

# Role of local governance and community-based institutions for the peaceful co-management of natural resources. Reflections from Central Darfur and North Darfur.

A FEINSTEIN INTERNATIONAL CENTER BRIEF 

Saverio Krätli

This is the fourth in a series of learning briefs under the Taadoud II: Transition to Development project, a collaboration led by Catholic Relief Services, and including Catholic Agency for Overseas Development (CAFOD), Norwegian Church Aid (NCA), Oxfam America, World Vision, and Feinstein International Center, Friedman School of Nutrition Science and Policy at Tufts University, funded by UK Aid. The learning brief series aims to promote awareness and understanding of natural resource use and management in Darfur to support the Taadoud II program, and wider programs and policies, to effectively build resilient livelihoods.

The first brief reviews farming and pastoralist livelihood systems, highlighting their evolving and overlapping tenure regimes. The increasing pressure on natural resources has contributed to strained relationships, and in some cases has led to polarization and conflict. The second brief continues this theme and reviews how farming and pastoralist strategies are evolving while new strategies are emerging. Programs and policies need to reflect and support this new reality. The third brief addresses the issue of community participation in natural resource management (NRM) programming as well as the opportunities and challenges for ensuring that participation. This fourth brief looks at local governance and its role in natural resource management, land tenure regimes (discussed in Brief 1), and conflict resolution, with a view to supporting the peaceful co-management of natural resources.

## Introduction

The majority of people in Darfur live off the land. Here, “land” is just a proxy for the “natural environment.” Most households grow cereals *and* keep livestock, either their own or someone else’s animals or a bit of a mix of the two. Often different household members specialize in either crop farming or livestock keeping. Households consume part of the production and sell the surplus on the market. Those who have access to sufficient resources also grow cash crops.

The natural environment in Darfur is a space of great diversity and highly variable conditions. It is a space where it is not possible to predict from one year to the next where crops will mature or grass will grow. And thus, it is a space where the capacity to be in the right place at the right time and take advantage of short-lived pockets of opportunities makes all the difference. This capacity rests on profound and intimate knowledge of the space—its biodiversity, soil, and even terrain—and the ways it changes

through the seasons. Today some of this capacity can be replaced through market transactions, at least for those who can afford to do so.

Ultimately, inasmuch as people's livelihoods are concerned, "the natural environment" is not nature as such (the objectively defined nature of science and development programs) but how it is experienced. People's experience of the natural environment is generally mediated by other people, either directly or in the form of social and institutional interfaces.

People's most fundamental environment is thus inescapably social and institutional, and their relationships with the "natural environment" are first of all relationships with other people. This simple rule of thumb leads our brief journey through the issue of peaceful natural resource management in Darfur.

This brief is organized into four sections. The first section sketches with selected highlights the general context of the governance of natural resource management in Darfur in its historical perspective.

Section two builds on two recent studies carried out in North and Central Darfur by the Universities of Zalingei and Al Fashir, focusing respectively on

local governance and Native Administration, and on community-based natural resource management (CBNRM) committees. This section offers an analytical reflection on local representations and underlying assumptions on the theme of natural resource management and its governance in contemporary Darfur. There is no space here to cover the details of these studies, but both are forthcoming as working papers.

Section 3 presents essential findings from the studies and draws some concluding remarks about peaceful co-management.

The fourth and final section draws a set of recommendations for the work of Taadoud II, but also some general ones that, although perhaps not within the current reach of Taadoud, are worth keeping on the horizon.

The brief is based only on secondary sources: the reports on the two studies in Central Darfur and North Darfur, and a review of essential literature within the constraints of this kind of exercise. The author has worked closely with the two university teams during the preparation of their studies and followed the data collection remotely, but has never carried out research in Darfur.

