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Mey Eltayeb Ahmed

Institute of Environmental Studies

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*There are strong traditions of indigenous conflict management in the Blue Nile state. These systems have proved very useful to solve clashes between, for example, farmers and nomadic herders, whose livestock sometimes cause damage to the farmers' crops. However, in the 1970s the government introduced a Management Agriculture System that was never accepted by the traditional users. After two decades of failure, the Native Administration was reintroduced, although in a top-down manner that did not take enough consideration of the traditional norms and roles. The majority of the inhabitants believe that a combination of the two systems would be the best solution, if carried out in a pluralistic approach.*

Blue Nile:

## National and indigenous conflict management – competing or complementary systems?

Mey Eltayeb Ahmed

This article aims to understand the negative interaction of the national and indigenous conflict management systems in the Blue Nile State, Sudan, since the 1970s<sup>1</sup>. It portrays the Blue Nile State's background, location, and natural and human resource potential. The conclusions show the importance that legal plurality and co-management systems emerge from national and indigenous management systems in order to establish a sustainable peace and development.

The Blue Nile State is located near the southeastern corner of Sudan, bordering on Ethiopia in the south and east, on Sennar State in the north, and in the west on Upper Nile State, which became part of the South Sudan in 2011. The state covers an area of 14,000 km<sup>2</sup> in the Savannah Belt of Sudan. In 2006 the total population of the state was estimated at 850,000 people<sup>2</sup>. The rainy season usually starts in May and finishes in November, but it has become shorter and begun later over the past decade. The Roseires dam is the biggest one in Sudan, generating 289 mega-watts, although less than 7 mega-watts of this hydropower energy actually supplies the Blue Nile State<sup>3</sup>.

This is an important part of the country with its agriculture, livestock, forests and mineral resources. At the

same time, the Blue Nile is estimated to have the lowest level of literacy and development within Sudan<sup>4</sup>. The Blue Nile experienced the hardships of civil war that broke out in 1985. Recently the conflict escalated again between the two signatory-groups of the Government of Sudan and the Blue Nile's Sudan People's Liberation Army/Movement.

According to El-Sheikh's (2005)<sup>5</sup> classification, the Blue Nile tribes are divided into northern people, Arabic nomads, West African tribes, as well as intermarried or mixed peoples. The different tribes are grouped, into:

*The indigenous groups:* Funj and Ingessana tribes. The first consists of several different tribes, which are all called Funj tribes, but actually there is no specific tribe called Funj. Funj is also the name of several indigenous tribes in the Blue Nile State. The Funj administratively control the Ingessana people. However, the Ingessana people have kept their name, ethnicity, and local language separate and function as a distinct group from the Funj tribes.

*The northern tribes:* They come from northern, eastern and western Sudan and include tribes such as Gala'an, Nubian, Shaiyia, Kennana, Rufa'a Al-Hoi, Shukriya, Zaghawi and Fur.

*Arabic nomads:* The groups mainly form

the Rafaa, Kennana tribes. They have a long relationship with the indigenous Blue Nile tribes.

*West African tribes:* Falata Umbroro (the transhumance pastoralists) and the Housa tribes, who originally came from western Africa, settled in the Blue Nile in the beginning of the 1950s and were permitted by the indigenous tribes to use the natural resources.

*The mixed people:* These are outcomes of intermarriages between northern and other tribes with indigenous Funj groups. Thus they are mixed people called Wataweet as well as other sub-tribes.

### Farmers and pastoral tribes in the Blue Nile

Most of the Blue Nile indigenous tribes are subsistence farmers, descended from local communities in the area. For example, the Ingessana people practice sedentary agricultural farming and animal herding. In this regard they are agro-pastoralists. They cultivate crops such as sorghum (dura), sesame, cotton, hibiscus, okra and tobacco. Furthermore, they herd goats and sheep which graze around their villages. They also have cows that graze according to the seasonal movements of the pastoralists throughout the year.



PHOTO: UN PHOTO/TIM MCKULKA

*Residents in Dindiro, Blue Nile State, holding up signs to show their opinion during a 21-day process of popular consultations, called Citizen Hearings, January 2011. In the hearings people had the opportunity to express whether they felt that the 2005 Comprehensive Peace Agreement had met their expectations.*

The African tribes can be grouped into horticultural farmers and cow pastoralists. Farmers live and settle near the banks of the Blue Nile River, such as the Housa who live in Um-Darfaà (eastern Blue Nile). The pastoralists are called the Falata-Umbroro group. The Falata-Umbroro actually consists of several ethnic groups that migrated from Western Africa, including Mali, Mauritania, Cameroon and Nigeria. They entered the Blue Nile after 1950, due to famine and drought in western Africa. Each ethnicity has its own local language, religion and native homeland. The Falata herders breed a special type of cow, which is well known by its big horns and brown skin. Now, Falata Umbroro have begun replacing their cows with other local Sudanese types called Kennana, because the local Sudanese cow is more adapted to the Sudanese Savannah Belt environment than the Falata's cows.

