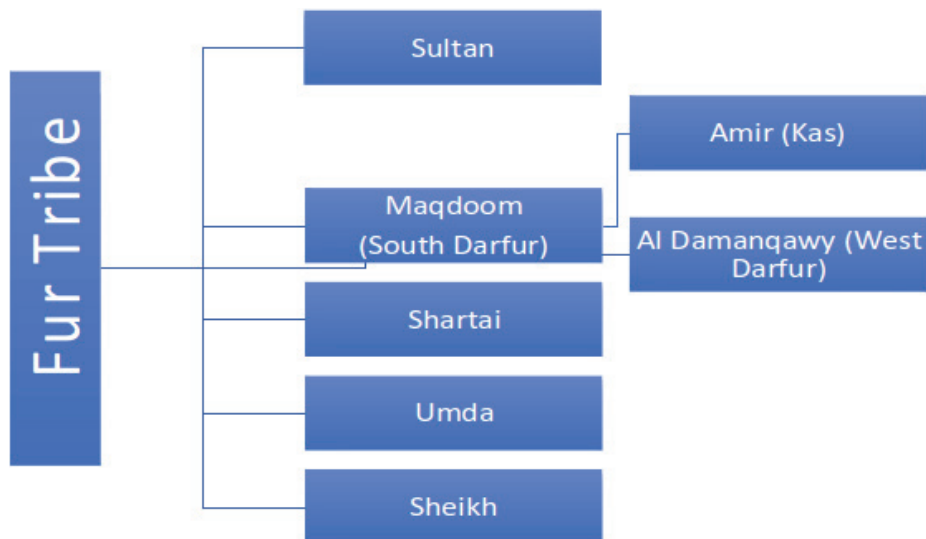

Figure 3. Native Administration Hierarchy in Fur Tribe
The figure was created by the author

He adds that the Native Administration plays a significant role in the society, with regard to administrative, security, economical, and social aspects of the tribe. These authorities are supposed to organize people's lives through the various hierarchies. They all have administrative tasks but also contribute to the organization of people's lives, safeguarding security, organizing commerce, cultivation and nomadism activities. The argument made is that previously the institution was strong because a native leader knew every single person underneath his authority and acted as a head of court during conflicts. He knew the background of people, how to reach them and how to end conflicts between individuals and tribes. If there was a conflict over a piece of land, the *Sheikh* of the community would resolve it. The case may be referred to the *Umdah* as well who would gather all of the people together and decide on the matter. Crimes used to be arguably very limited as conflicts were resolved among the people of the community and their leaders (*Shartai* A. K., Personal interview, September 29, 2011).

Al 'Aqada: Tribal Military Apparatus

The basic tribal structure of the Native Administration presented is not the sole authority in local formations in Darfur. In addition to the native lead-

---

[1] The Doha Document for Peace in Darfur (DDPD) was finalized in May 2011, in Doha, Qatar. On 14 July, the Government of Sudan and the Liberation and Justice Movement signed an agreement which represents the framework for the peace process in Darfur. The negotiations leading to this agreement included various elements of Darfur 'civil society' and this included native administration leaders.

ers there are *Al 'Aqada,* who are community-based lieutenants representing the military apparatus of a tribe. They are the ones who declare or stop war in ideal circumstances. Their institution is set up in pyramid-like structure as shown in figure **(4)**:

Figure 4. Structure of Al 'Aqada Institution within Tribe
The figure was created by the author

At the top of this structure is the top leader, called *'Aqeed Al Shoosha. Shoosha* in Arabic literally means the front part of the head/hair and it is a figurative word for the main figure. After that comes *Kibar Al 'Uqadaa.* These have a lower rank and are strictly tied to their specific regions. After that comes *'Uqadaa Al Uosar* at the bottom. *'Uqadaa Al Uosar* are strictly tied to their respective families.

Once there is a war they become an independent body that makes its own decisions. If a war is to start, the top leader sends orders to those below him in rank and in turn they send orders to those below them so that the decision to start a war reaches everybody. In one day they can start a war and everyone, including native administration leaders, must listen to their orders. If *'Aqeed Al Shoosha* decides that their tribe is in a state of war against another tribe, then a war starts even if the leader of the tribe disagrees. Currently people from the various tribes who have served in the Sudanese army are being integrated into this system in order to make use of their military expertise. In addition, there are those whom being referred to as *Umaraa' Al Difa' Al Sha'bi* (Princes of Popular Defense), who were mainly appointed by *Al Inqaz* government. When it came to power, government started a project to provide military training to all those capable of it and they called them *Al Difa' Al Sha'bi* — the Popular Defense Front. They were provided with weapons, uniform and proper training while others were trained and then released. They then became military experts in their respective tribes. In that sense, the military apparatus of the tribe includes *Al 'Aqada*, the old warriors from the Sudanese army and the Popular Defense Front. With regard to the importance of integrating *Al 'Aqada*, *Sheikh* N. K., expert on Customary Law and Native Administration in Darfur, explains that any attempt to end war/conflict in Darfur has to include, in addition to the native administration leaders, those three categories. He adds:

There is a good example of that with Al Rizaiqat and Tarjam tribes. They had a war that lasted three years, which led to the death of thousands of people. I personally was involved in this as we called upon Al 'Aaqada of Bani Halba who spoke with Al 'Aqada of those two tribes — basically all of those tribal military apparatus personnel know each other. They went personally to their houses, ate with them and told them that they need to end the war and indeed eventually they did (Sheikh N. K., personal interview, August 14, 2011).

But the argument made here is that there is an additional element to the latest conflict erupting in Darfur in 2003 leading to the complication of the situation beyond the capacity of those local actors which is the use of weaponry in the fight between the government and the rebel groups. Nevertheless, tribes get 'dragged' into this fight as the rebels or the government attack a locality under which a particular tribe belongs and, in that case, *Al 'Aqada* are obliged to respond in spite of the fact that the local mechanisms have been put in place for resolving mainly tribal conflicts.

2- *Al Hakamat: Women as Poets of War and Peace*

Although women are not directly connected with the Native Administration hierarchy, they still play a role in intervention and conflict resolution within that structure. *Al Hakamat* are female poets representing the moral support apparatus to men in the tribes during war. If a side is defeated in a war it is understood among tribes that the impact weighs more on women and that is why women support men during wars in order to encourage them towards victory. The *Hakamah* will recite poems to the men during war in order to encourage them in battle. The word *Hakamah* in Arabic means a female judge and this tradition is common among Arab tribes even in other areas in the Gulf. In that sense, the *Hakamah* are seen as influential women and the tribe members feel pride in them because they affect the course of the war. It is argued that it is important to include those women in attempts of bringing conflicts to an end by making them aware of the importance of peace so they can encourage resolution instead of conflict.

An interviewee of the Peace Studies and Community Development Centre at Nyala University in South Darfur explains that one of the main workshops directed to the various elements of civil society in Darfur to encourage the culture of peace is directed towards *Al Hakamat,* the local female poets who encourage the men during war. Currently many of these poets are calling for peace instead. There was also an attempt to put them in contact with *Al Murshidat,* the female religious leaders of the communities, in order for them to coordinate with each other. This was done in coordination of the United Nations-African Union Hybrid Operation in Darfur (UNAMID). Since then, *Al Hakamat* have contributed to resolving various tribal conflicts at the local level. There were various stories told by these women. One mentioned her experience during a conflict between her tribe and a neighbouring one. This led *Al Wali* to put the leaders of both in prison for a while. She used to cook food for all of them in order to eat together and she says that after few days of doing this, they actually started to rethink

the roots of the conflict and to talk about peace (N. B., personal interview, August 3, 2011).

In general, there is a growing emphasis on the role of women in the Native Administration. *Umdah* F. F. of Nyala City Council and a Member of Parliament in the National Council in South Darfur is the first female *Umdah* in the history of the Native Administration in Darfur. She explains that there is a «tendency now among native administration and government to include women in the process because they are influential elements of the society» (Umdah F. F., personal interview, September 7, 2011). Women are essential, it is argued, in fixing the social fabric so as to create a space of tolerance among fighting parties.