## 1. The general context

### A confusing legacy

Current governance in relation to natural resource management in Darfur rests on a legacy of poor understanding of the reality on the ground, and a tension between "legitimacy" and "legality." This tension and the considerable confusion it comes with go back to well before the 2003 conflict. Scholars track their origins to the colonial period and the creation of a double register of land tenure, first with the introduction of formal freehold and leasehold on the British model, and second with the creation of an official "customary" system in the "Native Administration," functioning parallel to the other but considered somehow inferior.<sup>1</sup>

The new types of land tenure introduced at the level of country-wide colonial legislation between 1899 and 1930,<sup>2</sup> largely ignored the existing customary systems the Native Administration was built upon. Such systems were based on multiple and overlapping usufruct rights, integrating a variety of different needs but especially those associated with the main directions of livelihood specialization in the region: crop farming (which at the time was in the form of shifting cultivation); and predominantly mobile livestock keeping. In the new colonial legal settings, usufruct rights associated with people's livelihoods were poorly represented. In particular,

<sup>1</sup> Good historical overviews can be found in El Shazli et al. (2006) and Osman et al. (2013).

<sup>2</sup> Particularly the Titles to Land Ordinance of 1899, the Land Registration and Disposal Act of 1925, and the Land Acquisition Ordinance of 1930.

pastoralists' entitlements to using the natural spaces were overlooked by the formal land tenure framework and were only addressed through local-level Native Administration mechanisms.

The colonial administration also (mis)understood crop farming and pastoralism as separate and competing practices. Consequently, it introduced a mistake that is still common today and not only in Sudan: failure to recognize that accessing the small and relatively wetter areas that could allow cultivation—in Darfur, the areas in the vicinity of *wadis* (valley surrounding a seasonal watercourse)—enables pastoralists to generate returns not only from those areas but also from vast dryer regions that would otherwise remain unused. Based on this oversight, in 1944 the colonial administration formally prioritized crop farming in matters of land dispute.<sup>3</sup>

Even with this bias deeply embedded in the law, the traditional complementarity between the two specializations, and the capacity of traditional land managers to regulate their integration, continued to function well into the second half of the twentieth century. At the country level, traditional land management was seriously undermined only following the formal abolition of the upper levels of the Native Administration with the People's Local Government Act of 1971 and the enactment of the People's Local Courts Act in 1973. These acts, however, were mainly aimed at supporting the development of mechanized agriculture along the Nile and in Eastern Sudan. In Darfur, where their effect was felt with considerable delay, the traditional *hakura* system remained in place even throughout the 1970s and was administered by the sheikhs, who are the lowest level of the Native Administration (Abdul-Jalil 2008; Unruh 2012).

The situation was further compromised under the pressure of the great 1969–1973 drought and the relentless promotion of cultivation over pastoralism.

The Native Administration Bill of 1987 reinstated the institution, but with weakened powers in matters of natural resource management and land tenure.<sup>4</sup> The 1990 Native Administration Act and the 1998 Local Government Act—issued at a time when the government needed the rural population to fight on its side in the civil war—gave some additional recognition to the customary usufruct rights of sedentary communities but overlooked those of pastoralists.<sup>5</sup>

As of 2006, there was “no federal legislation to sanction the entitlement of pastoralists to natural resources, particularly land [... the] Current legislation treats grazing land [...] mainly as a residual category” (El Shazli et al. 2006: 24, 41). Today, the natural spaces used by pastoralists tend to be represented as “open access,” while the land used for crop farming is typical of a “common property regime;” however, distinct customary rules and institutions apply to both (Young et al. 2019).

The economic contribution of migratory livestock production, and thus the crucial economic importance of migration corridors, has been recognized in policy only as recently as 2018 (Republic of Sudan 2018, in Behnke et al. 2020).

An additional level of complication has been introduced in Darfur as a consequence of the 2003 war. Following the displacement of populations fleeing the areas of conflict, the affected Native Administration leaders were dispersed and separated from their constituencies. Meanwhile, additional informal leadership emerged in the internally displaced persons (IDP) camps, involving better-educated young people skilled at navigating the politics related to the provision of services.

Disintegrated by forced displacement and killings, the customary leadership spontaneously re-formed in IDP camps. The functions of this new leadership were defined by the needs in the camps, focusing

3 The 1944 Soil Conservation Committee recommended that “where nomadic pastoralists were in direct competition for land with settled cultivators, it should be the policy that the rights of the cultivator be considered as paramount, because his crops yield a bigger return per unit area” (Galal El-Din El-Tayeb, 1985: 35, in El Shazli et al. 2006: 19).

