TRADITIONAL MECHANISMS OF DISPUTES
RESOLUTION IN RURAL COMMUNITIES - THE CASE
OF AGADI, BLUE NILE STATE

A thesis submitted to the University of Khartoum for the
degree of M.Sc in Social Anthropology

By

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Dedication

To my father, Adam Ali, to my mother, Haseena Abdul-Shafi; who taught me that by Patience and Determination, you can do what you want.
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recurrent hard times that I have undergone, for the period of the research.

Hisham Adam Ali,
Khartoum, April 2010
Abstract

This study, focuses on the issue of traditional mechanisms of conflict resolution in Agadi area, Blue Nile State. However, a number of modes of conflict settlement are given especial concern, in the context of the study. These modes are: friendly pacification, mediation, arbitration, adjudication and repressive pacification. In addition, the study concentrated mainly on the relationship among the preferences of the members of the community and the modes of the settlement that are mentioned above.

Furthermore, the study attempted to find out the basic roles that are played by these local mechanisms in social control and peace building, on the grass root level.

In terms of methodology, the study adopts a holistic approach in order to yield fruitful information that is relevant to the study. As for data collection, the study adopted upon focus group discussion, individual interviews and observation. Besides, I consulted books, papers, reports, internet websites, newspapers, relevant administrative reports and maps on the relevant issues.

The research findings can be summarized as follows: people in Agadi area depend profoundly in resolving their conflicts on traditional methods of conflict resolution. Traditional mechanisms are predominant and have been played and still play a crucial role in terms of conflict settlement process.
As for alternative dispute resolution, different factors play a crucial role in the process of preferences, in terms of a specific mode; such as, friendly pacification, mediation, and so forth. These factors are: the structure of intimacy among the third party and principals, the relational distance between principals, the structure of the conflict, social status of the third party, the structure of social support and the availability of alternative modes of conflict resolution.
من الناحية المنهجية، استخدمت الدراسة المنهج الشامل للحصول على معلومات مرتبة ذات صلة بموضوع الدراسة وأيضاً للإجابة على أسئلتها الرئيسية. فيما يتعلق بوسائل جمع البيانات الأولية، إذ تم استخدام الدراسة على المناقشات الجماعية المركزة، والمقابلات الفردية المتعمقة، والملاحظة. إضافة إلى ذلك، استخدمت الدراسة على عدد كبير من المصادرون الثانوية ذات الصلة بموضوع الدراسة. استمرت هذه المصادرون على كتب، ومقالات في دوريات علمية، ودراسات سابقة.

تؤكد النتائج الرئيسية، التي استقبلتها الدراسة، أن معظم سكان منطقة أقصى يعتمدون بشكل كبير في حل نزاعاتهم على الأنماط التقليدية. وهي مسيطرة حيث تغطي وما تزال تلعب دورا حاسم في عملية حل الصراع.

أما بالنسبة لحلول الصراع البديلة، هناك عوامل متوازنة ومختلفة تلعب دورا حاسما في عملية تفضيلات أفراد المجتمع في اختيار نمط معين دون الآخر. هذه العوامل هي: تركيبة الألفة ما بين الطرف الثالث وأطراف الصراع، المسافة العلاقية بين أطراف الصراع، تركيبة المكانة الاجتماعية للطرف الثالث، تركيبة الدعم الاجتماعي، وتوفر الأنماط البديلة لحل الصراع.
Chapter one
Introduction

1.1 General background
Conflicts are as old as human societies themselves. Historically, individuals, social groups and societies have disputed and competed against one another over scarce commodities and resources; land, money, political power, and ideology. They have even fought one another. Historically, individuals and social groups have bitterly sought the elimination and/or subjugation of rivals, in order to control these resources and commodities. But at the same time, human societies and groups have found their own ways and means for averting and/or resolving conflicts. (Wardak 2002) stated that literature confirms that the nature of and causes of conflicts and the mechanisms for resolving them, are deeply rooted in the culture and history of every society. They are in many important ways, unique to them.

With the coming of Europeans, efforts were made to streamline dispute settlement practices along Western rules and institutions in many African societies. The colonial powers especially the British introduced western modes of social control and justice administration including the law courts,
police, legal bureaucracies, judges, and lawyers in their colonies. Despite the fact that colonial Authorities became the new centres of political power, traditional Authorities, particularly chiefs, still retained some of their important pre-colonial obligations, such as, acting as agents of peace and order; and as actors in the socio-economic and political development of their respective areas. In British colonial Africa, chiefs were allowed to administer customary norms and rules for resolving communal disputes and grievances, in agreement with Western normative tradition of law.

In practice, chiefs still conducted dispute resolution in their societies; in line with traditional prescription. After independence, the new African nationalist regimes pursued and sustained the colonial or modernist projects, to guarantee their legitimacy, protect their interest and promote national unity. These nationalist policies, as will be established, produced legislations that either withdrew judicial powers hitherto allocated to chiefs, in some societies; or co-opted these chiefs and their customary courts into common law in others. However, even where the powers were altogether withdrawn in law (even if the new laws stipulated that chiefs retained no normal power in justice administration), In practice, chiefs still conducted dispute resolution in their societies, in line with traditional prescription (Wardak 2002).
As a result of these changes, most modern Africa States with a history of traditional leadership, either by law or in practice, observe a dual legal system: one legal system is State based; and reflects the laws and values of the former imperial regimes. The second reflects the values and laws of the local people.

State law, however, remains dominant since the statutory courts have the power to ignore, review or overturn cases brought before traditional authorities, for settlement. In Africa, States have facilitated this, by enacting laws that protect the powers of these formal courts. Nonetheless, to pay no attention to traditional authorities in disputes settlement, is to ignore the very existence of the parallel system of justice administration, in countries in which chieftaincy thrives.

According to (UNICEF’s report 2003) there are several types and forms of conflicts in Sudan; and their causes are different and often complex. Some of the major grassroots conflicts in Sudan are between the pastoral communities, and the agricultural settled communities. The majority of the pastoral communities occupy arid and semi-arid lands, characterized by frequent and prolonged droughts. Many factors have increased the development of seemingly insignificant disagreements or disputes; into potential violent social and political upheavals triggering devastation on a massive scale.
The root causes of conflicts in the regions of Sudan are of course complex and varied. Typically involving historical grievances, economic deprivation, and access to use of natural resources, and in some cases, an absence of democratic process. On the surface of many conflicts, they do seem to revolve around ethnic, religious, cultural, or linguistic divisions, and it had been assumed that these divisions are likely to continue to dominate the perceptions of the protagonists. (UNICEF 2003).

As for the study area Blue Nile State, regards as one of the states that witnessed several conflicts in previous years. The conflict which occurred in the state affected the community, whereby hundred thousands are either displaced locally to other parts of the Sudan, or crossed the borders as refugees in Ethiopia. In addition to that, the state received waves of displaced persons from southern Sudan. Mustafa (2005, p. 31).

The present research concentrates on a local community in the Blue Nile called Agadi, it is a small village located in south-eastern part of central Sudan. It is originally inhabited by Ingessana and Hamaj people, (Jallaba traders\(^1\)) and (Gharraba\(^2\)) who came to Agadi from western Sudan, Kordofan and Darfur.

\(^1\)-This category comprises more than one ethnic background; its members are mostly from the Arabic-speaking. In the community, they present themselves as a group of Arab descent, using unifying term "wad Arab". Indeed the term is misleading because it gives the impression that all of them are of Arab background.

\(^2\)-this term 'gharaba" denote to those people who came to Agadi from western Sudan Kordofan and Darfur, it se to distinguish their identity.
The reality of the existence of these different categories in Agadi had resulted in open competition over resources, whereby conflict became unavoidable. Over and above, the Agricultural schemes in Agadi attracted people as labours from several places; such as, those from Southern Sudan. The daily interaction among them, and competition over scarce resources generated more conflicts. (for more information about Agadi area, see chapter two)

Undoubtedly traditional institutions/mechanisms of conflict resolution such as Extended family, elders, tribal leaderships (native administration), religious leaderships and reconciliation conferences which locally known (judiya) played a crucial role in resolving a number of conflicts before reaching to government authorities. Native administration, an active body in conflict resolution, is an institution that has detailed knowledge and reliable information about the conflicting parties and the natural environment (Mustafa 2005).  

The study also gives special attention to the contribution of quranic schools (khalwa) and the role that is played by women in peace-building and conflict prevention, for instance the khalwa enhances the development of strong bonds and

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3- Mustafa Babiker, report was conducted in three areas (Blue Nile state, Gedarif and South Kordofan.) resources-based conflict and mechanisms of conflict resolution.
friendship among *khalwa* students, which may also lead to intermarriages and symbiotic relations among families of different ethnic origins Azzain (2003, p. 71).

In fact, vast cross-cultural anthropological literature confirms the use of native forms of conflict resolution, in several societies in Africa (Evans-Pritchard 1940, Fred Mensah 2000, Gluckman 1955, Uwazie 2000, Mansina 2000) Argue that Literature on negotiations, mediations, arbitration, and adjudication techniques in these works give a fair idea about the range of variations in patterns of formally recognized rules and institutions that relate to the settlement of disputes in specific societies.

Every society has its own methods, procedures, or mechanisms for dealing with or resolving disputes. Here, the focus is not on the role that is played by traditional mechanisms of conflict resolution only; but rather, to deal with the relationship among the preferences of the community; and the modes of the settlement. I think many factors alongside the intimacy between third party and conflicting parties, have played a crucial role in preferences of the conflicting parties in terms of the modes of conflict resolution.
In fact, the agent's intervention of settlement depends mainly on intimacy or relational distance\(^4\) between the parties of conflict. That means that the authoritativeness of settlement is a direct function of relational distance between the settlement agent and the parties involved in conflict. (Black 1976).

Furthermore, the study is an attempt to find out the basic roles that are played by these local mechanisms in social control and peace building on the grass-root level, and to what extent they are sufficient to undertake these tasks recently. At this point, the different factors that could affect these mechanisms negatively and also the factors that might support and enhance them are highly taken into consideration. Here, the impact of the issue of modernization will be given more emphasis when analyzing this issue in Agadi area. On the other hand, the study will also try to reveal the other prominent roles, apart from conflict resolution, that have been played, by these mechanisms. The study also focuses on the extent these mechanisms are to be considered effective in performing various tasks; such as, mediation and arbitration in resolving the varied conflicts among the groups. Such tasks include allocating farming and housing land for new comers. Moreover, the study deals with the effect of social

\(^4\)According to Black (1976) relational distance refers to the degree to which people participate in one another's lives; it is measured by such variables as the scope, frequency, and length of interaction between people, the duration of their relationship, and the nature and number of links between them in social relations.
change and modernization, on efficiency of these mechanisms in the resolution of conflict.

The study tries to use (Black’s model 1984) in conflict settlement. And to what extent to be applicable among the community of Agadi.

(Black 1984) in his study, social control as a dependent variable sheds light on the likelihood that a settlement agent will intervene in a conflict. He stated that it varies with degree of intimacy, or relational distance between the parties in conflict. More specifically, it seems that this likelihood increases with the relational distance between the parties until a point where they are complete strangers (such as members of different societies) when it declines. In other words, settlement behaviour is a curvilinear function of relational distance. It is also possible to specify the kind of settlement behaviour that is likely to occur under varying conditions of intimacy. In this regard, he distinguished five modes of settlement behaviour. These modes are friendly pacification, mediation, arbitration, adjudication, and repressive pacification. And that these describe the continuum of increasingly authoritative intervention. He lay a question that how do these modes vary with the structure of intimacy? He observed that settlement behaviour seems to occur only when the amount of intimacy is largely equal between the
third party and each of the principals. Otherwise the third party is likely to act as a partisan on behalf of the principals who is closer. According to him intimacy breeds partisanship. People tend to support their friends and family members against strangers. Here, he mentioned example among the nomads of northern Somalia, elders who arbitrate disputes must be acceptable to both sides, and neither will allow a relative of the other to perform this function: “kinship ties to either party are regarded as prejudicial to affair judgement.

1.2 The problem of the study
This study focuses on the issue of traditional mechanisms of conflict resolution in Agadi area, Blue Nile State. However, a number of modes of conflict settlement are given special concern in the context of the study. These modes are: friendly pacification, mediation, arbitration, adjudication and repressive pacification. In addition, the study will concentrate mainly on the relationship among the preferences of the community and the modes of the settlement that are mentioned above.

Research Questions
The study tries to examine the general question:
What are the traditional mechanisms of conflict resolution that exist in Agadi community?
More specific questions are:-
1. When do the members of the community, prefer, for instance, friendly pacification rather than arbitration in handling their varied conflicts?
2. How each of these modes varies with the structure of intimacy\(^5\)?
3. How each of these modes of settlement varies with relational structures?
4. How does mediation structure, differs from an arbitration or adjudication structure?
5. What is the pattern of the preference, by the people, for these mechanisms
6. When is pacification friendly rather than repressive?
7. What degree of authoritativeness with which the settlement agent intervenes in a conflict?

1.3 Significance of the study
Because the Blue Nile State as one of the marginalized areas, the present study has a special importance. The study combines between different disciplines; such as, sociology of law, social conflict and legal anthropology. This study tries to produce general documentation of the so-called traditional mechanisms of conflict resolution in Agadi area – Blue Nile State. As such, it

\(^5\)intimacy; people who are very close, such as blood relatives, and married couples, use comparatively little law against one another.
will enable scholars to possess an adequate and detailed understanding in terms of the methods of conflict resolution.

In addition, the significance of the study resides in that this area was not studied adequately. It would help researches in this topic. Its significance, also, comes from that, it is conducted in the post conflict period; and would perhaps contribute to laying down the foundations of peace in an objective way.

1.4 Objectives of the study
1- To describe the existing traditional institutions which are used in prevention management and resolution of varied conflicts in Agadi area.
2- To inquire about the types of conflicts occurring in the area, in addition to, knowing by what means they are resolved.
3- To understand the relationship between different institutions dealing with the management, transformation and resolution of conflicts.
4- To know the view points of the inhabitants in the area and their preferences in terms of the mechanisms they resort to, in order to resolve disputes.
5- To gain an in-depth understanding and analysis of traditional conflict resolution mechanisms.
1.5 Methodology

In order to gain a holistic view of the topic, this study adopts a holistic approach in order to yield fruitful information that are relevant to the study.

The study focuses on the inhabitants of Agadi area in the Blue Nile State. It therefore, concentrates on informants who live in the area, including the native administration men and the ordinary people who are involved in conflicts. The study deals with the procedures, methods, as well as ceremonies; that actors use in resolving varied conflicts.

The Agadi area has been chosen as a case study for many considerations:

The area is populated by different ethnic groups as mentioned before: Ingessana, Hamaj, Arab and people from many western Sudanese tribes. It witnessed several waves of migration in the past few decades. The area had, also, witnessed many conflicts in the previous years, especially between farmers and herders, over pasture and water, and among the pastoralists in some cases in addition to the daily problems, among the settled population.
1.6 Data collection:

1.6.1 Primary data

The researcher had carried out one trip to the study area, in mid may: (I spent in Blue Nile- Agadi about 43 days, in which I have collected my data.) The main tools of data collections that were used in this study are observation, formal and informal interviews and focused group discussions.

Interviews were carried out with tribal informants, community leaders, and with a great number of inhabitants. Those informants and tribal leaders belong to different tribes and ethnic groups. Also, I met some local educated persons, from all categories in the area and conducted in-depth interviews, with them to know their views in terms of traditional methods of conflict resolution. Those intellectuals are school teachers and university students. Furthermore; I held some group discussions with sheikhs and with some youths as well. Observation was conducted in different locations of the sources of water (hafrs), some farms and local market in the area.

Group discussions were conducted with sheikhs. Besides; the researcher visited the traditional courts, police station, and attended about three mediated settlement meetings (judiya).
1.6.2 Secondary data
There is a growing amount of literature, regarding conflict and conflict resolution in Africa, alongside Sudan; (I tried to cover the most important contemporary literature regarding the traditional methods of conflict resolution) in Africa; especially the Sudan. (I have consulted previous studies, books, reports, and internet).

1.7 The theoretical perspective of the study
As mentioned, earlier, this study deals with the traditional mechanisms for conflict resolution, in a rural community. Traditional conflict resolution mechanisms; are closely bound with Socio- Political and Economic realities of the life styles, of the African rural communities. These conflict resolution structures are rooted in the culture and history of African people, and are in one way or another, unique to each community.

Sociologically speaking, every society, whether literate or pre-literate, traditional or modern, has its own methods, procedures, or mechanisms for dealing with or resolving conflicts. In Africa, indigenous mechanisms use both local socio-political actors and traditional community-based judicial and control structures to manage and resolve conflict; within and between communities, without necessarily resorting to State institutions, or other
external structures. (Wilfried 2003) however, notes that, in traditional Africa, a conflict is seen as a threat to human and social harmony, dispute and violate accepted norms and values recognized for the protection and promotion of human relationship in the community. Moreover, disputes are seen as evil forces capable of disturbing or at worse destroying a society's unity and survival. Even more prominent is the belief that disharmony, sparks, famine, drought and death – a proof of the gods' disapproval. As a result, every effort is made to ensure society's peace and unity through negotiation, mediation, arbitration and adjudication often involving community members and institutions.

Generally, (I agree) with the above perspective although, it is not matching completely with the basic argument of this study, which is going to concentrate on how conflicts are resolve, and on the preferences of the conflicting parties, in terms, of the methods of conflict resolution; such as, mediation, arbitration, adjudication and repressive pacification.

In fact, vast cross-cultural anthropological literature confirms the use of native forms of conflict resolution in several societies in Africa (Evans Pritchard 1940, pp. 272-296; Fred Mensah 2000, pp. 31-47; Gluckman 1955; Uwazie 2000, pp.15-30; Mansina 2000, pp. 169-181; Mwgiru 1999, p.10; Elhussein,
1999 Literature on duelling, negotiations, mediations, arbitration, and adjudication techniques in these works give a fair idea about the management of variations in patterns of formally recognized rules and institutions that are related to the settlement of disputes in specific societies.

Among the Nuer, a cephalous society in Southern Sudan for instance, disputes are resolved through negotiation and bargaining. The Nuer society is described as an egalitarian society, governed by rules and regulations and a form of authority respected and obeyed by all members, without any use of force or violence. Among the Nuer, nobody exercises central political authority to hold the several highly organized major, minor, and minimal kinship groups together. According to Evans-Pritchard, law and order are achieved by settled system of compromise, through bargain Evans Pritchard (1940, pp. 291-295). Bargaining is not aimed at determining who is at fault; rather it is to discover a compromised solution that leaves neither party so strongly aggrieved, as to prevent future amicable relationships. The Nuer accepts the mediation of an institutionalized neutral personality known as the leopard-skin chief, who at best is a religious rather than a political leader.

