Conflicts over the Commons-

Communal Conflicts in Darfur and Eastern Sudan

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Abstract

This article addresses the puzzle why Darfur has been devastated by communal conflicts whilst Eastern Sudan has not, despite sharing several structural characteristics with Darfur. Thus, the article seeks to answer the research question: *Why do conflictual relationships between different communities turn into violent communal conflicts in some regions of a country but not in others?* At the heart of the communal conflicts in Sudan is land, a common-pool resource sought by different pastoral and agricultural groups. The article addresses this puzzle by applying an actor-centred elite interaction perspective on theories about common-pool resources focusing on the two situational variables of; quality of institutional design and strength of conflict-resolution mechanisms. In essence, the main finding is that violent communal conflicts are more prevalent in Darfur than in Eastern Sudan, because the government is less partisan in Eastern Sudan. Government partiality increases the risk for violent communal conflicts by turning the interaction between elites in a negative direction. Thereby the quality of the institutional design of the common-pool resources decreases and the strength of conflict-resolution mechanisms weakens.

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Will the situation in Eastern Sudan become like the one in Darfur?

- **Inshallah!**[1]

Introduction

This article focuses on communal conflicts, defined as conflicts between non-state groups that are organized along a shared communal identity. One region devastated by such conflicts is Darfur, in western Sudan. Despite all its complexities, researchers agree that one of the root causes for the disastrous situation in Darfur is the struggle over land between different communal groups (Prunier 2007; Tubiana 2007; Brosché 2008; Burr and Collins 2008; de Waal and Flint 2008). Other areas of Sudan, that still are in relative peace, have been described as "perfect mirror images of what has been going on in Darfur over the 10 years until the present escalation of violence out of all imaginable proportions" (Babiker, Wadi et al. 2005:45). Still, comparative studies of Darfur and other regions are lacking. During the past twenty years, communal conflicts have killed thousands of people in Darfur, but only a few dozens in Eastern Sudan. Why? This article addresses this puzzle by applying an actor-centred elite interaction perspective (Kalyvas 2003; Kalyvas 2006) on theories about the management of common-pool resources (CPRs) (Dolšak and Ostrom 2003; Ostrom 2008; Poteete, Janssen et al. 2010). More broadly it seeks to answer the research question: *Why do conflictual relationships between different communities turn into violent communal conflicts in some regions of a country but not in others?*

Previous research argues that regions characterized by low levels of education, the presence of diamonds and/or oil, strong relative deprivation, and strong intra-regional inequalities are more prone to conflict (Østby, Nordås et al. 2009). Furthermore, communal

[1] Cow nomad interviewed 3 April 2010, close to the village of Rashid, Eastern Sudan.

identity (Gurr 2007), structure of civic life (Varshney 2001; Varshney 2002), groupness and institutional inclusivity (Kahl 1998; Kahl 2006), political salience of cultural identity (Posner 2004), global warming (Marshall, Miguel et al. 2009), are emphasized as crucial for where conflicts take place.

Hitherto, the difference in outcome between Darfur and Eastern Sudan cannot convincingly be explained by factors pointed out in previous research as the regions are similar with regards to a number of these qualities. Sudan is very centralized with all the peripheral areas being economically, politically, and culturally underprivileged. However, in terms of poverty and lack of development, Eastern Sudan has been the region suffering the most (Young 2006). Also, both regions are extremely ethnically diversified and the main livelihood in the two regions is similar with pastoralists and farmers inhabiting both regions (ICG 2006; de Waal and Flint 2008). Moreover, Darfur has been labeled a climate conflict (Ban Ki Moon 2007) but the climate situation in Eastern Sudan is similar (USIP 2006). When describing Eastern Sudan the UNDP states:

> the living conditions are so harsh that the local population has been facing acute poverty, persistent drought and famine, a lack of adequate access to healthcare and education, high levels of unemployment in addition to land degradation and shrinking pasture areas, for a very long time (UNDP 2010).

This article addresses an important research gap with regard to communal conflicts. The prime contribution is that it explains a puzzling variation not elucidated by previous research. The comparative design allows us to explore explanations which highlight the interplay between elite interaction and variables derived from the CPR-literature. The main argument of the article is that violent communal conflicts are more prevalent in Darfur than in Eastern Sudan because the government is less neutral in Darfur. Government bias increases the risk for violent communal conflicts as it turns interaction between elites in a

negative way. Such interacting undermines the quality of institutional design and weakens the strength of conflict-resolution mechanisms.

