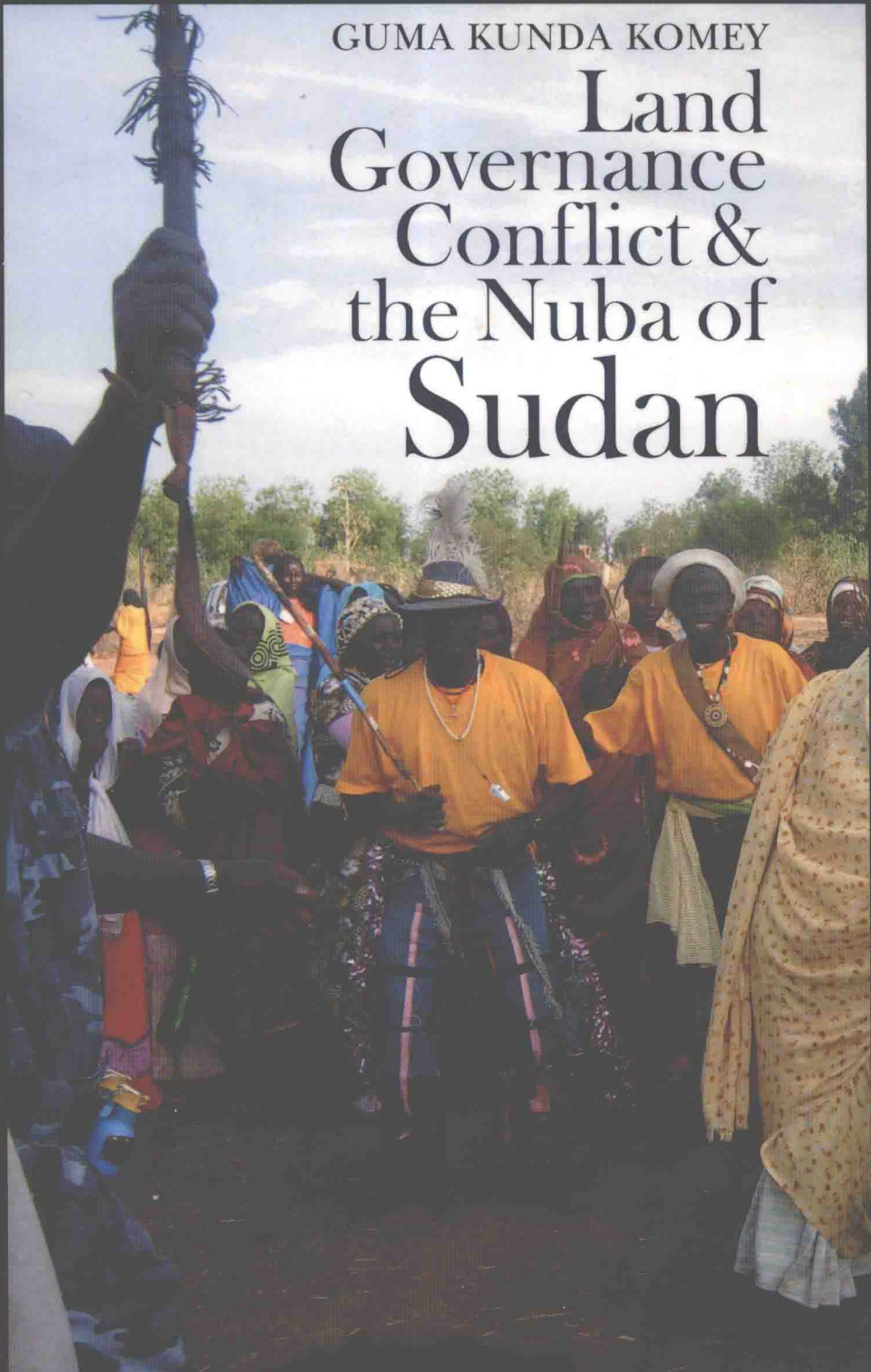
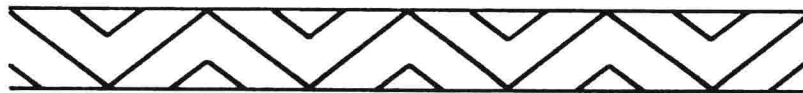