4 El Shazli et al. (2006: 20) observed that “with the abolition of native administration [...] agro-pastoralists were denied influential and experienced representatives who formerly articulated demands and expressed grievances [...] The [1987 Native Administration] bill could not repair the damage, and conflicts between farmers and herders, inter-group friction and widespread banditry loomed large over the country. In the meantime, the north-south civil war escalated to unprecedented levels” (2006: 5, 20).

5 Also the 1984 Civil Transaction Act protected “the legitimate usufruct” within its limits even if not registered.

more on the non-governmental organizations (NGOs) and international agencies running them than on the distant central authority. These processes bear testimony to the adaptability and resilience of the customary system. But they also reflect the formation of a new layer of governance evolving in relation to humanitarian assistance, with its massive presence of service infrastructure and the necessary multi-level administration (Young and Maxwell 2013).

Finally, additional dimensions to the representation and governance of the natural environment came from the creation of new institutions like the community-based natural resource management (CBNRM) committees.

### Transformation in agricultural practices<sup>6</sup>

Besides the effect of biased or neglectful legislation, pastoralism and crop farming were also set apart from one another by changes in agricultural practices and the commercialization of agriculture from the 1980s onwards, which has subjected the natural space to new kinds of demands. These demands have included the commercialization of crop residue and, increasingly, of water for livestock, and the unregulated introduction of irrigated cash crops and hired labor (both for farming and herding).

Analysts have also observed a sharp acceleration in the use of the natural spaces for crop farming, in terms of surface area, the kind of spaces being targeted—the clay soil areas were once the prerogative of livestock keeping and are now almost entirely used for cultivation—and the length of the farming season, now stretching well into the dry season for cash crops. But the phenomenon is not evenly distributed, and therefore particular attention needs to be given to the pressure points; for example, where migratory routes are blocked or reduced to the point of multiplying the risk of damaging farmers; or where the *wadi* soils are particularly fertile and markets for sale of cash crops are accessible, thus increasing pressure from commercial, often absent, producers, and denying

access to women and pastoralists to graze their animals.<sup>7</sup>

Following the challenges from protracted drought and famines during the 1970s and 1980s, there were waves of migration south by farmers and herders. Many camel pastoralists chose to migrate and settle their households farther south, where they could diversify into farming and other activities while also continuing to migrate seasonally with their camels. The phenomenon of nomadic pastoralists settling started in the 1980s on the back of a long history of policies favoring sedentarization and crop farming. During the last twenty years sedentarization has increased. Today large numbers of pastoralists have taken up subsistence crop farming beside livestock keeping.

Where there used to be a complementary distinction between specialist crop farming and specialist livestock keeping, now a uniformity of competing practices and needs is common, especially in areas surrounding settlements (up to about 20 kilometers). Conflict around access rights, including between different pastoralist production systems that spend varying amounts of time in the different grazing zones (see Sulieman and Young 2019), has multiplied in conjunction with the now problematic institution of *talaig*,<sup>8</sup> around which competition for grazing resources has become fierce.

During the 2003 war, people fled the violence and ended up spending years in IDP camps. Some of their farms were soon occupied by new users, although there is little reported evidence as to the scale and frequency of the phenomenon. Now some returnees' previous rights have been acknowledged, but others face fierce contestation by the current users. While the fairness of securing returnees with a livelihood basis seems self-evident, the legal ground of claims of individual and exclusive control of the space appears weak on either side. This situation is further complicated by the increasing privatization of the most productive land.

<sup>6</sup> This topic has been covered in more detail in Brief 2. See also Young et al. 2019.

<sup>7</sup> In East Darfur, the Native Administration encourages larger herd owners to cross the Bahr el Arab (BEA) into South Sudan in the dry season in order to leave space for the smaller herds, which remain in the BEA area.

<sup>8</sup> The customary institution that regulates the date when crops must be harvested and pastoralists have access to crop residues (*talaig* in Arabic means 'to release animals')

### Transformation in the understanding of tenure<sup>9</sup>

The commodification of the natural environment, brought in by colonialism first and then by globalization, has concerned certain uses and associated resources more than others. This has resulted in setting the different groups of users on diverging paths: land is earmarked and protected for farming but not necessarily for grazing; unused “farmland” remains associated with the original users for decades but unused “rangeland” is immediately represented as empty land available for “development.”<sup>10</sup>

Scholars have recorded an incremental transformation in people’s ways of relating to the natural space supporting their livelihoods. The change is from a focus on use rights, negotiated on the basis of the necessities of multiple users in conditions of variability, to a growing sense of exclusive and individual ownership of the land. Very rarely though is ownership based on actual legal titles, as most of the land in Darfur remains unregistered and thus legally the property of the state.