Interventions

To intervene in and resolve conflicts, the Native Administration uses Customary Law along with various tribal-based mechanisms, one of which is *Al Jodiah*. This is a group of people who come together and attempt to resolve conflicts between individuals or tribes. Although this still happens, some cases might proceed to court if they do not reach a community-based solution. Developed on a larger scale, this can lead to tribal reconciliatory conferences or what is called *Mo'tamarat Al Solh Al Qabali*. In that sense, for the largest part of Darfur's history, conflicts that arise between members of the same tribe or various tribes have been resolved through local interventions. This will be explored in detail in the following section.

The British colonizers kept in place the native administration as well as the *Hwakir* system, which is basically a system used to assign a piece of land to each tribe. Then, the British assigned leaders to the Native Administration of these various tribes and gave them unlimited authority. The institution survived the various — and often contradicting — governmental policies. *Shartai* I. A., of Reconciliation Committee at Nyala Locality in South Darfur, says that in South Darfur, there are 16 native administrations with different hierarchies and independent leadership. The native leaders make arrangements in order to resolve a conflict the moment it starts. In case of murder, the native leaders arrange that the family of the murderer present compensation to the family of the murdered such as sugar, bread, oil, onion, tea, meat ... etc. Forty days after a killing, the family of the murderer demand that a committee of the *Ajaweed* sit with both sides in order to reach an agreement. Customary law necessitates compensation in cows. Before this, they have to check the *Rakoubah*[1] in order to see if there have been similar incidents in the past between the two families/tribes. Then they take this agreement to the court. If the murder occurred by mistake, the court agrees on the compensation (*Diah*) decided on through the Native Administration (*Shartai* I. A., personal interview, September 8, 2011).

It is important here to note the change in the nature of the tribal conflict in Darfur, which changed the nature of the local interventions. It is argued

---

[1] This literally means a group of people who sit under the tree to be protected from the sun in a place built out of straw and used as a symbol of peace. This to be explained in detail in the section under Customary Law.

by native leaders and experts interviewed for this study that until the mid-1980s, Darfur possessed various effective mechanisms of conflict resolution. The first recorded tribal conflict in Darfur's modern history goes back to 1932 between tribes of *Kababeesh*, *Berti* and *Kwahla* in the border region between North Darfur and North Kordofan, Hiedlege. From the time of this incident and until 1985, there were only 6 other tribal clashes in the Darfur states. From 1985 to 1997, there were 26 tribal conflicts all over Darfur and most of these have been renewed and recurrent conflicts. Analyzing these two periods in terms of the reasons behind the conflicts, the parties involved and so on, there are various differences that emerge. In the first period, the conflicts emerged mainly in the local context so they were mainly about farms and nomads, and local mechanisms were particularly effective in resolving them. The Native Administration mainly managed these conflicts and the governmental authorities sometimes helped them. Mostly the solutions proposed to end the conflicts were convincing to all parties and they usually ended the conflicts once and for all with no re-eruption. In addition, the parties involved in the conflict were visible and the stands people took were understood.

In the second period, since 1985 conflicts arose between the Fur tribe and several Arab tribes. The conflicts have not been restricted to one specific area, but have been scattered across many regions in Darfur. During this time, racism and politicization of these local issues has become evident. That is why both the nature of the conflict and the nature of the losses have become completely different. Politicians and intellectuals on both sides have started to support one side against the other. This began between 1985 and 1989, when *Al Inqaz* government came to power. Even after that, this sort of conflict continued up until 1997 with reconciliation conferences failing to stop recurrence of conflicts among tribes. In 1997, a third party joined the conflict against the union of Arab tribes: *Al Masalit*. This led to escalation of the conflict, which started to take on different dimensions at this point. From 1997 to 2001, glimpses of the latest conflict started to appear. Tribal conflict continued to recur and escalated rapidly. From 2001-2002, opposition groups were formed, which took the conflict to a whole different level that involved the government (Ali, 1998).

Prior to this, local mechanisms had been applied through the Native Administration institution which has become weak and politicized after 1985. This was not only because of Nimeiri's decision to dissolve it but also because of the escalation of the conflicts that were going beyond its capacity. Yet, the role that the Native Administration has played in intervention remains essential and relevant. Although there are various mechanisms that native leaders have used for the purpose of conflict resolution throughout the history of the institution, this paper focuses on three main aspects: Customary Law, *Al Joudiah* and tribal reconciliation conferences.

Customary Law: Tribal Code

The codes under which the Native Administration conducts interventions or attempts to resolve conflicts are part of what is called Customary Law. There can be no coherent understanding of the role of native leaders in inter-

vention without an understanding of the aspects of Customary Law and the role it plays in this regard. Customary Law in Darfur regulates the relationships between individuals as well as between tribes regarding nomadism, agriculture, land acquisition, the use of water, marriage and divorce issues, and inheritance as well as its main task of intervention and conflict resolution. It is important to note that Customary Law has accumulated during the hundreds of years of tribal interactions in the region. These laws not only cover compensation for murder and destruction of possessions, they also regulate the routes in which nomads herd their animals (*Masaar or Mirhal*) and the lands that farmers are allowed to own and cultivate (*Hawakir*). Customary laws are general agreements formed between various tribes over the years. They have elements of the traditions of these tribes as well as elements of Islamic *Shariah* Law.

These laws are usually unwritten but there are individuals in each tribe — *Al Damalek* (sing: *Demlij*) — who are experts in customary laws of a particular tribe. Sometimes they measure criminal cases in relation to previous ones. For example, if there is a murder case committed intentionally in the Fur tribe, the murderer (or his tribe) has to pay 31 cows. But if the murder is committed unintentionally, they usually have to pay only 12 cows. The specifications of these customs differ from one tribe to another. Native leaders hold what is called *Majalis 'Urfiah* (customary meetings) in which they have Customary Laws for resolving conflicts applied to specific cases. For example, in the case of an unintentional killing, *Diah* (blood money) has to be paid to the family of the murdered in cows. They take into consideration the circumstances of the tribe paying the blood money because some tribes can afford to pay up to 70 cows while for others who might not be herding animals for a living, such as the Fur tribe, they make it 30 or 20 cows in order for them to be able to pay so that no problems would occur. In other conflicts compensation will be paid in other forms, for example seeds.

Several local actors argue that before the latest eruption of the Darfur conflict in 2003, conflicts were mainly between nomads and farmers or between members of one tribe against another in cases of murder. Such conflicts erupt when nomads use herding routes that go through land belonging to farmers and let the animals destroy the crops. This leads to a fight that can sometimes develop into a conflict. But he adds that people used to resolve such conflicts locally in Darfur through the Native Administration through Customary Law before it reached court. Customary Laws, it is argued by M. A., Manager of a national an NNGO called *Monazamet Al Usrah Al Kabira* (Big Family Organization) in South Darfur, are important because of the tribal division of the society. All tribes have their internal customary laws that are monitored by native leaders. Currently some tribes still strictly follow Customary Laws and native leadership while others have become 'modernized' in the sense that they might resort to the laws of the Sudanese state. But in general, tribes in Darfur highly consider Customary Law for various reasons: first, Customary Laws are efficient in terms of time. Resorting to the court, one needs a lawyer and it will take a long time for a jurisdiction to be reached. Second, the weight

of customary laws differs from one tribe to another. In some tribes, the Native Administration hierarchy is well respected while in others it is not. The stronger and more coherent a tribe, the better respected its laws and leaders are. In Darfur, most people used to live in the countryside outside the city before the latest eruption of the conflict. Currently many live in IDP camps or cities. This means that the topographic nature of the society has changed completely and this is reflected in the Native Administration because it failed to protect them during the war (M. A., personal interview, August 14, 2011).

The part of the Native Administration that starts the reconciliation between the parties in any given conflict is called *Demlij* — or it might be referred to as *Umdah*. The *Demlij* is the reconciliation specialist in a tribe and the first person in a tribe to initiate the peace process. There are specific characteristics for choosing him such as his ability to memorise all of the customary laws as well as any agreements made with other tribes. Sometimes new incidents occur and they necessitate new legislation; this is called unprecedented customary incident (*Sabiqa ʻUrfiah*). Because Darfur has an oral culture, it is difficult to record the legislation that has been made for a particular incident and thus it is necessary to find the actual people who attended in order to reapply the law to other cases.