GUMA KUNDA KOMEY

# Land Governance Conflict & the Nuba of Sudan



EASTERN AFRICA SERIES



*Land, Governance, Conflict  
& the Nuba  
of Sudan*

GUMA KUNDA KOMEY

*Assistant Professor of Human Geography  
Juba University, Sudan*



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## *Preface*

### The Making & Object of the Book

Since gaining independence in 1956, Sudan has undergone a troubled socio-political process that culminated in the longest civil war in the contemporary Africa. Today, Sudan is a living case of a state in political disarray with an uncertain future. This gloomy political situation is an inevitable manifestation of its failing nation-building process. Instead of promoting national integration and unity through cherishing its normal societal ingredients of socio-cultural, ethnic and religious diversities, the postcolonial Sudanese state resorted to force national unity through uniformity. This false start ossified the processes of nation-building, arrested national integration and, therefore, impeded the realization of the Sudanese state formation as a cohesive political entity. Thus, Sudan remains a highly contested political unit that continues a brutal fight against its own people for its mere survival. The first civil war in southern Sudan (1955–1972), the second civil war (1983–2005) which started initially in southern Sudan and extended gradually to northern Sudan via Nuba Mountains and Blue Nile, and the current political, social and humanitarian crisis in Darfur are full proof.

Taking the marginalized indigenous people and their war-torn region in southern Kordofan as a case study, this book attempts to examine state–society relations and their political and social repercussions on the involved communities. The author's field work reveals what went on in the Nuba Mountains before, during, and after the period of the civil war in the Sudan. The strength of the book is on the empirical side, with its historical overviews, combined with ethnographic detail all relating to the political, social and economic strivings of the indigenous Nuba people. Thus, this is not another political overview of the postcolonial Sudan but an original case study of the disadvantaged Nuba people and their historical and contemporary processes of socioeconomic and political marginalization and exclusion by the state, and their various responses to such negatives. In a number of ways, a model for this study is found in Wendy James' *War and Survival in Sudan's Frontierlands*:

*Voices from the Blue Nile* (2007). Both works focus on one of the two contested, marginalized, and frontier regions of the Nuba Mountains and southern Blue Nile which share the dilemma of being situated along Sudan's north-south socio-political and geographic divides.

The main argument advanced here is that although the root causes of the conflicts and civil wars in Sudan are multifaceted, access to land is the core issue within the wider context of state overall political system and governance. This centrality stems from the fact that access to land is crucial to human survival in agrarian societies. Besides its economic utilities, land is a symbol of social and political identification for the majority of rural peoples. Despite this, the interests and rights of such communities, whether sedentary like the Nuba or nomadic like the Baqqara, are barely harmonized with the state's land policies. At the same time, their very habitats are overly exploited by state in the course of development process in the name of 'public interest'. This results in state driven conflicts that force the victims themselves to fight a proxy war against each other for reasons externally generated and reinforced by the state.

The analysis in this book reveals that neither land resource nor any other single factor should be accepted at face value as a single root cause of a conflict. Rather, the contribution of this study is precisely to demonstrate that the role of any contributing factor to a conflict, at its different levels of scale, is correctly understood when situated in wider socio-economic and politico-administrative analytical context. The ethnographic material in this book reveals that the way in which the conflicts have evolved in the Nuba Mountain requires a focus on the state governance, in this case 'bad governance'. Focusing on Nuba-Baqqara relations in their shared but contested territory of the Nuba Mountains, the book traces the people's use and control of resources at many different levels of their social organizations, thus permitting a consideration of processes of inter-communal cooperation and/or competition in the wider context of state-society relations, power and authority.

This study was conducted over many years, divided between field work in Sudan, archival scrutiny in Durham, London and desk work including the final analysis in Halle, Germany. Guided by a set of central questions outlined in the Introduction, a period of sixteen months of ethnographic fieldwork was carried out, in three stages between 2005-2008. The process was intentionally interrupted, and therefore, supplemented by an extensive literature review at the Institute of Social Anthropology, University of Halle, Germany, coupled with research at the Sudan Archive, Durham University Library in the United Kingdom. Thus the ethnographic material presented here is combination of (i) systematic participatory observations of certain events and agents in diverse but interrelated social fields, such as local markets which are viewed here as economic, socio-cultural, and political intermediaries; (ii) informal and semi-structured but guided interviews with local people as well as community leaders; and (iii) records of the daily life, social organization, with the discourses and practices related to claims of land rights and their disputations between sedentary Nuba and nomadic Baqqara Arabs.