The new exclusionary claims come from both farmers and pastoralists, and are generally associated with sedentarization and crop farming. They are often linked to maladaptation following from a legacy of policies that have undermined customary inclusiveness and replaced that inclusiveness with the market logic of exclusion that benefits from scarcity. Today, people who have farmed for generations base their exclusionary claims on inherited “ownership” rooted in the *hakura* system of tribal “homeland”—although tribal *hakura* land was held in common by the community of users, which could include migrants and strangers, and thus was not quite “inheritable” as individual *hakura* concessions. Those who come from pastoralism and are relatively new to farming, base their exclusionary claims on having found the land vacant and used it for years. They too seem to apply a personal interpretation of customary tenure arrangements but

overlook the requirement of formal allocation.<sup>11</sup> Or they simply claim that the land belongs to the state and anyone can use it when vacant. None of these claims has legal basis to exclude “outsiders” (Osman et al. 2013).

The new emphasis on *inheritance* as the main channel for claims on the natural spaces—as opposed to allocation by the Native Administration—is important. It reflects the shift in the understanding and representation of land tenure towards the individual and exclusive control associated with today’s notion of private property. But the process through which land that was not “owned” in today’s sense of private property becomes *by inheritance* owned in that sense remains obscure.

The shift of importance in the access to land from allocation to inheritance has effectively worked as a mechanism of exclusion against women. Land allocation through the *dar* system guaranteed women a livelihood as members of the community, like men. Instead, women’s rights to acquire land *by inheritance* are much weaker as they rest on the Sharia Islamic law. In some areas, this diminution in women’s rights might have been partially compensated by women’s participation in CBNRM committees.

<sup>9</sup> This subsection is largely based on Osman et al (2013).

<sup>10</sup> The Native Administration regulates use of rangelands by pastoralist herds.

<sup>11</sup> Cf. Osman et al.: “The right to land for migrants and cultivators absent from the village for more than three years lapsed, and the land could be [re-] allocated by the village sheikh” (2013: 19).

## 2. Inside “natural resource management”

### The representation of the natural environment

From the point of view of the colonial administration, the Native Administration was simply a parallel lower-ranking institution. In reality, the difference went much deeper and was not just a matter of degree; it was more like the difference between apples and oranges.

The formal system introduced by the British at the golden age of economic liberalism—the inspirational model of today’s *neo-liberalism*—was rooted in the principles of the free-market economy. The Native Administration was created to serve the colonial interests and built for convenience on the existing customary law. As it happened, such tradition carried an economic approach and way of relating to the natural space that was fundamentally different from the principles of economic liberalism embedded in the formal legal system. Where the former saw a space for people to make a living, the latter saw raw materials and commodities for the market. Where the former operated mostly according to the logic of a circular economy, the latter was extractive and focused on growth.

The history of natural resource management in Darfur is the history of how these diverging sets of values have lived with one another and gradually crossbred, although it is the latter that has mostly enjoyed a position of power.

Successive reforms have changed the focus of land tenure from *livelihood* (in a variable environment) to *trade* and requalified it in the terms of secure, continuous, exclusive, and tradeable access characteristic of “modern” private property. As the old usufruct rights were “translated” into the new legal framework, part of the original meaning was lost in the process, and different groups of users were set on diverging pathways of change, especially with regard to the difference between cultivation and pastoralism.

Some of the use rights and nuances of the customary system were simply overlooked, particularly when they appeared as complications to trade, as in the case of shared, flexible, and intermittent rights. But the nuanced complexity of customary use rights has been the victim of bluntness more than necessity. A good example is the way “modern” land tenure frameworks in Sub-Saharan Africa have objectified the commons. Through this process, contexts of multiple and overlapping “rights of use” have been translated into a clear-cut division between “private land” and “common land”—the latter often seen as only waiting to be fully acknowledged through some kind of titling. This pathway was one of the many possible ones. Outside of Africa, one finds example of commons and private property legally integrated in more subtle ways.<sup>12</sup>

The war in Darfur, with all its tragedy and injustice, has thus brought to the surface a legacy of shortfalls and oversights in the historical process of transformation of land tenure and natural resource management, while adding more complications.

