Evaluating the Darfur Peace Agreement
A Call for an Alternative Approach to Crisis Management

Adam Azzain Mohamed

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Editor's Foreword

This—the sixth issue in the CAMP series—presents the text version of the 2008 Claude Ake Memorial Lecture, delivered by Professor Adam Azzain Mohamed. Professor Mohamed is currently director of the Public Administration and Federalism Studies Institute at the University of Khartoum. Previously he served as head of the Department of African and Asian Studies at the same university. He has also served as a field administrator, first as local government officer and then as province commissioner in Darfur. He is thus extremely well placed to address the fundamental question of this paper: Why did the 2005 Darfur Peace Agreement fail?

As Claude Ake frequently argued, absence of armed violence and at least moderate levels of individual and organizational security are minimum prerequisites for development and societal stability. The general question of why some peace agreements hold and other do not has therefore intrigued conflict resolution researchers, as well as development specialists and political scientists. Since the end of the Cold War, attention has particularly focused peacemaking after intra-state conflict. Literally hundreds of hypotheses and causal mechanisms have been tested, yet few general findings are firmly established. Five propositions have, however, received relatively strong empirical support. They are: *1)* Durable peace is, as a rule, not likely to be achieved if third parties, or any other party, through the use of leverage impose a settlement on the conflicting parties. Agreements signed under pressure are less likely to hold than voluntarily signed agreements. *2)* Agreements that address the key conflict issues and concerns of the parties— as perceived at the time of the agreement—are more likely to hold than agreements that do not. *3)* An inclusive agreement or, more specifically, one that includes all the parties that have the potential to resume armed conflict, is more likely to hold than one that does not. *4)* An agreement that stipulates roles for all concerned parties and excludes no one from influence during a transition period is more likely to hold than one that is not. A less specific formulation is to argue that it is very risky to give all power to one party during a transition in a deeply divided and war-torn state. *5)* An agreement that contains some form of external security guarantees increases the likelihood of a durable and stable peace.

Having read Professor Mohamed's text, it is eminently clear that all the above five propositions are violated, to a greater or lesser degree, in the road leading up to the DPA as well as in the agreement text. This is suggestive of how to answer the question posed in the paper, but the argument pursued herein is nevertheless a different, or at least a more qualified one. To begin with, the conflict in Darfur illustrates a major theoretical challenge to peace

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and conflict research, namely, the causes behind and linkages between organised violence between local non-state actors at the community level (communal conflicts) and violence at the national level involving the state and rebel organisations (civil wars or armed intra-state conflicts).

Adam Mohamed makes two central arguments in explaining the failure of the DPA. First he argues that the DPA is, in essence, an agreement designed to address a centre-periphery conflict between a central political elite and rebel movements from a marginalized region—rebels that have grievances over regime policies neglecting the needs of Darfurians and that mobilise for rebellion against those in power on such grounds. Instead, Professor Mohamed emphasizes that this centre-periphery conflict is just one of three ongoing conflicts, the other two being power struggles between different communal elites and tribal conflict at grassroot levels over depleting natural resources and increasing human and livestock populations. He argues that the focus on only one dimension, instead of on all three, explains why the DPA has failed to address the root causes of conflict in Darfur, and instead perpetuated, even worsened tribal and/or ethnic politics and struggles.

The second argument follows from the first one. There is, he posits, a rich heritage of local conflict prevention, management and resolutions mechanisms in the Darfurian society, mechanisms that were by and large ignored in the peace process. The paper thus presents these mechanisms and relates them to the Western modalities of peacemaking that guided the top- and middle-level actors that ran the peace process. It goes on to list the main components of the DPA and continues with presenting a different situational analysis, leading to a set of challenging, tough, yet well underpinned recommendations in various areas that could address all three conflicts, thus producing a more viable solution to the plight of the Darfurians, and to the stability of the Sudanese state as a whole. What follows below is essential reading for decision-makers, practitioners and scholars in many parts of Africa, where similar multi-level conflicts exist.

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Thomas Ohlson
CAMP Series Editor

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Adam Azzain Mohamed

1. Introduction

Very few people appear to be happy with or optimistic about the Darfur Peace Agreement. The following are the titles of articles that went into the website, describing the agreement: *Darfur Peace Accord: A Battle of its Own* (May 9, 2006); *Darfur Fragile Peace Agreement* (20 June, 2006); *The Dying Darfur Peace Agreement* (29 June, 2006); *Saving the Darfur Peace Agreement* (21 August, 2006); *Darfur Peace Agreement in Danger* (6 December 2006); *Darfur Remains Adrift* (25 September, 2007); *Is the Peace Deal in Darfur Collapsing?* (13 October, 2007). [1]:

The present situation raises a series of questions, such as: What is the nature of the agreement? What went wrong and why did not the agreement generate the intended effects? What to do by way of rectifying the situation? The paper sets out to explore those questions and find answers to them. It is important to mention at this junction that Alex de Waal, advisor for the African Union mediation team, published on Sudanese Online (7 June, 2006) 15 articles, explaining how different parts were negotiated, what the paragraphs mean and how they should be implemented. He admitted that enormous challenges lay ahead in the implementation of the accord. This paper argues that many of these problems and challenges could have been avoided, had not certain theoretical and practical considerations been left out in the whole peacemaking process.

According to Lederach (1997), in any divided community conflict there are three types of actors: top-level actors, middle-range level actors and grass-roots level actors. As the Darfur crisis has been internationalized since 2003, top-level actors now include the global community—moved by the magnitude of the crisis, the UN Security Council, the African Union, the major powers in the world, the neighbouring countries and a plethora of interna-

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[1] http://www.sudantribune.com, articles (2006-2007).

tional, non-governmental organizations. A positive outcome of this global concern for Darfur is the highly commended and unprecedented lifesaving humanitarian assistance that has been given to the war-affected Darfur population. Similar efforts to end the crisis, have unfortunately brought little success so far. It brings into question the extent to which global modalities of conflict prevention, management and resolution (CPMR) work in a traditional or semi-traditional society such as Darfur. The paper attempts to find an answer to this question by assessing the efforts made in the Abuja negotiations, resulting in what has been named the Darfur Peace Agreement (DPA). The paper proceeds with presenting a brief account of some of the features that constitute Western and non-Western techniques of CPMR. The Sudan's heritage of CPMR is then reviewed; with particular emphasis on Darfur's own heritage in this regard. This part of the paper ends with giving a brief account of the major components of the DPA. The paper then continues by presenting an alternative approach to problematising and analysing the situation, leading over to a critical analysis of the DPA with that alternative problem formulation as point of departure. Finally, policy recommendations and made and some concluding remarks are offered.

2. Conflict Resolution and the Darfur Peace Agreement

This section proceeds with presenting a brief account of what constitutes Western and non-Western techniques of conflict prevention, management and resolution (CPMR). The Sudan's heritage of CPMR is then reviewed, placing emphasis on Darfur's own heritage. This part of the paper ends with giving a brief account of the major components of the DPA.

Western and non-Western Mechanisms of Conflict Resolution

The peacemaking processes that led to the DPA were at fault on two counts. First, the situation analysis of the crisis led analysts to perceive the crisis as primarily one of a civil war, starting in 2003. As a consequence, the modalities of conflict resolution that were adopted were unsuited to the case in hand. Focus has been placed on wealth and power sharing at the expense of other vitally important issues, such as land tenure systems. The alternative approach adopted in this paper is that— while recognizing the one adopted by DPA actors—we rather have three parallel types of conflict not one; and that each one requires different conflict resolution mechanisms. We have *a)* intergroup conflicts at the grassroots level, *b)* a region-centre conflict over allegations of regional neglect by the central government and *c)* communal elite conflicts over holding political positions. A large part of the paper is devoted to a discussion of the three types of conflict and ways and means of resolving them.

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The second important aspect that appears to have been overlooked by the DPA is the methodology of conflict resolution in a non-Western community that is greatly influenced by both Arab-Islamic culture and African culture. In his seminal paper, entitled "Islamic Mediation Techniques for Middle East Conflicts", Irani (1999) warned against believing that Western models of conflict resolution that succeeded in resolving conflicts in modern, Western communities would also succeed in resolving conflicts in non-Western communities. A substantial difference, Irani argues, can be observed in conceptions and practices. In the North American context, for example, Irani states that "conflict is commonly perceived to occur between two or more individuals, acting as free agents pursuing their own interests." Such individuals, he continues, recourse to the attorney or the therapist. By contrast, in many non-Western communities, individuals often belong to communities and abide by rules and rituals collectively defined in those communities. They do not resort to the official legal systems to settle their disputes or resolve their conflicts. Irani concludes that we need to study closely modes of reconciliation and look into the rituals that govern individual attitudes and behavioral patterns, following a crime or any other illegal action. In the case of Arab-Islamic culture and in situations of homicide, for instance, four important rituals are normally brought into play: Sulh (settlement), Musalaha (reconciliation), Musafaha (hand shaking) and Mumalaha (eating together).