Bedsides *Al Demlij* there is *Al Rakouba*, which literally means a group of people who sit under the tree to be protected from the sun in a place built out of straw and used as a symbol of peace (Abdullah, 1968, p. 74). This term has been used in Customary Law to refer to an agreement between tribes or within the same tribe with regard to any attempt to destroy possessions such as farms or animals. The Darfur community has used this as a method of reconciliation in particular conflicts. In this case, the *Diah* for the loss will be determined, whether in money or in another form. However, this won't be paid but rather will remain as compensation for any future similar incident for the affected side. An example of this would be if one member of the *Rizaigat* tribe, for instance, herds his cows onto the farm of a member of the *Fur* and thus destroys it. In the case of a resulting conflict between them, customs dictate that the member of the *Rizaigat* should compensate the loss caused to the other side. But because under the certain circumstances this might be costly or he might not intentionally have meant to cause harm, the cost of the loss won't be paid but will be kept in customs in case future harm occurs from the Fur side, in which case this would mean that the Fur side would not be compelled to pay any compensation (Ahmed, 1998, p. 84).

A *Rakouba* in this regard means that the value of the damage inflicted is evaluated but this amount is not actually taken; instead it is left in place in case any damage is caused by the victim's tribe in the future. This requires the approval of the victim himself. In the future, if the victim's tribe cause damage to the other tribe they will bring back this *Rakouba* and equate both incidents and the whole issue will be settled. The elders of the two tribes always remember this. There is an important rule in this regard, according to *Sheikh* N. K., which is that the sewing needle equates a camel in the Rakouba system; meaning «you had a camel in compensation for damage I did

to you in the *Rakouba* and then, when you lost a needle I gave to you, you can simply refer to the camel to equate the loss of your needle» (Sheikh N. K., personal interview, August 14, 2011). Otherwise, insisting on receiving compensation for one's loss, one has to return what has been kept in the past in the *Rakouba*. It is important to note that the *Rakouba* system does not target an individual but rather the whole tribe, so if one person does not use it in their lifetime their children or grandchildren could use it. This system is inspired by cooperation between tribes. Secretary General of the Sudanese opposition party and Native Administration in Nyala, Y. S., has helped to resolve various tribal clashes. He argues that the *Rakouba* system creates a sense of collectiveness and is — to a great extent — exclusive to the Darfur society. However, the situation is complicated when murders go beyond individual cases and become systematic, occurring in large numbers. This becomes a challenge to the Native Administration which is partially controlled by the government, has limited capacity and jurisprudence and its customary laws have rarely been developed to deal with 'modern-day' conflicts (Y. S., personal interview, September 21, 2011).

Al Joudiyah: A Conflict Resolution Mechanism

The *Joudiyah* is an old tradition of conflict resolution in Darfur that is widely respected by communities. This practice emanates from the nature of tribal life and is inspired by customs that have been discussed earlier. For example, if a conflict emerges because herding animals have eaten from plants on cultivated land, the case is referred to the *Ajaweed* of the tribe, or those experts who will make judgments on the case between the two sides. They will assess the damage and then put it in the form of a figure for the tribe that inflicted the damage to pay.

Usually the number of the people who have been killed in a particular conflict is presented based on police reports so as not to exaggerate the number of dead. In this regard reconciliation specialists are used from within the tribe; these are called *Ajaweed* (the generous ones). They have this name because they generously provide their time and knowledge in order to solve other people's problems. They talk with the tribes involved in the conflict about the traditions they share and the benefits of peace until they reach reconciliation. It is understood that the situation is sensitive for *Al Ajaweed*. They mediate between two people who are fighting each other and if they do not judge in a just manner, they will affect people's lives and their mediation will be rejected in future. There is a culture within tribes of respecting the role of these mediators and accepting their decisions. The first thing they look at after reconciliation is blood money or compensation that has to be paid for the dead. These mediators also assess the amount of money to compensate for the damage caused. They ensure that they are just to both sides and that both sides pay the compensation. After that, they gather with all of the fighting sides and make sure that they agree not to start a war again and that they will co-exist in peace.

The *Ajaweed* are supposed to be impartial people who are very familiar with customs and traditions as well as being experienced and respected by

their communities. They also have to be impartial to and accepted by all of the sides in a given conflict. This is to ensure that the decisions reached at the end will be applied and followed through. Usually the head of a *Joudiyah* is the head of the tribe and the members are collected from various ranks of the Native Administration. This is usually formed once a conflict arises within a tribe or between various tribes. They also represent tribes in the case of reconciliation conferences. Traditionally there has been a process for the application of this tradition during conflicts. Although not documented, this process is found in the oral tribal history, which is passed down from one generation to the other. Research conducted in the *Ed Alfursan* and *Essalam* localities in South Darfur by the Azza Women's Association (AWA) indicates the main steps involved in this process, which include:

Step 1: Stopping Hostilities

In most cases, this step is initiated by a respected local leader from a neutral tribe in the area (*Ajaweed*). This initiative usually starts with the conflicting parties being asked to stop the hostilities for a specific period of time. This allows the *Ajaweed* to talk to the leaders of the conflicting parties in order to prepare their case for the following step. In addition, they make suggestions of neutral persons to be included in the *Joudiyah* committee.

Step 2: Selection of Mediators (*Joudiyah* Committee)

In this step, a list of respected and experienced mediators is passed to the conflicting parties. If anyone on the list is found to be unacceptable by any of the conflicting parties, they are then replaced. There are some necessary characteristics for members of the mediation committee. They should be experts in community issues, they should be willing to volunteer and all parties should trust them.

Step 3: The *Joudiyah* Meeting

In this step, all parties come together for a meeting, which takes place away from the conflicting parties' lands. Two small groups represent the conflicting parties in the meeting and each person at the meeting is listened to until he finishes clarifying the case of his tribe.

Step 4: The Joudiyah Decision

In this step, the *Joudiyah* committee agrees on a set of decisions regarding the conflict at hand and the parties involved. These decisions are usually drawn from Customary Law and are announced to the conflicting parties by the *Ajaweed*. The judgment takes into consideration the *Rakouba* in the area or among the tribes involved as well as the *Diah* code. The idea behind this step is not to declare one side guilty but rather to reach a sense of settlement among the conflicting parties.

Step 5: Reconciliation

In this step, each tribal group is expected to recognize its course of action during the conflict and everyone is expected to be transparent about the negative consequences of their actions for the other tribe/side. At the end of the session, a declaration of peace is prepared by the *Ajaweed* and confirmed by the conflicting parties. Following this, the person who suggested the *Joudiyah* meeting is responsible for organizing an official celebration for the people

from both tribes to announce the peace agreement to the public (Ismail 2010, p.48-50).

a) Mo'tamarat Al Solh Al Qabali: Tribal Reconciliation Conferences

Reconciliation conferences stem from the idea of *Majalis 'Urfiah,* which is inspired by Customary Law, and they are planned and conducted under the institution of *Joudiyah*. These conferences are designed along the lines of *Al Joudiyah* but are usually on a bigger scale (Abdul Wahab, 2004). In addition to this, tribal reconciliation conferences are the hybrid form of traditional and governmental aspects of the Native Administration and the government's local units (*Hokm Mahali*). In that sense, this form is not entirely community-based, but rather it is locally inspired and demonstrates the complicated nature of the Native Administration and its role in intervening in the current conflict. Adam Al Zien, an expert on Darfur and a Professor at the University of Khartoum, states that during the period between 1970 and 2004 25 tribal reconciliation conferences were held in South Darfur, two of which occurred during the period from 1970–1979 when the Native Administration had been dissolved. There were 6 conferences from 1980-1989, 8 conferences from 1990–1999 and 9 conferences from 2000-2004 (El Zien, 2003). During the period 2003–2011, 55 reconciliation conferences were held in South Darfur (Hamed, 2011, p. 27).