### Natural resources: what we do or what we have?

Institutions that play a role in what today we call “natural resource management” depend on assumptions about *what* is to be managed. Such assumptions are neither universal nor unchanging. When looking at the dynamics of natural resource management in Darfur, especially in relation to conflict, such assumptions need to be unpacked and their origins and transformations retraced.

Understanding the natural space as a necessary basis for people’s livelihoods or, instead, as a set of commodities has important consequences on management. The common understanding of natural resources as stocks or objects belongs to the latter perspective, which is the perspective of the market economy.

<sup>12</sup> In the United Kingdom, the shift in the focus of land tenure from *use* to *trade* was second to none, but the process took place in several waves and over a much longer period of time, resulting in a more nuanced landscape. One of the consequences is that the Commons Act still today includes the possibility of acquiring and formalizing use rights by “the public” over land that is and remains privately owned (Standing 2019).

This perspective supports the understanding of access rights as exclusive, rigid, and continuous, on the model of private property. It also supports assumptions concerning the scale—in time and space—in relation to which categories such as “local” and “outsider” can be constructed as the basis for entitlement (e.g., living or not in a given administrative unit for the entire year).

And it supports assumptions about the boundaries—also in time and space—of people’s relationships with the natural environment. For example, whether the length of the farming season is to be decided on the basis of all the livelihoods depending on the natural space or exclusively on the principle of maximizing extraction based on one type of use; or what constitutes “land development” and productive use of natural resources.

The narratives from the people interviewed in the two studies in North and Central Darfur seem to share the conventional understanding of “natural resources,” especially land and water, as *objects*. Natural resources are seen as something out there that people have or don’t have access to and for which being a resource is an inherent property, pre-defined and fixed.

Natural resource management institutions can develop with certain assumptions and be gradually converted to others even with the institution’s role remaining formally unchanged. This process of conversion happened to the institution of *talaig*, which regulates the way the same space is switched from “resource for farming” to “resource for grazing” after the harvesting of crops. The performance of *talaig* as a natural resource management institution and a mechanism for enabling a peaceful coexistence relies on a set of assumptions concerning the practices of farming and the nature of crops. However, both have been substantially changed by new technologies—from new varieties of crops to irrigation options—and by the commercialization of crop residues. The former have stretched the farming season into the period once dedicated to the use of the space by pastoralists, while the latter substantially transforms what constitutes “resource for grazing,” pre-empting the very function of *talaig*. The win-win solution once provided by *talaig* has been jeopardized.

### One resource or many?

Today, it is not uncommon to come across the view that some regions of Darfur are for livestock and some for crops. But even in Central Darfur, where the cultivation of fruits and vegetable is widespread, the integration with pastoralism has deep historical roots. There are important dry season grazing areas around the *wadis* and their tributaries, including Wadi Bari and Wadi Azum. Two long established north-south migration routes for camel herding bypass either side of Jebel Mara mountain passing through important farming areas. And many Arab pastoralist settlements in Central Darfur date back to the 1980s, or earlier. Thus the pastoral or agricultural “vocation” of different parts of Darfur is more a matter of representation and political discourse than one based on ecology or history. Representing natural resources as objects is strictly functional to this political discourse.

When considering a context like natural resource management in Darfur, the conventional representation of natural resources as objects gets in the way of finding peaceful ways of coexistence. An alternative, more in tune with the tradition of customary law, is to understand resources as the result of the ways people are able to relate to the natural environment. These ways are only limited by people’s ingenuity and skills; and, as people’s experience of the natural environment is usually through other people, only limited by the sophistication of such social or institutional interface.

To use an obvious example from the history of Darfur, the same natural space can be experienced as a resource for farming during the rainy season and as a resource for pastoralism during the dry season.

The higher the number of different uses that can be peacefully staked onto the same spaces, the higher the economic value sustainably created from the natural spaces. Representing resources as objects reduces possibilities to one. It obscures other possible options and hides the fact that different options are not necessarily mutually exclusive.