This study proceeds with presenting the theoretical framework. Next the research design is outlined. Subsequently the comparison between Darfur and Eastern Sudan is carried out. The article ends with drawing some conclusions and stating some final remarks about the generalizability of the findings in the article and a few policy-implications.

Theoretical Framework

This theoretical framework will first present theories about interacting elites. Next, theories about CPRs in general are described. Finally, the two theoretical variables of quality of institutional design and strength of conflict-resolution mechanisms, derived from the CPR-literature are outlined.

Elite Interaction

Theories on communal conflicts have mainly focused on the structural or societal level of analysis. As noted above, such approaches fail to account for the variation between the cases in focus in this article. Therefore, an actor perspective will be used here for exposing causal mechanisms for the outbreak of communal conflicts (Hedström and Swedberg 1998). The agency that will be focus upon are elites on different levels, which have been focused on in state-based conflicts, but limited in studies about communal conflicts. Brown (2001) examines ethnic conflicts in which "the decisions and actions of domestic elites often determine whether political disputes veer toward war or peace" (Brown 2001:220). Moreover, communal conflicts over scarce resources are ancient but the contemporary conflicts are often

more politicized.[2] Nomad-farmer conflicts follow a similar logic, as they sometimes are caused by manipulation for higher political rationales (Turner 2004). In addition, a political actor might initiate violence through arming a local community, and encourage it to attack another community. This strategy often leads the victims to arming themselves according to standard action-reaction spirals which unleashes a circle of violence (Allen 1999).

Kalyvas (2006) argues that local dynamics are often overlooked in the study of civil wars and local cleavages are often portrayed as being part of a master cleavage. Hence, emphasis has to be alluded to local factors. However, this should not lead us to do the reverse and instead fail to notice the broader public sphere. Instead,

> theories of civil war must incorporate a multilevel analysis, simultaneously accounting for the interaction between rival elites, between elites and the population and between individuals (Kalyvas 2006:391).

Adopting this argument to the context of communal conflicts, I will focus on interaction between rival elites. In this context, power-seeking actors at the centre can use resources and symbols with the purpose of allying with peripheral actors that are involved in local conflicts. This creates a linkage that might facilitate joint action between central and peripheral actors. However, it may also be the other way round. Contenders at a local level can try to manipulate political elites at the centre to gain support in their local conflict. In some cases, political actors intentionally endorse groups at the local level, but sometimes the central actors are manipulated by these local actors. In this way, central actors may end up acting in ways that they rather would have preferred not to. When this manoeuvring succeeds, local actors can get a central actor to direct its violence against one of its private enemies (Kalyvas 2003).

[2] Dr. Mudawi Ibrahim Adam, Chairman Sudan Social Development Organization, Interviewed 9 July, 2009, Khartoum.

Next, we turn to the second part of this theoretical framework, dealing with management of common-pool resources.

Management of Common-Pool Resources

Land, claimed by various communal groups, can constitute a common-pool resource, meaning a resource that includes a rivalness; the more one person takes the less there is left for others.[3] Following Hardin's (1968) article *Tragedy of the Commons*, a negative view on the possibility for peaceful coexistence between the users of a CPR dominated the research field. Hardin focuses on a pasture open to all, and used by many herders, where lack of cooperation leads to a disastrous situation for all. Therefore a solution has to come from the outside, either through privatization, or through a leviathan controlling the management of the CPR. Hardin's theory was influenced by Olson (1965), who argues that the 'logic of collective action' implies that individual welfare does not bring about joint welfare. Later theories have formalized these ideas in models of prisoner's dilemma (Dawes 1973; Dawes 1975).

These theories claim that decisions taken by individuals harm the collective group, and for a long time this notion was unchallenged (Ostrom 2008). Nonetheless, field research from scattered disciplines show examples where the users of a common resource co-operated, but only recently a more comprehensive challenging theory has been formed (Poteete, Janssen et al. 2010). Since there existed plenty of examples of cooperation, as well as non-cooperation, the question was to try to understand when, and under what conditions, users of a CPR cooperated. Typically, a CPR is governed by a government, a private company, a common-property ownership, or a combination of these categories. Investigations of the empirics have not revealed consensus of any system being superior to others (Dolšak

[3] Land can also be a private or public resource, but in this article the land that various communities compete over is seen as a common-pool resource.

and Ostrom 2003). Related to the CPR theory is the common-property management argument which focuses on governance and institutions. The common-property argument suggests that resource-related conflicts are the result of property that is vaguely defined and/or governed in a poor manner (Turner 1999; Gleditsh 2007).