From the above statements, it is note that the nature and causes of conflicts; and the mechanisms for resolving them, are deeply
rooted in the culture and history of every society. They are, in many important ways, unique to them. Every society adopts certain methods in resolving its conflicts. For instance, *panchat* in India (Baxi&Gallanter1979; Moore 1985, *mediation committees* in China Li 1978; Clark 1989; and *jirga* in Afghanistan Carter& Conor, 1989; Elphinstone 1992; Olsen 1995; Gletzer 1998). All these informal mechanisms of conflict resolution, differ from one another significantly and are different from the ways conflicts are resolved in much of the western world (Rachel, 1998). These comparative social facts would seem to support the philosophical position of the cultural relativists, who argued that the nature of all social phenomena, including conflicts and their resolution, are relative and culturally specific (Harris 1968 & Spiro 1986).

It is also believed that, the mechanisms of conflict resolution vary greatly depending on a wide range of factors. Among these are the nature of the State and its capacity; the diversity of the population in terms of ethnicity /race, religion, ideology and so on.

1.8 The basic concepts of the study

1.8.1 Conflict
Conflict is defined as “the striving of different people or groups towards goals that are difficult to reconcile. Conflict, is a
‘situation’; be it social, cultural economic or political, which arises when actors envisage mutually incompatible interests or goals” Ali (2007, p.7). According to this definition, when specific people/ or groups, reach a point, in which they realize that their goals and interests are contradicted, here the conflict is highly anticipated. However, additional factors are needed for labelling a specific situation as conflict. The most important factor is that conflict is considered as an organized and not accidental process. Conflict or war is defined recently as “the calculated use of violence for rational political ends.” Richards (2005, p. 2).

1.8.2 Conflict resolution
The concept of conflict resolution: in this study means the analytic and descriptive study of a conflict and the normative element of its positive management. According to (Kenth 1950), recently it has developed to mean a process of traditional power mediation and multilateral approach, capable of mobilizing wide varieties of intervention strategies from peace- keeping to problem solving.

According to Bonta (1996, p. 406), resolving conflict means a settlement or avoidance of disputes between individuals or groups of people through solutions that refrain from violence and that attempt reunify and re-harmonize the people involved in internal conflicts, or that attempt to preserve amicable
relations with external societies. Conflict resolution has been used for several years in the world to reduce problems within societies, countries, ethnic groups, individuals and so on. It is primarily aimed at peace in different parts of the globe. Nath (1996, pp. 11 -13).

1.8.3 Mediation

Mediation is a form of alternative of dispute resolution; or "appropriate dispute resolution", aimed to assist two (or more) disputants, in reaching an agreement. The parties themselves determine the conditions of any settlements reached; rather than accepting something imposed by a third party. The dispute may involve (as parties) states, organizations, communities, individuals or other representatives with a vested interest in the outcome.

Mediation, in a broad sense, consists of a cognitive process of reconciling mutually interdependent, opposed terms as what one could loosely call "an interpretation" or "an understanding of". The German philosopher Hegel uses the term 'dialectical unity' to designate such thought-processes. Hewitt (2008, p. 4).

In Sudan, mediation is known as judiya; according to Azzain (2003, p. 72) it is a widespread system of management of conflict, in rural Sudan. Whenever conflicts are imminent or developing, volunteers will immediately step in and play the
role of mediators. They are normally the elderly, the wise, the impartial, who are versed in local customs and traditions. The judiya institution works to prevent conflicts, manage them, resolve them and sometimes transform the conflict situation.

1.8.4 Arbitration

Arbitration, a form of alternative dispute resolution, it's a legal technique for the resolution disputes outside the courts wherein the parties to a dispute refer it to one or more persons (the "arbiters" or "arbitral tribunal"), by whose decision (the "award" they agree to be bound. It is a settlement technique in which a third party reviews the case and imposes a decision that is legally binding for both sides. Arbitration can be binding\(^6\) or non-binding. Non-binding arbitration is, on the surface similar to mediation. Duglas (1999, p. 11).

1.8.5 Adjudication

According to Duglas (1999, p.9), adjudication generally refers to processes of decision making that involve a neutral third party with authority to determine a binding resolution, through some

\[^{7}\text{These words describe the type of commitment that parties make when entering alternative dispute resolution process, such as a third party decision in arbitration, that agreement is binding. In non-binding processes, such as mediation, the arbitrator cannot force the other parties to accept any agreement, and it is only the parties who can jointly agree on a certain outcome.}\]
form of judgment or award. Adjudication is carried out in various forms, but most commonly occurs in the court system. It can also occur outside the court system in the form of alternative dispute resolution processes such as arbitration and mediation.

Adjudication is an involuntary, adversarial process. This means arguments are presented to prove one side, right; and one side wrong. Resulting in win-lose outcomes. Also it is a hierarchical process, in which parties offer facts and arguments before a single judge or executive, who then aggregates conflicting values and interests into a single decision, by deciding for either side or fashioning another acceptable position.

1.8.6 Old timers
The above term is used in this study, to denote those who came to Agadi earlier before the agricultural scheme. They date back to the late forties and early fifties. According to Sharif (1983, p.33), this category comprises more than one ethnic background. Its members are mostly from the Arabic-speaking riverain Sudanese. This group includes people of ja'alieen, Danagla, Mussalamiya and shaigiya background. They are mostly traders and scheme-owners. Their jallaba identity, which is synonymous with trader-status, is made relevant for daily interaction. Thus, they are treated by the society, as an ethnic group. Hardly, if ever, they have differentiated themselves to
reflect their tribal backgrounds. In the community, they present themselves as a group of *Arab* descent, using a uniform term (*"wad Arab"*).

### 1.8.7 New Comers

The term ‘new comers’ in this study denote those who came to Agadi in the post-scheme era. As Sharif (1983, p. 36) mentioned, “Most of the people who constitute this group came to Agadi in the post-scheme era. They are mostly people who came from western states of the Sudan, i.e. Kordofan and Darfur. In terms of ethnic background, they comprise the following groups: the Nuba, Massaleet, Zaghawa, Tama, Gimir group, Fur, Borgo and Dajo. Most of these groups came to Agadi in the posts-scheme period with occupational backgrounds that vary from trade to subsistence farming”.

### 1.8.8 Pastoralists

The term “pastoralists” in this study refers principally to a number of nomadic groups, such as: Rufa’a Alhoi, Umbaroro and Fulani. The Rufa’a Alhoi are the largest and economically, historically and politically most important tribe, there existed, to some extent a symbiotic relation between the Rufa’a and the settled subsistence farmers, but today competition for access to land and water has become a serious issues. Old, nomadic migratory routes are jeopardized by increasing mechanization
and the growth of farming communities. The herder’s way of life is threatened and migratory corridors, the ten mile wide “belts of fire”, continue to decrease. All this is an economic and political push for development from the national and district levels.

1.9 Conclusion

1- The study deals with issue of traditional mechanisms of conflict resolution in Agadi area- Blue Nile state. In fact, there is shortage in terms of references related to the targeted area, whereby the researcher tried to fill this gap by intensifying interviews, group discussion, and by depending mainly on the informants in order to get the needed data.

2- The field work was conducted in May 2009, after the rainy season has started. As such, this represented one of the basic difficulties that the researcher faced, because the majority of the inhabitants started to prepare themselves to cultivate their farms. It was difficult for the researcher to meet all the people targeted. It was difficult for the researcher to conduct such interviews; with the nomadic pastoralists, because at the time of conducting the field work, at mid-May, the nomads pastoralists used to come to the Area.
Chapter two

Literature Review

There is a huge body of literature on various issues, which concern the conflict and conflict resolution in Africa and Sudan. This literature covers most aspects in social life, mostly in interdisciplinary ways. In this chapter the researcher reviews some of this literature, particularly, those pieces which deal with conflict and conflict resolution methods, in African and Sudan. The present chapter tries to discover the areas of research that have been neglected in the previous studies.

(Jannie Malan 1997) focused on the importance of viewing conflict in its social context. He mentioned “for conflict studies the obvious implication is to view conflicts as non-isolated events in their social context. Such as a perspective is not narrowly focused on conflict and its resolution”. It takes into account the cultural setting the social context. Also he argues that a wider look is taken than one which just includes the disputing parties. Moreover, he stated that possible consequences or others in their families and social net works are also taken into consideration”.

Moreover, he sheds light on conflict resolution, by fighting or talking. In this regard, he mentioned that in ancient times, the
predominant method of conflict resolution was some form of fighting. But it is not possible; in fact it is highly probable, that the alternative method of talking; was discovered in the earliest times of human existence, and was used ever since.

Jannie concluded that this way of “viewing conflicts and their resolution, as events in the comprehensive continuum of social life, is definitely distinctive of Africa”. According to him, when Africans sit down to talk about a conflict, the talking usually covers all sorts of relevant background.

(Assefa 1993) concentrated on human relations. In this course, he mentioned a fascinating net work of human relations is the key element throughout all social life. This is obviously a world-wide phenomenon, but, in Africa it has always received special attention. Family ties and community networking are constantly respected, maintained and strengthened. He stated that whenever kinship or social relationships are disturbed by dispute, priority is given to their restoration. When the disputing parties, their supporters and the elders concerned engage in talking a matter, it is usually the issue of relationships which received prime attention. Also the relationships of the past are reviewed. The tense relationships of the current conflict are investigated and settlement is sought that would improve future relationships. Not only direct and obvious relationships are taken into account,
but, also, the more indirect relationships that may have a cross-setting potential.

(Witty 1980) dealt with adjudication and arbitration as mechanisms of conflict resolution in Africa. He stated that some ways of talking found in Africa differ from the way they are usually used in the mid nowadays, when we refer to talks. Past and present practices of conflict resolution in Africa include example of adjudication and arbitration. According to him, in cases of adjudication, the social context may not figure prominently. Some form of court proceedings are usually followed, in which an appointed “Judge”; or perhaps a judicial panel, hears a case and decides about right and wrong, vindication and punishment.

He concluded, “When arbitration is used, however, the social environment often plays an important role. After all, an arbitrator has to maintain the support of the community concerned, and therefore has to be more sensitive to the assessment of his/her decision by others”.

(Gulliver 1988) discusses the importance of elders as mediators, and their roles in conflict resolution in Africa “all over Africa elders are respected as trustworthy mediators. Elderly have more
accumulated experience, and usually also a greater treasure of practical wisdom”.

Traditionally, preference was given to men, in terms of the roles as mediators. He mentioned, “depending on traditions, circumstances and personalities; mediators are found in various roles. There are various leading roles in which mediators are allowed to make recommendations (like reciprocal offers or package deals), give assessment (of information or of proposals), or convey a suggestion on behalf of a party (who for face-saving reasons refrains from suggesting it themselves”). Gulliver (1988, p. 247) Mediators may fulfil a facilitating role, by clarifying information, promoting clear communication, interpreting standpoints, summarising discussions, emphasizing relevant norms or roles, envisaging the situation if an agreement is not reached, or repeating points of agreements already attained. Mediators may even limit themselves to a passive role, as when they are simply there, to represent important shared values. Moreover, since the process of mediation does not have to follow a predetermined model, mediators are entitled to change their roles, from time to time, according to the needs they sense at various times.

Also he focused on affirming an agreement. In this course; he mentioned that when an agreement has eventually been reached,
the good news should be shared with the groups and communities concerned. Each particular society may have its appropriate ritual way of affirming such an agreement, as a social contract. It could vary from handshake in public, to an elaborate ceremony as required by tradition. This event obviously serves a dual purpose. It spreads the news about the satisfactory conclusion of the conflict resolution process, and it places an additional obligation on the parties to observe the agreement.

(Mohiddin 1999) dealt with African traditional principles of conflict resolution and reconciliation. In this regard, he mentioned the protracted and complex nature of conflicts in Africa, make the conflict prevention and resolution map of the continent very complex. The principles followed to manage the conflicts, also, affect the process of their resolution. He added “as long as people live in societies, or groups there are conflicts arising from differences of interests, prejudices, needs and ambitions. Therefore, the approaches adopted to prevent and resolve such differences of interests, determine the resolutions of conflicts”. He stated that the process by which such differences might be discussed and resolved, might be peaceful, amicable, problematic, disagreeable or violent. Much will depend on the social, economic and political environment, in which such differences are discussed and resolved.
Also, he demonstrated there are coercive and non coercive methods of conflict resolution when people carefully look into the contents of the mechanisms; the coercive methods of conflict resolution are those in which the conflicting parties, have little or no autonomy in terms of choosing the forum. These, according to him, include judicial settlement and arbitration. Non-coercive mechanisms, on the other hand, confer a lot of autonomy on the parties, especially in terms of choosing the forum and of defining the context of the outcome. These include methods; such as, negotiation, mediation and problem solving workshops.

He mentioned that “during the pre-colonial period, there were various traditional principles of handling conflict in Africa. These traditional mechanisms worked, as well as, they were performed within a particular culture and traditional environment. In the continent, there are complex and rich traditions, cultures, religious practices, tolerance and ways of life. The environment in which these traditional conflict resolution mechanisms worked, had been destroyed both by internal and external factors. The colonial impact and the cold war situations were some of the underlying external factors that worked against it”.

Mwagiru (1999, p. 5) compared between African principals of conflict resolution and Western ones. In this regard, he
mentioned “the processes adopted until the present period, have to westernise the African principles rather than look into their context and environment”. African and western cosmologies are different. African principals of conflict resolution are different from those of the west. In western conceptions, arbitration aims at reaching justice on the basis of rules, (as norms), in African arbitration, shades into conciliation and negotiation. While the western approaches, which emphasise establishing guilt and executing retribution and punishment, evidence must be direct and specific. They give emphasis to physical and material penalties, without giving due regard to the re-incorporation of the offender, into the community.

In addition, African traditional principles of conflict resolutions are aimed at maintaining and enhancing social and public order rather than at promoting the rule of law. Therefore, the African principles are more of resolution process, to a conflict, than settlement as evidenced in the West. Conflict settlement leads only to short-lived result, where as resolution mechanisms, have structures that are not based on power; and thus they are long lasting. Conflict resolution aims at legitimization of relationships and a peace that is self-sustaining. Therefore, African traditional principles of conflict resolution are non-coercive methods.
According to him, the African traditional mechanisms, worked well and could work again if refurbished. Their strongest point is that they help to preserve unity even in the face of diversity. The traditional principles pay attention to group unity, to reconciling the conflicted individuals or groups and their peaceful re-incorporation into the community. It must be noted that tolerance plays an important role in social reconciliation and conflict prevention. Traditional societies come together with shrubs of grasses, or olive wreaths, as assign of peacemaking existence. Although they were conflicting parties, they show signs and willingness for reconciliation, as performed by elder’s intervention… This is typically the case in many African societies. (Mwagiru 1999).

He concluded that Traditional African principles are less individualistic. They give emphasis to group interest. Moreover, they consider all parties interested in, and affected by, the conflict. This is the strongest point of the traditional principles.

Africa consists of multi-cultural, multi-ethnic and multi-linguistic societies, with various traditional mechanisms of conflict resolutions. The conflicting parties are all willing to accept and abide by their traditional cultures; ignoring these traditions would amount to exclusion from the societal norms. The mechanisms are indigenous ingredients that would be
tolerated in any societal interactions. In each ethnic community, the traditional principles are followed, and considered as indigenous initiatives. Elders play a central role in these mechanisms and reconciling the conflicting groups according to the norms and forms prevalent in their respective areas.

Faure (2000, p. 163) argues that from traditional point of view, conflict is perceived as unwelcome disturbance of the relationships within the community. Hence, traditional conflict transformation aims at the restoration of order and harmony of the community. Cooperation between conflict parties in the future, has to be guaranteed. Traditional conflict management is thus geared towards the future. Consequently, the issue at stake is not punishment of perpetrators for needs done in the past, but restitution as a basis for reconciliation is necessary for the restoration of social harmony of the community in general; and of social relationships between conflict parties in particular. He concluded that the aim is “not to punish an action which would be viewed as harming the group a second time. Re-establishing harmony implies reintegrating the deviant members… the ultimate matter is restoring good relations”. This is why traditional approaches, in general, follow the line of restorative justice, instead of (modern, Western-style). Restorative justice has to be understood as a compensation for loss, not “as
retribution for offense”. Faure (2000, p. 163) the ultimate aim of conflict transformation, is the restoration of relationships.

(Lanek 1999) in his paper called ‘Mato Oput’, the drinking of bitter herb’ contrasts the indigenous approaches, especially Acholi approach, with Western legal ones. He stated that Western legal approach emphasised establishing guilt and executing retribution and punishment, without reference to the victim or the wider families or future reincorporation of the offender into the community. Physical and material penalties and use of force, including costly prisons, provide the sanctions against offending. Western legal approaches are adversarial and evident, must be direct and specific. The process according to author effectively encourages the accused to deny responsibility; while the Acholi method of peace, conflict resolution and reconciliation are co-operative; and can be indirect and circumstantial; which does effectively encourage the accused to admit responsibility.

He mentioned that the Acholi, Aluo tribe occupying northern Uganda, for generations had used ‘Mato Oput’, as a means of reconciliation within the context of their tradition. The Acholi believe in leadership through consensus, allowing every-one in their localities clans to have a voice while the traditional head of each clan rules by consent. A major function of the traditional
chiefs, is to act as arbitrators and reconcilers when disputes occur, in order to restore peace and maintain harmonious relations between families and clans. The reconciliation process as he describes called “Mato Oput”. The process (Mato oput-an Acholi vernacular meaning drinking the herb of the Oput tree) because it ends in a significant ceremony of “Mato Oput” the traditional drinking of a bitter herb of the Oput tree. Mato Oput is not a happy ceremony, the mood of all present expresses seriousness of the occasion. The process involves:

- The guilty acknowledging responsibility.
- The guilty repenting, the guilty asking for forgiveness.
- The guilty paying compensation and the guilty being reconciled with the victim’s family through sharing the bitter drink-Mato Oput.

According to him, “the bitter drink has no medicinal effect. It only symbolises the psychological bitterness that prevailed in the mind of the parties; in the conflict situation, the Mato Oput covers offences across the board”. (Iane 1999, p. 4).

(Ineba 2000) considered African value systems and conflict resolution system, as viable means of resolving African conflicts today. Based on this background, she suggests the preposition that it is only when potential and actual conflicts in Africa, are understood in their social contexts that they can be solved.
Values and beliefs, fears and suspicions, interests and needs attitudes and actions, relationships and networks have to be taken duly into consideration. Origins and root of causes of the conflicts need to be explored, so that a shared understanding of the past and present is developed.

He claims that the gradual erosion of the values that existed within the traditional African societies and the replacement of these values by foreign ones introduced systematic problems for Africans, because they were unable to adapt to the new system of political power.

He added that social realities within societies should be taken seriously. Conflict should be viewed as non-isolated events in their social context. When Africans sit down to discuss a conflict, their talking usually covers all kinds of relevant background and goes into the thoughts and intentions of others. Also she added elders are respected a trustworthy mediators all over Africa, because of their accumulated experience and wisdom. The roles of these mediators would depend on traditions, circumstances, and personalities. Accordingly, these roles include: pressuring or manipulating, making recommendations, giving assessment and conveying suggestions on behalf of party.
(Amna & Durria 2005) in their study “inter-communal conflict in Sudan, causes, resolution mechanisms and transformation, shed light on traditional methods of prevention, management and resolution of conflict. They mentioned, there are many possible causes of conflict between and among ethnic and community groups coexisting in the same area or interacting there. The differing groups have devised mechanisms designed to ensure peaceful coexistence and interaction and the avoidance of any friction that could developed into bloody or destructive conflicts. These traditional mechanisms usually originate in the common cultural heritage of the area, the customs, traditions and norms.