During the field work, the focus was on monitoring and tracing cases of

land-based conflicts, discourses, competition, and/or cooperation, not only within the limited sphere of shared land and water resources, but also within the broader shared social space as a set of intersecting ecological, social, economic, and political fields. Toward that end, the first stage of the field work (March to June 2005) was devoted to conducting a preliminary survey in which a set of criteria was developed and tested in order to ensure the suitability and practicality of some potential field sites as viable ethnographic case studies. The criteria include, among others, the history of ethnic settlement successions among the competing ethnic groups; the current pattern of inter-ethnic settlement and mixtures; the traceability of frequent boundary shifts; documented or verbal claims to collective land rights in terms of firstcomer or even autochthonous status, and the existence of some form of socio-economic or ecological interactive intermediaries that impose a consistent mode of encounter between the various competing actors. Such intermediaries include shared market places, state institutions, socio-cultural events, water points, farming activities and grazing.

Based on these criteria, the al-Azraq, Umm Derafi, Reikha and Keiga Tummero local areas were finally selected as sites for an in-depth field-centred ethnographic work (see Map 6.1 in Chapter 6). The first task, in 2005, was to collect theoretically relevant cases of contested access to land and water rights. In the second stage (October 2005 to June 2006), detailed ethnographic investigations were carried out at the selected sites with a focus on observing certain events and their interconnections at various levels of scale. This was followed by a more detailed ethnographic analysis with the intention of identifying some information and data gaps. Between December 2006 and March 2007, final fieldwork was carried out to fill in the gaps identified through analysis of the main fieldwork of 2006. The drafting of this study began in June 2008 at the Institute of Social Anthropology in Halle, Germany and continued up to 2010, although the research sub-project ended in September 2008.

During field work, certain issues were pursued in more detail, while always paying special attention to the variations found in the field site localities, and to the state policies and reactions to the local dynamics. These were, first, the issue of claiming communal land rights, related conflicts, and their implications for the relations between the nomadic Baqqara and the sedentary Nuba groups in a situation without state legal recognition of customary land rights. The most challenging question is the clarification of what exactly communal land rights mean in the context of present day negotiations in the locations selected. Identity discourses and collective memories in relation to ethnicity, strongly linked with territoriality, play an important role here and are often articulated in terms of autochthony and or other forms of identities and belongings.

Second, the case studies are analyzed through longstanding or emerging strategic groups with common economic and/or political interests who sometimes crosscut the stereotypical nomadic-sedentary and ethnic dichotomies and are linked into networks which reach outside the localities. Special attention is given to traders of various ethnicities who cross existing

## *Preface*

borders and partly did so during the war. Of equal importance is the role of the elite from the urban centres along the Nile and protagonists from diasporas abroad who influence local developments. Special attention is also given to the emergence of new forms of politically avowed religiosities (Christian and Islamic) and their role in emerging power networks which influence local phenomena. The dynamics of separation and integration of state as national social space, and religion as a social field in Southern Kordofan and the Sudan as a whole are important features of the overall analysis.

Third, in the context of the post-conflict situation that followed the Comprehensive Peace Agreement of January 2005, a new political-administrative system is in the making with significant impact on social groups' relations and local developments. Thus, the case studies are analyzed in view of the recorded history of disputed developments coupled with recent emerging patterns of conflicts over access to and control of land and water resources. Fourth, each locality is analyzed as just one field among others, to allow for the discovery of social fields at a larger or smaller scale. Particularly important here is the role of international organizations since they also played an important role in the reconfiguration of the social order in the region during the civil war and continue to do so in the post-conflict situation, which is characterized by political fluidity and social fragility despite the Comprehensive Peace Agreement.

The overall analytical perspective of this work is informed by a set of interrelated social anthropological and geographic approaches and concepts found in the following works: Barth (1969/1998, 1978), Pounds (1972), Grønhaug (1978), Cloke et al., (1991), Schlee (2001, 2002a, 2002b, 2008), Gertel (2007) and Rottenburg (2009). The analysis is constructed around the theory of social world/space/fields advanced by Strauss (1978), Grønhaug (1978), and Bourdieu (1985) and Clarke (1991), among others, as well as around the concept of region proposed by Murphy (1991) and William and Smith (1993).

The premise of this social world/field perspective is that society as a social reality is a complex, fluid, and multi-dimensional organization with various active agents, relationships, field forces, positions, resources, scale and power structures in a continuous process of segmenting and regrouping. Using this theoretical approach, the present study follows the trajectories of continuing communal land claims and their broader connections beyond the locations selected to distant actors (the Nuba in diaspora, global actors, and the international NGOs) all of whom are involved in local events in a number of ways. The basic proposition of this analytical perspective is that individuals, groups, and organizations situate themselves in relation to what they perceive as a highly contested, burning issue which then becomes an ongoing concern for all of them. Once this situation is established, a social field or arena emerges around it where new groups and organizations emerge and build networks to deal with the issue. In the case of this study, the ongoing concern is the controversial and frequently conflictive relation between territoriality (land), ethnicity (identity) and the state (governance).