Research conducted in separate fields, using a variety of methods, has shown that collective action in relation to CPRs is much more complicated than it is portrayed by the tragedy of the commons theory. For instance, individuals do not always maximize their short-term material returns, without taking other persons into account. Furthermore, individuals do not always have complete information regarding the situation, the preferences of others, the availability of choices, and the probability of various outcomes. Instead, the prospect for collective action is subject to many conditions of which many depend on the context they take place in. Also, in most situations, actors use heuristics, instead of collecting maximal information, when making decisions (Poteete, Janssen et al. 2010).

A multiplicity of microenvironment factors is crucial for the probability of cooperation in a dilemma situation. These factors include trust, communication, appropriate information about the situation, and whether the interacting individuals know each other or not. Communication is essential to develop rules and norms (Poteete, Janssen et al. 2010). Communities that are cohesive, share a custom of mutual trust, and are connected by several mutual concerns are more likely to create reciprocity and to succeed in forming and sustaining local institutions (Dolšak and Ostrom 2003). On the other hand, levels of cooperation are at the lowest when the other is unknown, anonymity is guaranteed and there is no opportunity to build reputation. The importance of trust is connected to the assumptions about the significance of learning and revision in decision making, the role played by norms, and the use of heuristics (Poteete, Janssen et al. 2010).

> In situations where individuals can acquire a reputation for being trustworthy and for using positive and negative reciprocity, others can learn to trust those with such a reputation and begin to cooperate so as to sustain higher returns for all (Poteete, Janssen et al. 2010:226).

A system enabling trust is also important in explaining interethnic cooperation through decentralised, non-state institutional mechanisms (Fearon and Laitin 1996). To advance the understanding of CPRs and why the level of cooperation varies, research needs to be conducted about individual human behaviour (such as risk aversion), micro-situations that affects individuals in their collective action decisions, as well as the broader social-ecological circumstances (Poteete, Janssen et al. 2010). The focus in this article is on micro-situation factors (situational variables) as they are deemed most important to answer the research question. Many micro-situations are pinpointed as being important for determining success or failure for the management of the CPR (Dolšak and Ostrom 2003; Ostrom 2008; Poteete, Janssen et al. 2010) but all of these cannot be analyzed in this article. Instead, when adopting the CPR-literature to communal conflicts this article will emphasize the two variables of quality of institutional design and strength of conflict-resolution mechanisms, as they are deemed to be most relevant for explaining variation in how prone conflictual relationships between different communities are to turn into violent communal conflicts.[4]

Below, the quality of the institutional design of the management of common-pool resources is studied.

Quality of Institutional Design

A first factor potentially influencing why some conflictual relations between communities turn into violent communal conflicts is the quality of the institutional design of a CPR. An

[4] Here it is important to note that all these concepts are not the exact concepts used in the CPR-literature. Instead they are educed from my reading and interpretation of the literature.

institutional design with rules that are stable, clearly defined, and easily understood by the users, facilitates governance of a CPR. Also, the effectiveness of the institution increases if rules are managed by users and there are procedures for revising the rules (Dolšak and Ostrom 2003).

To regulate the stocks and flows of a resource in an appropriate way, the key variables that affect the resource outcome must be understood. These variables differ from case to case. A certain way of managing a CPR is more favorable to some of the users, making the quality of the institutional design essential for the endurance of the CPR. A dilemma related to institutional design is how entrenched regulations should be. Stability in the decrees is needed for them to be respected, as it creates familiarity with the system. However, it is also important that it is possible to adapt the regulations, if, for instance, the resource changes (Dolšak and Ostrom 2003). Well-defined boundaries of the CPR have a positive effect on the management of the CPR. These boundaries should define what is included in the CPR and who are allowed to use the resource. In addition, the chance of successful management of the CPR increases if users see the institutional design as fair. Proportional equivalence between benefits and costs enhance the chances of the CPR being viewed as reasonable (Poteete, Janssen et al. 2010).