Sudanese Experiments with Conflict Resolution
We will see shortly that, in general, Irani's rituals are adhered to in Darfur's traditional methods of conflict resolution. In Southern Sudan—remaining basically African and least affected by Arabisation—a different set of traditions and rituals are brought into play in situations of peacemaking. Indeed, the Southern Sudan model of people-to-people peace making is worth consideration not only by other communities in the Sudan, but also by all African communities that are war-ravaged. In the late 1990's, a series of non-governmental peace making processes helped to end long-standing feuds between the two major tribes in Southern Sudan—the Dinka and the Nuer. The New Sudan Council of Churches and tribal leaders of the two communities carried out the peace making processes. The Dinka-Nuer West Bank Peace and Reconciliation held in Sunlit, Bahr el Ghazal exemplifies how a people-to-people peace making is still needed in largely tradition-oriented communities. It also reveals the importance of the role played by rituals, customs and traditions in resolving conflicts. Exchange of visits was arranged for traditional leaders of the two communities. The one arranged for the Dinka tribal chiefs to visit the Nuer community in Wunlit was exceptionally touchy. On arriving to the ceremony cite, the Dinka chiefs were carried on the backs of Nuer men, with Nuer women washing their feet. A big white bull was killed for the guests to jump over, signifying that the enmity between them was over (Neufeld 2007).

Among Darfur communities both Arab-Islamic culture and African culture are brought into play in conflict resolution processes. Such conflict resolution mechanisms might be divided into two broad categories. One is a people-to-people peacemaking, known locally as *Judiyya*. The other is a government-sponsored conflict resolution conference. The former dates back to times immemorial. The latter was introduced by the colonial government when Darfur was incorporated into the Sudan in 1916. The backbone of the Judiyya system is the role played by the *Ajaweed* (sing. Ajwadi). They are tribal elders, known for their impartiality and knowledge of customs and traditions. They used to enjoy considerable reverence and moral authority. The Judiyya as a whole used to have considerable sanctity. Failing to abide by Judiyya ruling subjects one to communal disdain and loss of solidarity much needed for livelihood and sustenance in self-supporting communities. The Judiyya system aims not only at the material compensation for losses incurred as a result of violent conflicts, but more importantly at restoring the brotherly relationships between the parties in conflict. Wisdoms, sayings and citation from the Koran are used extensively by the Ajaweed so that apologies are made and accepted and forgiveness is achieved.

In a sense, the conflict resolution conference is an extension of the Judiyya. The main difference, however, is that the government authorities play the dominant role. It calls for the conference and oversees its proceeding. Participants of the conference will include 1) the Ajaweed, who are now basically native administrators, whose communities are not involved in the conflict, and are perceived by parties in conflict to be impartial; 2) representatives of the parties in conflict, including their native administrators; 3) government authorities at the administrative unit in which the crime is committed, including legal personnel and security services. Two legal systems are employed in the reconciliation processes. One is the statutory legal system. The other is the customary legal system. Whenever a crime is committed, notably a homicide, the perpetrators or suspects are apprehended and brought to justice. It may include passing death sentences, unless commuted by a request from the conference. The situation brings into play the controversial issue of individual responsibility versus communal responsibility when crimes are committed. In the conference itself the Ajaweed play the dominant role of reaching a solution acceptable to both groups in conflict. It is the customary law that guides their decisions. Proverbs, sayings and citations from the Koran are extensively used by the Ajaweed to influence the position of hardliners, refusing compromises. Punishments would normally include paying blood money and compensation for injury and loss of property. As the overriding objective of the Ajaweed is to restore brotherly relationships between the two groups, a considerable effort is given to extracting apologies and forgiveness. They are generally expressed in parties bursting into tears, embracing one another and shaking hands. An agreement docu-

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ment is written and then signed by group delegates, including group native administrators. The Ajaweed and government authorities would sign as witnesses to the agreement. The implementation of the agreement becomes the responsibility of group tribal leaders, with government authorities acting as guarantors, seeing to it that the agreement is implemented.

The discussion of the Darfur heritage of conflict resolution will not be complete without mention being made of the emerging role of Darfur communal elites in conflicts resolution. In 1991, a group of tribal elites in Nyala town, the capital of southern Darfur state, started a non-governmental, citizen-based conflict resolution initiative. The 1989 government-sponsored peace-making conference for the embattled Fur-Arab communities did not bring peace to the Fur farmers and Arab herders at the grassroots level. It was a government endeavour, they argued, to broaden its own power base at the communal level, rather than a genuine desire to alleviate the root causes of the problem. They reached the conclusion that the need arose for grassroots reconciliation in the entire Darfur region, and that the enlightened tribal elites were capable of making that happen. They asked permission from the regional government authorities to carry this out. The idea received wide popular support from men and women; and task forces, i.e. committees, were formed inside Nyala and in surrounding rural areas. However, the government sensed that the movement was serving the purpose of the opposition and ordered that it be brought to a halt. Instead, government-influenced elite dialogues and congresses have been used extensively to do what the Nyala communal elites were prevented from doing. Notwithstanding, decisions reached by such gatherings were largely ignored by the government.

By overlooking this vast body of indigenous knowledge and conflict resolution practices, and by focusing on the civil war dimension of the conflict by placing emphasis on wealth and power sharing, the DPA, it is argued here, became out of touch with the hearts of the real conflict parties in conflict—the landless and the land owing groups. This notwithstanding, the accord is to be commended for efforts by able mediators, facilitators and delegate negotiators from the conflicting parties. Their efforts resulted in a peace document covering 146 pages, divided into 501 paragraphs. The following section describes the major components of the document.

Major Components of the Darfur Peace Agreement (DPA)
The pact was signed on 5 May 2005, in Abuja, Nigeria, between the Government of the Sudan (GoS) and one of the rebel movements, which took up arms against the central government in 2003 (African Union 2006). The agreements reached can be classified into four categories: security arrangements, power sharing, wealth sharing and Darfur-Darfur Dialogue and Con-

sultation. On paper they all look good, yet in reality they are problem-ridden, as the ensuing discussion will illustrate.

Security Arrangements

- The agreement provides complete, verifiable disarmament of the *Janjaweed* militia by October, 2006. It provides milestones, such as the containment of Janjaweed and other armed militias into specific restricted areas prior to disarmament, removal of heavy weapons, specific assurances of security in assembly areas of the rebel movements, and other steps to contain, reduce and ultimately eliminate the threat posed by such forces.
- It places restrictions on the movements of the Popular Defense Forces (PDF) and requires their downsizing.
- A detailed sequencing and phasing schedule ensures that the Janjaweed and other armed militia will be disarmed before rebel forces assemble and prepare for their own disarmament and demobilization. The African Union peacekeepers are to inspect and certify that areas are safe and secure prior to rebel assembly.
- The GoS must punish ceasefire violations by the Janjaweed and other armed militia, including the PDF, through immediate disarmament and demobilization.
- It establishes buffer zones around IDP camps and humanitarian assistance corridors, into which rebel forces and Sudanese Armed Forces cannot go.
- It defines the principles for the integration of some members of the rebel forces into the Sudanese Armed Forces and police and for re-integration of other rebel force members into civil society.
- It provides for strong rebel forces representation in the leadership positions (officers and commanders) of the Sudanese Armed Forces.
- It requires the Sudanese Government of National Unity (GNU) to review security institutions, especially paramilitary forces, and to ensure professionalism, effectiveness, and a focus on the rule of law.

Power Sharing

- It gives the rebel movements the 4th highest position in the (GNU); Senior Assistant to the President and Chairperson of the Transitional Darfur Regional Authority (TDRA).
- It establishes the Senior Assistant and Chairperson of the TDRA as the dominant political leader in Darfur, and in Khartoum as the senior Darfurian representative in the GNU.
- It establishes democratic processes for the people of Darfur to choose their leaders and determine their status as a region through:
    1. A popular referendum by July 2010 to decide whether to establish Darfur as one region with a single government or otherwise more than one administrative unit.

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2. Elections at every level of government shall be held not later than July 2009, in accordance with the Interim National Constitution (INC).