In the summer months (dry season) the Arabic pastoralists of the Rafea and Kennana tribes move through part of the Upper Nile state from northern Blue

Nile, the Butana area, and the eastern part of Sudan to the south of the Blue Nile. The two tribes have built a very strong relationship with the sedentary farmers in the Blue Nile, as well as with other agro-pastoralist tribes in the Upper Nile state, such as the Sholuk, Nur and Dinka tribes. This group created a traditional management system and resources property rights together with the Blue Nile indigenous people (such as the Ingessana).

The pastoralists' seasonal movement southwards from their homelands in the north ("north" meaning central Sudan) begins during October, and after the rainy season it goes back north. At this time, the farmers' crops are ripe and close to being harvested. The pastoralist groups must keep to their migratory routes. Before they cross the territories of any tribe or village they must send a person (messenger) ahead in order to inform the farmer(s) about the days and time of the pastoralist's traverse of their lands. Otherwise their livestock might damage the crops. If this happens, there are traditional laws and punishments

that are meted out according to the size of the damage and the relationship between the two disputing clans. From October to January, as mentioned above, the pastoralists move from the north to the south. Then the pastoralist groups stay in the south for about three months, from February till the end of April. After that they gradually begin their migration back north from May to July and arrive in their homeland areas in the north.

### **Natural resource sharing**

When the Falata-Umbroro pastoralists first arrived in Blue Nile, they accepted and followed all the traditional rules and property rights that were in place to manage the natural resources in the Blue Nile between the farmers and the pastoralist groups. However, due to the increase in pastoralist tribes, the Arabic and Umbroro groups adopted a new mechanism that could work and be integrated within the existing system without creating any problems. This new system involved all pastoralist groups having scheduled times to use the migratory routes.



When the Umbroro migrated to Sudan and entered the Blue Nile during the 1950s, they did not have their own tribal lands, and some of the local tribes offered them places to stay and use. They began their seasonal movement to the south and back to the north one month after the Arabic and indigenous pastoral groups' movements. Thus, they avoided overlapping and competition over the resources between the various groups. Eventually they developed very strong relationships and mechanisms for exchanging information concerning the best places for pastures and water resources.

Undoubtedly, the national policies failed to define the roles and boundaries between the users. This happened because the state only considered the Mechanised Agricultural Schemes (MAS), neglecting the traditional users, and because no planning for the use of resources or environmental assessment research was done in advance. As a result, the government failed to introduce a management system that could organise the use of resources effectively. Instead, they created a vacuum and an ambiguous system that has led to further conflicts rather than solving any.

In 1990 the Native Administration System was reinstated, and a new investment project was launched. However, the reintroduction of the Native Administration System was weakened by the government, by putting new leaders in place in an arbitrary manner. Unfortunately, the state repeated the same mistakes as in the 1970s, again making the error of using a top-down policy approach, distributing more MAS and neglecting the traditional users and environmental degradations that had taken place.

The compensations and punishments of the traditional management system depend on a plurality of decisions and participation. The traditional users (farmers and pastoralists) never accept the civil court and national laws, but they do respect their traditional system. Lately, the MAS owners have understood that their problems with the traditional users cannot be settled by the national laws and court, because after a penalty has been decided on, the traditional users have returned in revenge and sometimes burned the MAS crops and fields. The MAS have realised that the best way forward is to solve their problems and differences with the traditional users by using

the traditional conflict management system.

### **Indigenous conflict management mechanisms**

The case of the Blue Nile shows that all types of conflict between the pastoralists, agro-pastoralists, and farmers are managed by the traditional system. None of the traditional users ever accepted the judiciary court and the national management system.

Generally a conflict management strategy, interventions and mechanisms depend on the social values and behaviour of a specific society, so the stages of disputes can rank differently in various areas, depending on the different levels of conflict escalation and environment. An example from the Ingessana Hills shows that the conflict never escalated to the stages of segregation and destruction.

The indigenous conflict mechanisms are categorised as follows:

#### ***The plaintiff and the accuser***

If a pastoralist's livestock eats or damages a farmer's crops, the accused pastoralist usually apologises and asks what compensation he is supposed to pay. In some cases the plaintiff forgives the accused, without the traditional conflict

*Conflict management on Jouddyya level in Blue Nile. In this context, four stages of conflict escalation are identified, and the method of intervention is adapted to the appropriate level in each situation. The levels of increasing intensity are called "Minor Jouddyya", "Mosalaha", "Ajowad" and "Ajowad with Jouddyya".*



PHOTO: MEY ELTAYEB AHMED

system (Jouddyya<sup>6</sup>) intervening and the case is solved by the two involved parties.