A CPR is often useful for actors at various levels, and the users of a CPR do not act in a vacuum. Rather, they are interacting with laws and institutions, which impose constraints on the body administrating the CPR. Thus, support from an external political actor is often needed, especially when outsiders try to gain access to the CPR. Therefore, the relation between governing actors of different levels is essential for the quality of the institutional design. Relationships between local communities, and regional, as well as national, political systems may be intricately problematic because external actors are often not inclined to understand the social customs and norms of the communities. However,

sometimes actors at different levels recognize their mutual dependence and give up some of their independence to gain other advantages. Moreover, the ability for a local community to influence political bodies at a higher level depends on which access they have to decision-making forums, including how extensive the vertical linkages are from local to higher political levels (Dolšak and Ostrom 2003). Thus, interaction between local and central elites is important for the communities' ability to influence decision-making at a higher level.

Strength of Conflict-Resolution Mechanisms

A second factor that potentially explains why conflictual relations between communities turn into violent communal conflicts is the strength of conflict-resolution mechanisms. A pertinent problem for CPRs is free-riding, as people can gain access to the resource without contributing to the costs of maintaining and regulating it. Therefore, mechanisms for discussing, and resolving which actions should be considered as defilement is necessary (Dolšak and Ostrom 2003). As free-riding can undermine a CPR, sanctioning capabilities are important and effective sanction capabilities stimulate a higher level of trust (Poteete, Janssen et al. 2010). If these mechanisms do not work, the trust in the management of the CPR will erode (Ostrom 2008). Also, the effectiveness of managing a CPR increases, if obedience with rules are easy to monitor and enforceable (Dolšak and Ostrom 2003).

Furthermore, access to forums for negotiations and availability of low cost arbitration are crucial for the management of a CPR (Dolšak and Ostrom 2003). Moreover, a long-term survival of CPRs increases if arenas for conflict resolution are provided and if users and officials have rapid access to them at a low cost (Poteete, Janssen et al. 2010). Furthermore, graduated sanctions and monitors that are accountable to users are beneficial for managing a CPR (Dolšak and Ostrom 2003). In addition, the relation between local and central actors is

important as people managing a CPR might need external political actors to be able to modify regulations regarding the resource (Ostrom 2008). To exemplify, for community committees to be effective in herder-farmer conflicts, they need to work closely with local government councils (Ofouku 2009).

Hypothesis

This theoretical framework has accentuated the factors of importance for communal conflicts within the CPR literature as well as from theories about elite interaction. From this framework two hypotheses are derived. First, the risk that a conflictual relationship between different communities, turns into violent communal conflicts, will increase if elite interaction weakens the quality of the institutional design of a common-pool resource. Second, the risk that a conflictual relationship between different communities, turns into violent communal conflict will increase if elite interaction undermines the strength of the conflict-resolution mechanisms of a common-pool resource. These hypotheses will be tested separately; however, potential interlinkages between the independent variables will be discussed in the conclusions.

Research Design

This section on research design will begin with an outline of central definitions, followed by a discussion about case selection and the unit of analysis. Finally, method and operationalizations are discussed.

The definition of communal conflict in this paper is derived from a sub-set of the UCDP (Uppsala Conflict Data Program) non-state conflict dataset. The non-state dataset

is divided into three different categorizes of organisation and communal conflicts falls under organization level 3 defined as:

> Groups that share a common identification along ethnic, clan, religious, national or tribal lines. These are not groups that are permanently organized for combat, but who at times organize themselves along said lines to engage in fighting. This level of organization captures aspects of what is commonly referred to as "communal conflicts", in that conflict stands along lines of communal identity (Sundberg, Eck et al. 2010).

The UCDP data includes conflicts meeting the 25-fatalities-a-year-condition; therefore I will also use this threshold for what constitutes a violent communal conflict.[5]

Although this article focuses on communal conflicts, the prime entities for analysis are the two regions, not the specific conflicts. A region often constitutes an area with a particular socioeconomic and political reality, as well as a collective cultural understanding (Østby, Nordås et al. 2009). The cases of interest in this study are *ethnically mixed, marginalised and relatively deprived regions, with scarce subsistence resources, inhabited by both farmers and nomads, governed by the same national regime.*