3. For the three-year period prior to elections the agreement:

a) grants the rebel movements chairmanship and control (at least 8 of 10 seats) in the Transitional Darfur Regional Authority. This body is responsible for the implementation of the (DPA)

b) allocates to the rebel movements twelve seats in the National Assembly in Khartoum.

c) allocates to the rebel movements twenty-one seats in each of the Darfur State legislatures.

d) awards to the rebel movements one State Governor of Darfur, and two Deputy State Governors.

e) allocates to the rebel movements senior positions in State Ministries.

f) guarantees to the rebel movement's key posts in local governments.

Wealth Sharing

- Creates a fund for Darfur Reconstruction and Development. The GNU will contribute $300 million initially and then $200 million/year for 2 additional years.
- Calls for a Joint Assessment Mission, modeled on the one done for Southern reconstruction after the Comprehensive (North-South) Peace Agreement, to determine the specific reconstruction and development needs of Darfur.
- Commits the international community to holding a donors conference to pledge additional funds for Darfur, and invites the Chairperson of the TDRA to present to that conference a summary of needs and priorities.
- Establishes a commission to work with the United Nations to help refugees and displaced persons return to their homes.
- Creates a commission to provide compensation to victims of the conflict.
- Creates a transparent process to track the flow of grants and monies from Khartoum into Darfur.

The Darfur-Darfur Dialogue and Consultation (DDDC)

Chapter 4 in the DPA calls for a Darfur–Darfur Dialogue and Consultation in which representatives of all Darfur stakeholders can meet to discuss the challenges of restoring peace to their land, overcoming the divisions between communities, and resolving existing problems to build a common future. In other words, the DDDC is meant to build a support for the DPA; i.e., the DDDC is a consultative mechanism designed to mobilize critical support among the people of Darfur for the expected peace agreement. However, the

DPA does not clearly define the DDDC specific objectives, the process for achieving them and the mechanisms for implementing its outcome.

3. Evaluating the Darfur Peace Agreement

The fact that the DPA has so far failed to produce its intended effects and the fact that most analysts are critical about it, does not imply that the agreement has no supporters. After all, it is the outcome of efforts made by renowned mediators, facilitators and international partners. For instance, Salim Ahmed Salim, the distinguished African scholar and statesman served as chief mediator, representing the African Union. He is coupled by Alex de Waal, now generally recognized as specialized in Darfur, who served as an advisor to the African Union mediation group, facilitating the Darfur negotiations in Abuja. The two scholars have talked and written extensively in support of the DPA. Alex de Waal's description and analysis of the pact contents are indispensable for scholars and statesmen. Our concern in this evaluation, however, is not so much with how the pact was designed and executed, as it is with why it has failed to produce peace in the region. For most observers the situation on the ground is now more tragic than it was prior to the signing of the peace deal on 5 May 2005.

Arguably, the crisis in Darfur has captured the attention of the global community more than any other contemporary human tragedy. The situation led to the involvement of multiple actors, bringing into play rather conflicting approaches to conflict prevention, management and resolution (CPMR). The DPA reflects more of a Western concept of CPMR than that of the Darfur regional heritage. This heritage of CPMR was not brought into play for averting the crisis. Instead, Western practices of conflict resolution have been imposed on a semi-traditional African community, as Nathan (2007) indicated. The result was two damaging consequences:

     1. Focusing on political overtones rather than on root causes.
     2. Perpetuating tribal and/or ethnic politics with untold ramifications.

The Political Overtone

Since the world community has become involved in the Darfur crisis, a stereotype analysis of the phenomena has been predominating, often portraying the situation in the following type of manner:

> Conflict broke out in western Darfur in 2003, when rebels took up arms, accusing the government of neglecting their region, which is the size of France. Since then, numerous crimes have been committed against innocent civilians. The government in Khartoum is accused of deploying regular troops and paramilitary units drawn from local Arab tribes and known as Janjaweed, not

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only to fight the insurgent groups but also to terrorize the civilian population and drive them from their villages, thus depriving them of their livelihoods and the rebels of sustenance. Some 2.5 million have been forced to flee their homes, while more than 200,000 have been killed in a conflict which the United Nations has described as one of the world's worst humanitarian crises, and Washington has called genocide. Civilians have come under attack from government troops, militia and rebel groups, and the conflict has spilled over Sudan's borders into Chad and the Central African Republic[2]

Portraying the Darfur conflict in this manner influenced the global perception of the crisis and subsequent processes of resolving the conflict. In one word the root cause of conflicts in Darfur region of Western Sudan could be described as 'Underdevelopment'. The last population census in the Sudan (1993) shows that 86% of Darfur population found their livelihood in either traditional herding or traditional farming. Only 14% lived in the urban centers, enjoying security and modern social services. Statistical data show clearly that the region trails behind all northern regions in terms of development and social services. Underdevelopment gave rise to three types of conflict rather than one: (1) intergroup conflicts (better known as tribal fights), over depleting natural resources and increasing size of animal and human populations; (2) inter-regional conflicts, manifesting itself in communal elites struggling for power, in the region and in the centre in the name of the region; and (3) a region-centre conflict, over marginalization charges, that is, a centre-periphery conflict based on the claim that Darfur does not receive its fair share of national power and wealth.

The DPA places emphasis on conflicts (2) and (3), to the detriment of conflict (1). The latter indeed preceded the other types, and in a sense forms the context in which conflicts (2) and (3) developed. Instead of addressing the intergroup conflicts, however, the DPA gave priority to security arrangements, and to wealth and power sharing, i.e. to the political aspects. For intergroup conflicts, a vaguely envisaged Darfur-Darfur Dialogue and Consultation was proposed, without answering major questions relating to its implementation such as: (a) what is the agenda of the forum? (b) who should take part in it? (c) where would it be held? and (d) how might an 'inexperienced AU' (Othman 1998) execute it?

The impression one gets is that the situation is one of 'putting the cart before the horse'. The agreement gives priority to ending hostility between GoS and the rebel movements through security arrangements and through power and wealth sharing. It leaves inter-group violence unattended. A more serious mistake committed by the DPA, however, is with how power is to be shared

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[2] 'Cliché' appearing with Sudan Tribune: 'Analyses, Comments and Latest News' (2006-2007) Visit the web: http://www.sudantribune.com

during the interim period. The agreement created leadership posts at both the centre and in the region, stipulating that they be allocated to those rebel leaders who signed or accepted the accord, alienating a myriad of other important political actors in the region. A milieu of power struggle of 'who gets what, when and how' was thus unleashed. The original manifest cause of taking up arms against the central government largely subsided and in its place a feverish power struggle between communal elites evolved, using identity groups at the grassroots level as surrogates, fighting against one another. This could have been avoided if it was stated that power positions go to Darfur as a region, rather than to rebel movements. That could have facilitated the establishment of a caretaker government of technocrats for the period preceding the stipulated general elections. Thus, the present scrambling for power could have been avoided.

Tribal and/or Ethnic Politics

Power struggles between communal elites dates back to 1980, when the Regional Government Act was adopted for northern Sudan regions. In any region a regional native was to be appointed by the central government as a regional governor, forming a cabinet from regional elites. At this early stage, three ethnic groups (the Arabs, the Zaghawa and the Fur) emerged as major contestant for controlling the regional governance, using largely peaceful means in the beginning. Later on, other tribal and ethnic groups followed suit and thus intergroup rivalry has characterized Darfur political life. When the present government came to power in 1989, it gave new impetus to the power struggles between communal elites. The central government divided identity groups into friends and foes, with allies friendly to the GoS receiving substantial central support, including warfare capabilities. This policy is chiefly responsible for the plight that befell the Fur and Masalit African farmers on the western slopes of the Merra mountains. Their homeland is known for being the most fertile piece of land in the region, with vegetation cover and water throughout the year. The pastoral nomads from northern Darfur, and across the border from the neighboring countries, have always cast their eyes on this ideal grazing land. The Fur and Masalit did not show much support for the government that came to power in 1989. The pastoral nomads did. The Fur and the Masalit accused the government of allying itself with their enemies (the pastoral nomads) to take over their homeland and give it to them. This was the real cause for the late Bolad (in 1992) and Abdul Wahid Nur (in 2003) to take up arms against the central government. No matter what relationship that exists between the government authorities and their allied pastoral nomads—who came to be known as the *Janjaweed*—the reality on the ground is that both the Fur and Masalit are now in camps as IDP's or refugees; and the pastoral nomads are either settling in abandoned villages or are roaming the grazing land with their livestock. The DPA further complicated ethnic and/or tribal rivalry by assigning leadership

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posts to those who signed the agreement (i.e. the Minni Minawi faction of the Zaghawa ethnic group) and those who accepted it later on. All these office seekers are tribally or ethnically based. The result is that numerous identity groups have become alienated (e.g. The Fur, the Masalit, the non-signatory Zaghawa and, more importantly, the Janjaweed who fought the rebels alongside the government forces). They now regard themselves as having been betrayed by the government, which placed their common enemy (the Minawi faction) in leadership positions at the expense of the Arab fighters. It is important to elaborate on tribal fighters, as they have been overlooked by the agreement, while they are at the core of violence in the region.