### *Ljna*

When the accused and the plaintiff fail to solve their clash on their own or the damages are extensive, they should bring the case to their Native Administration. The small committee of Ljna or Jouddyya is made up of three people from each group. Ljna assesses the damages and decides on the compensation that must be paid. After the compensation is paid, the two groups slaughter a sheep or goat and eat a meal together as a sign of beginning a new relation and forgetting about the clash.

### *Minor Jouddyya*

If a case involves a murder, then the Native Administration intervenes quickly and creates a Jouddyya committee made up of 12 persons from each of the two groups involved. The committee visits the family who has lost someone and offers their condolences. Furthermore, the Jouddyya brings some livestock to slaughter at the house of the victim, and they share a meal together. Then the committee asks for forgiveness and offers compensation (money or livestock). In rare cases the murderer is given to the family of the victim, so that the murderer can perform all of the victim's duties (as a sort of compensation). Mostly the Jouddyya resolves the dispute case quickly and peacefully.

### *Mosalaha*

This kind of conflict resolution process comes into play when the highest stage of tension is present in the Blue Nile region. Such a case requires the intervention of the Native Administrations of both involved groups, because the two disputing parties are very tense and angry and cannot come to a resolution on their own. The Jouddyya committee must be made up of the two groups or some Native Administration from another Blue Nile tribe that is not involved in the problem. The Mosalaha process includes three steps:

*A healing process:* The Jouddyya committee discusses with the plaintiff(s) and accused person(s) separately, trying to calm the emotions of hatred and hard feeling and to diffuse the tension.

*Mosalaha:* After minimising the anger between the two groups, the Jouddyya committee invites a wise person from

the two groups and discusses the case openly with them, and then they find the best way to solve the conflict.

*Minor Jouddyya:* The process of the Minor Jouddyya (as mentioned above) is followed as a final step.

### **A suggested co-management system**

The interviews done as part of the research show that 93 per cent of the respondents agree on having a mix of the two conflict management systems. A combination of the indigenous and national conflict management systems should be defined according to the various roles and boundaries in relation to the use of the natural resources in the Blue Nile.


Almost all interviewees suggested that a system of co-management would be the best way to create an effective and inclusive management system. In addition, they mention a number of elements that should be considered when combining the two systems:

- Giving support to the traditional conflict management system in managing disputes by providing financial and technical support to the traditional management institutions, as well as general support and training to the Native Administration.
- Adopting the traditional court as part of the Sudanese national judiciary system.
- Defining the numerous rules and boundaries between the various users and the national and indigenous management systems. Several terms of reference should be defined collectively and with the involvement of all parties. The traditional system should be sufficient to manage problems at a certain level, while at other levels the national management system should intervene. The tasks of the two systems should be predefined very clearly.
- The national conflict system must integrate the indigenous conflict mechanisms and adopt new legislation and a new resource use system.
- The indigenous system should make the decisions in regard to resource use and the definition and articulation of the various roles among the users. The national system should support the indigenous system in fulfilling these tasks.
- The selection of the Native Administration leaders must be based on a democratic vote by the local people. At

the same time, the government should not intervene in the selection process but just be a neutral observing body.

### **Inclusion rather than contradiction**

In conclusion, it has been found that Sudan's national policies have weakened the indigenous management system by placing more authority and importance upon national legislation and an asymmetrical power structure. However, in so doing, the national policies have proven to be ineffective. This has been particularly the case with respect to land sustainability planning, conflict management, in defining roles and sanctions, and in finding solutions between different users' interests.

The national management system, in replacing the traditional management system and by ignoring local and indigenous conflict mechanisms, failed to manage the use of resources and to resolve conflicts. Rather than maintaining a hierarchical system, where one knowledge system is held above the other, in a typical top-down approach, a more preferable option, which would ensure greater local buy-in, must include the locally, indigenous or organically developed mechanism. This would then be combined in a suitable manner with the national mechanisms, relative to the local context, rather than contradicting or creating an overlap with one another. In this regard, a legally pluralistic approach will ensure the sustainable management of national resources and its equitable governance for the present and future times. 

- 1 The paper is based on research by Ahmed, Mey Eltayeb, published in 2010: *The national and Indigenous Management of Environmental Conflict in Savannah Belt of Sudan, Cases of the Blue Nile, and Nuba Mountains*, Lamper Academic Publishing LAP, Germany.
- 2 Statistical Year Book, 2000, estimation for 2003
- 3 From an interview with the manager of the Roseires Dam Station, 7 March, 2005
- 4 See Ahmed, Mey Eltayeb, 2010, *The National and Indigenous Management of Environmental Conflict in Savannah Belt of Sudan*, Lamper, Germany.
- 5 Mr. Hamid El-Sheikh, a retired teacher and resource person in the Blue Nile state, who lives in the town of Roseires.
- 6 Jouddyya: This word can be used to describe a conflict mitigation process, as well as the committee or group of people who mitigate a conflict.