They focused on allegiances and alliances as mechanisms of keeping peace and promoting understanding between community groups. According to them, such allegiances and alliances are mainly based on religion or ideology. When groups intend to form an alliance, they do so with an oath that neither party will take the lead in any aggression against the other party; that they will cooperate in peace keeping in the area; and that neither party will collaborate with any aggression towards the other. Moreover, intermarriage is another way in which communal groups make alliances. The intermarriages between communal groups and clans, limit the possibilities of conflict.
They dealt with Ajaweed council as a method of conflict management and resolution. In this regard, they mentioned that the most important Islamic mechanism is the ‘Ajaweed Council’ that has special tasks and specific characteristics. Only elderly, respectable, wise and experienced are chosen to be members of the Council. The Ajaweed Council consists of several committees depending on the nature of conflict. The Councils perform different functions, including arbitration, mediation and reconciliation between conflicting parties.

(Mustafa 2005) concluded that the resolution of conflicts in Blue Nile State; especially the conflicts over resources, depends mainly on the traditional institutions of Mek, Omdas and Sheikhs. He added that the role of those institutions is not confined to conflict resolution only, but surpass to the various phases of economic, social and political life. Hence, those communities built their various systems, including the judicial systems, on customs and traditions, which are derived from the conventions of society and its social characteristics.

In addition, he asserted the fact that the conflict resolution depends on the scale of the problem. Thus, if the conflict is within the jurisdiction of the Sheikh or Omda he would resolve it without referring the case to the Mek. Normally, in such cases the conflict would be minor.
(Wassara 2007) has conducted study among different ethnic groups in Southern Sudan; among which, the Nuer and the Dinka. The asserted the fact that, the process of conflict management and resolution is subject to cultural diversity. Accordingly, each ethnic group has rules and procedures of conflict resolution. Also, he found out that, traditional mechanisms of conflict resolution are similar in Southern Sudan, in that they rotate around the concepts of mediation, compensation and restitution. It is the application of these principles that differ from one ethnic group to another.

(Ayoub 1999) asserted that, in South Sudan, conflicts between the Dinka and Nuer ethnic groups, are resolved through the traditional meetings of the conflicting parties. There will be friendly discussions at suitable places according to the norms and values of the communities. He added, that a ceremony is held in which the traditional priests and storytelling elders participate. The main purpose of the stories told by the elders, is to highlight the moral teaching of the stories, in relation to the conflict, as an introduction to the discussions. The ceremony is concluded after the elders and clan chiefs shake hands as a sign of peace and future cooperation.

(El Hussein 1999); argued that the Nuba people in Sudan practice different reconciliation systems. For arbitration, they use the ‘ajaweed council’. It is a reconciliation council of elders.
According to author, the council arbitrates the society at a family level, household level, clan level, and ethnic group level. It is, therefore, an important reconciliation process at the grass-root level. The council members would bring the conflicting parties together to reach a fair settlement and reconciliation also. He added that, if the Ajaweed council fails to resolve the issue, it was passed on, to the Muslim Sheikh Council. Muslim traditional resolution systems have different stages of development until finally the Amir look into the case. However; conflicts are usually resolved at the ajaweed council, without a need to forward them to the Amir. Also, he asserted that for each of the various causes of conflicts, there are various mechanisms of resolution in many African countries. Among the Nuba, for instance, in the case of murder conflicts, there is a Dyya (blood money) mechanism where the relatives of the murder are required to pay blood money. Once again, local elders arbitrate the conflicting groups and set down the fines, usually payment of a limited number of cows. This will usually end the conflict.

**Conclusion**

The few studies reviewed above, dealt with conflict and it resolutions in Africa among which, different parts of the Sudan. The studies that took an interest in conflict and conflict resolution, focused on how conflict erupt, and how the people dealt with it without paying any attention to how and when
conflicting parties choose specific mechanisms to tackle their dispute. Contrarily, the present study focuses on traditional mechanisms of conflict resolution such as friendly pacification, mediation, arbitration, adjudication, and repressive pacification. Moreover, it tries to find out the main factors that make the conflicting parties prefer specific mode rather than others. For instance when do the members of the community prefer friendly pacification rather than arbitration in handling their varied conflicts? And how each of these modes varies with the structure of intimacy. Therefore, the study is going to get in-depth into Black’s model that authoritativeness of settlement behaviour is a direct function of relational distance between the settlement agent and the conflicting parties. That means that friendly pacification, occur where the settlement agent is highly intimate with the parties to the conflict; mediation, where a bit less intimacy, is found; adjudication, where there is hardly any intimacy, and repressive pacification where the settlement agent is the most distance of all.
Chapter three

General Description of Blue Nile State and Agadi Area

3.1 Introduction

This chapter presents a general description of Blue Nile State, in general and Agadi area in particular. It consists of two sections, and the first section reviews the geographical location of Blue Nile State, Demography, physical context, administrative setup and socio-economic context. This section also highlights the history, social context, resource potentiality in the State, and the root causes of traditional conflicts between farmers and pastoralists and among the pastoralists themselves.

The second section presents a general description of Agadi area; it includes the geographical location, the environmental context, population of environment (the Ingessana and the Hamaj, the advent of Jallaba traders, the agricultural schemes in Agadi, and the advent of new comers i.e. gharaba).

3.2 General description of Blue Nile State and Agadi area

Blue Nile State, is located in the south-eastern part of the Sudan, Between latitudes 14-9 and longitudes 32-36, and occupies an area of approximately 18.2 million feddan (73,653.58km²). (IES 1984). It is densely populated area with rising urban centres and a growing population estimated at 832,112. It borders Ethiopia
to the east and southeast, upper Nile state to the west and south, and Sinnar state in the north. Its capital Al-Damzine lies about 550 km southeast of Khartoum and is reachable through paved road. The state covers an area of approximately 38,500 km². Lina and Akos (1990). The Blue Nile State consists of six localities: Kurmuk, Bau and tadamon, which border Upper Nile state to the west, and Damazin, Roseires and Geisan, in the North-east. Mustafa (2005). Some refer to the state, as ‘Small Sudan’, because of the great number of tribes from throughout the country, who are settled in this state. Some of these, particularly traders and religious men, emigrated during the Funj Kingdom, while more recent various tribes, from North and East Sudan, have settled there because of droughts of the eighties and nineties. (James 1971).

3.3 Physical context
In terms of natural resources, the state is classified as a rich savannah, with high rainfall. The average rainfall in the north is 400 mm and in the south it is 1,000 mm. The rainy season begins in April, until November, with the peak months begining from July – to September. It is also endowed with large areas of forest vegetation. The landscape of the region is undulating, hilly, and characterized by highly fertile clay soil. Several streams run across the State, creating valleys used for irrigated farming. Mustafa (2005, p. 30)
3.4 Population

The total population of the state, in 2008, was estimated at 832,112 persons, of whom the rural population constitute 75%. The main tribes in the state are Funj, Hamaj, Ingessana, Ganza, Rufa’a, Boroun, Kadallo, Gumuz, and Husa. Apart from that, there are many tribes that have settled in the area due to the socio-economic transformation, which took place during the last years such as Umbararo and Kenana. (Mustafa 2005, p.31).

The various tribes are restricted to the following groups: -

3.4.1 The Berta tribe:

This is the largest local tribe in respect of density of population. It is originally a Negroid tribal group that is found mainly in Bani Shangoul region, most of it is presently within Ethiopian territory. Berta are the original inhabitants of the Blue Nile State. They are spreading all over the six localities with a rather high density in Kurmuk localities. Their major towns are Kurmuk, Yabous, Bakouri, Geisan, Damazin and Roseiris.(Babiker, 2005).

They exist in several branch groups and used to inhabit the regions around mountains. All mountains have names, that start with the letter “F”. Sheikh Farah Wad Taktouk, stated that they live around (99) mountains most of which fall in Bani Shangoul
region in Ethiopia, while some fall within the Sudanese borders in Blue Nile state bearing the names: Fadouga, Famadoudu, Farunga, Falbed, Faibigo, Fars and Fadasi in Ethiopia. Barta coexist with the local tribes in this region as well as with the other tribes coming to the region. In the past they used to be pagans but they embraced Islam at an early stage during the first Arab migrations to the regions. They are practicing Muslims. They speak the Berta language, which is the second main language in the region after Arabic language. Berta speak Arabic fluently as a second language. The Berta language belongs to the Sahara-Nilotic languages. The total number of families who speak this language amounts to about (70) thousand families in Sudan and about (50) thousand families in Ethiopia according to the 1976 census in Sudan. There are several tribes in the Blue Nile State, which coexist with Berta and speak their language. The most important of these are the Hamaj, Wataweet, Dawola, Sarkam and Jabelawis. There are also large numbers of Arab and non-Arab tribe members who settled there and speak the Berta language fluently. (Babiker, 2005).

3.4.2 The Burun

It is a tribe that spreads in Blue Nile State in the region of Keili, Kurmuk right to Shali. Their towns and villages include Jart, Meek, Makja, Baldago, Bani Shako, Suluk and Melkin within
the Ingessana region. Large numbers of those arrived at Damazin town as a result of the rebellion at the beginning of the nineties of last century. They are the second largest population group among the local tribes. Some people however, believe that the Burun region extends from “Khor Yabous” on the Sudan – Ethiopia borders right to the region of the present Kosti and northwards to Sennar.

According to Babiker (2005, p.6) “a few of them embraced Islam while others took to Christianity due to the presence of the Evangelical Church in Shali in that region. A large group of them remained pagan till today. They speak the Burun language, which is also spoken by others, though with different accents such as the Ragarig, the Jumjum, the Odok, the Baldago, the Makja, the Suluk and the Malken. They also speak Arabic as second language”.

3.4.3 The Ingessana
According to (Babiker 2005), this as a tribal group of people that exist in the Ingessana Mountains in the Funj region of the Blue Nile in southeast Sudan. Ingessana tribe represents the third largest tribe in respect of population. It is an ancient original local Negroid tribe. It spreads within the region of Ingessana Mountains southwest of the Blue Nile Capital Damazin. To start with it was an “Omoudiya” and was made
into a “Nazara” during the nineties of last century under Nazir Abul Ula Juma’a; its headquarters was in Baw, the Ingessana capital. Ingessana consists of several groups that inhabit its villages. They speak closely related dialects that are comprehensible for all people in each of Baw, Buk, Fadmiya, Soda, Karko, Tigo, Bequis, Kamriek and Gabanit. The rate of literacy is quite low until now. They were pagan but over half of them had embraced Islam while the rest remained pagan. Ingessana are a peaceful tribe with very noble customs and traditions. They practice agriculture and animal rearing. The pagans also rear pigs. (Babiker 2005).

3.4.4 The Funj

According to Jedrej (2000), this is an ancient original race in the State. Many opinions had been set about the origin of this tribe. It is quite probable, though, that it belongs to the Arab groups of Bani Omayya, which came to this region through Ethiopia and intermixed with inhabitants of the region as far as Sennar. Their complexion had therefore changed into the black colour characterizing them at present. The Funj leaders were able through uniting with the Abdallab leaders to overthrow the Anaj State and get access to power. That resulted in the emergence of the Funj state during the period 1505 to 1822. At that time the Funj Sultans formed the senior leadership to the Funj State and its capital Sennar. It was through their efforts that Islam spread
as far as Fazughli Mountains on the Sudan-Ethiopian borders. Several Sheikhdoms were established to govern that region such as Al Ashraf, Khasm Al Bahar or Kamatir and the Fazughli sheikhdoms. The effect of these Sheikhdoms is still noticeable now in southern Funj. There is Mek Al-fatih Adlan, now the Nazir for all Southern Funj tribes who is respected by all tribes and he represents the peak of native Administration in the region. The Funj speak Arabic, and, though they are of small numbers, yet they represent famous leaderships until today. They are found in Roseiris, Guli and Fazughli. They are all Muslims and preachers of Islam. (Babiker 2005).

3.4.5 The Hamaj

This is a local race that resulted from the Nuba intermixing with the Arab tribe of Ja’ali Awadiya. It was a race that had a role in Funj. At a time when Funj were taking over leaderships, the Hamaj were taking the posts of ministers in the Funj region. The first of those was Sheikh Mohamed Abu Likailik the Hamaj chief. Lately their “Omoudiya” was established under the leadership by Omda Abu Shoutal since 1926. The Omoudiya was later on split into two Omoudiyas. At present there is the eastern Hamaj Omoudiya in La’ota south of Roseiris led by Ahmed Abu Shoutal (presently accredited by the Blue Nile State). The other one is the western Hamaj Omoudiya led by Ramadan Omer in Abi Gimi South of Damazin town. The
Hamaj language is completely exterminated. They spoke the Barta language and later on Arabic language. Some of them speak Arabic language only. They have some educated cadres and are all Muslims that adopt agriculture and various government posts for professions. (Babiker 2005).

3.4.6 The Wataweet
This is a race that emerged from intermarriage between Negroid groups that were actually Barta who intermixed with Arab tribes such as Ja’alin, Rikabiya Ya’agoubab, Aqlyeen, Bidairiya, Mahas, Bani Hilba and Danagla. The term “watwati” was used by Barta to denote an individual of that tribe. The actual term used was “Massegadi” which means, “Bat” or “Watwat”. Ustaz Gasim Margan states that, the term “Wataweet” was used by Barta to denote their grand children who resulted from the intermarriage between Arabs and Barta. Large numbers had recently migrated to Damazin town. Their main language is Arabic. Most of them speak Barta as a second language. They are all Muslims and work in agriculture as a main profession. They have a high rate of literacy. (Babiker 2005).

3.4.7 The Jabalaween
Some consider these as a mixture of Hamaj and Barta, while others think that they are a Negroid race that had intermixed with Arabs. They were named Jabalaween after the Fazughli
Jebel where they are concentrated at the Mountain foot. It is most probable that they descended from the Berta race that intermarried with Arab tribes resulting in that generation that resides at the foot of the mountains and is known as Jabalaween. They are all Muslims and speak Arabic language in addition to the Berta language. They concentrate around Fazughli Mountain. Their main villages are: Abu Shandi, Khor Al Qana, Um Darif, Bakouri, Elyas and Wabla. Due to their residence around Fazughli Mountain, they intermarried with the Funj. (Babiker 2005).

3.4.8 The Dawala
They are a race that belongs to Barta. Their main region was Bani Shangoul in Ethiopia. They migrated later on to the Dol Mountain east of Kurmuk; they were named after that mountain. They are a mixture of Berta and Arabs. They spread northwards in the State due to the recent wars at the end of last century. They are all Muslims. They speak both Berta and Arabic languages. Their main profession is agriculture and they enjoy a High literacy rate as compared to other local tribes in the State. (Babiker 2005).

3.4.9 The Gumuz
This is a Negroid tribe, which originally resides in the northern part of Bani Shangoul region in Ethiopia and along the Sudan-
Ethiopia borders. They are concentrated in the villages of Bambadi and Yarda south of Roseiris town. Some of them had recently moved northwards and settled in Roseiris. They are Muslims and speak Gumuz language as a first language together with Arabic as a second language. They have preserved their own customs and traditions and have a low rate of literacy. (Babiker 2005).

3.4.10 The Kadalo

They are a Negroid race that resemble Gumuz. They speak Gumuz language in addition to the Berta and Arabic languages. They inhabit the Kadalo Mountains south of Roseiris. They are divided into two main branches: The Damar branch, which might have been named after the Damar Mountain around which, they settled. They also spread in Makla, Gudaf and Abu Jinger villages. The other branch is the Kadalo. They are all settled around Kadalo Mountain and are spread between the Manjaling and Minza villages south of Roseiris. They are all Muslims and they speak Arabic and work in agriculture. They had recently started to go for education. (Babiker 2006)

3.4.11 The Ragarig

It is a local Negroid race that branched from the Baroon tribe. They inhabit the Kurmuk Mountains as well as Al Shimi, Jarat, Mik, Mofo, Karenkaren and Afad. They speak the Ragarig
dialect, which is one of the Burun dialects. They are mainly pagans, but some of them had embraced Islam while the rest remained pagans. They speak Arabic as a third language after Ragarig and Burun. They have a low rate of literacy.

3.4.12 The Jamjam
This is a local tribe that branched from the Burun. It inhabits the Baroon region from Shalhi down to Kurmuk. They speak Jamjam, which is a dialect of the Burun language. They are mainly pagans with a small minority of Muslims and Christians. They are all farmers. (Babiker 2005).

3.4.13 The Sarkam
It is one of the tribes that moved from Bani Shangoul, intermixed with Arab races in Sudan and settled around Sarkam Mountain north of Kurmuk. They speak Burun, and Arabic as a second language. They are mainly Muslims with a pagan minority among them and another Christian minority. (Babiker 2005).

3.4.14 The Gonza Tribe:
This is mainly a pagan tribe that spreads from Kurmuk to Oara in the North. Its main villages are Yazan, Kurkum and Damo. It is a Negroid tribe that practices agriculture and fishing in Khor
Yabous. They have a minority of Muslims and have a low rate of literacy. (Babiker 2005).

3.4.15 The Koma Tribe:
According to (Babiker 2005), this is a Negroid race found in the borders between Ethiopia and Sudan. It inhabits the region of Khor Yabous, Damo and Gala. They are mostly pagans, though they are a small tribe. In addition to these tribes, there are other smaller but original Burun tribes who reside in various villages that were named after them. These are Malken, Suluk, Baldogo and Makja. They speak the Burun language in its various dialects, which were named after the villages which they inhabit.

All those tribes are Muslims with a pagan minority. They practice agriculture and animal rearing. Local tribes are divided into three main groups of culture, language customs and traditions. These are:

1. Berta together with Funj, Hamaj, Jabalaween, Wataweet, Dawala and Kadalo all speak the Berta language and practice Burun customs and traditions. All speak Arabic as a second language and are all Muslims.
2. The Burun together with Jamjam, Aduk, Ragarig and Sarkam all speak the Baroon language with various accents, practice Burun customs and traditions in addition to Arabic being their second language.

3. Ingessana is a Negroid tribe that has its own language, customs and traditions as distinct from other tribes. Western Sudan Tribal Groups: Some of these tribes that come from western Africa, settled for sometime in Western Sudan then moved eastwards and settled on the Blue Nile banks in this region for about a hundred years. These were the Fulani who were followed later on by Hausa and Borno at later stages. The Fulani spread along the Blue Nile Banks in the State east and west from Roseiris and Damazin right to the northern borders of the State. Their main villages include Roseiris, Hamada, Abu Zour, Diwa and Um Barid. On the western bank there are Abdel Khallag, Gibril, Sireiw, Abu Hashim and Damazin. The Hausa spread in Ganies Sharg, Karouri and Badous villages. South of Roseiris Dam there are the villages of Karma, Malwa, Beishan, Rigaiba and Khartoum Billail where the Hausa reside. Barno, on the other hand, spread north of Damazin in villages of Goni, Shin Tashrab, Yarwa, Jarmary and Diwa in the east. Of these tribes the Fulani was the first to settle in this State. They are mostly farmers, nomads and government office workers due to their relatively high rate of literacy. The Hausa and Barno work
in farming and fishing due to their low literacy rate. All these tribes are Muslims and had played a major role in achieving development in this region. (Babiker 2005).