The virtually unlimited multiplicity of resources as relationships, and their peaceful use by different

groups, depends on hingeing on livelihood the representation of the natural space, and on keeping it undefined. This opportunity for peaceful inclusiveness is jeopardized the moment the natural space is represented as defined by just one of the many possible experiences.

A representation of resources as objects fosters (and feeds on) the mobilization of a local/outsider divide. Only when represented as objects resources can be “local,” or people be “local” or “outsiders” in relation to them. Tenure rights constructed on this basis support an exclusionary process both between and within groups of users, with the creation of insiders who have no rights. Examples are women and land inheritance, and smallholder farmers who “own” land only to be soon forced to sell it under

economic pressure. At best, these farmers end up working on their former land as hired labor (Rutten 1992). Similarly, the privatization of fertile *wadi* land has reduced access for women producers in the dry season, and access by pastoralist herds to the shallow wells and *albida albicans* trees that provide vital dry season fodder.

On the other hand, understanding “resources” as experiences and relationships centers on people and leads to a view of natural resource management in terms of *managing people’s experience of the natural environment*. In this perspective, natural resources are not found and managed but rather *created by management*, as people’s experiences of the same natural environment as a resource can be combined and multiplied in virtually infinite overlapping ways.

### 3. Local governance and community-based institutions

#### The Native Administration

The study in Central Darfur found that the Native Administration is still operational, including in matters of land management, and capable of successful mediation in many situations of conflict through customary mechanisms such as the *judiya* and the *rakuba*. But important challenges exist.

The main sources of weakness of the Native Administration identified during the interviews are: *i.* the separation of its leaders from their community because of displacement during the war and the politicization of the institution; and *ii.* the fact that the arming of pastoral groups by the National Congress Government has created an imbalance of power and authority. Armed pastoral groups have ceased to comply with the decisions of the Native Administrations of the farmers groups who are responsible for managing the use of the land.

In the meantime, competition between crop farming and livestock keeping runs high as both specializations have converged: farmers keeping more livestock and pastoralists settling part of their households in semi-permanent villages and turning

to cultivation. A significant number of returnees are still unable to access the land they left when they fled the violence of the war, while those who have moved in and occupied such land for years often retain the capacity to defend their position by force.

Conflict management seems to operate with a kind of institutional multiplication. Different institutions have often diverging values, similar to that found in natural resource management. Besides the Native Administration and the formal legal systems, today there are new government mechanisms like the Joint Force, and a flourishing of community-based committees set up to solve local problems between local groups.

#### Community-based natural resource management

Community-based natural resource management (CBNRM) committees were established by international NGOs (INGOs) mostly as extension mechanisms for project implementation and as interface with government service provision. The procedure for the creation of the committee, its governance structure, including a balanced participation of women, and at least the initial

set of goals were typically part of the package. Often CBNRM committees overlapped with other community-based institutions also established in response to INGO program needs. Thus although “community-based,” with regard to the representation of the natural environment and its use, the committees have operated largely within the conceptual framework of a project or government institution.

The study by the University of Al Fashir found that CBNRM committees have generally been successful in fulfilling their goal, especially in farming communities, with regard to the various livelihood activities of INGOs and in linking communities to service providers. People interviewed from these communities described the CBNRM committees as better organized and more focused than the Native Administration, besides being more gender balanced. On the other hand, the CBNRM committees seem to have played a much smaller role with regard to addressing natural resource management challenges. They also seem to have had a much smaller impact in the pastoralist communities in the sample.

### Peaceful co-management

The social interface, in the way different groups of users experience their shared space as a “resource,” has been deeply transformed and disrupted. In this situation, all groups end up operating with a double standard, representing their own rights as more defined and more permanent than they actually are by the current legal framework, while projecting confusion and uncertainty onto the rights of the potential competitors. The legacy of tenure and legislation, and a policy and development environment promoting the commercialization and industrialization of agriculture, make sure this game is one in which small-scale producers can only lose in the long run.