In that sense, this type of intervention is not a purely traditional formation but rather a combination of *Joudiyah* and governmental practices usually organized by the local authority but sometimes facilitated by local civil society organizations. There are two types of these conferences: those for intervening and resolving existing conflicts, and others for preventing conflicts. At these conferences the facilitators are selected according to the local authority criteria. Those selected are usually those who are supportive of the governmental stand and the ruling party. After the members have been selected, people from the conflicting tribes are gathered in one place and the discussion on the ongoing conflict begins. Recently the problem is that when representatives of tribes are chosen from among those who support the government's stand, the discussion becomes mainly directed by the government rather than the people from the respective tribes. One reason for the failure of some of these conferences could be the lack of consultation with and involvement of the conflicting parties, and the issue of selecting people who actually represent the ones concerned, rather than the government. In addition, these conferences lack mechanisms of implementation and because they include the Native Administration in a caricature manner, they lack the authority of implementation among the tribes.

It is important here to note that the changing nature of the conflict has also been reflected in the changing nature of these reconciliation conferences and the role of the Native Administration. The Center of Peace and Conflict Studies in Nyala has conducted trainings for the Native Administration in this regard. N. B. of the Center speaks of four types of conflicts that have been taking place in Darfur. The first is between individuals, possibly from within the same family or tribe which are normally resolved and rarely become

complicated. The second type is between tribes and this usually emerges from conflicts between nomads and farmers. This never really escalates and is usually resolved through the Native Administration. The third type is between the original tribes inhabiting the territory and new settlers. The new tribes may come from north Darfur or West Darfur or even from outside Sudan. Some of these conflicts started before the 2003 escalation and have gradually become more severe. This type possibly started towards the end of the 1970s because there was a dry season at the time in surrounding regions that made several tribes move towards the south of Darfur in search of water. The reasons were mainly environmental. But in recent years this type has been seen as a form of 'colonisation' and the tribes have reacted aggressively to it. As for the fourth type, it is argued here that it is between the government and the opposition groups. This has occurred for various reasons one of which is arguably the marginalisation of Darfur. Though the international community focused on that fourth type of conflict, it is argued that the eruption of the Darfur conflict in 2003 fed into the other types of conflicts — particularly the second and third — which led to complications and widespread violence.

It is argued here that the conflict between the government and opposition groups is the reason why tribal conflicts keep recurring and are being escalated beyond their previous local boundaries. The role of the Native Administration's interventions becomes complicated in this regard and the lines between the intervention made by local formations and the ones made by the government become blurred.

Significance of Incorporating the Local Element

As indicated earlier, various local efforts for intervention and conflict resolution are exerted on the level of local civil society in Darfur. Although they face several challenges, the significance of these efforts is immense. The main points to be explored here are their familiarity with the conflict context; having better access to the culture; and being directly affected by conflict, all of which make their interventions essential (Chambers, 1983).

Familiarity with Context and Culture

Familiarity with the context enables local actors to understand the root causes and address them. Conflicts are rarely clear-cut settings in which the reasons are understood and can be directly addressed. A conflict is usually a multi-faceted social phenomenon and history along with current social, political and economic conditions play a role in its production. Being part of that context makes local actors more capable of dealing with these complications in a straight forward manner.

Several local actors interviewed for this research mentioned that the focus of the international community with regard to the problem in Darfur has been on resolving the conflict between the government and the rebel groups while ignoring what is happening locally between the tribes. It is being argued that reconciliation conferences as well as international conventions fail as the root causes of the conflict are not being dealt with properly. That is why it is significant to consult with and integrate local actors into processes of intervention and conflict resolution. On a local level, *Al Wali* adopts an interest-

ing way of dealing with these conflicts. He meets with fighting parties and explains why the reconciliation failed and how he will attempt to approach the conflict in a different manner this time. He moves to the grassroots and asks those who have the permission to forgive (*Haqq Al 'Afu*) or the affected side to apply the *Shariah* principles. When this happens, reconciliation often succeeds. But the organization of reconciliation conferences while ignoring the main reasons behind the conflict often leads to the recurrence of violence.

The Darfur-Darfur Dialogue and Consultation (DDDC) has been established by the UNAMID in South Darfur in order to create space for expressing opinions among the Darfurians with regards to bringing about peace to the region which was based on a chapter of the Abuja Agreement; DPA (Darfur Peace Agreement). This was created to work on fixing the social fabric that has been affected by the war. In an interview with A. Y. from the DDDC, he argued that the involvement of the local civil society has been essential in any attempt of resolving conflicts in Darfur. The DDDC with its focus on the involvement of local actors worked creatively to make the DPA relevant on the ground. One of the reasons why the DPA was not accepted by the fighting parties was the lack of meaningful engagement on the part of civil society in the process of negotiations. That is why any discussion of conflict ideally must reflect the community's point of view, make people confident about expressing their opinions and reflect a bottom-up negotiation process. That is why in the DDDC they start from the grassroots, locality level and then move up to the Darfur regional level (A.Y., personal interview, August 30, 2011).

Local actors stress that their understanding of the context is an essential component in resolving it. The General Manager of *Mubadiroon* Organization for Conflict Management and War Prevention, a local organization in Nyala, South Darfur, explains that there is a need to look at the root causes that the locals live in their everyday lives such as unemployment. To bring about peace to the region there is a need for building projects for people to find job opportunities. There is also need to build bridges, pave roads, provide clean water and build schools and so on. «We are not theorizing in a vacuum or trying to be politically correct; those people we have lived with and worked with and we know what they really need,» he adds (A. H., personal interview, July 27, 2011) Several local actors, particularly from local civil society organizations, argued that international interventions often fail as they exclude the local element which is more familiar with the dynamics of the war. It is argued here that some local actors that are being marginalized in the peace process could take the funds provided through international organizations without this leading to a significant impact on the ground (M. R., personal interview, July 25, 2011).

In the context of conflict, trust is usually missed and getting access to the fighting parties becomes essential to resolving the conflict. And this is essential to efforts of intervening in and resolving the conflict. Local organizations as well as other formations discussed earlier in this paper often function during conflicts in areas that cannot be reached by the government or international organizations. The reason is that those locals are often more connected

to the society with its culture and traditions. An example provided by a local actor in an interview highlighted that a minor act such as sharing food with the people in localities where there is a conflict can provide access which is something often neglected by international actors. «We understand that and they don't. They sometimes show on their faces resentment to our food and our traditions whereas we in Darfur respect them and treat them well for this is part of our tradition» (A. S., personal interview, July 25, 2011).

In addition to this, ignoring — or not being aware of — the cultural underpinnings of the society is an aspect with which international organizations could complicate conflict. Darfur is a traditional society with a multi-tribal composition that has affected the nature of the conflict. Not being aware of this could lead to creating a barrier between the international actors and local ones. Local actors in Darfur often speak of how the staff of international organizations have distorted various cultural aspects of the society and have thus negatively affected the familial structures and traditional values. Local actors often expressed through interviews that they consider Darfur to be a conservative society which has a particular set of traditions that have to be respected by those who are attempting to resolve conflicts in the region. Failing to pay attention to these traditions often lead to failure of peace negotiations, or in some cases complicating an existing conflict as the local community looks at ignoring its traditions as yet further marginalization to the region. Local actors have indicated that ignoring the culture and traditions of the community make the people look at international interventions as more of attempts of 're-colonization' that should be resisted, instead of helped and asserted. Various spoke of the impact of internationals as making young people detached from their communities and traditions. Local actors also refer to views on liberation and human rights that have been brought by international actors yet not properly introduced to the people. Those values are being referred to on paper for the sake of continuation of funds while they remain detached from reality.

a) Directly Affected by Conflict

Several local actors speak of the 'genuineness' of their interventions in conflicts that are affecting their own lives. And though not all local actors are being negatively affected by conflict — on the contrary, some benefit and flourish during wars — it is still important to see that being directly affected by conflict adds significance to their own attempts to resolve conflict. The General Manager of Al Ruhama Organization in South Darfur spoke of how the organization was chosen by UNAMID to be funded for building small police stations in the camps. The organization is composed of various local women groups that function within tribes. «We are mothers and we look at those who carry weapons as our sons as well as those who work for the government, so we want to do something that gathers everybody and makes them all interested in making peace,» she explains the importance of their contribution (M. A., personal interview, July 25 2011).