4. An Alternative Situation Analysis

At the time of writing (May 2008) preparations are underway to launch fresh talks, between the GoS and the armed movements. An earlier attempt to hold it in Sirte, Libya, failed. It is unlikely that the same Abuja model of talks will ever lead to a lasting peace. It is an erroneous assumption to say that if you bring all parties concerned to hammer out and sign an agreement, peace will be around the corner. A sticks-and-carrots policy of has been used, so that non-signatories of DPA might be brought into the agreements. However, even if every faction does sign an agreement, it is no guarantee that peace will be achieved.[3] Assuming so is wrong, because it is wrong to simply perceive the Darfur crisis as one starting in 2003, when African elements of Darfur population took up arms against the central government, over charges of neglect. This assumption will lead again to emphasis being placed on sharing national wealth and power. This will not lead to sustainable peace. Power struggle will still dominate the scene, with participants' eyes cast on the political cake rather than on human plight in the camps the internally displaced the refugees. With power struggle, rather than regional neglect becoming the driving force, rebel movements are now more divided than ever before, with splinter groups and factions following tactical means to ensure representation in interim governance. Attempts to unite them under common negotiation demands ended into failure. A new approach is needed to address the Darfur crises.

Three Types of Conflict Rather than One
The alternative approach is based on a realistic situation analysis that calls for pragmatic steps to be followed. Three distinct conflicts are to be separated, instead of lumping them together under one label and resorting to the so-called inclusive negotiations and dialogues to deal with them. The new approach will lead to several plans of action. It calls for grouping conflicts into three types, each requiring a specific procedure of handling. It has al-

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[3] Violent conflicts subsequently took place even within the only faction that signed the DPA.

ready been pointed out that such conflicts might be grouped into: (1) identity group conflicts at the grassroots level, (2) power struggles between communal elites, and (3) region-centre conflict over marginalization charges. It has also been proposed that the identity groups' conflict is the major one and in a sense it is the one that formed the basis for the other two, yet it has largely been neglected in the DPA. The following is a suggestion of how each conflict might be approached.

Communal Elites Conflict

Laswell (1936) described politics as struggle for power or, as he put it, it is 'who gets what, when and how'. In democratic societies the power struggle takes place through peaceful means (i.e. popular election and peaceful office succession). The prevailing conditions in the Sudan, however, are neither democratic nor peaceful. People's freedom of association and expression has been denied most of the time, giving way to undemocratic means of succession to office. In a predominantly tribal community such as Darfur, tribal politics has become a practical means of ascending to positions of authority. The central government repeatedly made it clear that it can grant power on two conditions: (1) paying allegiance to the ruling party, the NCP and (2) demonstrated military strength. The two conditions are chiefly responsible for the violent tribal politics that now prevails in the region. Communal elites, aspiring for leadership, are using their tribesmen to either show political support for the ruling party, or get them involved in fighting against one another to demonstrate supremacy. In both cases, communal elites get rewarded with leadership posts.

As it stands today, there are at least five major groups aspiring to political power in the region 1) members of the ruling party, who occupy some leadership positions, regional and nation-wide; 2) the DPA signatories, and those who accepted it later on; 3) rebel movements opposing the DPA; 4) conventional political parties, which the 1989 military takeover removed from office and denied access to office succession, and 5) a myriad of civil society organizations, both pro- and anti-government. All groups are acting to influence future Darfur governance, some of them by means of force. As a way out of this feverish elite competition for power, two measures need to be taken: (1) founding a caretaker government for Darfur, during the interim period, i.e., the period preceding the general elections and (2) a demonstrated commitment to the democratic transformation, stipulated in both the CPA and the DPA. It is herewith proposed that a caretaker government (CTG) of technocrats, i.e., apolitical capable technicians be appointed to pave the way for an oncoming popularly elected government.[4] The rebel movements, their

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[4] A government of technocrats is supported by a majority of Darfur communal elites according to a survey carried out by the author (Mohamed 2007).

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adversaries, the conventional political parties and the civil society organizations are all to be encouraged by the CTG to prepare themselves for a popular mandate for governance. Sudan had experienced short periods of democratic governance (1953-1958, 1965-1969 and 1986-1989). During none of them was violence experienced in general elections or in office succession. If democracy is restored to Sudan, as agreements stipulate, Darfur tribal and parochial politics may give way to unifying and peaceful party politics. The party is a crosscutting tie that brings in its membership affiliates of different identity and locality backgrounds.

Region-Centre Conflict

The charges of regional marginalization did not begin in 2003, with rebels taking up arms against the central government. They date back to 1965, when the Darfur Development Front (DDF) came into being, pressing for an equitable share of the national wealth and power. Then, once again, the call for distributive justice of the national wealth and power was brought to the fore in Sudan politics, when a group of Darfuris (in 2000 and 2002) managed to document imbalance of power and wealth in the Sudan, in a manuscript they called 'The Black Book'. In a sense, taking up arms against the central government in 2003 is like giving biting teeth to the Black Book.

The great achievement of the DPA is perhaps the wealth and power sharing sections. It is the first time the central government admits to the relative underdevelopment of the region. The DPA stipulates affirmative action, helping the region to catch up with other regions in terms of development and power and wealth sharing. Where the DPA went wrong, however, was to reward or appease the rebel movements by giving them leadership posts during the interim period, thus giving rise to individual and group squabbling over leadership positions, rather than serving the regional cause, for which they allegedly took up arms against the government. It has been suggested that this feverish squabble for power might also be avoided through the appointment of a caretaker government of technocrats.

The Inter-Group Conflicts

Of all three types of conflict the one between identity groups is the most intricate and most challenging to peaceful coexistence. In the stereotype analysis, the Darfur crisis is portrayed as herders pitting against farmers, Arabs against Africans, the government and its allied militias against African rebel movements, etc. This rather simplistic dichotomization approach does not help depict the nature and root causes of the conflict, and hence, it hinders taking appropriate measures for crisis management. It does not help to explain all conflict phenomena. For instance, it does not explain the latest tribal fights between Northern Rezaigat (camel herders) and the Tarjam (cattle herders). Both identity groups are Arab and both are animal rearing.

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Likewise, it does not explain recent fighting between the Rezaigat and the Habbaniyya; between the Habbania and Fellata and between the Habbaniyya and the Salamat. All conflicting parties are Arab. A better alternative explanation is to view conflicts as resource-based. It is scrambling over power and resources (pasture, water and cultivable land). The land-carrying capacity has become increasingly overwhelmed by the disproportionate increases of human and animal populations. The situation has become worse with the African Sahelian drought hitting the region since the 1970s. The diagram below illustrates clearly the inverse relationship between rainfalls and incidents of intergroup conflicts.