*Guma Kunda Komey  
Khartoum/Halle*



## *Acknowledgements*

The completion of this book is a result of the support and collaborative involvement of various institutions, individual colleagues and informants. It is an ethnographical study within a sub-project entitled 'Contested autochthony: land and water rights in the relation of the sedentary Nuba and the nomadic Baqqara of the South Kordofan/Nuba Mountains, Sudan'. The sub-project was headed by Professor Richard Rottenburg of the Institute of Social Anthropology at the University of Halle-Wittenberg in Germany. It was part of a larger multi-disciplinary research project 'SFB586: Difference and Integration' conducted by the Collaborative Research Centre at the Universities of Halle-Wittenberg and Leipzig in Germany. The project was generously funded by the German Research Foundation for the period 2004–2008. This financial support is much appreciated as the work would not have materialized without it.

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Although the book bears my name and the views expressed here are solely my responsibility, a number of colleagues both in Sudan and Germany have provided me with invaluable intellectual insights that enriched the final product. First and foremost, my profound gratitude is owed to Professor Richard Rottenburg, our research team leader and the initiator and principal investigator of the sub-project. His inspirational guidance, scholarly contributions, marvellous support and unending encouragement motivated me in a number of ways to work with stronger commitment and focus during the entire course of this work and beyond.

While writing the manuscript, I received constructive comments from many



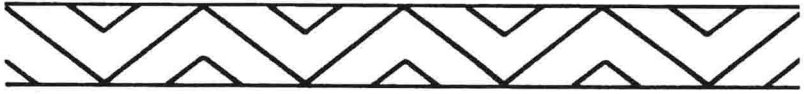
## *Acknowledgements*

colleagues at various symposiums, conferences and colloquiums held at the Institute of Social Anthropology, the Max Plank Institute for Social Anthropology, the Universities of Halle-Wittenberg, Leipzig and Bremen in Germany; and the Universities of Bergen in Norway, and of Texas in the USA as well as the Universities of Khartoum and Juba in Sudan. I would like to make special reference to the inspirational critiques, received over many years, from my colleagues: Enrico Ille, Andrea Behrends, Bert Turner, Markus Hoehne, Dereje Feyissa, Olaf and Julia Zanker, during our regular colloquia at the Institute of Social Anthropology. In addition, I would like to express my sincere gratitude to Professor Leif Manger of the Social Anthropology department at Bergen University in Norway for his constant support, valuable advice and academic comments that refined and enriched the content and focus of this work at different stages of its evolution. I am also grateful to Günther Schlee and John Eidson of the Max-Planck Institute of Social Anthropology for valuable comments on parts of the manuscript.

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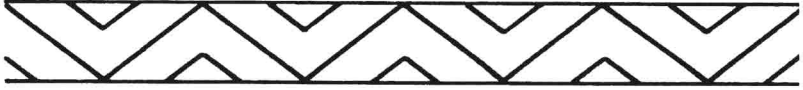
## *Abbreviations & Acronyms*

ABC	Abyei Boundary Commission
ABS	Agricultural Bank of Sudan
ACTS	African Centre for Technology Studies
CBOs	Community-Based Organizations
CFA	Ceasefire Agreement
CFV	Ceasefire Violation
CPA	Comprehensive Peace Agreement
DOP	Declaration of Principles
EU	European Union
GNPOC	Greater Nile Petroleum Operating Corporation
GONU	Government of National Unity
GOS	Government of Sudan
GOSS	Government of Southern Sudan
GUNM	General Union of the Nuba Mountains
ICG	International Crisis Group
IDPs	Internally Displaced Persons
IGAD	Inter-Governmental Authority on Development
JEM	Justice and Equality Movement
JMC	Joint Military Commission
JMM	Joint Monitoring Mission
NCP	National Congress Party
NIF	National Islamic Front
NGOs	Non-Governmental Organizations
NMAPs	Nuba Mountains Alliance Parties
NMPACT	Nuba Mountains Programme for Advancing Conflict Transformation
NRRDO	Nuba Relief, Rehabilitation and Development Organization
OECD	Organization for Economic Co-operation and Development
OLS	Operation Lifeline Sudan
PCA	Permanent Court of Arbitration
PDFs	Peoples' Defence Forces
SAD	Sudan Archive, Durham