3.5 Arab Tribal Groups:
According to (Babiker 2005), many of these came from the northern parts of the country as well as from the east across Ethiopia and from White Nile regions from the north-western part of the country. Of these tribes there are fur, which had settled here since the Funj State period. They are the Kamatir, Ashraf, Kinana and Rufa’a. The Kamatir is a branch that belongs to the Quasma tribe. They are the race that led Khashm “Al Bahr Chiefdom which was known north of Roseiris as the “Kamatir sheikhdom” it prevailed since the rise of the Funj State and had presently shrunk to just two Omoudiyas: Al Salam Omoudiya on the west with Al Sirain village as its capital, and another Omoudiya with Badous as its capital. That was in 1994.

2- Al Ashraf: They are descendants of Al Husseiniya and are presently settled north of Roseiris in each of Hamada and Sawlail. They have an Omoudiya under the name of Al Ashraf Omoudiya. It seems to be an extension to the Funj State. 3- Kinana: This is an Arab tribe that raises cattle. It roams about the fertile lands south of Sennar until the Mahdist era. Their course then extended southwards until they reached Khor
Yabous. Due to the drought conditions and extended mechanized agriculture in the region, they tended to settle in the various villages north of Damazin since the middle of last century. 4- Rufa’a: Most of these are nomadic. The belong to Rufa’a and Bani Hussein tribes. They roam about the region from southern Sennar region to Kurmuk and are influenced by the chiefdom of Rufa’a Al Hoy in northern Funj under Nazir Ahmed Yousuf Abu Roaf. They settled there since the late nineties of last century in the various villages of Blue Nile State east and west of Roseiris and Damazin up to the southern borders of Sennar State.

In addition to these tribes, there are other Arab tribes, which came to this state at different early periods in aim of trade, agriculture or else due to political situations. Those included Arakiyin, Ja’aliyin, Bideirya, and others who had intermixed with local tribes resulting in the present social fabric of Barta, Hamaj, Wataweet and Jabalwin in Blue Nile State. Arabic language is considered to be a major common factor between all those tribes in Blue Nile state. It is the language for communication between all as well as the medium for trade, education and formal government dealings in the State.
3.6 Westerners
The remaining tribes, which came from Western Sudan, are mostly coming from Darfur. Most of them came during the establishment of the Roseiris dam and Damazin town. That was during the early sixties of last century. Other migrations succeeded this after the drought spells of the eighties of the same century. Those included Bargo, Zag Hagawa, Nuba, Messalit and Fur. Most of them settled in Damazin and some nearby villages. It is quite noticeable that all Western Sudan tribes that came to this state are Muslims who practice agriculture and gum Arabic production. They became permanently settled in the State. (Sharif 1983).

3.7 Smaller tribes from Southern Sudan:
The largest of these is the Maban tribe. This is a Negroid Nilotic tribe that came from Upper Nile State due to the war. It settled in the Kurmuk region In addition to that there are few numbers of Dinka and Shilluk who came to Damazin and Roseiris in quest of labour chances in the Roseiris Dam and other establishments. They are mostly pagans and Christians. (Babiker 2005).
Table (1)


<table>
<thead>
<tr>
<th>year</th>
<th>Total population</th>
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</thead>
<tbody>
<tr>
<td>1993</td>
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</tr>
<tr>
<td>2000</td>
<td>598,610</td>
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<tr>
<td>2001</td>
<td>675,000</td>
</tr>
<tr>
<td>2002</td>
<td>696,000</td>
</tr>
<tr>
<td>2008</td>
<td>832,112</td>
</tr>
</tbody>
</table>

Table (2)

The population of Blue Nile State by locality 2008

<table>
<thead>
<tr>
<th>locality</th>
<th>Male</th>
<th>Female</th>
<th>Total</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roseires</td>
<td>108,314</td>
<td>107,543</td>
<td>215,857</td>
<td>%26</td>
</tr>
<tr>
<td>Damazin</td>
<td>109,702</td>
<td>103,010</td>
<td>212,712</td>
<td>26</td>
</tr>
<tr>
<td>Kurmuk</td>
<td>56,943</td>
<td>53,872</td>
<td>110,815</td>
<td>%13</td>
</tr>
<tr>
<td>Bau</td>
<td>63,149</td>
<td>64,102</td>
<td>127,251</td>
<td>%15</td>
</tr>
<tr>
<td>Tadamoun</td>
<td>39,844</td>
<td>37,824</td>
<td>77,668</td>
<td>%9</td>
</tr>
<tr>
<td>Geisan</td>
<td>43,806</td>
<td>44,003</td>
<td>87,809</td>
<td>%11</td>
</tr>
<tr>
<td>Total</td>
<td>421,758</td>
<td>410,354</td>
<td>832,112</td>
<td>%100</td>
</tr>
</tbody>
</table>

Source: Census, 2008

3.8 Administrative setup

The Blue Nile State is divided into six localities namely: Damazin, Roseires, kurmuk, Bau and Geisan and Tadamoun.
The administrative head quarters of the state are in Damazin town.

The Blue Nile State has been affected by the civil war, whereby hundred thousands are either displaced locally, to other part of the Sudan, or across the boarders as refugees in Ethiopia. In addition to that, the state received waves of displaced persons from Southern Sudan.

3.9 Resource potentiality in the state

According to (Mustafa 2005), the Blue Nile State is rich in natural resources. One of these resources is the Blue Nile, which is considered as the main water sources in the State, from the east to the west, and to the north. Also the state depends mainly on rainfall (April- October) and the seasonal streams from Ethiopia, during the rainy season.

The total arable area, in the state, is 5.5 million feddan, which is more than 64, 7% of the total area of the state. The Blue Nile state depends on the agricultural production, to meet the basic needs of the population. Besides, it exports the surplus production to the neighboring states. The rangelands occupy an area of 1.7 million feddan, constituting about 20% the stat's land. These pastures, consist of grass, shrubs, and some trees. They are frequented by pastoral tribes from outside the State,
coming from White Nile state, Sennar, Butana, North and South kordofan, especially during the dry season, in search of water and grazing for their animals. (Mustafa 2005).

There are 198-forest reserves in the Blue Nile State, covering an area of 905,519 hectare (2.155, 125 feddan), accounting for about 33.9% of the total area of the state. The percentage of the land area protected to maintain biological diversity is 2.7%. The main dominant trees, are *Boswellia papyrifera*, *Acacia seyal*, *Balnites aegyptiaca*, *combretum cordofanum*, *sterculia spp*, and *acacia mellifera thron land*. The magnificent Dinder national park, a major game reserve in the country, is partly located in the state. Mustafa (2005, p. 32).

### 3.10 History and Socio- economic context

The main livelihood strategies are farming and herding. The peasant and farmers usually grow sorghum, sesame, groundnuts, vegetables and fruits; while nomadic tribes keep animals; such as, cattle, goats and sheep. The unstable security situation, limited the access to land, lack of production inputs and poor access to safe drinking water, hampers food security in the state. Accordingly, the food situation in the state can be described as transitionally insecure, since the high agricultural potential, is currently not exploited, due to political and economic factors. Land distribution in the State, is characterized by a clear bias in
favour of national and foreign companies, which were allotted schemes of 200,000-250,000 feddan each.

Discrimination, marginalization and lack of development, are the main roots of the conflict in Blue Nile. The utilization of natural resources has fuelled past discontent and conflict among the population in Blue Nile. The issue remains problematic. The state and its people, do not receive any benefits from the natural resources, within their borders because many are removed without compensation to the local population and the proceeds from the sale of those resources are not re-invested in the state. Moreover, the state is not benefiting from its natural resources. But equally controversial is the Rosaries Dam and the electricity it produces. Most participants in Blue Nile say they are not benefiting from the dam, because electricity is exported to northern Sudan. (Traci D 2009).

Some people of Blue Nile joined SPLM/A fight in 1984, against perceived exploitation by the Khartoum Government of the state’s resources and lack of development. The SPLM’s ‘new Sudan Vision’ was developed through the involvement of these northern communities. The southern areas of Kurmuk, Bau and Geisan were theatres of intense fighting as the SPLA sought to the reach eastern parts of northern Sudan. Though they never
reached as far as Damazin, they had control of all areas south of it by the time the CPA signed (James 2009).

According to (James 2009), in the 17th and 18th centuries the region was a part of the indigenous Funj Sultanate. The Funj rule was disintegrated in the wake of the Turkish invasion in 1820. During the British Colonial times, the area to the west has been settled by West Africans, who came to the Sudan on their way to perform the *haj* (pilgrimage to Mecca). The indigenous inhabitants are still living around Roseiris and Damazin, although little is known about them, recent work is beginning to document their societies. It is not known precisely how many languages, rather than dialects they speak although several may turn-out to be dialects of Berta language.

In addition, there are more recent immigrants, to the area, merchants centred in the two towns who dominate the trade of the region. With these groups of northern Arab immigrants, are classed government officials, administrators and development projects persons. Finally, there are the Arab nomads, such as Rufa'a Alhoi whose lineage transience criss-cross the region. Sections of these groups altered between nomadic and settled ways of living and the result of the interaction with locals, is a finely articulated cooperation and dependence between Berta, Watawit, Arabs, Fellata (West African migrants) nomads and
merchants. Over and above, these local formations are placed in the current attempts to build a nation state as directed from Khartoum and the regional centres. There is also the process of islamization, through merchants, Sufi orders and saints, and the resultant adjustments between indigenous culture of the Berta-speaking people and the Islam of the watawit, the nomads, and the more recent immigrants, both from Khartoum and West Africa, who continue to come to the area, and establish new settlements Lina and Akos (1990, p.10).

The southern Funj area combines the importance of Islam, the continued significance of customary law, and specific triga (religious brotherhood) and gabila (tribe) structures, in a meaningful historical and social whole. Islam spread into the Funj area, at the end of the fifteen century and the Funj rulers of local or immigrant ancestry, associate themselves with, and adopt a Middle Eastern Arab ancestry, because this was considered to be prestigious. The controversy about the origin of the Funj kingdom, will prove to be important, if it reveals structural similarities between the present political institutions; and those of the past. (Lina & Akos 1990).

The ruling families of the Funj settled in sennar, capital of the sultanate, from about 1616 A.D. they controlled much of the Blue Nile, and even part of parts of the northern Sudan also came under their control. They levied taxes on local and
subordinate rulers. "The rulers in Sennar encouraged wandering Muslim teachers to settle and establish themselves in their area." (Voll 1972). It was through that these men of that Islamic society were established in the region. The kings assumed the role of Muslim Sultans, established a State religion, appointed Qadis (judges) and encouraged the tariqas (religious brotherhoods).

The military regime of 1969, led by General Numeiry, tried to rationalize the customary law system, by abolishing the privileges of the Funj rulers and establishing elected and appointed rural councils, through which the immigrant and permanently settled populations could put political power to use, against nomadic, Funj and indigenous privilege. Yet the erstwhile Native Courts, still exert influence and the people's courts are in some ways a continuation of the previous system. Weekly customary Law courts, are held in Roseirees and Damazine, to this day. (Lina&Akos 1990).

Islam spread into the area, from the North, through merchants and religious specialists acting as missionaries. If the merchant was an agent of change, and still is in the remote areas, the man of Islam set the model of a new way of life, to be emulated. Merchants and Muslim religious leaders were the first to effect change in an area where Islam was known. Islam is becoming
more and more dominant; and while local tribes maintain their distinct cultures, they are increasingly affected by the Arabic culture of the North.

The social organization of Blue Nile communities had undergone few changes. As many researchers had noted: “Fundamental aspects of Sudanese society have remained unaltered to this day: identity with a tribe (gabila), loyalty to a religious movement (tariga), commitment to the family. Within these developments there have been changes, though the processes of change, but have not been fully documented” Sanderson (1963, p.61).

In 1979 the old Blue Nile province was divided into the Gezira and the New Blue Nile provinces. Damazine was selected to be the new capital of the latter. The administrative changes and the implementation of mechanized farming in the province have changed the older pattern of alliance, trade and religion, and emphasized the significance of bureaucracy, politics, and religious movements. The roles of the merchants become secondary. The new model of the local inhabitants to emulate is not the old-style merchant, but the effendi or muwazzaf (government official) and the politician. Education and the possibility of acquiring and official position thus become the ideal.
3.11 History of the conflict in the Blue Nile state

According to (UNICEF 2003), the conflict in the Blue Nile State began in 1985; and by 1987 Kurmuk had fallen to the Sudan people's liberation Army (SPLA). The mountainous area just over the Sudanese border with Ethiopia, was used to offensives. This SPLA strategy resulted in extensive mine fields being laid all along the border area. Either by the Government of Sudan to restrict SPLA access into Sudan, or by the SPLA, in a defensive capacity. As a result, Blue Nile had a distinct pattern of minefields, resulting from bordering Ethiopia.

In Blue Nile, as in other states in Sudan, many battles were fought for control over the major towns. Armed forces from both factions attempt to control the larger geographic areas, through their dominance of key towns. The importance of the major towns in the war, meant that access roads to these, were heavily mined by both parties, as a key part of the strategy for preventing a town from falling into enemy hands. (UNICEF 2003).

Most of the impacted communities are in Gisan, Roseries and Kurmuk which were main infiltration points for the SPLA from Ethiopia. The associated roads to these areas were minded. In Blue Nile the majority of battles were fought in the SPLA 'home
land' of Kurmuk locality where control of this area was most contested. (UNICEF 2003).

3.12 A General Description of Agadi Area

3.12.1 Location and environment

Agadi is a small village, located in the south-eastern part of the Sudan, at the intersection of latitude 11 48 ' north and longitude 34 4 ' east, south-west of Al-Damazine town, the provincial headquarters of the Blue Nile province. The distance between Al-Damazine and Agadi is about 30 miles. The agricultural schemes cover the triangle formed by Agadi, Garabein and Buk in the northwest. (Sharif 1983).

“The topography is flat, with occasional small hills scattered all the way to the Ingessana Mountains, in the south. The surface soil is typical of the central Sudan, between the two Niles. Alluvial soil is deposited on the characteristically impervious basement, complex and therefore underground water supplies are limited. Moreover, while alluvial soils attract agricultural schemes, the limitations on water supply, constrain the growth of independent human settlements”. Sharif (1983, pp.19-20). The triangle can be characterized as woodland savanna. Rainfall varies from one year to another: however, the yearly average is estimated to be over 700 mm.
3.12.2 The historical development of Agadi and its population

The population of Agadi comprises diverse ethnic groups. They vary in size, and of the economic activities pursued in their daily life. The total number is estimated to be over 15,000 inhabitants (the field work), distributed in more than twelve residential quarters and categorized into some 20 or more groups of different ethnic backgrounds. “These diverse ethnic groups came to Agadi in two historical periods, which can be labelled the pre-scheme period and the post-scheme period. The pre-scheme period dates back to the time when the Funj kingdom disintegrated around 1821 and lasted until 1969. The second period is much more compact and has been a period of profound changes.” Sharif(1983, p. 21). Its historical span lies between 1969 and the time when the present study was carried out, in 2008. Moreover, these two historical periods show how the village has evolved, through time, into a thriving agricultural centre characterized by ethnic heterogeneity.

3.12.3 The Ingessana and the Hamaj

Though Agadi is not situated in the Ingessana heartland, “it is obviously an inseparable part of the Ingessana hills, and extends through jebels (lit. hills) Gigu, kilgu, Abu Grein and Begis; and connects at jebel Tabi.Agadi represents the northernmost part of the Ingessana land, historically and culturally. It is a part of
what is generally referred to, as the southern Funj region.” Sharif (1983, p. 22).

Historically, as the name might suggest, this region was the heartland of the Funj Kingdom (1504-1821). It served as a remote retreat for the remnants of the Funj leaders when their kingdom had disintegrated during the Turko-Egyptian expansion in 1821. The leaders were mostly Hamaj. No exact date can be given for the time when Agadi came into existence. (Sharif, 1983). However, Agadi was originally settled by Hamaj elements, which had begun to retreat southwards as Sennar was giving way to the Turkish invaders. At the fall of the kingdom of Sennar, the Hamaj who had been wazirs (ministers and top administrators) in the falling kingdom, sought refuge in the south. They settled in Agadi and on neighbouring hills such as Buk and Guli. In Agadi itself, the Hamaj and their associated groups coexisted with the Ingessana population, who had elected to stay despite the ever increasing influx of Hamaj. It is not clear what kind of power relations existed between the incomers from Sennar; and the indigenous population. However, there is no reason to assume anything other than peaceful coexistence. Moreover, the Hills of Agadi provided safeguards against natural disasters, predators or floods on the alluvial surface. Such peaceful coexistence was, in fact, favourable for social intercourse and resulted in intermarriage between the two
groups, to the extent that it is now difficult to establish who is who, in terms of decent. Sharif (1983, pp. 19-25).

The Ingessana and the Hamaj are thus closely connected, but the claim of Hamaj origin (descent) has become a major preoccupation. In all probability, this is because Hamaj descent links the claimants with a reference group, the identity of which provides links with Islam and Arabism. (James 1971) had noted that, although most of the people accept the collective term 'Ingessana', they also claim Hamaj origin which is a way of forging links with the prestigious Funj status. This status is itself a link in the chain which leads to the Islamic/Arabic identity.

It seems that the Hamaj did not dominate the Ingessana in Agadi. Yet it appears – and this is supported by various claims of Hamaj origin- that the matrilineal system of the Ingessana provided structural arrangements for absorbing the Hamaj. This absorption created conditions under which situational shifts of identity were made possible, i.e. to interact with the northern Sudanese as Muslims (an identity which links them with Arabism) and to interact with the local groups as Ingessana. The claim of being Ingessana, had given the Agadi population access to membership in Ingessana society, while the claim to Hamaj origin protected them from raids during a period characterized by instability and political chaos (the close of the Mahdist
regime) since the claimants could pass as Muslims. (Sharif 1983).

Around 1940, more Ingessana began to move towards Agadi: in this period the government presence was very strongly sensed, slave traders were being subdued and a degree of stability was felt. The British actually included this area under the closed district ordinance in 1922; but were then compelled by the growing nationalist movement, to relax this ordinance in the early forties. The ordinance generally prohibited the advent of traders from the northern Sudan, i.e. the Nile valley, into this area and the activities of those already present were closely watched. Even the range of commodities which could be traded was limited by banning certain goods which were labelled luxury items, such as perfumes, fancy clothes, and so on. Traders began to traverse the Ingessana area after World War II. At that stage, the Ingessana economy was basically of a subsistence nature. (Sharif 1983).