In 1994, the administrative organization of Sudan changed and the previous state of Darfur was divided into South, North, and West Darfur, whilst Eastern Sudan was divided into the states of Gedarif, Kassala, and Red Sea. Hence, for the time period in focus, 1989-2010, two different administrative systems are in place. But as the broad Darfur-East difference is of core interest in this study, the larger regional entities of Darfur and Eastern Sudan are considered as the appropriate points of comparison. Admittedly, there exists internal variation in these regions, but all three states in Darfur have experienced several

[5] To thoroughly investigate violent communal conflicts in Sudan, the UCDP data has been complemented with comprehensive reading of secondary sources and more than four months of field-research. Neither the secondary resources nor the field-research have indicated any communal conflict meeting the definition here that has been overlooked by the UCDP.

violent communal conflicts, whilst all eastern states have not (except for one conflict lasting for one year, which is further described below). The unit of analysis is thus Darfur and Eastern Sudan.[6]

This article uses the case-selection method of comparing most similar cases, and the study will practice the method of structured focused comparsion of the two cases (George and Bennet 2005). Factors pointed out by previous research as important to explain causes of communal conflicts are prevalent in Sudan (Johnson 2006; Jok 2007; Burr and Collins 2008). Sudan is therefore an interesting country to draw generalizations from. Furthermore, 90% of the worlds' communal conflicts have taken place in Sub-Saharan Africa (UCDP 2010) and Sudan is part of a region where 'interstate rivalries interact in extraordinarily complex ways with communal rivalries'(Gurr 2007:155). Finally, as the CPR in focus here is land, pastoralism is crucial and Sudan has the highest percentage of pastoralists in the world (OCHA 2009).

To evaluate the theoretical framework, the variables will be operationalised as followed. For *quality of the institutional design* the focus will be upon clarity of boundaries and rules. Especially factors influencing the level of trust in the quality of the institutional design, such as impunity, will be concidered. Regarding *strength of conflict-resolution mechanisms*, the ability for both native forms of administration in the region, and a modern court system to work in an efficent way, will be highlighted. An important aspect for the strength of conflict resolution mechanism is whether local actors has a room to manouver in or not.

[6] This empirical analysis will be based on interviews and secondary data (books, articles, reports and data from the UCDP). Between 2008 and 2011 six field trips to Sudan was carried out and the areas of South Darfur, Gedarif (Eastern Sudan), Khartoum and Juba, Bor, and Malakal in South Sudan was visited. Of primary interest were stakeholders with first-hand information about the relations between the communities, such as representatives of various interest groups. However, in order to contextualize and triangulate information, data was also gathered from academics, as well as representatives of NGO's and IGO's.

Kalyvas (2006) emphasizes the importance of taking rival elites into account when studying civil wars. In this article, the focus will be on two levels of elite interaction: 1) central elites versus local elites, and 2) local elites versus other local elites. Central elites in this study are the government of Sudan and its administration, whilst local elites are the leadership of different ethnic groups and the native administration that they often constitute part of. Thus, the role played by the government and the native administration, will permeate the two variables derived from the CPR-literature.

The CPR-literature is mainly focused on individuals or families sharing the same pool of resources whilst this study instead centers on different ethnic groups as these are the prime entity for communal conflicts. Also, the most important identity for most rural people in Sudan is their ethnic belonging (Lesch Mosely 1998). In Sudan, ethnic belonging is often linked to an individual's sense of security and ethnic belonging is often the base for rural administration, including land distribution (House 2009).[7]

In the following section Darfur and Eastern Sudan are compared using the method of structured-focused comparison. First, patterns of communal conflicts in the region are in focus. Second, quality of institutional design and strength of conflict-resolution mechanisms are investigated from an elite interaction perspective, so as to evaluate the hypotheses formulated in the theoretical framework.

[7] Dr. Mudawi Ibrahim Adam, Chairman Sudan Social Development Organization, Interviewed 9 July, 2009, Khartoum.

Comparing Darfur and Eastern Sudan

Patterns of Communal Conflicts

Darfur

In Darfur, 11 violent communal conflicts have taken place between 1989 and 2010 and the number of active conflicts annually has varied between three and zero. In total these conflicts have caused some 4, 700-5, 400 fatalities (UCDP 2011).[8] The conflict in Darfur has often simplistically been labelled a conflict between ”Africans” and ”Arabs”. Using the dichotomy for Darfur's 40 to 90 ethnic groups (de Waal and Flint 2008) fails to explain ”Arabs” fighting ”Arabs” and the fact that all of them live in Africa and almost all of them speak Arabic. Jerome Tubiana addresses this question of the Arab-African division in Darfur:

> The divide is not based on skin colour. It is not based on religion- all Darfur's ethnic groups are Muslim. Nor is it based on culture…it's not based on language...Nor does the cleavage really represent a difference in way of life...Rather the basis for the cleavage is the claim to an Arab identity that has less to do with the above criteria than it does with often-fictional patrilineal lineages that lead back to mythical Arab forbearers. There may be little, if any, historical accuracy to these constructs. But to those who invoke them, they are fact and truth (Tubiana 2007:70).