Lieutenant General Patrick Nyamvumba, UNAMID Force Commander in North Darfur in 2011, explains that it was a mistake not to involve civil

society in the early stages of the Darfur peace process because armed factions claim to represent the people of Darfur whereas they have become later fragmented with various claims that do not represent everyone in the conflict region. It was then essential to let the people speak up for themselves through their local representatives as they are the ones whose lives are being disrupted by the conflict on a daily basis. The involvement of the civil society has enabled the voices of the people to be heard. This allowed the people of Darfur to feel 'ownership' of the peace agreements that followed — particularly the one in Doha — as they saw that their views and their own local leaders are being included and accounted for. They felt that they are the ones who were bringing the conflict to an end (Patrick Nyamvumba, phone interview, August 8, 2011).

Relating to this, in an interview with a member of the Darfur Community Peace and Stability Fund (DCPSF), which is part of the United Nations Development Program (UNDP), that was created in October 2007 by the Darfur International Partner Group by a group of countries and donors interested in ending the Darfur conflict, he echoed the same sentiments regarding the involvement of the local element in peace. The fund was accompanied by a wave of optimism when it was created as it aimed to restore confidence among the communities in Darfur. It supported around 24 projects that had to do with conflict assessment, highlight gaps within peacebuilding and suggest solutions, provide emergency humanitarian funds and provide peacebuilding expertise to local organizations. He adds with regards to the local involvement that they always prefer to work with local partners on these various projects because they have more understanding of the situation on the ground. «The link between a remote village in Darfur and the Parliament House in London, for instance, is too long and we need local organisations to link up and fill the gaps within our work» (K. J., personal interview, July 28, 2011).

On a local level, interviewees for this research spoke of the spirit of *Nafir,* which is a collaborative social action towards accomplishing any particular project at hand in the Darfur society. This has been behind various community-based projects during peace and conflict times alike and the drive behind volunteer work in Darfur, though lacking the organizational aspect of modern civil society. The situation on a larger scale becomes problematic when Community Based Organizations (CBOs) and other local formations focus mainly on how to bring funds to make their projects work. Nevertheless, the *Nafir* spirit remain the force behind various projects on the ground in Darfur. In that sense, international actors are urged by local actors to work through those who already work in Darfur as they are being part of that community that encourages work for the common good and carries the burden of war. The difficulties that civil society face in Darfur is the reason, local actors argue, that it has not been functioning with its full capacity in this regard. These include the lack of funds and the control of the government.

Concluding Remarks

The purpose of this paper has been to closely examine practices of intervention and conflict resolution on the community level in Darfur. This ex-

amination highlights the capacity and scope of the local formations in this regard. Native Administration, which is a primary formation examined by this research, has its deep roots within the Darfur society. The order of the Administration is complicated and has developed over decades. The structure is part and parcel of the tribe, which has been considered to be the main unit of governance and organization in Darfur. This slightly differs from one tribe to another yet in general there are elements that remain the same in that structure particularly those concerned with intervention and conflict resolution mechanisms. Those focus on customary laws, reconciliation meetings and large gatherings. Civil society organizations remain yet another notable entity within the local element in Darfur. These NGOs are often associated with modern state and international community yet they are influenced by and interact with other local formations discussed in this paper. Their capacity to intervene in and resolve conflicts has been particularly associated with recent conflicts in Darfur growing beyond the capacity of traditional local formations such as Native Administration. These organizations function in an interesting manner that reconnects with other local formations yet uses new forms of interventions such as conferences and targeted programs. Furthermore, the paper presented the argument for the significance of incorporating this local element into attempts of conflict resolution as it is mostly familiar with the context, the culture and is being directly affected by the conflict which often — though not always — leads to a desire to end it.

Though all the presented forms of intervention in this paper demonstrate a capacity to intervene in and resolve conflicts within local means, various concerns were raised — which could be the subject of further research. One issue that has been raised is the limited capacity of the local element to deal with growingly complicated conflicts that include novel challenges such as rebel groups and the government. This limited capacity leads to the intervention of the international element to provide peacekeepers, humanitarian aid and to introduce this local civil society to 'modern' forms of organization and to provide funds. This often complicates the conflict as well as the structure and capacity of the local formations which often reshapes to meet the prearranged standards of the international community. Another concern that has been raised is that these formations are sometimes affected by tribalism and is often led by the elites of their respective communities. Moreover, Native Administration has been influenced by structures put in place by former colonial authorities and authoritarian state. In addition, these formations, to a great extent, possess limited resources and are led by patriarchal arrangements that largely exclude women as well as other minorities which reflects problematic issues of power and inequality within the structure of the local element in Darfur. These concerns pose challenges to the capacity of community-based interventions, though do not undermine the significance of incorporating the local element in peace.

References

Abdullah, Al Ameen Al Saken Ahmed. (2008). *Role of Civil Society in Conflict Resolution and Peacebuilding in South Darfur State: Local Administration as Case Study from 1970 to 2004.* (Unpublished master's thesis). Centre of Peace Studies and Community Development, Nyala University. [in Arabian].

Abdullah, Ali Hassan. (1968). *Al Hokm wal Edarah fe al Sudan.* (*Governance and Administration in Sudan*). Dar Al Mostaqbal Al Arabi: Cairo. [in Arabian].

Abdul Wahab, Mohammad Bakry. (2004). *Dawar Mo'tamarat al Solh el Qabaly wal Ajaweed fi hal el Siraat el Qabalia fi Darfur. (Role of Reconciliation Conferences and Ajaweed in Resolving Tribal Conflicts in Darfur).* (Unpublished doctoral dissertation/master's thesis). Centre of Peace Studies and Community Development, Nyala University. [in Arabian].

Ahmed, Nazek Al Tayeb Rabah. (1998). *Role of Native Administration and Government in Tribal Conflict Resolution in Darfur.* (Unpublished master's thesis). University of Khartoum, Faculty of Economic and Social Studies, Branch of Political Science. [in Arabian].

Al Bathawy, Ata Hassan. (2003). Civil Society Organisations in Darfur: The Developmental Aspect. In Adam El Zien, et al (Eds), *Al Tanmia Muftah Al Salam fi Darfur* (*Development as Key in Darfur Peace*). (pp. 34–52). Juba: Centre of Peace Studies and Development, Juba University. [in Arabian].

Ali, Mohammad Ahmed Nur. (1998). *Tribal Conflicts in Darfur: Reasons and Impact on Social Infrastructure.* (Unpublished master's thesis). University of Khartoum, Faculty of Economic and Social Studies, Department of Sociology. [in Arabian].

Bellamy, A. J. (2006). Whither the Responsibility to Protect? Humanitarian Intervention and the 2005 World Summit. *Ethics & International Affairs,* 20 (2), 143–169.

Bellamy, A. J. (2005). Responsibility to Protect or Trojan Horse? The Crisis in Darfur and Humanitarian Intervention after Iraq. *Ethics & International Affairs,* 19 (2), 31–53.

Bellamy, A. J. (2008). Conflict Prevention and the Responsibility to Protect. *Global Governance,* 14 (2), 135–156.

Booth, K. (1991). Security and Emancipation. *Review of International Studies,* 17 (4), (Oct., 1991), 313–326.

Booth, K. (2005). *Critical Security Studies and World Politics.* Boulder, Co and London: Lynne Rienner.

Burton, J. (1962). *Peace Theory: Preconditions of Disarmament.* New York: Alfred A. Knopf.

Burton, J. (1969). *Conflict & Communication: The Use of Controlled Communication in International Relations.* London: Macmillan.

Burton, J., Dukes, F. & Mason G. (1990). *Conflict: Resolution and Prevention* (Basingstoke and London: Macmillan.

Burton, J. (1990). *Conflict: Human Needs Theory.* Basingstoke and London: Macmillan.

Burton, J. & Dukes, F. (1990). *Conflict: Readings in Management and Resolution.* Basingstoke and London: Macmillan.