3.12.4 The (“Jallaba”)
According to (Sharif 1983), the first jallaba trader settled in 1951, from the Mussalamia group (from Gezira) built a shop in the centre of Agadi, at this date, and, since then, more traders began to operate in Agadi. They traded sugar, coffee, cloth, perfumes etc., for sesame, Dura, mats and whatever could be
sold in markets in central Sudan. Of course, not all trade was barter. The first trader, also, started a quranic school (khalwa) where a few children were taught to recite the quran. A few adults, also, joined him for prayers. In short he combined trade with teaching, an ingredient of culture which obviously had some roots in the recipient society. The village trader thus came to be a propagator of Arabic/Islamic culture, i.e. an agent of cultural and social change. Other traders who followed the first settler operated with more or less the same kind of commodities. They collected the village produce and resold it, in the markets, outside the area. As need for money grew in Ingessana society, they began to devote more of their time and land for expanding production of cash crops such as sesame, gum Arabic, mats and charcoal. This was a starting point for the reorientation of production, from subsistence, towards the market- a process which, over time, led to an increasing dependence on the market. The *Jallaba* traders also started cultivating using Ingessana labor in the rainy season. The Ingessana, began to face shortages of food stuff in some critical parts of the year; and began to receive loans (in money but mostly in kind) from the traders. To repay these loans, the Ingessana time and space allocation, became more dependent on the amount of credit received, rather than on putting more time on production of their stable food.
Around 1968/69 rainfed agricultural schemes, which were privately run, were established in Agadi area for resident and non–resident investors. The Jallaba traders received schemes of 1000 to 1500 feddans which were run in combination with their shops. The labour requirements of these schemes were satisfied from the local population, who were either repaying old debts; or getting into new ones. The Jallaba enterprise thus combined trade in consumer goods, with scheme-running; which provided part-time employment for a portion of the population.

3.12.5 The Arab tribal groups:
This group came from the north, the White Nile and from the east through Ethiopia. The most important of these tribes are: - Al Ashraf, Kinana, Rufa’a, and other tribes of smaller numbers such as Abdallab, Ja’alin, Arakyin, Bidairiya, Danagla and Aaghliyin. (field work data).

3.12.6 The Western Sudan tribal groups
These consist of two groups. The first is that of local Darfur tribes. It includes Fur, Bargo, (Silaihab), Massalit, Zaghawa, Fur, Gimir, Tama, Nuba and Baggara. Most of these groups came into Agadi in the post scheme period with occupational backgrounds that vary from trade to subsistence farming. The second group is made of tribes that came from West Africa, settled for sometime in Western Sudan and moved eastwards to
end up in this State. These are mainly Fulani, Hausa and Barno. (Field work data)

3.12.7 The Southern Sudan tribal groups:
This group, is a group of a small number of individuals. It immigrated into this village over two periods. The first came in the form of small groups of labourers’ when the Roseiris dam started to be erected at the beginning of the 1960s of last century. The second group, after the escalation of rebellion in Southern Sudan especially in Upper Nile State. Those tribes comprise, Dinka, Shilluk and Maban. (Sharif 193).
Figure (1): map showing Blue Nile State and Agadi location

The Uduk homeland and the southern Funj region
3.12.8 Agricultural Scheme in Agadi

Rain-fed semi-mechanized farming had a relatively long history in the Sudan. It dates back to the 1940s; when it was first started in the Gedarif area western Sudan. The year 1968 witnessed the beginning of the private rain fed mechanized schemes in and around Agadi. When the Agadi-Garabein eastern and western schemes started to operate. (Sharif 1983).

The most important role played by these, is that they made Agadi a thriving agricultural centre. In so doing, they attracted immigrants either for work on the scheme or to work in catering businesses in; and around the centre of Agadi. The centre attracted people to come and settled down, first as agricultural labor and then as participants in the business and social life of the newly created centre. Though the schemes were not targets of mass immigration, after 1969, representatives of the following groups were already among the people who had settled in Agadi: Ingessana, Hamaj, and Funj (as the indigenous population); Shaigiya, Danagla, Kawahla, Ja'aliiyin, Kenana, Masaleet, Zaghawa, Birgid, Dinka, Nuba, Habash,, Burgo, Tama, Fur, Fellata, Rofa'a El-hoi Arabs, Mima…etc.- a mosaic of people who are ethnically so diverse, made Agadi look like a microcosm of the Sudan. In other words, it reflects to a striking degree the predominant ethnic diversity characteristic of the
Sudan. It also, represented the regional divisions in the Sudan; the South, the North, the West, the East and the centre. (Sharif 1983)

As Agadi became a thriving agricultural centre, the labour requirements of the state farms caused various groups to migrate to Agadi. Though cultural diversity and ethnic heterogeneity had been increasing since the early 1950s, it took many years before it began to reach high levels at the beginning of the 1970s. In 1976 the state farm alone, for example, recruited 2000 seasonal workers from he western provinces (Kordofan and Darfur). Out of this number 60 families decided to stay in Agadi. Thus, in only one year, the state farms contributed about 300 people to the Agadi population. In Agadi village, every day, a hut is built or a family compound is constructed.

At the time of this study the population of the village was estimated at 15400 persons, distributed in different ethnic quarters. The state farm has to continue their policy of yearly negotiating new contracts (which mostly centre on the kind of services that the farm can give freely and efficiently); because those who settled in Agadi elect to find other ways of living rather than to be full time agricultural labours. The state farms employs, them just for a defined season, and they have to manage the rest of the year on their own. Here they join their
ethnic kins, and rest and start farming for their subsistence; and for the market. Sharif (1983, p. 31).

**Figrer (2): map showing location of Agadi Agricultural project**

Source: Ministry of Agriculture
3.13 Conclusion

In this chapter, I tried to give a general overview for Blue Nile State, and Agadi, in terms of their geographic, historical, and population fabric. In this context, in the Blue Nile State, there are now the Negroid elements, as well as Arab elements coming through migration from the north and east. In addition to that, there are also, some African migrations through Western Sudan. Those elements, intermixed together giving rise to the population fabric witnessed today, and which is spread across the six localities; Baw, Roseires, Geisan, Kurmuk, Tadamoun and Damazin.

As for the Agadi, the introduction of the state farms in the village of Agadi, at the time this study was carried out, had led to a dramatic increase in the population of the village. That increase was made much more complex by the accompanying ethnic and cultural heterogeneity. The advent of the “Gharraba”, made the existing balances questionable, because no separate ecological niche was available for them. Hence competition for resources became a part of the daily life of the village. Sharif (1983, p. 36).
Chapter four
Types and Causes of Conflict in Agadi Area

4.1 Introduction
This chapter describes the types and root-causes of conflict in Agadi, it consists of three sections, the first section sheds light on the historical background of conflict that have been taking place in the area as a result of existence of different categories and different ethnic groups who came to the area, with different background cultures, as well as, occupational background. The second section concentrates on the so-called traditional conflict between nomadic pastoralists and sedentary farmers, on the one hand; and the conflict among the nomadic pastoralists themselves. Moreover, the section, also reviews the contribution of the agricultural scheme in the frequent conflict, especially with pastoralists. The third section focuses on other conflicts in the area, that could be classified as interpersonal conflicts e.g. divorce, market conflicts, adultery, rape and so on.

4.2 Major Causes of Conflict
The nature of conflict in Blue Nile, in general, and Agadi area in particular, mainly interplays between diverse categories, ownership and the use of natural resources. However conflicts over natural resources do not occur solely at the material level. They inevitably have symbolic elements as well.
The roots of the conflicts, in the Blue Nile, in general and Agadi in particular, lay in the increasing scarcity of resources; especially water. Competition over natural resources appears to be the main cause of conflicts, and other disputes between groups or within them. Natural resources include land for settlement, grazing lands, arable land for crop cultivation and water sources upon which the livelihood of the community depends. Conflicts over natural resources, include ownership and use of arable land, trespassing of animals into agricultural land and the use of water source.

4.3 Historical Background of Conflict in Agadi

As mentioned in chapter two, Agadi is inhabited by different ethnic groups, old timers represent the Hamaj, Ingessana, and the Jallaba traders (consisting of tribes of northern Sudan). The second category represents the new comers or those who came from western Sudan. The existence of the old timers and the advent of the new comers in one area, may create some frictions and increase competition over scarce resources.

The advent of migrants to Agadi as workers in the scheme farm started from 1970-71. Most of them settled down in the area, started to build their huts in the area, between the road to Garaben Jebel mout This area was suitable for human settlement since it was the only unoccupied, elevated land. the Omda, then
the sheikh of Agadi, was directed by the local authorities to prevent people from building any more settlements in that area, since it had been reserved for the state farm, he persuaded people not to build on this site, and- lacking any coercive authority- got into many unpleasant confrontations with the Gharraba, the alternative site given for these people was rejected by them, the secretary of the village council (VC) was asked by the gharaba to persuade the authorities to find an alternative site for the state farm, but nothing came out of it.

In the same year, the local authorities evacuated the population from the disputed site by force. The displaced groups sent a delegation to al- Damazin, to plead their case. But, they did not succeed in reversing the decision; though they did succeed in getting some help from the authorities to prepare the new site (algadida) with rudiments of a drainage system. Settlement of the migrants groups was the main challenge that faced them when they came to Agadi.

Another challenge, that faced the migrants, when they came to Agadi was related to the market place. The migrants came to Agadi with various occupational backgrounds. Some of them were labourers; and the others tried to enter market as petty traders or small business operators; such as, tea shops and restaurants. In order to operate in the market place one has to
fulfil certain requirements: a valid license, a medical certificate in the case of restaurants and the vegetable trade, and a shop site are the prerequisites for getting into the traders' ranks. In order to obtain a shop site, one needs the approval of the Village Council. Land that can be granted is limited, and the village council controls such land.

4.4 Conflict between Nomadic Pastoralists and Sedentary Farmers

Ethnic diversity is the major characteristic of Agadi area. The indigenous populations are Hamaj and Ingessana who practice traditional cultivation. There are also westerners with different formations practicing agriculture as well. Other ethnic groups belong to Arab tribes, practicing animal breeding and agriculture. In addition; there are the Umbararo. The natural resources of Agadi area have been a source of attraction for various other groups from surrounding areas, and from distant places outside the area. The influx of migrants was from Butana, Sennar and White Nile state.

In this context, it could be said that, many pastoral tribes, from outside the area; such as, kenana tribe, visits the area in summer. In addition, other tribes; such as, Rufa'a from Butana, Fellata umberaro from Sennar State, camel herders from Butana and Arab tribes from the White Nile, all come to the area, in search
for pasture and water. During their movement, they pass over some sedentary farming groups in Agadi. Consequently, the animals enter the farms and damage crops. These pastoralists are armed the thing which usually create conflicts between them and the sedentary farmers.

According to one of the interviewees, when the pastoral groups come to search for pasture and water, their animals, cross the cultivated areas and infringe upon the crops. Hence conflicts erupt. He added that conflicts escalate when the nomads refer to farmers as ‘Abeed’ (slaves).

Another factor that plays a major role in accelerating conflicts and disputes between farmers and pastoralists in Agadi, is the setting of crops residue remains, on fire by farmers. According to customs and norms in Agadi, the crop residue that had been left over and used by all the community freely. Therefore, the relationship between, animals manure and crop production, is a complementary relationship. Animal's nature improves land fertility; and animals benefit from crop residue as well as fodder of high nutritional value.

According to the “Omda” of the area “To organize such relationships, successive legislations continued to be used, beside local acts. These rules determined a certain period of
time, after the rainy season, after which farmers have to collect their crops and leave crop residue to be used by animals belonging to pastoralists, as well as, other community members. This system was brought to a collapsed by farmers in Agadi area”.

Farmers argue that, they have been enforced to burn the residue and grass. The major problem facing the farmers is that the majority of pastoralists do not have to recognized the Native administration, to deal with them, when crop damages occur. Therefore, farmers burned crop residue, as a precautionary act to protect their farms from damage. The collapse of the pasture arrangement and the burning of the graze by farmers, is one of the strongest factors leading to conflicts between farmers and pastoralists.

4.5 Conflicts Amongst the Pastoral Groups

These usually occur amongst those who come from outside the area; and those pastoralists inside the area. Hence, under the condition of grazing scarcity and the lack of migration corridors, conflicts occur amongst these pastoral groups especially around water resources. It is worthy mentioned, that the numbers of corridors in the state are four, which cross the state from the North to the South; and there are about 214 (hafirs) 13 of which

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7 Omda alsimat from ingessana group formal interview, Agadi, June. 2009
are shared by man and animals and 11 for watering animals only. In terms of Agadi area, there are only three hafirs; all are shared by human and animal. (Mustafa, 2005).

4.6 Conflict over Land Use and Ownership
Ahmed (2008, p.3) stated that “competition over natural resources in Sudan, particularly land, which is traditionally utilized by pastoralists, agro-pastoralists and sedentary cultivators, has been an issue of concern to the state and a source of conflict between its different users”.

The erosion of land rights, had been a historical grievance, for the people of Blue Nile. In 1970 the “Unregistered Land Act” gave the Government the ownership of land that was not privately owned, and in 1971 the ‘Abolition of the Native Administration Act’ deprived local communities and tribal groups of ownership, recognizing only rights of land use. The establishment of the Mechanized Farming Corporation Ordinance, which gave Khartoum authority to grant licences to external farmers, followed in 1975 and further alienated indigenous farmers from land they had cultivated for hundreds of years. Many landless people, thus, took up arms to fight for their rights to land tenure; and balanced development.
Problems continued throughout the 1990s as the Government began allocating land to foreign investors, with little consideration to the impact on the local communities. The rights of farmers, cattle owning nomads, and the environmental impact of mechanized agriculture, were not considered by policy-makers and investors. Tribal chiefs did not feel they were consulted, compensation was not offered to those affected, and livelihood opportunities were reduced, as jobs went to Egyptians or labourers from the North, with locals often only employed as cheap, seasonal labour.

In Agadi, the deterioration of the agricultural land had forced some people to search for new lands. This is the reason behind conflicts over land tenure, since each population group claims the ownership of land. The result was the occurrence of conflicts amongst these groups. The conflicts over land tenure in Agadi rotate around the Ingessana group claim, that they posses all the lands in Agadi, because they are indigenous. In most cases according to interviewees with the new comers, they mentioned that there was animosity, between the Ingessana and them, since they have came to Agadi, as labours and tried to settle down. They added that the Ingessana control all the lands even the burial grounds They prevent them to buring their dead; and sometimes sell the ground for buring their dead.
Generally, the conflicts over resources especially, land; water and pasture are a result of many factors. One of these is that the Blue Nile State had witnessed conflicts, due to the war during the period 1977-2003. This had curbed the southward pastoral movements, so many pastoral tribes such as Umbraro, Kenana, Rufa’a and White Nile nomads were confined to a very much squeezing areas. Thus, most of these people had to move to the Blue Nile among which Agadi area where there were cultivated lands. The result was the rise of conflict between cultivators and pastoralists.

In a group discussion conducted with the sheikh of Kenana (73 years) and two persons from the same tribe; their ages were respectively are (62, 53 years), all of them are agro-pastoralists; and they practice both animal husbandry and agriculture. I asked them, “Can you tell me any cases of conflict which happened to you”? The Sheikh replied, “Yes, I am Sheikh in this area since 1990, and of course, I participated in resolving a number of conflicts. However, I will tell you the most crucial one. Two years ago, a conflict erupted between man and woman, both practice agriculture. The conflict was over land's borders, the man claims the land as well as woman”, I asked him, “did the conflict between man and woman be escalated. He answered "I intervened as Sheikh immediately to solve this problem". I asked “what happen after you intervened”, he replied "because both
man and woman are my relatives I have strong blood relation with both. He added; “under a tree we sat together and the problem solved immediately”.

4.7 Conflict between Herders and the Agricultural Scheme
As for the rain-fed mechanized agriculture, it started since 1970, this was followed by the expansion of agricultural land, especially outside the area, without due consideration to the nomad's grazing rights. The associated confiscation of water resources and (khors), led to the reduction of pastoral areas, the closing of tracks, at the time the productivity of agricultural land, deteriorated.

As mentioned above, the conflict between the agricultural scheme and new migrants started since the migrants came to Agadi; and the local authority prevented them from building any more settlement in the area between jebel mout; and the road to Grabin.

According to the head of the police centre in Agadi, he mentioned that the conflict in the area, especially in the rainy season, is between the agricultural scheme and pastoralists, as a result of expansion in agricultural patch. Consequently, the corridors became very narrow, the pastoralists, in most cases cross the cultivated areas and infringe upon the crops. Hence,
conflict erupts. Also he mentioned that after the period of harvesting the agricultural scheme started to burn all lands as a strategy for keeping pastoralists away

One of the pastoralists mentioned that the agricultural scheme provide to sedentary population, many services, such as, (hafirs), police station and clinic, at the same time, the scheme did not provide any services to the pastoralists.

In an interview conducted with official who is (75 years old), who used to work in agricultural scheme, he has lived in Agadi since 1983. I asked him about the causes of conflicts in the area. He replied that: “here, in Agadi, most conflicts occur due to land and water between agriculturists and pastoralists on the one hand, and between the population in Agadi and agriculturists especially, over water on the other”. (I asked him if there was any complementary relationships between farmers and pastoralists. He answered, "Pastoralists in Agadi do not own land; but they benefit from the resources on it. Traditionally, peaceful and interconnected relationships, were largely maintained between agriculturists, with livelihood systems regularly extending and with flexible arrangements for sharing fertile land, and mechanisms existing for successfully resolving the dispute that occurs. He added that, “the customary law regulates the time and use of animal migration routes by
nomadic, including the prohibition of cultivation or fencing along the route. Over the last few years, conflicts increase over land. The herders have started to arrive at the area before the time that is customary known. The advent of herders with a great amount of animals, creates widespread damage of farms. This is due to the shrinking grazing areas and shortage in the supply of both pasture and water, the result is pasture deterioration, caused by overgrazing and reduction of food available for animal. So, in many times the nomads intrude their animals into farms and cause crops damage, this damage evokes farmers; and leads to confrontations between farmers and pastoralists in Agadi.

Moreover, the expansion of agriculture at the expense of animal migration routes in Blue Nile, in general and Agadi in particular; this situation contributed to accelerating conflict between farmers and pastoralists."

4.8 Disputes between Farmers and large-Scale Farmers
Villages are entitled to four-kilometre buffer zones to facilitate agro-forestry activities. These should not be allocated for agricultural investment. Disputes arise between sedentary farmer and large commercial arable schemes when large Mechanized projects encroach on the buffer zones in the north of the state.
Owners of large-scale farms have, in certain cases, overcome the complaints of villagers by arguing that the agricultural authorities gave them the land, before demarcation of the village buffer zone had taken place. Disputes are local and often non-violent; but they contribute to perceptions of economic and political marginalization among populations.

4.9 Competition Over Access to Water
Agadi traditionally depended upon surface water. There used to be one water hole (well). Nobody could tell for certain its date of origin, or who had drilled it, but it is used to secure the Ingessana supplies of water. When the state farm was established, two water reservoirs, of a limited capacity, were constructed to cater for the indigenous population's needs of the state farm. These two hafirs began to dry up in the critical period before the rainy season.