In spite of these uncertainties, the terms ”Arabs” and ”Africans” will sometimes be used in this article since it is in line with the practices of most Sudanese themselves and gives some insight to the dynamics at hand.

[8] This figure might appear as low given UN estimates that the Darfur crisis has killed 300, 000 since 2003. However, the UN figure includes indirect deaths such as those caused by diseases and starvation. Diseases caused about 80 percent of the deaths between 2003 and 2009 (Reuters 2010). UCDP only codes direct deaths related to battle. UCDP collects data on three different types of violence: state-based, non-state (of which communal conflicts are a sub-group), and one-sided violence. In Darfur, UCDP estimates 8, 000 – 58, 000 in one-sided violence, 8, 000 – 13, 000 deaths in state-based violence, and about 300 in non-state fighting between organized groups. Thus, communal conflicts have caused fewer deaths than state-based and one-sided violence. However, for many years, communal conflicts were the only active conflict-type in Darfur and the start of the rebellion can partly be seen as a continuation of the earlier communal conflicts (de Waal 2007; Prunier 2007; de Waal and Flint 2008). Thus, communal conflicts can transform into other types of organized violence which is one reason to why they need a lot of attention.

Table 1 UCDP Communal Conflicts Darfur 1989-2010[9]

Communal Conflict	Ethnicity	Main Livelihood	Active Years	Estimated Deaths
Salamat/Beni Halba vs Fur	Arab vs African	Cattle Herders vs Farmers	1989	1500
Reizegat Baggara vs Fur	Arab vs African	Cattle Herders vs Farmers	1989, 1990	500-900
Rizeigat Abbala vs Zaghawa	Arab vs African	Camel Herders vs Camel Herders	1996	160
Rizeigat Abbala vs Masalit	Arab vs African	Camel Herders vs Farmers	1995, 1998, 1999	340
Awlad Zeid Arabs vs Zaghawa	Arab vs African	Camel Herders vs Camel Herders	2001	70
Hotiya Baggara vs Newiba, Mahariya and Mahamid	Arab vs Arab	Cattle Herders vs Camel Herders	2005	250
Rizeigat Baggara vs Habaniya	Arab vs Arab	Cattle Herders vs Cattle Herders	2006	150
Rizeigat Abbala vs Terjam	Arab vs Arab	Camel Herders vs Cattle Herders	2007	380
Misseria vs Rizeigat	Arab vs Arab	Cattle Herders vs Cattle Herders	2008, 2009, 2010	656-676
Maaliya vs Zaghawa	Arab vs African	Cattle Herders vs Camel Herders	2008	40-50
Habaniya vs Falata (and Salamaat)	Arab vs Arab	Cattle Herders vs Cattle Herders	2007, 2008, 2009	329-338

[9] This data is compiled from the Uppsala Non-State Dataset: Sundberg, R., K. Eck and J. Kreutz (2012 (forthcoming)). "Fighting Without the State: Introducing the UCDP Non-State Conflict Dataset." Journal of Peace Research.

The table shows that eight out of eleven conflicts have pitted pastoralists against pastoralists and the only combination of groups not being involved in fighting is farmers against farmers. However, it should be noted that few groups are exclusively farmers or herders but rather use the two livelihoods in combination (Turner 2004; UCDP 2011). In Darfur, five out of eleven communal conflicts are fought between groups that both have an ”Arab” identity and the communal conflicts have clearly changed with the start of the Darfurian rebellion in 2003. Before the rebellion, all communal conflicts pitted ”Arabs” against ”Africans” . However, after SLM/A (Sudan Liberation Movement/Army) and JEM (Justice and Equality Movement) started their insurgency in 2003, five out of six communal conflicts have been ”Arabs” fighting ”Arabs”. The shift in who is fighting who relates to land. During the early phase of the conflict millions of “Africans” were ethnically cleansed from their areas. After these fertile areas were abandoned by the “Africans”, different “Arab” communities started to fight each other over who should be in control over the land (ICG 2007; Brosché and Rothbart 2012 (forthcoming)).