RAINFALL AND CONFLICT CORRELATION IN NORTHERN DARFUR (1980-1987)
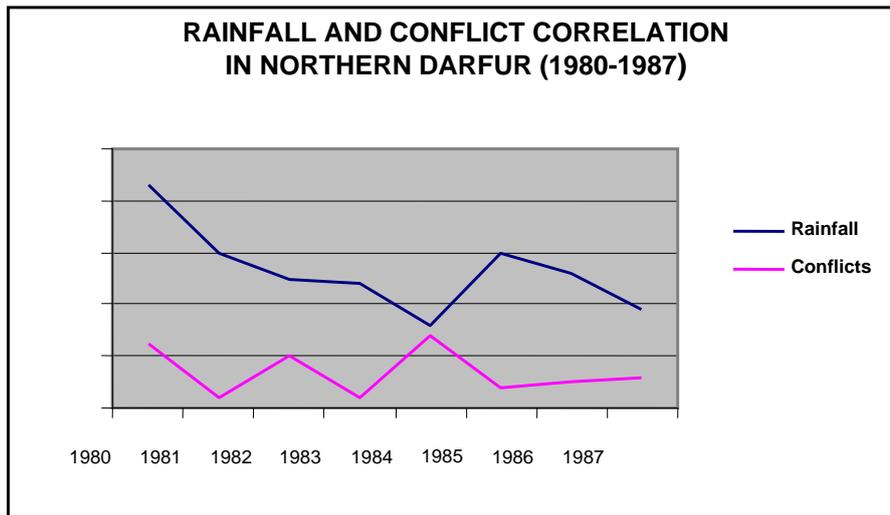
Source: Suleiman (1993)

Focusing on the above inverse relationship between precipitation and the occurrence of violent communal conflicts tells much about intergroup conflicts being resource-based. It reached a level where the land-carrying capacity was overwhelmed by the increasing number of animals and human population. The alternatives available in such a situation are three: 1) decrease the number of animals. 2) Decrease the number of farmers or make land acreages smaller. 3) Improve the land carrying capacity, thus offering enough means of livelihood for all. With the central governments failing to do this, the pastoral nomads did it their own way—taking the land from its farming owners by force. It is ignoring this reality that led the top-level actors accept the thesis that Darfur's sole problem was regional complaint about wealth and power sharing with the central government. The 2003 violent conflict can thus not regarded as the beginning of the intergroup violent conflict. Rather, it is a continuation of resource-based conflicts that date back to the colonial era, as Table 1 illustrates.

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No.	Tribal groups involved	Year	Major cause of conflict
1	Kababish, Kawahla, Berti and Meidob	1932	Grazing and water rights
2	Kababish, Meidob and Zeyadia	1957	Grazing and water rights
3	Rezeigat and Maalia	1968	Local politics of administration
4	Rezeigat and Dinka	1975	Grazing and water rights
5	Beni Helba and Mahriya	1976	Grazing and water rights
6	N Rezeigat (Abbala) and Dajo	1976	Grazing and water rights
7	N Rezeigat (Abbala) and Bargo	1978	Grazing and water rights
8	N Rezeigat and Gimir	1978	Grazing and water rights
9	N Rezeigat and Fur	1980	Grazing and water rights
10	N Rezeigat and Bargo	1980	Grazing and water rights
11	Taaisha and Salamat	1980	Local politics of administration
12	Kababish, Berti and Zeyadia	1981	Grazing and water rights
13	Rezeigat and Dinka	1981	Grazing and water rights
14	N Rezeigat and Beni Helba	1982	Grazing and water rights
15	Kababish, Kawahla, Berti and Meidob	1982	Grazing and water rights
16	Rezeigat and Misseiriya	1983	Grazing and water rights
17	Kababish, Berti and Meidob	1984	Grazing and water rights
18	Rezeigat and Misseiriya	1984	Grazing and water rights
19	Gimir and Fallata (Fulani)	1987	Administrative boundaries
20	Kababish, Kawahla, Berti and Meidob	1987	Grazing and water rights
21	Fur and Zaghawa	1989	Armed robberies
22	Arab and Fur	1989	Grazing rights
23	Zaghawa and Gimir	1990	Administrative boundaries
24	Zaghawa and Gimir	1990	Administrative boundaries
25	Taaisha and Gimir	1990	Land rights
26	Bargo and Rezeigat	1990	Grazing and water rights
27	Zaghawa and Maalia	1991	Land rights
28	Zaghawa and Marareit	1991	Grazing and water rights
29	Zaghawa and Beni Hussein	1991	Grazing and water rights
30	Zaghawa V. Mima and Birgid	1991	Grazing and water rights
31	Zaghawa and Birgid	1991	Grazing and water rights
32	Zaghawa and Birgid	1991	Grazing and water rights
33	Fur and Tarjam	1991	Land rights
34	Zaghawa and Arab	1994	Grazing and water rights
35	Zaghawa (Sudan) V. Zaghawa (Chad)	1994	Tribal Politics
36	Masalit and Arabs	1996	Grazing, administration
37	Zaghawa and Rezeigat	1997	Local politics
38	Kababish Arabs and Meidob	1997	Grazing and water rights
39	Masalit and Arabs	1996	Grazing, administration
40	Zaghawa and Gimir	1999	Grazing, administration
41	Fur and Arabs	2000	Grazing, politics, armed robberies

Source: Compilation by author from different official documents.

The table reveals several important findings. One of the most important observations is precisely that the Darfur's violent conflicts did not start in 2003, as the world media continue to allege. They date back to the colonial era, to 1932. The only difference is that since 2003, the government has allowed itself to become a party in the tribal and/or ethnic conflicts, thus exacerbating the crisis. The second important observation is that such conflicts were clearly resource-based. Thirty-three out of 41 conflict incidents (i.e. 80%) were caused by access to resources. Finally, it emerges that parties to the conflicts were not ethnically divided in all cases.

Every major conflict was followed by a peacemaking conference that succeeded in at least bringing a temporary conciliation among parties in conflict. Lasting reconciliation has become increasingly unattainable; as such mediation conferences have no means of addressing the root cause of such conflicts—competition over depleting natural resources. Other episodic factors also emerged and greatly impaired the effectiveness of traditional crisis management and peacemaking. In particular, two major developments took place and greatly rendered the system ineffective: (1) the government politicizing and manipulating native administration and taking sides in inter-group conflicts, and (2) the emergence of tribal militias, defying all institutions of customary law. In an interview with some prominent native administrators, however, they assured the present author that they are still capable of bringing peace to their warring tribesmen, but only if the government stays out of it. They even asked permission from the government to allow them to do so, but their request was turned down.

It is herewith proposed that the UN, the African Union and influential countries put pressure on the GoS and the rebel movements to allow Sudan's experiment with the so-called: 'People- to-People' peacemaking processes to take effect in bringing peace among Darfur warring communities. It has now become evidently clear that government-sponsored peacemaking is doomed to fail. The government is no longer perceived as neutral in inter-group conflicts. The war in Southern Sudan and in the Nuba Mountains has given rise to a new type of conflict resolution and peaceful coexistence among warring communities. It is a communal peacemaking without government interference. The 'Wunlit' peacemaking between the Dinka and Nuer communities in Southern Sudan during wartime is a good example of successful people-to-people reconciliation (Neufeld 2007). Darfur's own heritage of the Judiyya is also worth considering. However, such traditional methods of conflict resolution might lead only to the postponement of conflicts. They will not address the root causes. However, they give the GoS, the UN and the AU the opportunity to address the root causes. When development activities are planned for the region, attention must be paid to the resource-based conflicts, so that the traditional conflictual economy may

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become replaced by a modern and less conflict-generating economy. A land use map needs to be drawn for the entire region and the Kenyan model of small landholding farms—the so-called zero-grazing system—is worth considering for replication in Darfur (Bebe 2003).

5. How and Why the DPA Failed

The DPA did more harm than good to the Darfur crisis. Knowingly or unknowingly, it ended with giving prominence to power struggles along tribal and/or ethnic lines. With firearms in the hands of mostly illiterate tribesmen, competition for leadership or access to resources resulted into more and more bloodshed. The GoS, the AU and even the UN appear to be bent on the so-called inclusive Darfuris conferences or dialogues to resolve pertinent issues. Such inclusive conferences are platforms of crowd acclamation rather than problem solving mechanisms. The region faces intricate issues that need specific plans of action and calculated measures to resolve them. One such issue is how to move the displaced population out of camps and to where they were prior to 2003. Another issue is the question of land ownership and access to natural resources. A third burning issue is the claim that the Fur and Masalit land is indeed occupied by newly arriving populations from neighboring countries. A fourth challenge is disarming tribesmen now possessing sophisticated firearms. Such issues cannot be resolved in acclamation gatherings. The region is passing through a state of lawlessness, where everybody is pitting against everybody else. The GoS proves unable or unwilling to bring about order in place of the prevailing lawlessness. Likewise, the poorly equipped and mandated AU proved incapable of protecting its own forces on the ground, leave alone protecting the lives and property of the victimized civilians. Nor will the situation get better by changing the helmets of the AU soldiers into UN helmets. The GoS and its allies in the United Nations Security Council resist any attempts at radical changes in the situation, which the government calculates to be harmful relative to their interests. At the same time, passage of time complicates the situation rather than improves it. The need arises for a new outlook to the crisis at hand and new ways and means of averting it.