In this context, Agadi area suffered water shortages since it came into existence; and still suffering. The problem of water concentrates on the limitation of hafirs. The unprecedentedly rapid population expansion in Agadi after 1971 has had profound and adverse effects on these resources. Two hafirs have been constructed later as a result of the increasing of population. According to observation and the interviewees, the
four hafirs dry up in February, as a result of high pressure and the number of population became high.

The population of Agadi complained that the committee which is responsible for the management of water, sells the water to the outsider pastoralists; and the result is the drying up of all hafirs in the area. Consequently, the conflicts occur between the sedentary population and the committee on one hand and between the sedentary and outsider pastoralists, on the other.

According to the interviewee, they mentioned that in order to avoid conflicts in terms of water, they have followed a lot of ways. One of which is that they do not make allowance for the committee which is responsible for managing the hafirs selling the water to the nomad pastoralists. The inhabitant, told me that the committee sometimes, enters motors into the hafirs. Consequently, the inhabitants undergo the shortage of water, especially in April and May.
Figure (3): map showing pastoral routes

Source: Ministry of Agriculture
4.10 The Impact of the Conflict Over Natural Resources, in Agadi

According to the interviewees, the most important feature that is related to conflict over resources in, Blue Nile in general and Agadi in particular, is the relative shift from the traditional sectors such as agriculture and pasture, to other sectors. In the agricultural sector, there was a slightly decline in the biological productivity of the soil, which resulted in the fall of the productivity per feddan.

In terms of the pastoral sectors, the restricting of the pastures and the absence of pastoral corridors, had their negative impacts on the pastoral sector. For all these reasons, some people in the area shifted to other sectors; such as, trade and crafts in big towns; and urban centres; such as, Damazin, Roseires and Senar.

4.10.1 Change in Herd Composition

Change in herd composition, is one of the adaptive strategies that is related to the resource conflict in Blue Nile State, in general, and the Agadi in particular. Consequently, some of inhabitants of the area shifted to breeding small animals; such as, sheep and goats, instead of big animals, such as cattle. They do this because of the faster returns from breeding small animals, as well as, relatively lower initial costs and their ability, to adapt to various natural conditions.
4.10.2 Sedentarisation
According to Ahmed (2008), “pastoral sector in sudan in general and in the blue Nile state in particular has been marginalized and impoverished as a result of detrimental state policies, deteriorating environmental conditions and encroaching civil war. In order to survive these assaults, some tribes tried to settle.

The economic transformation that the area witnessed, as a result of conflict over resources, compelled some of people to resort to the sedentary life. In this respect, many nomadic tribes settled down and have adapted a sedentary life. The example of this is the pastoral Fulani group (Umbararo), and Rufa'a.

4.10.3 Migration
In the past, people never migrated to big cities and urban centre; to get their basic needs and then go back to their places. But in recent years the situation had changed. People stayed in the outskirts of the large towns, and established squatter settlement. Moreover, many people in Agadi lost their livestock and had to leave for big cities.

4.10.4 Poor Social Relation
The value of social cooperation, which prevailed in the past, was governed by the nature of social and economic conditions. The deterioration of such value led to the emergence of new values
based on concepts like utility, profit and loss. This negatively influenced social and economic institutions.

4.10.5 Environmental impact
Conflict over natural resources, especially land and water, led to serious deterioration of the environment. Overgrazing and over-cultivation led to infertility of soil and emergence of harmful grasses. The little economic benefit from agricultural and pastoral activities, forced people to focus on the natural resource base to augment their meagre incomes (e.g. cutting of trees for wood and charcoal burning). Though a successful short-term survival strategy, the long-term disastrous consequences can be grave indeed. The current increasing pressure on the environmental resources and the apparent symptoms of environmental degradation, support such long-term concerns. (Mustafa, 2005).

4.11 Other Conflicts:
4.11.1 Domestic Conflict
It is virtually a universal fact that disputes or disagreements, occur when two or more people live together. Like other community, domestic quarrels do exist among families of different ethnic groups in Agadi. A man and his wife or wives might quarrel over issues, such as, selfishness and disobedience or general laziness. If a man fails to provide food for his wife or
wives, dispute arises. In polygamous homes a husband might be accused of spending too much time in a certain house (wife). The wives might also quarrel among themselves; and so can their children. Also it is a common phenomenon for the old wife to grumble over the love, attention, and care that the younger wife enjoys at their expense. Children might also quarrel amongst themselves especially if one of them is regarded as the father's favourite.

Inheritance, is another prominent cause of conflicts among Agadi’ families. Such disputes arise after the death of the head of the family. How to share and or manage the deceased property, normally generates disputes. Despite the application of sharia’a law on such matters. Typically inheritance disputes are resolved around contestation of quantities or ownership rights.

According to the Omda of the area, domestic conflicts, in most cases resolved at the family level. The head of the family tries to solve such cases and where he is an interested party, or the accused, extended family can be called to resolve the dispute. He added that for issues that cannot be conclusively or adequately resolved at the family level. People resort to native administration and so on.
4.11.2 Murder

The Agadi's community regards murder as the heinous act of terminating somebody's life intentionally or accidentally. Murderers are regarded as outcasts in the community. In such Ingeanna and Hamaj clans, traditional cleansing rituals must be performed, before one is accepted back to the community.

4.11.3 Adultery and Rape

Adultery, fornication and rape are serious manifestations of conflicts, within the Agadi's community, albeit not widely acknowledged in public. According to the tradition and custom, an adulterous person is considered unclean and is subjected to punishment.

Rape is a relatively new phenomenon in the community as the respondents said me that like these cases have been shrouded in secrecy. Adultery and rape were identified, albeit, the respondents were shy to elaborate, or even the occurrence they insisted that it is a taboo and curse to commit adultery or rape. The elders said that they could not recall any rape and even adultery case, although they admitted that it might happen; but; nobody would divulge or talk about it. When it happens, it is clandestinely solved and never brought to public limelight.
4. 12 Conclusion

The study, tried to shed light on the types and causes of conflicts in Agadi. It was obviously that, the main conflicts in the area, were competition over natural resources especially, land and water. Therefore, depletion of and inequitable access to natural resources are also seen as a main cause contributing to previous, ongoing and potential future conflicts in the Blue Nile State in general, and Agadi in particular. As for competition over land, the expansion of mechanised farming also played a significant role in the conflict, between farmers and pastoralists; in this regard, IES (1984) stated that, “the expansion of mechanised farming caused great competition over land leading to increasing and widespread conflicts between the farmers and the nomads. As a result of this, the nomads have lost their traditional grazing lands and migration routes”. Also, combined with a lack of institutionalized mechanisms for land, and water rights and usage, all these factors lead to widespread tensions between pastoralists and farmers on one hand and between traditional farmers and owners of big mechanised farms on the other.
Chapter five

Conflict Resolution Institutions in Agadi and their practices

5.1 Introduction

Most legal scholars study the formal legal system, focusing on the the principals, State-sanctioned procedures and institutions. However, this is only one aspect of the complex landscape of conflict resolution. In every country, community, and organization, systems of informal conflict resolution, are often based on community customs or familiar relationships, or embedded in institutional practices; run alongside the official State systems. Despite the lack of formal authority and recognition, these informal systems may have as great or even greater influence on everyday life of local community members. They often handle their daily affairs and settle disputes according to informal mechanisms. (Julie, 2007).

A growing interest in informal systems of conflict resolution, had spawned a vibrant literature, representing the intersection of many disciplines, including law, anthropology, sociology and social psychology. Scholars of conflict resolution, in their various disciplinary guises, explore the substance and the role of informal systems of conflict resolution, and their relationship, if any, to the legal system.
As mentioned earlier, every society has its own methods and institutions that contribute to conflict resolution. In Agadi, these institutions are mostly represented by the following: Native Administration with its different formations, reconciliation conferences (*judyyia*), native courts, qur'anic school (*Khalwa*), and police centre (*Gism*).

### 5.2 Native Administration

#### 5.2.1 A historical background

“Native Administration is a form of clan and tribal administration, which appeared in the past, to organize the affairs of tribal groups, according to their norms and traditions; and to administer and direct relationships with other tribes in both war and peace situation”. Hamid (2007, p.1). The tribal administration in Sudan had been developed through time, until it became the well-known native administration.

Native administration with its different formations, is one of the most controversial issues in Sudanese politics. Even at its very inception in the early 1920s. It was not welcomed by leaders of the nationalist movements. It was perceived as a government creation that was meant to serve the purpose of colonial rule. Following the end of foreign rule, radical elements within conservative parties, have continued to be hostile to native administrators (Azzain, 2004). Radical parties like the
communist party and the Muslims brothers were openly opposed to Native administration.

Opponents of native administration, are probably justified in their attitude to the system. The colonial rule really wanted to rely on native administrators rather than on the educated leaders of the nationalist movement. On several counts, they were preferred to the urban educated elite. For example, they were the ones who had been entrusted with the implementation of the indirect rule i.e. rule by Sudanese natives. Secondly, when a version of local government was founded in 1937, councils were dominated by appointed tribal leaders, again when legislative institutions were created at the national and regional levels; their members were predominantly Native Administrators, their families or sympathizers. Some of them continued to dominate the political scene, in the rural areas even after the foreign rule came into an end, in 1956. A resolution was passed by October radical government (1965) for the dissolution of the system. Then, the May Revolution regime, starting in 1969, had actually dissolved the system in 1970, abolishing its topmost leaders, i.e. the Nazir and Chiefs.

One aspect of native administration that has often been overlooked by its opponents, is its role in managing law and order in the rural areas. It is the best and cheapest institution of
governance, when communities are in traditional or semi-traditional stage of development, particularly, in a country as vast as the Sudan. Following the weakening of the system by the October Caretaker Government's resolution and the actual dissolution of the system in 1970. (Hamid, 2007).

5.2.2 The Colonial Era
The colonial administration, was aiming to achieve, through the native administration, many objectives, some of which are:
To establish administrative entities, that enjoy the influence and the popular support in the rural areas, enabling these activities to push away the popular support which sectarianism enjoyed in the rural areas.
To give rise to the leadership that enjoys the popular support, which is the sectarianism enjoys in the rural areas.
To create an effective local leadership loyal to the Central Government.
To decrease the administrative cost.

5.2.3 Independence Era
The position of the native administration, had changed during the independence period, in terms of its expansion or decline, with the regime changes in the country. Some of the regimes had used the native administration as an easy ride vehicle, to achieve their political objectives. Others saw it as a tribal backward system that would not give enough help, in providing
the rural communities with bases for modernity and progress. According to these two theories, the positions of the different regimes towards the native administration varied considerably. During the first and the second Democratic periods, and during the first military regime, the Native Administration remained a tribal system, concerned with the internal affairs of the tribes and with resolving conflicts between them, beside assisting the government in collecting taxes and in achieving security and stability. Although many native administrators were involved deeply in political activities, they did not do it openly. During the party-politics periods, in spite of the fact that most of the native administration personalities, had political affiliations, their homes were visited by the various parties’ delegations that visit their rural areas. The native administration had continued, during this period, to play its role according to the system designated to it, during the colonial era, in accordance with the laws of administration and native courts, with some amendments to these laws to cope with the developments of the day.

5.2.4 May 1969 coup

Native administration was subjected to several shocks during the May (1969) Rule, which came with its progressive socialist slogans. The leaders of the May regime, considered the native administration as a form of backwardness and as an element that
strengthen racism and tribalism which contradict their notion of the modern nation state that free of tribalism and racism.

Soon the May Rule, took a quick move to dissolve the native administration in 1971; justifying their decision by many reasons, the most important of which are:

1- The native administration is a backward system intended to keep the rural population under the control and the dependency of its traditional leaders.

2- The native administration became an easy ride for sectarianism and traditional parties. Dissolving the native administration will destroy the bases of sectarianism and the traditional parties.

3- May Rule as a revolution against the backward old system, must achieve the large popular expansion and an intimate closeness to the masses, through new channels that believe in its objectives and able to spread its ideas and principals.

4- May Rule as a progressive socialist revolution, seeks to establish the multicultural and multiethnic Sudanese nation. The native administration doesn’t serve this aim; because its existence gives strength to tribalism and racist tendencies.

The dissolve of the native administration, took place according to the concepts mentioned above. Only the Omdas and sheikhs
were spared for their indispensable role of accessing and collecting taxes. Ten years after dissolving the Native Administration, and during the last years of May Rule, it becomes clear that the dissolution of the native administration, to that large scale, was a mistake. The urgent need for the services of the native administration chiefs, in the rural areas, became obvious. Tribal ties are still recognized and people still listen attentively to what the tribe leadership and elderly, say it also became obvious that the institutions set by the regime like the popular councils, popular courts, villages’ development committees, basic units and others institutions as alternatives to the native administration, have failed to achieve any significant results. These alternative institutions were considered as imposed institutions that didn’t gain people acceptance or popular support. As a result, some of the regions reinstalled native administration. When regional governments were established in 1981, as part of the decentralization strategy adopted by May Regime, following the Addis Ababa Accord. Darfur and Kordufan were the first to do that.

5.2.5 The Native Administration During the Ingaz Rule:
In the beginning, the Ingaz rule moved towards strengthening the rule of the native administration; and depending on it in strengthening its popularity in the rural areas. The Government encouraged the different states to organize their native
administration affairs, according to their own regulations and laws. Besides that, the local rule laws issued during the Ingaz period, consisted of provision, support and development of the native administration.

There is a federal law for the organization of the affairs of Darfur states native administration. This law is in the process of preparation since 2005; but it isn’t released yet. All these activities show that the Ingaz authorities had real desire to contain the native administration. This appeared clearly in the regime move to attract the tribes and to encourage them to deliver the Baia’a (Pledge of allegiance) and Nasra (Backing up) to the regime. Some of the tribes went further and declared their collective entry to the National Congress (the Government Party. All these developments took place, under the auspices and organization of the native administration figures and personalities of those tribes.

5.2.6 Native Administration Structures in the Blue Nile State
Because the native administration sprang from the actual need of the local communities in serving their objectives and local issues, it developed a structure of its own, to fulfill these objectives, with very high capability, through its wide spread in the villages and the rural areas and through its hierarchical structure that provides it with different levels of leadership. It
also provides the leader and the grassroots with new channels for communication, flow of information and guidelines that characterize with a high degree of capability and effectiveness.

The Native Administration, is a simple legal and political system of Sudan, including Blue Nile State. It is based on the historical indigenous heritage of the region. The 'Mak' is the highest rank of the system, assisted by 'omdas' and sheikhs. They all share part of the power of local council for governing.

5.2.7 The Duties of the Native Administration
The main duties of the native administrators since its establishment are:-

1- To organize and administer the affairs of the tribe, in accordance with the common norms.
2- To organize the relationships with other tribes, i.e. (resolve the problems that occur; and to manage conflicts with other tribes through wisdom, norms and precedents).
3- To administer the native court in the area, and to rule between the parties in accordance with prevailing norms.
4- To assist in securing control by helping in chasing perpetrators, following tracks and identifying criminals from the members of the tribe, arresting and controlling them.
5- To assist in assessing and collecting taxes and fees
Although these are the main duties of the native administration during the historical periods mentioned above; but these duties used, sometimes, to be expanded or limited, according to the regime in power; and how it looks to the Native Administration and what the regime wants from it. Sometimes the Native Administration faces enmity. Other times it enjoys protection and care, as the case during the last period of May regime, and as it is happening now during the Ingaz rule. In these cases it is found that the duties of the native administration, expanded to include different domains, that were not from the traditional domains known as one of the areas of the Native Administration work. In these cases it is found that it takes the responsibility for duties in domains like: health, forestry, pastures, water resources, livestock, hunting, agriculture, census, election committee’s assistance and other duties.

Perhaps this is a clear sign that the native administration is a flexible apparatus; and can be adaptable to use for different purposes. Therefore, it can be used to serve in vital activities, like fighting plant diseases, forests and pastures protection, protecting and encouraging tree planting and forestry agriculture, mobilizing citizens to participate in the various developmental activities in the areas; such as, building schools, health care units, water reservoir, dams and other various services.
5.2.8 The Role of Native Administration in Conflict Resolution

The resolution of conflicts in the Blue Nile State, in general, and Agadi area in particular, depends mainly on the traditional roles of "mek", "omda" and ‘Sheikh’. The role of these personalities is not confined to conflict resolution only. But it surpass to the various phases of economic, social and political life. The community built their juridical systems on customs and traditions, which are derived from the conventions of society, and its social characteristics. Native administrators are responsible of running the system

An old person told that “conflict resolution depends on the scale of the problem. He added, “If the conflict is within the jurisdiction of the Sheikh or Omda he would resolve it without referring the case to the Nazir and Mek”.

During an interview conducted with different ‘Sheikhs’ from different ethnic groups, in Agadi, they told that every ‘Sheikh’ is responsible for his fariq (quarter) in terms of all aspects of life. If there is a conflict in a specific quarter, the Sheikh will solve it, especially the simple one, and even the complicated. And if the conflict is interpersonal from different ethnic groups or even different quarter, it will be resolved with the collaboration of the two Sheiks; it is rarely passed to the Omda. Also they have informed that, twenty years ago, they did not refer any conflict,
whatever, to the Nazir. This means that the conflicts resolution is restricted completely to the sheikh and omda.

To sum up, Native Administration, as a traditional institution, is closely bound up with the social and economic realities of everyday life in Agadi; and deeply rooted in the culture and history of the people. In addition, native administration as an institution. does not only help to resolved many local and tribal conflicts efficiently and in cost-effective ways, but also acts as a powerful channel of communication among the people of Agadi. It, therefore, plays a central role in strengthening social solidarity among Agadi's people and contributes significantly to the maintenance of social order in Agadi society. However, the extent of the effectiveness of native administration as legitimate by the various segments of the Agadi's population. It is maintained that there is a continued need for native administration in resolving many contemporary local and tribal conflicts. But at the same time, this traditional institution needs to adapt to new conditions; it needs to be a more inclusive institution that represents both men and women and to be more sensitive to the universally accepted principles of human rights. Both past and current experiences show that there is reason to believe that native administration has the capacity to bridge tradition with modernity; and to face the challenges of the 21 century.
5.2.9 Other Roles

Besides resolving directly conflicts among persons and different tribes, the native administration has other prominent roles of which are also indirectly contribute to conflict prevention
- Distribute the tribal land among its members to benefit from it.
- Control delinquents from the members of the tribe, and to help in arresting criminals within its area. In accordance with customary land tenure, they also play a role.
- To contribute effectively to the administration of natural resources such as pasture, water resources, and forest products.
- To specify and open routes for the herdsmen and their herds; and to specify and organize the places of their residents.
- To protect forest and pasture.