Burton, J. & Dukes, F. (1990). *Conflict: Practices in Management, Settlement and Resolution.* Basingstoke and London: Macmillan.

Burton, J. (1997). *Violence Explained: The Sources of Conflict, Violence and Crime and Their Prevention.* Manchester and New York: Manchester University Press.

Campbell, D. (1992). *Writing Security: United States Foreign Policy and Politics of Identity.* Minneapolis: University of Minnesota.

Chambers, R. (1983). *Rural Development: Putting the Last First.* New York: Longman.

Cox, Robert. (1981). Social Forces, States and World Orders: Beyond International Relations Theory. *Millennium,* 10 (2), 126–155.

Cramer, Ch. (2006). *Civil War is Not a Stupid Thing: Accounting for Violence in Developing Countries.* London: Hurst & Company.

Dannreuther, R. (2007). *International Security: The Contemporary Agenda.* Cambridge: Polity Press.

Duffield, M. (2001). *Global Governance and the New Wars: The Merging of Development and Security.* London: Zed.

Duffield, M. (September, 2005). Social Reconstruction: The Reuniting of Aid and Politics. *Development*, 48 (3), 16–24.

Duffield, M. (2008). Global Civil War: The Non-Insured, International Containment and Post-Interventionary Society. *Journal of Refugee Studies,* 21 (2), 145–165.

Duffield, M. (2007). Development, Territories, and People: Consolidating the External Sovereign Frontier, *Alternatives: Global, Local, Political,* 32 (2), 225–246.

Duffield, M. (2007). *Development, Security and Unending War: Governing the World of Peoples.* Cambridge: Polity Press.

Duffield, M. (2010). The Liberal Way of Development and the Development-Security Impasse: Exploring the Global Life-Chance Divide, *Security Dialogue,* 41(1), 53–76.

El Zien, A. (2003). Towards Getting Over Conflict in Darfur: A Developmental Approach. In Adam El Zien, et al (eds), *Al Tanmia Muftah Al Salam fi Darfur* (Development as Key in Darfur Peace). Juba: Centre of Peace Studies and Development, Juba University. [in Arabian].

Fletcher, G. P. & Ohlin, J. D. (2008). *Defending Humanity: When Force Is Justified and Why?* Oxford: Oxford University Press.

Hamed, Amna Hassan Mohammed. (2011). Role of Civil Society in Resolving The Darfur Conflict: Nyala City as Case Study]. (Unpublished Diploma Thesis). Centre of Peace Studies and Development, Nyala University.[in Arabian].

International Commission on Intervention and State Sovereignty (ICSS). (2001). *The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty* (Ottawa: International Development Research Centre). Retrieved from http://responsibility-toprotect.org/ICISS%20Report.pdf

Ismail, M. (2010). Conflict Analysis: Participatory qualitative research conducted with participants from Ed Alfursan and Essalam localities — South Darfur, AZZA Women's Association Report. Retrieved from https://www.peaceinsight.org/conflicts/sudan/ [in Arabian].

Kaldor, M. (2003). *Global Civil Society: An Answer to War.* Cambridge: Polity Press.

Mac Ginty, R. & Richmond, O. (2007). Myth or Reality: Opposing Views on the Liberal Peace and Post-War Reconstruction. *Global Society,* 21 (4), 491–497.

Mac Ginty, R. & Williams, A. (2009). *Conflict and Development.* Oxford: Routledge.

Mac Ginty, R. (2010). Hybridity Peace: The Interaction Between Top Down and Bottom up Peace, *Security Dialogue,* 41(4), 391–412.

Marriage, Z. (2013). *Formal Peace and Informal Wars: Security and Development in Congo.* Oxon: Routledge.

Murphy, S. (1996). *Humanitarian Intervention: The United Nations in an Evolving World Order.* Procedural Aspects of International Law Series (21). Philadelphia: University of Pennsylvania Press.

Newman, E. (2001). Human Security and Constructivism. *International Studies Perspectives,* 2 (3), 239–251.

Newman, E., Paris, R & Richmond, O. (2009). *New Perspective on Liberal Peacebuilding.* New York: United Nations University.

Newman, E. (2002). Humanitarian Intervention: Legality and Legitimacy. *The International Journal for Human Rights,* 6 (4), 102–120.

Newman, E. (2004). The 'New Wars' Debate: A Historical Perspective is Needed. *Security Dialogue,* 35 (2), 173–189.

Newman, E. (2007). *A Crisis of Global Institutions? Multilateralism and International Security.* Oxford: Routledge.

Newman, E. (2010). Critical Human Security Studies. *Review of International Studies,* 36 (1), 77–94.

Richmond, O. (2008). *Peace in IR.* Oxon: Routledge.

Richmond, O. (2007). Emancipatory Forms of Human Security and Liberal Peacebuilding. *International Journal,* 62 (3), 459–478.

Richmond, O. (2001). Towards a Genealogy of Peacemaking: The Creation and Recreation of Order. *Alternatives,* 26 (3), 317–343.

Richmond, O. (2011). *A Post-Liberal Peace.* Oxford: Routledge.

Salih, Al Tijani Mustafa Mohammad. (1999). *Al Sira' Al Qabali fi Darfur: Asbabuh, Tada'iatoh wa 'Ilajoh.* (Tribal Conflict in Darfur: Reasons, Consequences and Remedy]. (Khartoum: Sudan Publishing House). [in Arabian].

Waever, O., Buzan, B. & Lemaitre, P. (1993). *Identity, Migration and the New Security Agenda in Europe.* London: Pinter.

Weiss, T. (2004). The Sunset of Humanitarian Intervention? The Responsibility to Protect in a Unipolar Era. *Security Dialogue,* 35 (2), 135–153.

Weldes, J. (1999). *Constructing National Interests: The United States and the Cuban Missile Crisis.* Minneapolis: University of Minnesota Press.

Список використаної літератури

Abdullah Al A. Al S. A. Role of Civil Society in Conflict Resolution and Peacebuilding in South Darfur State: Local Administration as Case Study from 1970 to 2004. Unpublished master's thesis. Centre of Peace Studies and Community Development, Nyala University, 2008.

Abdullah A. H. Al Hokm wal Edarah fe al Sudan. (Governance and Administration in Sudan). Dar Al Mostaqbal Al Arabi: Cairo, 1986. 240 p.

Abdul Wahab M. B. Dawar Mo'tamarat al Solh el Qabaly wal Ajaweed fi hal el Siraat el Qabalia fi Darfur. (Role of Reconciliation Conferences and Ajaweed in Resolving Tribal Conflicts in Darfur). Unpublished doctoral dissertation/master's thesis. Centre of Peace Studies and Community Development, Nyala University, 2004.

Ahmed N. Al T. R. Role of Native Administration and Government in Tribal Conflict Resolution in Darfur. Unpublished master's thesis. University of Khartoum, Faculty of Economic and Social Studies, Branch of Political Science, 1998.

Al Bathawy, A. H. Civil Society Organisations in Darfur: The Developmental Aspect. *Adam El Zien, et al. (eds). Al Tanmia Muftah Al Salam fi Darfur.* Juba: Centre of Peace Studies and Development, Juba University. 310 p.

Ali M. A. N. Tribal Conflicts in Darfur: Reasons and Impact on Social Infrastructure. Unpublished master's thesis. University of Khartoum, Faculty of Economic and Social Studies, Department of Sociology, 1998.

Bellamy A. J. Whither the Responsibility to Protect? Humanitarian Intervention and the 2005 World Summit. *Ethics & International Affairs. 2006.* Vol. 20, Is.2. Pp. 143–169.

Bellamy A. J. Responsibility to Protect or Trojan Horse? The Crisis in Darfur and Humanitarian Intervention after Iraq. *Ethics & International Affairs.* 2005. Vol. 19, Is. 2. P. 31–53.

Bellamy A. J. Conflict Prevention and the Responsibility to Protect». *Global Governance.* 2008. Vol. 14, No2 (April–June), P. 135–156.

Booth K. Security and Emancipation. *Review of International Studies.* 1991. Vol. 17, No4 (Oct.). P. 313–326.

Booth K. Critical Security Studies and World Politics. Boulder, Co; London: Lynne Rienner, 2005. 300 p.