*Abbreviations & Acronyms*

SANU	Sudan African National Union
SFCSs	Small Farmers' Collective Schemes
SLM	Sudan Liberation Movement
SNP	Sudanese National Party
SPLM/A	Sudan People's Liberation Movement/Army
UK	United Kingdom
UN	United Nations
UNMIS	United Nations Mission in Sudan
UNOCHA	United Nations Office for Coordination of Humanitarian Affairs
USA	United States of America
USDA	United States Department of Agriculture
USAID	United States Agency for International Development

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## *Introduction*

### *National Context, Key Questions & Arguments*

The basis of the contemporary Sudanese state can be traced back to its ancient, precolonial and colonial history and related legacies. The ancient and precolonial eras were characterized by independent feudal systems of governance, each occupying its own territory. From its establishment in 1899, the colonial administration subjected the peoples of Sudan to new spatial and socio-political arrangements which persisted under successive postcolonial regimes. The legacy of this history, particularly that of the colonial period, continues to shape the social, economic and political spaces of contemporary Sudan. The country's current problems of retarded statehood, the failure of its nation-building, its underdevelopment and the sharp disparities in development, together with recurring internal conflicts and protracted civil wars, are the most conspicuous issues that continue to challenge Sudan.

The historical dimension of these persistent problems is well documented (Abd al-Rahim 1970; Lees and Brooks 1977; Beshir 1979a, 1979b, 1984; Beshir et al., 1984, Mohamed Salih and Harir 1994; Johnson 2006). Whatever the scale of these challenges, they have mostly involved economic, social and political struggles for all disadvantaged communities and regions of Sudan, including the subject of this book: the Nuba people and their homeland.

### *Falsehood of the independent Sudan*

History informs us that modern Sudan as a clearly defined political entity and as an object of national loyalty did not exist before Darfur was brought under colonial administration in 1916. During the Condominium rule (1898–1956), the British administration pursued a policy of concentrated development in northern and central Sudan, fostering this area as the



emerging political, cultural, and economic core, and subsequently as a centre of Sudanese nationalism (Roden 1974; Beshir 1979b, 1984; Abd al-Rahim 1970; Niblock 1987; Mohamed Salih and Harir 1994). Thus, the modern Sudanese nationalist movement was to a large degree a northern phenomenon, oriented more to the Arab cultural and political worlds in northern Sudan than to the African areas in southern Sudan, together with other marginalized communities in the Nuba Mountains, Darfur, southern Blue Nile and eastern Sudan. This configuration established a basis for multiple processes of political and cultural marginalization and socio-economic underdevelopment in the under-privileged areas.

As it started its march towards independence, the Sudan was already in political disarray, with the northern region acting as the seat for the country's politico-administrative and socio-economic functions. At the same time, the remaining regions, as listed above, were left on the periphery. This colonial legacy came to have a far-reaching impact on postcolonial Sudan, and continues to do so, with persistent socio-political instability and protracted civil wars along ethno-regional divides throughout the country.

It is useful to map out some of the key historical, political, socio-cultural, economic and geographic factors that have shaped and continue to shape the formation of the Sudanese state since its independence. The birth of an independence movement in Sudan was shaky, a false start that subsequently retarded the overall process of nation-building. This is attributed primarily to poor governance structure and a lack of political will on the part of successive ruling elites, who have failed to establish strong foundations for a pluralistic state that not only recognizes but cherishes and celebrates the Sudan's social, cultural, religious, economic and environmental diversity.

A direct result of this false start was that the people of southern Sudan resisted the newly independent entity, fearing that it would simply signify a change of masters, from the British to the northern ruling elites. That fear gained momentum when it became apparent that the northern elites lacked the political will and commitment to fulfil their promise of establishing a federal system in the country, to which they had committed themselves before independence. The consequences were the first southern rebellion during 1955–72 and the emergence of serious mistrust between the south and the north that persists to the present day (Abd al-Rahim 1970; Beshir 1979a; Beshir et al., 1984; Alier 1990; Johnson 2006). In 1956, on the eve of independence, Sudan was already in a state of civil war coupled with a host of internal problems,

[...] chief amongst which is the erosion of nationalism, in the sense of loyalty to the homeland as a whole, and the resurgence or development of a variety of particularistic tendencies, loyalty to which has in some cases equalled or even surpassed loyalty to the nationalism under whose banner independence was won. (Abd al-Rahim 1970: 233)