Analysts criticizing the Pact

That the DPA was flawed is now well documented. Some of the observations made by analysts can help to visualize the way out. Even Alex de Waal, the principal advisor to the negotiation teams in Abuja, and subsequently the chief advocate of the pact, had to admit that the accord "bears very little relation to the reality in Darfur – then or now" and that those who opposed it criticized it's substance as a "meaningless piece of paper" (de Waal 2007: 267). Abdul-Jabbar and Tanner (de Wall 2007: 285) conclude that the DPA "may have been sound in terms of its contents, but to many

Darfurians, this was irrelevant, as violence increased after it was signed. Security was the primary concern for people in Darfur". Some of movement delegates made it clear that the agreement "does not address the root causes of the conflict and was not the result of negotiation between the parties" (de Waal 2007: 252). Nathan (2007: 247) identifies three dynamics as responsible for failure of the Abuja talks: 1) the negotiating parties were unwilling to negotiate in a manner conducive to forging agreements, 2) the AU and the international partners growing desperate for a quick accord, adopting a 'deadline diplomacy' and 3) the mediators were consequently unable to undertake effective negotiation. Nathan made two critically important observations. One is that wars such as the one in Darfur are not amenable to a viable quick accord. Secondly, a sustainable peace agreement cannot be forced on the parties. Nathan describes vividly how the mediators and negotiators were pressurized to rap up and produce an agreement document. Funders are said to have grown frustrated and demanded Abuja talks be brought to an end.

According to Marchal (2007: 243) "until the very end of the talks in May 2006, the parties tended to see the Abuja talks as a tactical forum rather than the central stage on which a solution to Darfur's conflict would be found." Throughout the negotiation process, Marchal continues, fighting continued on the ground in Darfur, both between the GoS and the movements and among the movements themselves. Alex de Waal considers the principal cause of failure of the DPA to be the refusal of rebel movements to sign it. On Monday 2 October 2006, he published in the Sudan Tribune an article entitled 'Darfur: we need to get back to negotiation'. He defended the DPA by saying that "the breakdown did not happen because the peace agreement was faulty, but because the political process was brought to an abrupt and premature end, when Minni signed". The position held here is that the agreement was indeed faulty in many respects. Two aspects are particularly detrimental to the success of the pact. One is awarding posts to armed movements during the interim period. The other is departing from the regional norms of conflict resolution.

On paper the pact looked acceptable to almost all actors in the peacemaking process. Even the recalcitrant Abdul Wahid is reported to have found the security arrangements acceptable and the wealth sharing provisions 95% acceptable (de Waal, the Guardian, September 29, 2006). He stalled, de Waal contended, because "his party was offered far fewer executive and legislative posts than it wanted, and because his group was given an ultimatum of signing without time to examine the options". He was given the 'take it or leave it' option. The faulty step that changed rebel positions appears to be the decision to award posts to rebel movements during the interim period. Abdul Wahid is reported to have absented himself from one of negotiation talks because he "had been busy awarding posts in the Darfur future gov-

ernment to his subordinates" (Flint 2007:141). Assigning posts to the marginalized Darfur region should have been separated from appeasing the rebel movements by awarding those posts to them. As has been suggested, an independent caretaker government during the interim period could have been a better option. It would have neutralized post contenders. When Minni Arko Minawi was appointed as a high ranking assistant to the president, and head of the Darfur transitional authority, only because he signed the DPA, it could not have been imagined that either Abdul Wahid or Khalil would have accepted the agreement under Minawi leadership. He was a rival of both. The DPA has thus become a liability rather than an asset.

The DPA and the Darfur Heritage of Conflict Resolution

It has been explained that Darfur has a wealth of indigenous knowledge about conflict resolution. It could be grouped into two broad categories. One is a form of community–based conflict resolution method, locally known as Judiyya. The other is government–sponsored reconciliation, commonly known as conflict resolution conferences. Both of them have prerequisites for their success. The ensuing discussion will illustrate that none of them has been adhered to in the Abuja peacemaking processes. Important among those prerequisites are the following: 1) to clearly identify the parties in conflict and their representatives in the conference; 2) participation of the Ajaweed (i.e. mediators), who are versed in the customs and traditions of the warring communities, and are known for their undoubted impartiality; 3) participation of tribal leaders, locally known as Native Administrators, who assume the responsibility of having their groups honouring their commitments; 4) a government that performs the tasks of *a)* calling the conference, *b)* overseeing the conference processes, *c)* applying the statutory law in arresting suspects and bringing them to justice, *d)* acting as guarantor for the implementation of the conference resolutions, i.e., ensuring that the native administrators carrying their followers to fulfill their promises. It will be argued, in brief, that the Abuja peacemaking processes departed substantially from all those prerequisites.

First, it departed from the regional norm with regard to identifying the parties to the conflict. The Darfur heritage of conflict resolution clearly identifies the parties to the conflict. Starting from the premise that what we are having is a civil war, parties in conflict are identified as the rebel movements on the one hand, and the central government on the other. A closer look into the crisis will reveal that the parties are the landless groups, on the one hand, and the landowners on the other. Tubiana (2007: 68) was correct in describing the conflict as mainly one over land. The rebel movements are fighting on behalf of their land owning communities. The GoS and the Janjaweed, on the other land, are fighting on behalf of the landless. The majority of the landless identify themselves as Arab while the landowners regard themselves

as non-Arab. As a matter of fact, for the Fur and Masalit on the one hand and the Arab, on the other, violent conflicts date back to the early 1980's, when the African Sahelian drought hit the region "in two out of every four years"(Flint 2007: 157). The roaming herders fought farmers over access to grazing lands. Failure to identify the farmers and herders as the key groups in the conflict greatly contributed to the DPA popularly being described as "irrelevant" (Fadul and Tanner 2007: 285). The government and the armed movements becoming the sole parties in the negotiation is a major cause of hindering a compromise settlement. Each one is bent on defeating the other in a war of attrition. The government wants the rebels to surrender and the armed movements want the Janjaweed disarmed, so that victory can be achieved.

The second faulty arrangement has to do with mediators. Once again the Darfur concept of a mediator is entirely different from the one in the minds of those suggesting that the AU could be a mediator. For the average Darfurian the mediator (locally known as Ajwadi) is an individual enjoying a considerable degree of respect because of tested impartiality and knowledge of community customs and traditions. With due respect to the AU, it does not fit well into that image. Moreover, material evidence has shown that the African continent in general has few recorded mediation successes. In 1999, a high level conference in Arusha, Tanzania, was held by the OAU, the predecessor of the AU, attended by top level participants, including statesmen, researchers and practitioners. They came to the conclusion that indeed the African continent did not have that recorded experience (Othman 1999). In line with the perception the mediators, Salim and Eliasson, have come under severe attacks from both the armed movements and the GoS, each party from their own perspective. From the Darfur heritage about mediations, recognition for the mediator is considered the foremost prerequisite for the mediation to succeed. Nor was the behaviour of some African leaders compatible with what the Darfurians would consider an appropriate conduct of the Ajwadi. The Nigerian president's treatment of the rebel leaders in the last days of the Abuja negotiations obviously contradicted not only the conduct of an acceptable Ajwadi, but also that of a host (see de Waal 2007, Nathan 2007). When a conflict is between a state and its subjects, many African heads of state will refrain from being harsh on a sister state. They would become hesitant taking positions they calculate would erode the state's sovereignty. In fact, the Khartoum government is said to have been discretely advised on how to "handle the Whites". (Prunier, 2005: 145). Regrettably, furthermore, the role of the AU mediators was being rendered ineffective by the more powerful actors in the peace process. Nathan (2007: 245-266) describes vividly how in the final days of Abuja talks the mediators and negotiators alike were pressurized to sign a draft that was not their own.

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Thirdly, the so-called inclusiveness of the negotiations did not include the most segment of the Darfur population considered expert in conflict resolutions – the native administrators. Darfur's rural communities, remaining basically, tribally affiliated, can only be administered through their tribal leadership systems. Hence, in reconciliation conferences, native administrators play a dominant role not only as mediators, when their groups are not involved, but more importantly as responsible for holding their groups committed to the implementation of conference resolutions. In all peacemaking processes following what has been defined as a civil war, the Darfurians at large have been represented solely by the armed movements. Mediation between the GoS and the movements has been given to the AU in the beginning, before the UN was brought in. Two undesirable outcomes resulted from the absence of native administrators at the negotiating table. One was losing the opportunity to come to grips with the regional heritage of conflict resolution. The other was losing the mechanism that would traditionally disseminate conference resolutions among grassroots populations and ensure their effective implementation.