Eastern Sudan

In Eastern Sudan, the situation is also difficult with regard to communities competing over access to land. In the region disputes between different pastoralist communities, as well as disputes pitting pastoralists against farmers, are regularly taking place.[10] Most of these disputes are resolved peacefully but occasionally one or two persons are killed and in total 10-15 persons die every year.[11] The only communal conflict in Eastern Sudan meeting the UCDP threshold of 25 casualties in a year is a Nuer-Dinka conflict which took place in the end of November 1997 and killed 35 people. Nuer and Dinka are both cattle-herder groups that

[10] Representative Pastoralist Union Gedarif State, Interviewed 30 March 2010, Gedarif.
[11] Local NGO worker, Interviewed 29 March 2010, Gedarif.

originate from South Sudan. The conflict had its foundation in tensions between the groups, due to fighting between different rebel factions in Southern Sudan; fighting which had a distinct ethnic dimension (UNHCR 2010; UCDP 2011).

A comparison of the main livelihood in Darfur and Eastern Sudan shows that camel herders, cattle herders and farmers are present in both regions. Also, the ethnic composition is similar in Eastern Sudan and Darfur. Both regions are inhabited by both ”Arabs” and ”Africans” and most of Darfur's ethnic groups are also present in Eastern Sudan, especially in Gedarif State.[12]

So, how to explain these differences between Darfur and Eastern Sudan? First we investigate the quality of institutional design and then the strength of conflict-resolution mechanisms in the two regions.

Quality of Institutional Design

For the communal conflicts in Sudan, land is a central factor. Land disputes can cause conflict in several ways and two common reasons for conflicts over land are control over water or pastures. In Sudan, traditional tribal ownership of the land has decreased, on behalf of the government and investors, through the 1970 Unregistered Land Act and the 1990 Investment Act. Since then, the role of the native administration has somewhat increased again, but it does not have the power it once had. This has created parallel systems regarding land-ownership, laws and administration (Ayoub 2006). These concurrent structures have created tensions between traditional and modern systems.[13] The existing disorder with boundaries – relating to loss of political autonomy and frames for communal action – represents two factors

[12] Member of Native Administration, from a tribe that originates from Western Sudan, interviewed 1 April 2010, Gedarif.
[13] Ibid.

that shape a group's identity (Gurr 2007). Moreover, the parallel existing administrative systems can be seen as ill-defined property, in line with the common-property management argument (Turner 1999; Gleditsh 2007).

Another cause of conflict related to land is the struggle of ethnic group to be in possession of an own administrative unit. Since 1923, Sudan is divided into different Dars (meaning homeland in Arabic, Darfur – homeland of the Fur) and the Dars are divided into Hawakeer (smaller units of land controlled by an ethnic group). Some ethnic groups have a Dar of their own, some an own Hakura (singular of Hawakeer), some lack both. For an ethnic community, the Dar is important as the possession of a Dar permits native administration, provides political representation and recognition, and renders prestige in relation to other ethnic groups.[14] The conflict between the Reizegat Baggara and the Maalia is an example of when a struggle for Dar led to a communal conflict. The Maalia does not have their own Dar and their ambition to gain this has been denied by the Reizegat Baggara, leading to conflicts between the two groups (UCDP 2011). Furthermore, land is also an important asset for the government that can be offered to its allies (de Waal 2009). This asset is especially useful to secure support from landless groups for which land is a constant grievance.[15]

Darfur

In Darfur, the Sudanese government has during the entire time period in focus for this article (1989-2010) been biased in favour of certain communities and used a policy of divide-and-rule. This weakens the quality of the institutional design in general, and the establishment of clear boundaries in particular.

[14] Dr. Musa Adam Abdul Jalil, Associate Professor Department of Sociology and Social Anthropology University of Khartoum, Interviewed 7 July 2009, Khartoum.
[15] Ibid.