In order to support peaceful co-management across the sub-systems, it is necessary to bring this complexity into light. This process should start with taking on board that “existing customary rights” and related claims are no guarantee of justice, functionality, or indeed authenticity. They are themselves the result of decades of adaptation (and sometimes maladaptation) to political and economic pressure, poor governance and insecurity,

and skewed processes of transformation. Thus, simply translating rights from the “customary” into the legal framework is not sufficient nor appropriate. The most desirable paths of recovery might be conditional on undoing some of the current setting.

Ways of engaging with the natural spaces that can be both functional and sustainable (ecologically and socially) might have to be rediscovered and reinvented. Doing so effectively will require participatory processes of co-management, involving all groups of people whose livelihood rests on the ability to engage with the natural environment.

The customary system the Native Administration was built on delivered co-management of the natural space by operating with the inclusionary principle that no one—farmer or pastoralist, local or outsider, man or woman, sedentary or mobile—should be denied the right to make a living off the land. This principle supported an understanding of land tenure/NRM as somehow the art of peacefully integrating in the same space as many users and livelihoods as possible.

Decades of globalization have engulfed this principle within the rules of the market economy. The focus of land tenure/NRM has shifted from livelihood to market. But the market is loyal only to itself, and is indifferent to whether growth comes from selling crops or selling land, from grains and calves, or from the business of destroying and reconstructing. Within the new approach, land tenure/NRM is understood as the task of extracting as much value as possible from a given asset for a given use.

For the Native Administration or any other relevant institution to work for the peaceful co-management of the natural space, the focus of management must return to being on people and the ways they need to relate to the environment for securing a livelihood. Retracing and renewing these values are crucial. And so is finding ways of representing them in the formal legal system and policy environment as well as in the work of parallel institutions like the CBNRM committees. Without these crucial steps, even successfully supporting and strengthening the Native Administration seems unlikely to be sufficient for delivering peaceful co-management in a sustainable way.

## 4. Recommendations for supporting peaceful co-management

This final section offers four general recommendations to inform the work of Taadoud II with regard to natural resource management, including the crucial interaction with the Native Administration and government institutions. These recommendations are not prescriptions of particular practices by particular actors. Given the complexity of the current situation in Darfur, those can only be identified on a case-by-case basis. These recommendations are meant as cognitive and operational principles to guide that work.

It is acknowledged that operating by these principles might at times be beyond the capacity of Taadoud II or any other project. Given that, it seems even more crucial to spell them out clearly and keep them on the horizon.

- 1. Planning for NRM interventions needs to keep the bigger picture in the frame and assume pastoralism to be always part of it.**  
“Bigger picture” refers to both space and time. Catchment areas, and even the village scale, are likely to have both functional connectivity with, and sensitivity to, not only the surrounding region but even non-adjacent distant places. For example, in terms of space, seasonal users might spend part of the year in non-adjacent distant areas, which could make them invisible even with a catchment-area approach. The closing of a faraway national border, or rising insecurity in a neighboring country, might trigger a domino effect involving adjustments to livestock trade and migration patterns. In terms of time, uses can be seasonal, intermittent, or even occasional. The consequences and grievances following unfair treatment or the use of force might build up over long periods. Some areas, like grazing reserves, might be used only exceptionally, for example during a drought, but be absolutely crucial in those cases. Overlooking this bigger picture and converting such areas to other permanent uses, or in any way compromising the possibility of their exceptional use when needed, might have serious consequences even beyond

the time frame of a project. Although *targeting* boundaries might be as small as a specific village or migrating group over a 3–5 year period, the *cognitive* boundaries for NRM programming need to be much wider. Avoid designing NRM activities only according to the predominant livelihoods of the communal groups living in the area (village and catchment).

- 2. The starting point of NRM programming should be “livelihoods,” not “resources.”** NRM programming should focus on understanding how people use or need to use the natural space for their livelihoods, rather than on inventorying “natural resources” and identifying their “best” use. The current general trend is to make land tenure more permanent and more exclusive. This trend is only increasing the reasons for conflict, because only land that can be owned through exclusive rights is worth taking by force. An alternative approach would be to focus on developing new options with regard to people’s ability to engage with the natural spaces. Shift the focus from land as a tradable good to the natural spaces as an inalienable basis for livelihood. Reinvent the opportunities for multiple and overlapping rights, and allow for dynamic rights (e.g., the same space used differently by different people at different times). Where land is experienced as “scarce,” first of all assess the accumulation of land ownership and options for keeping it within socially acceptable bandwidths and correct the cases where limits have already been passed. Favor processes that de-commodify the natural environment, and promote the understanding of “resources” as experiences and relationships for supporting livelihood rather than as objects and commodities.
- 3. Systematically allow for participation and feedback mechanisms, including government institutions.** Create opportunities for all categories of people whose livelihood depends on the natural environment to talk to planners,