Fourth, the role of the government was rendered unworkable. In the past, the government brought the intergroup fighting to an end, using its monopoly of force. The government called for convening a conflict resolution conference, and financed it. Before the conference was held, the government took the necessary step to arrest the suspects, bringing them to justice. On receiving a request from the conference, the government could commute its rather severe punishments to soft ones as recommended by the Ajaweed. Then the government served as a guarantor for the implementation of conference resolutions. These extremely important roles for the government have all been rendered unworkable by emerging episodic factors. Important among these are: the government allowing itself to become a party in intergroup conflicts, even before rebels took up arms against it; the proliferation of small arms among tribesmen; and undermining or manipulating the system of native administration. Although native administrators have become increasingly politicized and manipulated, many of them still consider themselves as custodians of their tribal heritage, and if given the chance (i.e. being allowed to act independently), they would have succeeded in decreasing tensions among warring groups.

Policy Recommendations

The process of peacemaking in Darfur has been predominantly top-down. Decisions have never been initiated by the people at the grassroots level, although such decisions affected the life of all individuals and groups in the region. The people's opinions have not been sought prior to decision-making. It can be argued that opinion surveys should have been carried out, for resolutions to be accepted and supported by the people. The views of

groups directly involved in the conflicts or affected by them (e.g. the displaced, the land owners and the landless) are imperative to reaching a workable peace. They are the ones who ensure the sustainability of communal commitments. In 2005 this author carried out an opinion survey for 236 communal elites, including 200 men and 36 women (Mohamed 2005). They represented a wide spectrum of population segments, including students, native administrators, members of NGO's and political parties, including members of the NCP ruling party. Their opinions came out as markedly different from those who formulated the DPA. The most important feature of the questionnaire result is that respondents were leaning more towards consensus than dispersion of views. On the issue of ethnicity, for instance, contrary to the common belief, 74% of them would reject ethnic identification, regarding themselves as simply Darfurians. Only 3% identified themselves as Arab and 19% as non-Arab. Furthermore, on the issue of who should govern the region during the interim period, 60% of respondents preferred a government of technocrats, 47 % of them to be drawn from the region and 13% from outside the region. Only 3% of respondents supported a regional leadership appointed by the government. Four per cent supported a government by the armed movements and 15% supported a coalition government of the NCP, the movements and the SPLM. On the issue of the regional administrative structure 77% would prefer one region, with 29% wanting it subdivided into states. The questionnaire consisted of a long list of important issues such as: causes of the conflicts, good mediators, the multiplicity of actors, the effectiveness of peace initiatives, future farming and herding systems, settlement of disputes over land tenure and access to land, repatriation of the displaced, women's role in conflict prevention, management and resolution, etc. Based on the survey results and discussion of the situation analysis, policy recommendations might be put forward in an attempt to contribute to averting the current crises. Broadly, policy recommendations might be grouped into four categories: 1) a caretaker government during the interim period, 2) democratic transformation, 3) goal-oriented development projects and 4) making use of the regional heritage of conflict resolution.

Caretaker Government

It is to be recalled that 60% of communal elites, being interviewed in 2005, preferred a government of apolitical technocrats for the interim period. This is not in harmony with the DPA decision to grant continuity for the present government with a majority for the NCP and a minority representation of former rebels and other government–supporting political parties. A mere 15% of elite respondents supports such a coalition government. The idea of a neutral government during interim periods is not unfamiliar to the Sudanese people. Twice in Sudan's recent political history a caretaker government preceded the formation of a government through general elections. Such a government is useful in a community fragmented along ethnic, parochial and

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ideological lines. It helps to create an atmosphere of confidence-building among warring groups. Fortunately, a reconciliatory atmosphere is already in the making. Fadul and Tanner (2007: 297) Darfur's Central Majority Bloc evolving, bringing together the main ethnic groups: the Fur, the Baggara Arabs, the Masalit, the Zaghawa, the Tunjur and also many smaller 'African tribes' that naturally gravitate towards Fur positions. Such a majority bloc would certainly find itself in agreement with a neutral caretaker government serving the same purpose. With the support of a central majority bloc, the caretaker government can accomplish many tasks the region badly needs: preparing for and supervising fair and free elections, helping ex-rebel movements transforming themselves into political parties, fostering general and bilateral intergroup reconciliations and, with the help of the UNAMID, bringing order in place of the chaotic situation prevailing in the region.

Democratic Transformation

Both the CPA and DPA stipulate that general elections are to take place by 2009. They will lead, hopefully, to changing the government format from the current authoritarian rule into a democratic system based on popular mandate. Democratic transformation is as important for the Sudan as a whole as it is for Darfur in particular. It has been eluded that to a large extent tribal and/or parochial politics, so damaging to communities such as Darfur's, is attributed to lack of democratic options. The installation of democratic governance, with a multiple party system, will make both tribalism and parochialism less important. Office seekers will seek the support of voters with different tribal and locality backgrounds. One of the major advantages of democratic governance, therefore, is mitigating the hitherto tense inter-group relations, because of political identity group competitions along ethnic and tribal lines. Instead, peaceful competition along party lines will be reinstated. Another great advantage of democratic transformation for the Sudan in general, and for Darfur in particular, is that it will help to substitute a peace culture for the current culture of violence. A big portion of the young generations in the Sudan have not had the chance to experience the workings of democratic values. Although most political actors in the Sudan, including the government, assert that they stand for democratic transformation through fair and free elections, very little is done to prove that there is political will to do it. For instance, government–controlled media rarely feature election awareness programmes, although general elections are less than a year ahead.

Goal-Oriented Development

It has been suggested that underdevelopment is the root cause of all regional conflicts. In terms of development it is possible to demonstrate statistically that Darfur lags behind northern Sudan regions (Mohamed 2006). Prunier (2005: 25-42) describes how Darfur has been neglected by the central governments since the colonial era. The DPA provisions suggest preferential

treatment to the region, and some development-oriented commissions have indeed implemented such provisions. However, as of now, two points of criticism may be raised. One is frequent lack of implementation, mainly because the DPA has failed to bring peace. The other, more important reason is that such activities do not focus the key issues. They can hardly be seen as targeting the central problem facing the region—the conflict between traditional herding and traditional farming in the context of shrinking land-carrying capacity. Tubiana (2007: 90) was correct in making the statement that a "more developed agriculture would free up land, while a modern live-stock sector would encourage nomads to settle." The modernization of both agriculture and herding practices ought to have constituted the bulk of development spending, as it directly relates to peaceful co-existence among farmers and herders. The Kenyan example of the so-called Zero-Grazing System is worth consideration (Bebe 2003).

Intergroup Reconciliations

It should be recognized that in cases of conflict in developing countries there are three levels of actors for conflict management: top level, middle-range and grass root actors. The top-level actors in this case are the international community, with the GoS and the armed movements becoming the middle-range actors. It has become clear that efforts made by the top and middle-range actors have failed in bringing peace and an end to the horror in the region. It is therefore time to pay attention to grassroot-level actors.

It is regrettable that the modern civil society institutions (e.g. the NGOs, women associations, co-operatives, trade unions etc) have not made their appearance effectively in rural Darfur, where communal hostilities predominate. The only effective actors at this level remain the tribal leaders. They, known locally as native administrators, are the ones who have historically been responsible for maintaining law and order within their communities and between them and other communities (Mohamed 2005, 2003a, 2003b, 2003c, 2002a, 2002b, 1999, 1998). The native administrators could presently be made the principal actors, to be entrusted with the task of operating the community-based peacemaking processes. It has to be admitted, however, that native administration as a system has been rendered ineffective owing to episodical factors. Important among these are political manipulation and the emergence of tribal militias. In order for the system to become effective again the need arises for two things: 1) a return to the historical political neutrality of the native administrators and 2) disarmament of the tribal militias, who are challenging the authority of native administrators. The top-level actors work with the peacemaking process would be greatly facilitated if obstacles, hindering the traditional role of peacekeeping of native administrators in rural Darfur, were removed.

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I am sufficiently aware of the fact that native administration has been and still is a controversial issue among educated Sudanese. Since its inception in the early 1920's by the colonial government, it has come under severe attack in these circles. For the influential national liberation movement leaders, who started the attack, native administrators were stooges of colonial rule, enabling it to stay longer by blocking their rural subjects from the entice-ments of the liberation movement. Later on, the system has come under at-tack by radical political elements. Currently, it has been politicized and ma-nipulated by the government. Most native administrators are now members of the ruling party—the NCP. The position taken here, however, is rather technical than ideological. It argues simply that when you have a tribal sys-tem, as you have in Darfur, then you need to have tribal leaderships, what-ever label they are given. Of course, the system withers away naturally as the society passes the stage of subsistence economy and becomes a more mod-ern market economy. Darfur is still at the traditional level of societal stages (Mohamed 1989, 1999, 2002, 2003, 2005).