Burton J. Peace Theory: Preconditions of Disarmament. New York: Alfred A. Knopf, 1962. 200 p.

Burton J. Conflict & Communication: The Use of Controlled Communication in International Relations. London: Macmillan, 1969. 246 p.

Burton J., Dukes F., Mason G. Conflict: Resolution and Prevention. Basingstoke; London: Macmillan, 1990. 352 p.

Burton J. Conflict: Human Needs Theory. Basingstoke; London: Macmillan, 1990. 358 p. DOI 10.1007/978-1-349-21000-8.

Burton J., Dukes F. Conflict: Readings in Management and Resolution. Basingstoke; London: Macmillan, 1990. 354 p. DOI 10.1007/978-1-349-21003-9.

Burton J., Dukes F. Conflict: Practices in Management, Settlement and Resolution. Basingstoke; London: Macmillan, 1990. 230 p.

Burton J. Violence Explained: The Sources of Conflict, Violence and Crime and Their Prevention. Manchester; New York: Manchester University Press, 1997. 176 p.

Campbell D. Writing Security: United States Foreign Policy and Politics of Identity. Minneapolis: University of Minnesota, 1992. 269 p.

Chambers R. Rural Development: Putting the Last First. New York: Longman, 1983. 246 p.

Cox R. Social Forces, States and World Orders: Beyond International Relations Theory. Millennium. 1981. Vol. 10, Is. 2. P. 126–155.

Cramer Ch. Civil War is not a Stupid Thing: Accounting for Violence in Developing Countries. London: Hurst & Company, 2006. 329 p.

Dannreuther R. International Security: The Contemporary Agenda. Cambridge: Polity Press, 2007. 263 p.

Duffield M. Global Governance and the New Wars: The Merging of Development and Security. London: Zed, 2001. 304 p.

Duffield M. Social Reconstruction: The Reuniting of Aid and Politics. *Development.* 2005. Vol. 48, Is. 3. P. 16–24.

Duffield M. Global Civil War: The Non-Insured, International Containment and Post-Interventionary Society. *Journal of Refugee Studies.* 2008. Vol. 21, Is. 2. P. 145–165.

Duffield M. Development, Territories, and People: Consolidating the External Sovereign Frontier. *Alternatives: Global, Local, Political.* 2007. Vol. 32, Is. 2. P. 225–246.

Duffield M. Development, Security and Unending War: Governing the World of Peoples. Cambridge: Polity Press, 2007. 280 p.

Duffield M. The Liberal Way of Development and the Development-Security Impasse: Exploring the Global Life-Chance Divide. *Security Dialogue.* 2010. Vol. 41, Is. 1. P. 53–76.

El Zien A. A. Towards Getting Over Conflict in Darfur: A Developmental Approach. *El Zien A. (Eds). Al Tanmia Muftah Al Salam fi Darfur.* (Development as Key in Darfur Peace). Juba: Centre of Peace Studies and Development, Juba University, 2003. 310 p.

Fletcher G., Ohlin J. D. Defending Humanity: When Force Is Justified and Why? Oxford: Oxford University Press, 2008. 288 p.

Hamed A. H. M. Role of Civil Society in Resolving The Darfur Conflict: Nyala City as Case Study. Unpublished Diploma Thesis. Centre of Peace Studies and Development, Nyala University, 2011.

International Commission on Intervention and State Sovereignty (ICSS). *The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty.* Ottawa: International Development Research Centre, 2001. 108 p. URL: http://responsibilityto-protect.org/ICISS%20Report.pdf (date of the application: 15.08.2020).

Ismail M. Conflict Analysis: Participatory qualitative research conducted with participants from Ed Alfursan and Essalam localities — South Darfur. AZZA Women Association Report, 2010. URL: https://www.peaceinsight.org/conflicts/sudan/ (date of the application: 15.08.2020).

Kaldor M. Global Civil Society: An Answer to War. Cambridge: Polity Press, 2003. 200 p.

Mac Ginty R., Richmond O. Myth or Reality: Opposing Views on the Liberal Peace and Post-War Reconstruction. *Global Society.* 2007. № 21 (4). P. 491–497.

Mac Ginty R., Williams A. Conflict and Development. Oxford: Routledge, 2009. 224 p.

Mac Ginty R. Hybridity Peace: The Interaction Between Top Down and Bottom up Peace. *Security Dialogue.* 2010. Vol. 41, Is. 4. P. 391–412.

Marriage Z. Formal Peace and Informal Wars: Security and Development in Congo. Oxon: Routledge, 2013. 192 p.

Murphy S. Humanitarian Intervention: The United Nations in an Evolving World Order. In the series Procedural Aspects of International Law. Philadelphia: University of Pennsylvania Press, 1996. Vol. 21. P. 448.

Newman E. Human Security and Constructivism. *International Studies Perspectives.* 2001. Vol. 2, Is. 3. P. 239–251.

Newman E., Paris R., Richmond O. New Perspective on Liberal Peacebuilding. New York: United Nations University, 2009. 400 p.

Newman E. Humanitarian Intervention: Legality and Legitimacy. *The International Journal for Human Rights.* 2002. Vol. 6, Is.4. P.102–120.

Newman E. The ʼNew Warsʼ Debate: A Historical Perspective is Needed. *Security Dialogue.* Vol. 35, Is. 2. Pp. 173–189.

Newman E. A Crisis of Global Institutions? Multilateralism and International Security. Oxford: Routledge, 2007. 186 p.

Newman, E. Critical Human Security Studies. *Review of International Studies.* 2010. Vol. 36, Is.1. P. 77–94.

Richmond O. Peace in IR. Oxon: Routledge, 2008. 224 p.

Richmond O. Emancipatory Forms of Human Security and Liberal Peacebuilding. *International Journal.* 2007. Vol. 62, Is. 3. P. 459–478.

Richmond O. Towards a Genealogy of Peacemaking: The Creation and Recreation of Order. *Alternatives.* 2001. Vol. 26, Is. 3. P. 317–343.

Richmond O. A Post-Liberal Peace. Oxford: Routledge, 2011. 288 p.

Salih Al T. M. M. Al Siraʼ Al Qabali fi Darfur: Asbabuh, Tadaʼiatoh wa ʼIlajoh. Tribal Conflict in Darfur: Reasons, Consequences and Remedy. Khartoum: Sudan Publishing House, 1999. 323 p.

Waever O., Buzan B., Lemaitre P. Identity, Migration and the New Security Agenda in Europe. London: Pinter, 1993. 221 p.

Weiss T. The Sunset of Humanitarian Intervention? The Responsibility to Protect in a Unipolar Era. *Security Dialogue.* 2004. Vol. 35, Is. 2. P. 135–153.

Weldes J. Constructing National Interests: The United States and the Cuban Missile Crisis. Minneapolis: University of Minnesota Press, 1999. 316 p.

Таха Хагар
незалежна дослідниця та консультант
Школа сходознавства і африканістики Лондонського університету
випускниця стипендіальних програм «Відкритого суспільства»
94 Chopinlaan, 2625WE Делфт, Нідерланди