from state to local communities. Help planners see and understand the complexity of the practices on the ground and the potentially intersecting and mutually supporting needs. In the face of climate change, all dimensions of planning should include planning for surprise. Promote investment in buffering mechanisms to reduce small-scale producers' exposure and sensitivity to climate hazards, and to support their recovery. Although climate stressors are usually more visible, in practice, climate and non-climate stressors cannot be separated. The best way of reducing small-scale producers' vulnerability to climate stressors might be to intervene on the undermining legacy of non-climate stressors—from ill-informed policies and interventions—that are largely responsible for vulnerability. Sound participation and feedback mechanisms are a necessary condition to optimize the effectiveness of such measures.

- 4. Avoid taking for granted that customary institutions work or that they are or do what it says on the label.** All groups whose livelihoods depend on the natural space concerned by a project—including long-distance and intermittent or emergency users such as mobile pastoralists—should be directly involved from the design stage. The added value of customary institutions is in their historical focus on livelihood and the need to satisfy multiple and overlapping rights by different groups of people over variable spatial and temporal scales. But after decades of pressure from governments and globalization, the capacity to deliver along these lines cannot be taken for granted. Assume the necessity to inform any process of NRM programming with a sound understanding of the customary system and formal legal framework around land tenure and NRM, and particularly of the transformation and confusion following the introduction of the market economy and the history of conflict in Darfur.



Livestock route marker



Millet crops



Watering livestock

# References

- Abdul-Jalil, M. A. 2008. Nomad-sedentary relations and the question of land rights in Darfur: From complementarity to conflict. Nomadic-sedentary relations and failing state institutions in Darfur and Kordofan (Sudan). *Mitteilungen des SFB Differenz und Integration* 12. Orientwissenschaftlichen Zentrum der Martin-Luther-Universität Halle-Wittenberg.
- Behnke, R., H. Young, H. M. Sulieman, S. Robinson, and A. E. Idris. 2020. The seasonal imperative: Environmental drivers of livestock mobility in East Darfur, Sudan. *Land Use Policy* 99:105014.
- El Shazli S., F. H. Adam, and I. B. Adam. 2006. Share the land or part the nation: The pastoral land tenure system in Sudan. United Nations Development Programme (UNDP), Khartoum.
- Osman, A. M. K., H. Young, R. F. Houser, and J. C. Coates. 2013. Agricultural change, land, and violence in protracted political crisis. An examination of Darfur. Oxfam America, Boston.
- Republic of Sudan. 2018. Livestock policies in Sudan. Ministry of Animal Resources, Khartoum.
- Rutten, M. 1992. Selling wealth to buy poverty. The process of the individualization of land ownership among the Maasai pastoralists of Kajado District, Kenya, 1890-1990. Verlag Breitenbach Publishers, Saarbrücken, Germany.
- Standing, G. 2019. *Plunder of the commons: A manifesto for sharing public wealth*. London: Penguin Random House.
- Sulieman, H., and H. Young. 2019. Transforming pastoralist mobility in West Darfur: Understanding continuity and change. Feinstein International Center, Friedman School of Nutrition Science and Policy at Tufts University, Boston.
- Unruh, J. D. 2012. Land and legality in the Darfur conflict. *African Security* 5 (2): 105-128.
- Young H., M. Fitzpatrick, A. Marshak, A. Radday, F. Staro, and A. Venkat. 2019. Lessons for Taadoud II: Improving natural resource management, a Feinstein International Center Desk Study. Feinstein International Center, Friedman School of Nutrition Science and Policy at Tufts University, Boston.
- Young, H., and D. Maxwell. 2013. Participation, political economy and protection: Food aid governance in Darfur, Sudan. *Disasters* 37 (4): 555-578.