5.3 The ‘Judiya’ or Mediation

The ‘judiya’/mediation, is a process in which a third neutral party, assists in resolving a conflict, between parties. It is non-adversarial approach to conflict resolution (Christopher, 2003). The mediator is to facilitate communication the parties, assist them in focusing on the real issues of the conflict, and generate options that meet the interests or needs of all relevant parties in an effort to resolve the conflict. The parties to a conflict could be persons or groups (e.g. families, lineages, tribes or whole tribes).
According to (Azzain, 2004) judyya is a widespread system of managing conflict in Rural Sudan. Whenever conflicts are imminent or developing, volunteers will immediately step in, and play the role of mediators. They are normally the elderly, the wise, and the impartial who are well versed in local customs and traditions. In most parts of Sudan, they are called the ‘ajaweed’\(^8\) (singular, ajwadi).

The ‘judyya’ institution works to prevent conflicts, manage them, resolve them and sometimes transform conflict situations. Over the course of time, the ‘judyya’ acquired sanctity in most parts of Sudan. No one would dare to refuse ‘judyya’. When conflicts are within groups or between individuals, the traditional ‘judyya’ remains the mechanisms for the settlement of conflicts.

5.3.1 The Role of ‘Judiya’ in Conflict Resolution

Conflict can develop at all levels of communal life i.e. at the family level e.g. between wife and husband; at the clan level e.g. between the members of the two different household, or between two clans belonging to the same ethnic group; or at a higher level between two ethnic groups or two clans belonging to different ethnic groups.

\(^8\) Ajaweed members should have the following characteristics. They should be: a person (male) in Old age and full of wisdom; well informed about the customs, traditions and customary codes of the area; strong, powerful and charismatic, impartial, courageous, flexible and hospitable.
The most important aspects of conflict resolution within the traditional institutions, are known as the reconciliation conferences or councils (judiya) these are tools used for resolving major conflicts amongst tribes. At the family level, (e.g. the case of conflict between wife and husband), the case would be first tackled by an ‘ajaweed’ Council. The council members would bring the conflicting parties together and try to reach a fair settlement and reconciliation. In cases where the council failed to reach settlement, the matter would be referred to the ‘Sheikh’ to look into the case. If the ‘Sheikh’ failed then the problem would be referred to ‘Omda’.

In the case of conflict between clans, of the same ethnic group, the ‘Omda’ would evaluate the situation and choose the members of an ‘ajaweed council’. This would be composed of members from the conflicting clans. The problem would first be treated as a family problem.

In the case of a conflict between two clans from ethnic different groups, the ‘Nazir’ would intervene as the ‘Omda’ did in the previous example. The ‘Nazir’ would evaluate the situation and form of council of arbitrators composed of the elders, influential people, the ‘Sheikh’, the ‘Omda’ and the officials who were related to the conflicting parties.
As in cases of murder, the ‘Omda’ and sometimes the ‘Nazir’ call all parties concerned, some dignitaries and leaders of tribes to look into the problem, then the council would come out with solutions, which satisfy both parties. In case of the problem could not be resolved, the council may consult persons outside the two parties, who are known of their wisdom and the ability to find suitable solution for the problem. In most cases, such conflicts, rarely reach the official channels of conflict resolution. This is due to the general convention that it is shameful to let outsiders interfere in local affairs.

Although an ‘ajwadi’ cannot force an outcome, the process is very often effective. The key is the ability of the ‘ajwadi’ to create a more productive discussion, than the parties could have had by themselves. To do this an ‘ajwadi’ helps the parties determine facts; they show empathy, and are impartial with the parties; and they help the parties generate new ideas.

5.3.2 Native Courts
As elsewhere in the Blue Nile State, there are Native courts for resolving disputes that arise between different groups in the area.

According to (Osman 2010), there are three types of courts, which deal with conflict cases in the Blue Nile State. The first
type is the rural courts that the “cOmada” heads. The second type is the Intermediate Court, which is headed by Nazir/Meck. The third type of courts portrays the Court of First Instance that a judge from the administration of justice heads.

Mostly, cases that are taken to courts, are cases of damaged crops and land dispute. In Agadi, for instance, native courts have resolved cases between farmers in which one accused another farmer. In general, these courts prevent, manage and resolve these disputes effectively. These institutions, in the past, were very strong instruments for stability in rural areas in Agadi, through traditional tribal leaders.

Agadi does not have a native court, however, its people solve their conflicts in Buk rural court. It consists of an ‘Omda’, three members, and one clerk. The cases that reach the court like simple altercation for instance the altercation that arises between farmers in farm's borders in addition to, disservice. The procedures that the court follows in terms of resolving conflicts are that, firstly, the conflict is evaluated. If someone is killed, blood money is determined and paid to the relatives of the killed person. If it was damage to farm, material value of damages is calculated and must be paid. One of the respondents told me that, the native court of Agadi is entitled to sentence the perpetrator for up to two years in prison, and fines from one
million to five millions. The rural court has been respected by all community, no one dare to refuse its outcomes. He also mentioned that, the main reasons, that make people resort to court for solving their problems, is because, the procedures in Native court are simple. As a result, most cases are settled at single day's sitting with a verdict announced on the same day. In addition to the fact that the procedure is quick and it is also cheaper. There is another fundamental importance of Native courts. In comparison, statutory courts usually administer justice and make their awards and decisions solely on the basis of the facts accepted and the law as it is applicable thereto. In every formal court, they must be a winner and loser; it is hardly a drawn game. Even if the verdict of the statutory court would permanently sour the relationships between litigants or their families as he mentioned.

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court, they must be a winner and loser; it is hardly a drawn game. Even if the verdict of the statutory court would permanently sour the relationships between litigants or their families as, he mentioned.

It is worth mentioning, the courts of the native administration, which are registered in the Blue Nile State amount to 25 Rural Courts and 5 Intermediate Courts. Besides, there are 5 Nazirs/ Maks, 39 cUmads, 600 Sheikhs, and about 1200 Representatives of Sheikhs. This is to say; every Nazir/ Mak has an Intermediate Court, but not all cUmads have Rural Courts. There are 14 cUmads who have no Rural Courts. (Osman 2000).

**5.3.3 Quranic School (khalwa)**

Quranic School –*khalwa* had been found in Agadi since 1951 when a jallaba trader called Al-Tom from Musalamiya group (from Gezira) came to Agadi for the purpose of trade in Agadi. Alongside the trade, he started a quranic school (*khalwa*), where a few children were taught to recite the quran. A few adults also joined him for payers. In short, he combined trade with teaching.

When Agadi became a thriving community, the migrants came from different places of Sudan; especially from western Sudan (*Darfur* and *Kordofan*). Those who came to Agadi with their
cultural and religious background; started to construct quranic schools all over the quarters (*friq*) in which they settled. The *khlwa* played an important role in peace building and conflict prevention, because the khalwa community enhances the development of strong bonds and friendships among khalwa students. In addition, it creates symbiotic relations among families of different ethnic origins.

5.3.4 Police Centre (*gisim*)

According to the interviewees, despite the police centre formal system of justice, it had played, and still plays, a crucial role in resolving much conflict in the area. It works alongside and complement the native administration (*al edara al ahliyya*), especially in uncomplicated issues; such as, inter-personal conflicts, the traditional conflicts that arise between farmer and herder, and so forth. In an interview conducted with the head of the police centre, he informed that when such problems reach the centre, the (*gisim*) tries to solve them locally with the native administration. He added that, in case of complicated issue, such as, murder, sometimes the police could not solve alone. In this case, the police call the two parties and native administration men to see the issue, then to solve the problem locally without taking law procedures.
5.4 Alternative Dispute Resolution

The term ‘alternative dispute resolution’ is often used to describe a wide variety of dispute resolution mechanisms that are short of, or alternative to, full-scale court procedures. The term can refer to everything from facilitated settlement.

According to (Christopher 1989), alternative dispute resolution is broadly defined as any method, by which conflicts and disputes are resolved privately and other than through litigation in the public courts. There are several methods available for resolving conflicts between two parties, when a dispute arises between two parties belonging to the same ethnic group or belonging to the same community. There is an established forum available for the resolution of the same, but when dispute arises between two persons belonging to two different ethnic groups or different areas the difficulties arises. Apart from these difficulties, conventional difficulties, like undue delay in the dispensation of justice, complicated procedural formalities, transportation of entire evidence, high cost of litigation, judicial imperfection, etc cannot be ignored. In view of these and other difficulties, either party avoids going to the courts.

It is for these reasons that the alternative dispute resolution methods are becoming more popular for resolving conflicts between parties in Agadi. So much so that, some persons have
started calling them "appropriate" dispute resolution methods rather than alternative dispute resolution methods.

Yona (2008, p.15) argues that “alternative dispute resolution offer distinct advantages over litigation. Litigation is a process which takes place in the court rooms; these court rooms are open to public. Any member of the public can enter a court room and can watch, so long as he wishes, the court proceedings of any case”. Alternative dispute resolution proceedings take place in private; they are not public proceedings. Thus, they insure confidentiality. Furthermore, for initiation of alternative dispute resolution methods, an agreement between the parties is an essential requirement, while litigation is an adversarial, formal and inflexible process; alternative dispute resolution methods may be less adversarial, less formal and more flexible process. In litigation, the parties have no voice in terms of the process of selection of judges, they are appointed and paid by the state, such judges are not specialists in any particular branch of law or subject, and they are generalists and deal with all kinds of cases. Generally, the arbitrators and other persons helping in the resolution of disputes through alternative means are selected and paid by the parties. The parties have a choice to prescribe their technical and other qualifications and experience or they can assist that the person having expertise in any particular discipline may alone be appointed, except in rare or specified
circumstances, the settlement arrived at through alternative dispute resolution are not subject to challenge in court of law. In addition, the alternative dispute resolution methods offer the conventional advantages like less expensive and dispensation of quick justice, including choice of venue for the resolution of disputes.

Alternative dispute resolution encompasses a variety of methods for the resolution of dispute between the parties. The availability or deployment of any particular method of alternative dispute resolution in any specific case depends on a number of factors. Also highlights the availability of persons well versed in the process of alternative dispute resolution, the support provided by the legal system of a country to the alternative dispute resolution methods, the national institutional framework for alternative dispute resolution, the availability of necessary infrastructure facilities, etc. played a significant role in the selection of any particular method of alternative dispute resolution.

5.5 Why do People Use Informal Systems?
In all societies, it is common for people to look to shared substantive norms to resolve problems rather than to resort to legal norms, whatever or not, there is also a strong system of law. This may be in part because of lack of knowledge or awareness of legal rights. The community norms may be so
strong than a resort to law is regarded as inherently unethical and inappropriate—whether religious, geographic, ethnic or otherwise an appeal to the formal system of rule may be seen as disloyal to the internal community norms. To others, informal systems of conflict resolution simply appear more relevant, appropriate and accessible than generic imposed legal one. Whatever the reason, informal systems are often as or more vital to the social order of a community than the formal rules. The common characteristic of informal systems of conflict resolution is that their outcomes are neither sanctioned nor supported by the state legal machine. Informal processes are highly structured and organized, yet they are "informal" in the sense that they operate outside the formal legal system and often drown on principals and procedures, considered by their users to be more legitimate and appropriate than those offered by the formal system.

Over and above, the reason for preferring the informal systems may be tied to a religious obligation that seen the informal system only as compatible with religious believes and values. The motivation for preferring an informal system is more overtly political where, for example, the legal system is based on a western colonial model—preferring to retain control over conflict resolution within their own culture.
One of the interviewee mentioned that in Agadi, the majority prefer informal systems (al- edara alahlia, judyya, and so forth) of conflict resolution rather than formal ones, like (al-mahakim), because of such considerations related to their culture and the strong relationships among different components of the community.

In an interview conducted with the omda of Agadi (72 years old), he is from Ingessana group. the start of the interview, was with the traditional question: why do people, in Agadi, prefer solving their varied disputes through traditional methods of conflict resolution, he answered, "this is a good question, first of all, the people in Blue Nile State in general and in Agadi area in particular, resort to traditional mechanisms of conflict resolution for many consideration, of which are; in some cases, the state apparatus is mistrusted by local communities, due to association with past abuses". ‘I asked’, ‘what are the abuses that the state committed’??. He answered "in formal institution. like courts, the judges do not have quite enough knowledge about the conflicting parties. Moreover, the traditional methods are an essential part of conflicts and justice regulation in the community of Agadi", he added, "because they are accessible where often the state is absent, and because being based on traditional principles of spirituality and peaceful co-existence, the outcome is respected by community members and the
rebuilding of broken relationships within the Agadi's community". (I asked him, ‘Do you think these methods are effective in performing its tasks’? "Yes, “he answered, traditional methods are more effective than the formal methods, because the results are visible to the whole community and, after expression of remorse, relation between the families of the offender and the aggrieved can heal in time. He added, more importantly, for the victim the system is in principle cost-free; and the outcome is considered to be fairer, due to compliance with community values and rules, the resolution of conflict is likely to be more durable’. The methods provide a forum in which community members can offer ideas for a permanent solution to the conflict.

5.6 Conclusion
Although, the mechanisms detailed above constitute the most effective coping mechanisms that can be found today, some argue that they are not sufficiently effective. They argue that here is a need to strengthen the native administration and to give it full managerial and judicial power. In this regard, Al Amin 2007) argue that there is no doubt the native administration is heading towards its end in the future. This will take place due to the modernization of the rural communities through spread of the means and ways of the urban life and its values in the rural areas.
In Blue Nile state, according to the *Mack*\(^9\) the problems facing the Native administration, transport services do not satisfy the need of local people – the authorities do not provide the native administrations with means of transport, which local government officials are usually provided for their works. Also, the Native administrations do their work voluntarily and are on low income- they have to do the work on top of their own jobs. If the Native administrations were given more empowerment, they would be able to respond rapidly to any conflict in the area.

\(^9\) Mak Alfatih Yousif Adlan in Roseires locality
Chapter six

The Use of Alternative dispute resolutions methods in various conflicts in Agadi Area

6.1 Introduction

This chapter focuses on the alternative dispute resolution, for the purpose of the study; I dealt with five modes of alternative dispute resolution, these modes are: friendly pacification, mediation, arbitration, adjudication and repressive pacification.

6.2 Forms of Alternative Dispute Resolution in Agadi

The shortcomings in the adjudicatory system, in order to preserving relationships, and for other reasons, all these led to the emergence of other methods of conflict resolution. The value of conflict resolution methods over and above the common adjudicatory system is that any techniques can be implemented very early in the conflict thereby, giving the parties an opportunity to air their views and to involve decision makes within their respective area long before the subject of conflict eats deep into the fabric of the relationship and cause irreparable damage. Alternative dispute resolution methods vary and their processes overlap but are all aiming to resolve disputes between the parties. The key factor is that all these methods try to assist the parties resolve their differences in a manner that is creative and most suited to the particular dispute. In fact, some people see alternative dispute resolution methods as supplanting the
adjudicatory system, but if considered from the angle that the courts in many jurisdictions are unable to resolve all disputes in a manner appealing to litigations, the alternative dispute resolution methods will be accepted as a complementary to the litigation system.

Dispute resolution takes a number of different forms. However, for the purpose of the study, five modes of conflict resolution are found to be dealt with in Agadi area, these modes are:

### 6.2.1 Friendly pacification

Friendly pacification is a mode of conflict resolution in which the parties try to solve their conflicts by friendly way, thereby a third party intervenes to solve the problem, moreover, it is a voluntary process involving two or more individuals or groups who seek to attain some or all of their objectives through friendly way. In this case the third party should be with a high intimacy with parties involving in conflict.

According to interviews, people of Agadi utilize this mode for resolving their varied conflicts for many considerations; they use this mode especially in simple frictions between farmers and pastoralists over land or water on the one hand, and sometimes conflicts among farmers themselves on the other especially upon the issue of farm boundaries, conflicts related to market, and
domestic conflicts for instance, the conflicts that arise between couples and also between brothers, in this case the head of the family intervenes as a third party, because the head of the family is highly intimate with parties.

6.2.2 Mediation
It is a mode of conflict resolution; it is a conflict resolution process that is voluntary and less costly in time and money than other processes of conflict resolution like litigation. In mediation a third party acts as a neutral intervener who assists conflicting parties to reach a mutually acceptable solution. The mediator does not decide the outcome of issues, he facilitates the outcomes. Mediation is a cooperative win-win process. The mediation can also define as:
Informal and flexible process where people in a conflict voluntarily participate to try, together, to reach a resolution to their dispute. A neutral third party, the mediator, facilitates and guides the communication between the parties and helps them explore possible ideas for resolution that will work for all the parties. The parties, themselves, decide together the outcome of the dispute. With the help of the mediator

6.2.3 Why Do People in Agadi Choose Mediation?
Most interviewees, if not all, asserted that the mediation is appropriate method for resolving varied conflicts. They proved
their argument that mediation can be less expensive and faster than litigation. It can offer conflicting parties a choice other than a lawsuit. The cost of mediation is very reasonable in comparison with going to court. As for the relationship they mentioned to me that litigation can make personal relationships difficult, while mediation can save these relationships; can creating an opportunity for conflicting party to feel, hear, and allowing them to work together to find solutions.

In an interview conducted with one the Omda he mentioned that mediation can resolve disputes quickly and effectively. If successful, both parties often come away from mediation understanding each other better. This is especially important when the parties have to continue to work together or have some other type of on-going relationship. Also, because of the informal nature of mediation, it is less costly than other adversarial methods of resolution. Finally, mediation is a process that the parties have full control over. The mediator is not a judge. Resolutions are not imposed on the parties; the parties determine the terms of any resolution agreement. That resolution may be elaborate, or it may involve something as simple as an apology. The unique opportunity offered by mediation is the opportunity to truly listen to the other party to a dispute, to be heard by that party, and to work together to find a mutually acceptable solution. In addition, mediation is a flexible, non-binding process it aims to
help parties in conflict negotiate a mutually acceptable agreement. A Mediator does not make decision for the parties. He helps parties realize and explain their needs, clarify misunderstandings, identify issues, explore creative solutions and negotiate agreement. Mediation offers a confidential process. While court hearings of cases happen in public, whatever happens in mediation remains strictly confidential. No one but the parties to the dispute and the mediator(s) know what has gone on in the mediation forum. Also Mediation offers multiple and flexible possibilities for resolving a dispute and for the control the parties have over the resolution.

In a case filed in court, the parties will obtain a resolution, but a resolution thrust upon the parties by the judge or jury. The result probably will leave neither party to the dispute totally happy. In mediation, on the other hand, the parties have control over the resolution, and the resolution can be unique to the dispute. Often, solutions developed by the parties are ones that a judge or jury could not provide. Thus, mediation is more likely to produce a result that is mutually agreeable, or win/win, for the parties. And because the result is attained by the parties working together and is mutually agreeable, the compliance with the mediated agreement is usually high. This also results in less cost, because the parties do not have to seek out the aid of an attorney to force compliance with the agreement.
6.2.4 How Does Mediation Work in Agadi?
Although, a mediator cannot force an outcome, the process is very often effective. The key is the ability of the mediator to create a more productive discussion than the parties could have done by themselves. To do this, mediator helps the parties determines facts; he shows empathy and impartiality with the parties; and he help the parties generate new ideas. Often, though not always, mediator has a lot of background knowledge of the issues and type of conflict.