The restoration of citizen–based reconciliation (i.e., the Judiyya indigenous system) is more needed in Darfur now than ever before. The government–sponsored reconciliation conferences are unworkable, as the government is perceived as being involved in the conflicts, as taking sides. On the other hand, the AU- and UN-mediated conferences have so far proved unsuccess-ful in bringing peace to the war-torn region. While recognizing the global contribution in saving people's lives and working relentlessly to contain the spiraling violence and banditry, a chance must be given to traditional institu-tions, at the grassroots level, being historically responsible for maintaining law and order and settlement of disputes. With the growing of what Fadul and Tanner (2007: 279) label as the 'Darfur Central Majority Bloc', the chances increase for citizen-based peacemaking to succeed. The author in-terviewed some of the native administrators, who are part of the central ma-jority bloc, and found them so confident in themselves, if left alone, to suc-ceed not only in mediating between the land owners and the landless, but also between the Janjaweed, on the one hand, and the rebel movements on the other. If the New Sudan Council of Churches and tribal chiefs did it in Wunlit in 1999 in Southern Sudan, why not the 'Darfur Central Majority Bloc' that is reportedly now gathering momentum in Darfur? In fact, a grand citizen-based mediation in Darfur preceded that of Wunlit. Prunier (2005: 68) wrote: "[…] quite independently of the Khartoum political class, the local tribal leaders had started their own process of traditional negotiations for peace making in late May 1989."

It goes without saying that the four-package policy recommendations above, are intended to resolve the three types of conflict that are hypothesized in this paper. The creation of a caretaker, apolitical government during the in-

terim period is intended to create a social milieu conducive to a political relaxation, where all actors would accept each other. The caretaker government needs to be viewed as truly apolitical and technically competent. Its main task would be to pave the way for the democratic transformation stipulated by both the CPA and the DPA. The establishment of a democratic rule in turn addresses the problems emanating from tribal and/or ethnic politics, which is a by-product of denying citizens freedom of association and expression. The goal-oriented development on the other hand, will lead to changing the existing subsistence agriculture, which is conflictual in essence, into modern agriculture with no competition over access to land. New means of livelihood would thus be created, so that complementary livelihood modes would replace the prevailing conflict-generating modes of living. By the same token, preferential treatment of the region in terms of development will end complaints about regional economic marginalization. Furthermore, the power sharing gains for the region in the DPA will be preserved by the interim government and will take real effect when the regional population decides in fair and free elections that should exercise power over them.

The proposed policy recommendations are not expected to have a wide spectrum of jubilants. They will understandably not be welcomed by either the GoS or by most armed movements, as they do not assure these actors power during the interim period, neither do the recommendations assure them future gains. The international community, however, will do the Darfurians yet another good job by persuading and pressuring the parties in conflict to accept and effectively implement such policies. The international community itself will have to play a key role in the implementation of such recommended policies.

6. Concluding remarks

The paper set out to find an answer to the major question: what went wrong? Why did the Darfur Peace Agreement not produce its intended effect? War is still ravaging and innocent civilians continue to lose their lives or flee their places of origin to live in camps, both within and outside the beleaguered region. The major assumption is that the DPA overlooked the wealth of the regional heritage with regard to conflict prevention, management and resolution. Overlooking such a heritage resulted in producing a document that most Darfurians would not consider their own. It is argued that the DPA is faulty in two respects: situation analysis and peacemaking modalities. An alternative conceptual framework is presented by conceptualizing three parallel types of conflict rather than one, as it is perceived by the major actors. As a result, series of actions (policy recommendations) are put forward for the consideration of parties in the conflict and the global community, with

the objective of trying to save the lives of innocent people and prevent that a Rwanda-type of genocide is repeated in Darfur.

The paper is divided into four sections. The first starts with exploring Western and non-Western modalities of peacemaking, with the understanding that substantial differences do exist between the two types. Emphasis is then placed on Darfur's own heritage of CPMR, which has been largely ignored in the peacemaking processes. The section ends with presenting the major components of the DPA. Section 2 deals with evaluating the pact, making the point that it is characterized by a political overtone that fuelled the spiral of tribal and/or ethnic politics, instead of curbing it. Tribal fights are considered the major threat to lasting peace. Therefore, a separate sub-section is devoted to exploring them. The third section is devoted to an alternative situation analysis, highlighting the nature and magnitude of the region-centre conflict, the communal elites' conflict and the inter-group grassroots conflicts. The final section is devoted to more details on where the DPA went wrong. The views in scholarly works have been examined, indicating where the peacemaking processes were at fault. This was coupled with using the Darfur heritage of peacemaking as a yardstick to measure to what extent the DPA departed from them. The section ends with policy recommendations, calculated to be imperative in handling the three types of conflicts defined.

No simplistic assumptions are made about the prospects that the policy recommendations will be readily accepted or implemented by all political actors. Darfur communal elites from both government and rebel sides tend to resist any form of government in the region in which they are not leading. Asked their views about the interim government of technocrats, their spontaneous response was: and where should we go? They appear to be unaware of the fact that in less than one year the government format will be changed and that they needed to plan for a long-term office holding, through elections, rather than for one that lasts for only few months. The guarantors of both the CPA and DPA need to focus their attention on having the democratic transformation becoming a reality. It is the only option for Sudan to leave the gun behind the gun as a vehicle for office succession.

This study makes a contribution to our knowledge about CPMR. It is, arguably, significant not only to scholars and statesmen in the Sudan, but also to the African continent. During January 21- 23 1998, a workshop was held in Arusha, Tanzania, to deliberate on the African experience with conflict mediation. The workshop was attended by scholars, statesmen and practitioners. After lengthy discussions, the conferees reached the conclusion that indeed Africa had no recorded experience of conflict mediation, and that every case of conflict had to be treated on its own merit (Othman 1998). It appears from the research that indeed some African communities do have recorded experi-

ences of CPMR. Darfur's heritage is a case in point. That heritage could have been utilized by decision makers. Another important contribution of the research is that it draws the attention to the importance of incorporating all levels of actors in a peacemaking process. In this case, the role of local leaders and indigenous knowledge is highly recommended. It should be emphasized, however, that the role of the grassroots actors has not been perceived as an alternative to that of top and middle-range actors. In fact, it has been clearly indicated that the success of the grassroot actors depends squarely upon the effort made by the top-level actors. An additional contribution of the research is to a large extent based on findings of a field research carried out by the author. Field studies about Darfur crisis are regrettably scant. For instance, it is astonishing that the estimated number of those who lost their lives in the war is still unknown. Statistics given by the GoS and the UN are awfully diverging. Assessments vary from 10 000 (GoS) to 300 000 (UN). The exception to the scarcity of field research is perhaps the works of Fadul and Tanner (2007) and Brosche (2008). Both texts were results of reviewing wide ranges of secondary data and, more importantly, in-depth interviewing of individuals and groups. However, prevailing conditions would not have permitted interviewing key elements in the conflict—the displaced and the Janjaweed. The limited amount of field research that has been carried out, including my own, are mostly case studies, which cannot comfortably be generalized to represent bigger groups, leave alone the entire Darfur population. And even within segments being studied, data are lacking about the views of groups directly involved in fighting or affected by it, such as the displaced, the landowners and the landless. Without theirs positions being clearly known and incorporated, a sustainable peace might not be achieved, or become sustainable, based on top-down approaches to decision making.

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Abstract (for back cover page)

The paper posits that the 2006 Darfur Peace Agreement (DPA) has failed to produce its intended effects because of two reasons, namely, perceiving the crisis as simply a region-centre conflict, over equitable national wealth and power sharing. It is argued in the paper that what we have are instead three parallel conflicts. Besides the region-centre conflict, there are resource-based conflicts at the grassroot level and inter-communal elite conflicts over power sharing. Accordingly, three distinct measures are called for. First, resorting to the regional practices of reconciliation to postpone inter-group conflicts until a lasting solution is found in a rural development programme. Second, that a genuine democratic transformation is effectuated so that competition for office succession is between political parties rather than between hostile ethnic groups. Third, that the regional gains in the DPA (regarding wealth and power sharing) should be upheld, while office holders must be chosen by the regional populace through democratic means. Appointing ex-rebels in leadership positions by DPA actors gave rise to segmentation and warfare among rebel movements, rendering peacemaking efforts more difficult than before. As the incumbent government is perceived as a party to the conflict(s), it cannot play the role of implementing the above-mentioned policies. Instead, a caretaker government of apolitical technocrats could be capable of doing it.