ЛОКАЛЬНІ ОСНОВИ МИРУ: КЕЙС ВТРУЧАННЯ ГРОМАДИ В ДАРФУРІ

Резюме

Конфлікт у провінції західного Судану Дарфурі, що спалахнув в лютому 2003 року в результаті міжетнічного протистояння, триває вже 17 років. З плином часу повномасштабні військові дії трансформувалося в ланцюг окремих зіткнень між повстанськими фракціями і підрозділами регулярної армії, а також різними племінними громадами. Конфлікт супроводжується нападами на гуманітарні автоколони, табори біженців і миротворців ООН. У цій статті розглядаються зусилля з втручання і врегулювання конфліктів, що вживаються місцевими формуваннями цивільного суспільства в Дарфурі. Тут розглядаються дві основні теми: форми втручання і вирішення конфліктів, пропоновані на місцевому рівні, і аргументи для включення цього локального елемента в систему учасників врегулювання конфліктів. Хоча місцеві утворення в Дарфурі набувають форм, відмінних від тих, які визнані в західній літературі і товариствах «громадянським суспільством», недавні взаємодії між місцевими утвореннями, державою і міжнародним співтовариством виявили значний потенціал цих традиційних структур у врегулюванні громадянських конфліктів. Місцева адміністрація, яка є первинним утворенням, що вивчається в рамках даного дослідження, має свої глибокі корені в суспільстві Дарфура. Структура управління складна і розвивалася десятиліттями і є невід'ємною частиною племені, яке протягом десятиліть вважалося основною одиницею управління і організації в Дарфурі. Структура управління відрізняється між племенами, але в цілому є елементи, які залишаються незмінними і в структурі і, що більш важливо, в механізмах втручання і вирішення конфліктів. Вони зосереджені на звичайному праві, зустрічах з примирення і великих зібраннях. Організації громадянського суспільства залишаються помітною частиною місцевого елемента в Дарфурі. Їх здатність втручатися і вирішувати конфлікти особливо пов'язана з тим, що конфлікт виходить за рамки можливостей традиційних місцевих утворень, таких як місцева адміністрація. Ці організації функціонують, об'єднуючись з іншими місцевими утвореннями, але при цьому використовують нові форми втручання, такі як конференції та цільові програми. У тексті представлені аргументи на користь важливості включення цього локального елемента у спроби вирішення конфлікту, оскільки він знайомий з контекстом, культурою і безпосередньо залежить від конфлікту, який часто — хоча і не завжди — призводить до бажання

покласти йому край. Зусилля, що вживаються місцевими формуваннями в Дарфурі для вирішення конфліктів, повинні бути представлені і піддані критичному аналізу. Мета полягає в тому, щоб чітко розмежувати традиційні механізми вирішення конфліктів в Дарфурі, а також ті механізми, які можуть запропонувати місцеві громади у взаємодії з діючими державою і міжнародною спільнотою. Поділ між традиційним і сучасним в статті розглянуто як функціональний, і підкреслено для встановлення базової концептуальної ясності. Реальність, представлена емпіричними даними дослідження, є надскладною, і автор підкреслює це. У статті дається огляд форм втручань і механізмів врегулювання конфліктів місцевими формуваннями в Дарфурі, а також аналіз значущості їх інтеграції в спробі вирішити конфлікти в регіоні. Одним з питань, піднятих у статті, є обмежена здатність місцевого елемента справлятися з наростаючими труднощами конфліктів, в які входять такі елементи, як повстанські групи й уряд. Ці обмежені можливості призводять до необхідності міжнародного елемента в формі фінансування цих формувань і забезпечення «сучасних» форм організації. Це часто ускладнює конфлікт, а також структуру і потужність цих формувань. Інше питання полягає в тому, що місцеві утворення іноді схильні до трайбалізму й очолюються елітами відповідних громад. Крім того, на місцеву адміністрацію впливають структури, створені колишніми колоніальними властями і авторитарною державою. На структуру організацій громадянського суспільства також впливає втручання міжнародного співтовариства. Крім того, ці формування мають обмежені ресурси і очолюються патріархальними структурами, які в основному виключають жінок, а також інші меншини. На рівні цих формувань розглядаються проблеми влади і нерівності на різних рівнях всередині місцевого елемента в Дарфурі. Ці місцеві формування створюють проблеми для локальних інтервенцій, хоча і не применшують значення залучення місцевого елемента у встановлення миру.

Ключові слова: Дарфур, Судан, втручання, громадянське суспільство, вирішення конфліктів.

Таха Хагар
независимая исследовательница и консультант
Школа востоковедения и африканистики Лондонского университета
выпускница стипендиальных программ «Открытого общества»
94 Chopinlaan, 2625WE Делфт, Нидерланды

ЛОКАЛЬНЫЕ ОСНОВЫ МИРА: КЕЙС ОБЩИННОГО ВМЕШАТЕЛЬСТВА В ДАРФУРЕ

Резюме

Конфликт в провинции западного Судана Дарфуре, вспыхнувший в феврале 2003 года в результате межэтнического противостояния, продолжается уже 17 лет. С течением времени полномасштабные военные действия трансформировались в цепь отдельных столкновений между повстанческими фракциями и подразделениями регулярной армии, а также различными племенными общинами. Конфликт сопровождается нападениями на гуманитарные автоколонны, лагеря беженцев и миротворцев ООН.

В статье рассматриваются усилия по вмешательству и урегулированию конфликтов, предпринимаемые местными формированиями гражданского общества в Дарфуре. Здесь рассматриваются две основные темы: формы вмешательства и раз-

решения конфликтов, предлагаемые на местном уровне, и аргументы для включения этого локального элемента в систему участников урегулирования конфликтов.

Хотя местные образования в Дарфуре принимают формы, отличные от тех, которые признаны в западной литературе и обществах «гражданским обществом», недавние взаимодействия между местными образованиями, государством и международным сообществом обнаружили значительный потенциал этих традиционных структур в урегулировании гражданских конфликтов. Местная администрация, которая является первичным образованием, изучаемым в рамках данного исследования, имеет свои глубокие корни в обществе Дарфура. Структура управления сложна и развивалась десятилетиями и является неотъемлемой частью племени, которое на протяжении десятилетий считалось основной единицей управления и организации в Дарфуре. Структура управления отличается в разных племенах, но в целом есть элементы, которые остаются неизменными и в структуре и, что более важно, в механизмах вмешательства и разрешения конфликтов. Они сосредоточены на обычном праве, встречах по примирению и больших собраниях. Организации гражданского общества остаются заметной частью местного элемента в Дарфуре. Эти организации часто ассоциируются с современным государством, международным сообществом и местными образованиями, обсуждаемыми в этой статье. Их способность вмешиваться и разрешать конфликты особенно связана с тем, что конфликт выходит за рамки возможностей традиционных местных образований, таких как местная администрация. Эти организации функционируют, воссоединяясь с другими местными образованиями, но при этом используют новые формы вмешательства, такие как конференции и целевые программы. В тексте представлены аргументы в пользу важности включения этого локального элемента в попытки разрешения конфликта, поскольку он знаком с контекстом, культурой и напрямую зависит от конфликта, который часто — хотя и не всегда — приводит к желанию положить ему конец. Усилия, предпринимаемые местными формированиями в Дарфуре для разрешения конфликтов, должны быть представлены и подвергнуты критическому анализу. Цель состоит в том, чтобы четко разграничить традиционные механизмы разрешения конфликтов в Дарфуре, а также те механизмы, которые могут предложить местные общины во взаимодействии с действующими государством и международным сообществом. Разделение между традиционным и современным в статье рассмотрено как функциональное и подчеркнуто для установления базовой концептуальной ясности. Реальность, представленная эмпирическими данными исследования, является сверхсложной, и автор подчеркивает это. В статье дается обзор форм вмешательств и механизмов урегулирования конфликтов местными формированиями в Дарфуре, а также анализ значимости их интеграции в попытке разрешить конфликты в регионе. Одним из вопросов, поднятых в статье, является ограниченная способность местного элемента справляться с нарастающими сложностями конфликтов, в которые входят такие элементы, как повстанческие группы и правительство. Эти ограниченные возможности приводят к необходимости международного элемента в форме финансирования этих формирований и обеспечения «современных» форм организации. Это часто осложняет конфликт, а также структуру и мощность этих формирований. Другой вопрос заключается в том, что местные образования иногда подвержены трайбализму и возглавляются элитами соответствующих общин. Кроме того, на местную администрацию оказывают влияние структуры, созданные бывшими колониальными властями и авторитарным государством. На структуру организаций гражданского общества также влияет вмешательство международного сообщества. Кроме того, эти формирования обладают ограниченными ресурсами и возглавляются патриархальными структурами, которые в основном исключают женщин, а также другие

меньшинства. На уровне этих формирований рассматриваются проблемы власти и неравенства на различных уровнях внутри местного элемента в Дарфуре. Эти местные формирования создают проблемы для локальных интервенций, хотя и не умаляют значения вовлечения местного элемента в установление мира.

Ключевые слова: Дарфур, Судан, вмешательство, гражданское общество, разрешение конфликтов.