The mediator sets the date, time, and location for the mediation and advises the parties. At the beginning of the mediation, the mediator explains mediation process to the parties and each party is given the opportunity to state his interests and issues. The mediator then attempts to clarify the issues by asking questions and encouraging the parties to discuss the issues, once all issues and interests are discussed, the mediator will then encourage the parties begin developing possible solution.

6.2.5 Cases for Which Mediation May be Appropriate
Mediation may be particularly useful when parties have a relationship they want to preserve. So when family members and neighbours, and conflicts that arise between sedentary farmers and nomad pastoralists have a conflict, mediation may be the appropriate process to use. In contrast, mediation may not
be appropriate or even effective if one of the parties is unwilling to cooperate or compromise. Mediation also may not be effective if one of the parties has a significant advantage in power over the other. Therefore, it may not be a good choice if the parties have a history of abuse or victimization.

In addition, the people in Agadi prefer mediation in resolving conflicts especially when there is a bit less intimacy between the conflicting parties on the one hand and between parties and mediator on the other, here the mediator being selected by the two parties to facilitate mediation process.

According to my interviewees, the use of mediation may depend on many factors of which are scale of conflict, the relationship or relational distance between parties on the one hand and between parties and mediator on the other, socio-economic circumstances that concerning the parties, and finally the social status of the mediator. All these factors and others played a crucial role in why, where and when the parties prefer mediation rather than other modes of conflict resolution.

6.3 Arbitration
Arbitration is one of the oldest methods for the resolution of conflict between the parties. It has existed, in one form or the other, in every country at all times. Stephen (1992, 5).
Arbitration as a process of dispute resolution offers many advantages to both the parties.

In arbitration, a neutral person called an "arbitrator" hears argument and evidence from each side and then decides the outcome of the conflict. According to one of my interviewees the use of arbitration in resolving disputes is favoured because arbitration is less formal than a trial, and the rules of evidence are often relaxed. Arbitration is best for cases where the parties want another person to decide the outcome of their conflict for them but would like to avoid the formality, time and expenses of a trial. It may also be appropriate for complex matters where the parties want a decision-maker who has experience in the subject matters of the conflict. In contrast arbitration may not be appropriate if parties want to retain control over how their conflict is resolved, arbitration, particularly binding arbitration, is not appropriate. In binding arbitration, the parties generally cannot appeal the arbitrator's award, even if it is not supported by evidence or the law.

6.3. 1 How does arbitration differ from mediation?
Arbitration is less formal than litigation, and mediation is even less formal than arbitration. Unlike an arbitrator, a mediator does not have the power to render a binding decision. A mediator does not have evidentiary hearings as would an
arbitrator but instead conducts informal joint and separate meetings with the parties to understand the issues, facts, and positions of the parties. In contrast, arbitrator hears testimony and participate in a joint hearing, on which they render a final and binding decision known as an award.

Arbitration differs from mediation in that the neutral third party, the arbitrator, will hear both sides of the conflict and then issue a binding opinion. In arbitration there is no attempt to reach an agreement satisfactory to both parties. They must agree to abide by the decision of the arbitrator.

While in mediation, the two opposing parties meet with mediator, a neutral person, who can observe the conflict objectively, and he works with both sides to try to reach a solution which is agreeable to both. The mediator acts as facilitator to bring about an agreement and does not himself rule on the matter. The goal of mediation is to craft agreement between the two parties. If this occurs the agreement is binding and cannot be appealed further. This process is completely voluntary for both parties.

6.3.2 Why Do people in Agadi Use Arbitration?
An interview conducted with one of the informants in the area told me that, the conflicting parties resort to arbitration for
resolving their conflict instead of state run courts or any other methods mainly for four reasons

- Flexibility and speed. In this regard, arbitration allows quick proceedings because the parties are not subject to the usual delay between readiness for trial and hearing date.

- Choosing the arbitrator: having the possibility to participate in choosing the arbitrator proves a definite advantage compare with the common law courts.

- Arbitrators' decisions are final and without appeal: once a decision has been rendered by the arbitrator, the parties are set; they will not have to wait for the outcome of possible appeals, thus avoiding delays and additional worry. This is a definite advantage.

In a group discussion conducted with some ‘Sheikhs’ and youths in Agadi, they mentioned that, using of arbitration as method of conflict resolution occurs where the third party has less intimacy with parties on the one hand and intimacy between parties on the other. This intimacy alongside other factors such as social relationships between conflicting parties, scale of conflict, and social status of the third party. All these factors and others determine basically the appropriate method by which the conflicts resolve. More importantly, they added that if the parties failed to handle their conflict through friendly pacification or mediation, the arbitration will be the appropriate
option. To sum up, when there is a dispute in Agadi, the parties exert their efforts to solve the problem through a friendly pacification first, then mediation especially if the conflict within the family or even within one ethnic group.

6.4. Adjudication

Adjudication generally refers to processes of decision making that involve a neutral third party with the authority to determine a binding resolution through some form of judgment or award. It is carried out in various forms, but most commonly occurs in the court system. It can also take place outside the court system in the form of alternative dispute resolution process such as arbitration, mediation, and so on.

Adjudication is an involuntary, adversarial process. This means argument are presented to prove one side right and one side wrong in win-lose outcome. Once that presentation of evidence and arguments is complete, a third party makes a decision.

According to (Yona 2008) adjudication is a hierarchical process in which parties offer facts and arguments before a single judge, who then aggregates conflicting values and interests into a single decision by deciding by either side or fashioning another acceptable position.
6.4.1 How Does Adjudication Differ From Mediation and Arbitration?

Though adjudication is slightly adversarial process, according to number of my interviewee view that, adjudication can produce some clear benefits over other options of conflict resolution. Proponents of adjudication argue that the process produces more fair and consistent decisions than mediation and arbitration. In fact, mediation and arbitration as methods of conflict resolution have been criticized by a number of youths in Agadi area who argued that mediation and arbitration for instance, providing second-class justice, this allegation is based on the fact that processes like mediation have not been institutionalized and there are no set standards of practice or rules of law upon which they are based. On the other hand, adjudication is grounded in the judicial system and has a vast array of rules and regulations. Adjudication produces an imposed, final decision that the parties are obligated to respect, mediation produces only voluntary agreement that can easily fail.

They added that the outcomes of adjudication are, without exception, binding and enforceable. Although arbitration decisions can be binding and enforceable this only occurs when the parties agree to such parameters. A party who has not agreed to arbitrate cannot be forced to do so, or be bound by the outcome of arbitration between other parties. With adjudication,
however, is involuntary and all outcomes are binding and enforceable. This can be a true advantage in situations where there is a serious lack of trust and/or respect between the parties.

According to the youth's view, As a process, adjudication offers the advantages of allowing an in-depth examination of the facts attending a specific case, fostering consideration of whether and how a pre-existing maxim may be applied to unfolding events, and providing an opportunity for a fresh interpretation of the rule. Adjudication works best when it is employed to test the veracity of a claim and the applicability of a percept to the circumstances of a case. On the other hand, some of my respondents especially elders think that alternative processes such as friendly pacification, mediation, and arbitration are more effective and constructive among other reasons than adjudication. Therefore, they proved their argument that the adjudication definitely has some negative qualities or disadvantages, of which could be classified as this mode (adjudication) cannot take into account the interests of many parties, and entails both high costs and protracted decision time. Finally, adjudication need not and probably will not, serve to promote an assessment of values and principles.
6.5 Repressive pacification

Repressive pacification is a mode of conflict resolution; in which third party with high authoritative powers intervene. This mode is rarely used in Agadi. In this regard, a group discussion conducted with four elders, their ages respectively are 64 years old, 70 years old, 73 years old, 82 years old, and 82 years old. The group discussion rotated around many questions related to repressive pacification as mode of conflict resolution. Their answers could be summarized as follows the mode that we use (according to them) depend on the kind and degree of conflict. If the conflict is simple, likewise we use simple mode like friendly pacification and mediation. And if the conflict is complicated like murder or any serious problem, we use complicated and severe mode like repressive pacification. In this course, an elder of 82 year told me a case occurred in the area and solved through repressive pacification mode. In 1983 there was a friction between the Ingessana group and the Kenana due to adultery issue committed by one of an Ingessana. Consequently, the Kenana tried to take their rights by hand to kill the person who committed the adultery. Here, the omda called Dowas from Ingessana group intervened to solve the problem; he convened the two parties; the Omda asked adulterous' father, your son committed adultery, what thing that you are going to do? The adulterous' father answered, we will pay money (compensation). The ‘Omda’ interrupted him Da ma Hal (this is not the
solution); your son must marry the girl (the Omda). then, the adulterous forced to accept omda's decision to marry the girl.

6.6 Conclusion
I tried in this chapter, to explore five modes of conflict resolution that exist in Agadi area. In addition, to what extent these five methods are to be applied among the different ethnic groups in the area.

Some people in Agadi, use Alternative Dispute Resolution processes to solve their problems, because, of their ‘informality.’ They are less formal, than judicial processes. In most cases, the rules of procedures are flexible, without formal pleadings, extensive written documentation, or rules of evidence. This informality is appealing and important for increasing accesses to dispute resolution for parts of the population who may be intimidated by or unable to participate in more formal systems, it is also important for reducing the delay and cost of dispute resolution.

In addition, Alternative Dispute Resolution can be less adversarial and hostile way to resolve dispute. For example, an experienced mediator can help the parties effectively communicate their needs and point of view to other side. This
can be an important advantage where the parties have a relationship to preserve.

Finally, in trial, there is a typically a winner and a loser. The loser is not likely to be happy, and even the winner may not be completely satisfied with outcome. Alternative dispute resolution can help the parties find win-win solutions and achieve their real goals. This, along with all of alternative dispute resolution other potential advantages, may increase the parties' overall satisfaction with both the dispute resolution process and other outcome.
Chapter seven
Discussion and conclusion

7.1 Introduction
This chapter gives an in-depth analysis about using traditional mechanisms of conflict resolution in Agadi. In addition, it highlights the main conclusion of the study. It is worth mentioning that my analysis mainly depends on the cases that I have collected during fieldwork. Basically, a basic three issues have been dealt with in terms of the analysis. These issues are the factors that make the people in Agadi resort to traditional methods of conflict resolution; the alternative dispute resolution such as mediation, arbitration…etc as preferable methods for conflict settlement and the point view of new generation especially youths in terms of traditional methods of conflict resolution.

7.2 Traditional mechanisms of conflict resolution
The cases presented in the previous chapters visibly showed that the people in Agadi area depend profoundly in resolving their conflicts on traditional methods of conflict resolution. Traditional mechanisms are predominant and have been playing and still play a crucial role in terms of conflict settlement process. The case demonstrate the fact that the traditional/ local
mechanisms are indispensable—this is, because, these are closely bound with socio-political and economic realities of the life style of the community. Moreover, they surpass to the various phases of economic, social and political life. Hence, those communities built their various systems, including the judicial systems, on customs and the traditions, which are derived from the conventions of society and its social characteristics. Traditional mechanisms continue to be useful and effective in Agadi for a number of reasons; they overcome the principal obstacles which deny access to the formal justice system. In practice, traditional mechanisms are quick, carried out within walking distance, carried out in the local languages with procedures that are understood by all and enforced by people who are socially important to the disputing parties.

In addition, they avoid the 'prohibitive" costs to individuals where formal procedures are relied upon. The end goal of traditional mechanisms in Agadi is primarily the restoration of peace and social harmony by reconciling the parties to the dispute. Thus, justice is more restorative than retributive. This is important especially in Agadi, because, according to the cases mentioned above, the community do not deal greatly with formal law apparatus in most cases of conflict.
More importantly, one could say that the people in Agadi do not resort frequently to legal state apparatus. This may be in part due to the lack of knowledge or awareness of their legal rights. The community norms are so strong that a resort to formal is regarded inherently unethical and inappropriate. An appeal to formal system of rule may be seen as disloyal to the sufficiency of internal community norms. To others, traditional mechanisms of conflict resolution simply appear more relevant, appropriate and accessible than generic imposed legal one. Whatever the reason, traditional methods are often as or more vital to the social ordering of a community than the formal rules.

More significantly, according to the cases presented above, the traditional mechanisms of conflict resolution are neither sanctioned nor supported by the state legal machine, they are highly structured and organized, operate outside the formal legal systems and often drawn on principles and procedures considered by users to be more legitimate an appropriate than those offered by the formal system.

Researchers have observed that in Africa family ties and community networking are constantly respected, maintained and strengthened. When there is a dispute between different parties, priority is given to restoring broken social relationship. During the dispute settlement, which would normally involve supporters
of the disputing parties and elders meant to talk the matters through, relationships are given prime attention. The relationships are viewed according to the past.

7.3 ADR as preferable methods for conflict settlement

The cases presented in the previous chapters showed vividly why, how, and when conflicting parties in Agadi resort to a specific mode of conflict settlement when a conflict occurs. In fact, the study found out that in Agadi varied and different factors play a crucial role in the process of preferences in terms of a specific mode such as friendly pacification, mediation, and so forth. These factors could be labelled as follows: the structure of intimacy among the third party and conflicting parties, the relational distance between conflicting parties, the structure of the conflict, social status of the third party, the structure of social support and the availability of alternative modes of conflict resolution.

As regards the intimacy, the cases showed that people who are very close such as blood relatives, married couples, or even within the same ethnic group or settle in the same quarter (Fariq) use comparatively little law against one another. In this course, (Black, 1976) revealed that in the case of intimates such as members of the same family, people typically have numerous means by which to express grievances against one another,
including direct criticism, ridicule, ostracisms, deprivation, resort to third parties (e.g., another relative and friends). Contrarily, in the case of total strangers people who are not close like different tribes expected to use complicated law against each other.

To be more specific, the conflicting parties resort to, or prefer friendly pacification for instance, when the amount of intimacy is largely equal "between" the third party and each of the conflicting parties; in mediation where a bit less intimacy is found; in arbitration where there is still less; adjudication where there is hardly any intimacy; and finally, repressive pacification where there is no intimacy. But, this does not mean that unequal degrees of intimacy with the conflicting parties will always result in the withdrawal or removal of designated third party from a case. In this regard, when there is a highly unequal relational distance between the third party and each of the conflicting parties- the mode of intervention is not predicted to be settlement at all. Instead, the third party would tend to favour the closer side at the expense of the more distant side, thus acting more as supporter than a settlement agent.

What is more, in the process of conflict settlement, another factor alongside intimacy should be taken into account; this factor is the structure of social support, each side of a conflict
enjoys, the relationship between each supporter and all of the other participants should be described. Because intimacy itself is result in partisanship, it may be expected that advisers, allies, and other supporters will be relationally closer to one side than to the other. Consequently, people tend to support their friends and family members against strangers. In this regard (Donald Bold,) concluded that, among the nomads of northern Somalia, elders who arbitrate disputes must be acceptable to both sides, and neither will allow a relative of the other to perform this function. Kinship ties to either party are regarded as prejudicial to a fair judgement.

Moreover, the cases showed that alongside the intimacy, relational distance, structure of conflict, structure of social support, and social status of the third party, there are another factors concerning these methods. For instance, people in Agadi choose mediation because it is less costly in terms of time and money than the other processes of conflict resolution like litigation it is a cooperative win-win process, faster than litigation, and its resolutions are not imposed on the parties. Also the people in Agadi choose arbitration because it is less formal than a trial and it is the best for cases where the parties want another person to decide the outcome of their conflict for them but would like to avoid the formality, time and expenses of a trial. It is also choose for complex matters where the parties
want a decision-maker who has experience in the subject matters of the conflict.

By the same token, in a Druze village of Lebanon, the selection of mediator obeys the same principle: anyone nearer to one disputant than the other is not likely to be acknowledged disinterested party by both.

7.4 The degree of authoritative intervention
From the cases above, the five modes of conflict settlement (friendly pacification, mediation, arbitration, adjudication and repressive pacification) describe profoundly the continuum of increasingly authoritative intervention. Again, the intimacy, relational distance between conflicting parties and social status of the third party play a significant role in determining the mode of settlement and simultaneously the degree of intervention by the third party.

The cases demonstrated that in Agadi area, in friendly pacification for instances, the third party intervenes when his status is higher than conflicting parties. For instance, in simple dispute like family dispute the head of the family can intervene; (sheikh Alhai), religious leaders (Emam), Ajaweed committee can mediate; the Omda can arbitrate and also can be repressive peacemaker. It seems that the nature of intervention varies
according to the status of the third party, friendly peacemaker to be closest status to the principals, a mediator to be somewhat higher than those whose conflict they mediate, arbitration higher yet, judge still higher, and finally repressive peacemaker to be the highest of all in social status.

7.5 Conclusion
Interviewees were virtually unanimous in their opinion that these traditional mechanisms of conflict resolution are an essential part of conflict and justice regulation in their community, because they are accessible where often the state is absent, and because, being based on traditional principles of spirituality and peaceful coexistence, the outcome is respected by community members. Moreover, they focus on the rehabilitation of community members and the rebuilding of broken relationships within the community.

Traditional conflict management and resolution mechanisms aim to resolve conflicts locally, preceding or replacing external dispute resolution and thereby reducing reliance on external structures. To be more specific, traditional mediation for example help the community keep control over the outcome of the conflict. Implementing this approach does not require sophisticated structures; it provides a low-cost, empowering means of resolving conflicts within a relatively short timeframe.
Furthermore, the traditional mechanisms are not confined to conflict resolution only, but rather played and still play effective role in social control and peace building in the area.

As it comes to the alternative dispute resolution, such as friendly pacification, mediation, arbitration, adjudication, and repressive pacification, my case study in Agadi area has shown that there are factors that lead conflicting parties to use or prefer a specific mode rather than others, these factors are: intimacy, relational distance, the structure of the conflict, socio-economic status of the conflicting parties, social status of the third party, and lastly the availability of alternative modes, but the intimacy between the parties and third party is an effective one. This confirms Black’s model that the authoritativeness of settlement behaviour is a direct function of relational distance between the settlement agent and the principals. Accordingly, friendly pacification should be most frequent where the settlement agent is highly intimate with the parties in conflict; mediation where a bit less intimacy is found; adjudication, where there is hardly any intimacy, and repressive pacification should be the most frequent where the settlement agent is the most distance of all.
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## Appendixes

### Appendix (1) List of interviewees

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<tr>
<th>Name</th>
<th>Date</th>
<th>Reprehensive/ position</th>
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<td>1. Al faith Adlan</td>
<td>8. June</td>
<td>Mak</td>
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<td>5. Gasim Margan</td>
<td>19. June</td>
<td>Member in SPLM</td>
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<tr>
<td>6. Mohammed Osman</td>
<td>17. June</td>
<td>Sheikh</td>
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<td>7. Al-Seimat</td>
<td>23. June</td>
<td>Omda</td>
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<td>8. Yahia Mahmud</td>
<td>18. June</td>
<td>Sheikh</td>
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<td>10. Ismael Salih</td>
<td>28. June</td>
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<td>17. Al Amin Ahmed</td>
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<td>Member in SPLM</td>
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Appendix (2) Participants in Focused Group Discussion (FGD)

Name of participants

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<td>1</td>
<td>Yousif Al- Taj Ali</td>
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