In 1985, the regime in Khartoum worried that the war against the South Sudan-based rebel group SPLM/A (Sudan People's Liberation Movement/Army) would spread to Kordofan (a region neighbouring Darfur to the East) in north Sudan. To deter this they unleashed militias as part of their military tactic. This followed a divide-and-rule tactic, and turned tribes to military entities. Baggara "Arabs" from Kordofan and Darfur was armed and given military support in return of a promised free hand to loot cattle and other belongings from groups suspected of supporting SPLM/A. To further increase their military strength Khartoum turned a blind eye to Kaddafi using Darfur as a rear base in Libya's war against Chad in the return for weapons. This led to thousands of Chadian Arabs crossing into Darfur and, given the extreme local tensions, this sparked a war between the Fur and the "Arabs" (de Waal and Flint 2008:23-24). The relation between Libya and Sudan was further substantiated by a 1990 deal which promoted the Arab culture and language in Darfur (Lesch Mosely 1998). Thus, Khartoum's moved even further from neutrality regarding the relations between the communities in Darfur.

Also in 1990, Daud Bolad, an Islamist close to the government from the Fur community, left the government as he deemed its role as not being neutral in an Arab-Fur conflict.[16] Afterwards he joined the SPLM/A; a move that for a short period took the SPLM/A rebellion to Darfur in 1991 (Haggar 2007). From this moment the Fur was the main enemy of the government which further decreased the government's neutrality regarding the different ethnic communities in Darfur (Prunier 2007). To secure the support from "Arab" nomads, the government warned that it was a risk that they were in danger and risked being run by a Fur (Bolad) that will take over Darfur with the weapons of a Dinka (leader of SPLM/A John Garang). This perceived danger was one reason why the "Arabs" showed up to fight against

[16] Adam Azzain Mohamed, Professor, University of Khartoum, Interviewed 6 April 2010, Khartoum

the SPLM/A in high numbers.[17] The combination of a regular army and militia drawn from ”Arab” nomads annihilated the rebellion, and the forces captured and killed Bolad. During the fighting many Fur-villages were burned to the ground by ”Arab” militias (Flint 2007). However, because the ”Arab” support for the government was so strong, the government turned a blind eye on atrocities they committed. The impunity for certain communities eroded the trust in the government's ability to uphold the quality of the institutional design and was later a foundation for the rebellion in 2003.[18] Later, impunity for certain actors increased as the government wanted to use various actors for their counter-insurgency. An infamous case in point that had devastating effects for Darfur was when the government released the notorious Janjaweed leader Musa Hilal from prison and gave him orders to mobilise Darfurian ”Arabs” against the rebels and the communities they belonged to (SudanTribune 2008). This widespread impunity has affected the quality of the institutional design in Darfur negatively and thereby contributed to communal conflicts as perpetrators do not need to fear punishment (HRW 2007). Thus, for decades, Khartoum's Darfur policy has been focused on the use of tribal militias and divide-and-rule tactics in its various wars.

One aspect of this policy is that administrative units have been divided into smaller units, with the purpose of weakening the groups that are seen as anti-government. One example is the 1994 division of Darfur which strengthened groups with an ”Arab” identity but weakened the power of the Fur and Masalit (de Waal and Flint 2008). This division into smaller administrative units has continued. [19] The Sudanese government is afraid of losing allies in the war against the rebel groups, and one way of keeping allies is to provide them with new administrative units. For instance, in South Darfur the administrative units have

[17] Adam Azzain Mohamed, Professor, University of Khartoum, Interviewed 25 November 2010, Khartoum
[18] Ibid.
[19] In 2011, the government proposed additional administrative divisions that would create two more states within Darfur, Central and Eastern Darfur.

increased from 14 to 21. Because of this meddling with the administrative borders, there is currently more violence taking place in south Darfur than in north Darfur (Takana 2008).[20] Despite contemporary strong international presence in Darfur the government actions still follows a non-neutral manner.[21] Also, borders of the administrative units are often deliberately drawn to create problems between communities inhabiting the entities. For instance, partition is sometimes done so that groups with a history of enmity become part of the same state. Such a partition is viewed by local experts as a strategic ploy to entice the groups to engage in violent confrontation, deflecting attention away from their struggles with the government, as part of the government's Machiavellian tactics of divide-and-rule.[22]

To uphold a workable institutional design has been further aggravated by the fact that after the start of the 2003-rebellion tens of thousands of foreigners (primarily from Chad) moved into Darfur. They were promised the right to use land if they in return supported the government. The problem with newcomers has repeatedly been stated as one of the most severe issues for solving the Darfur crisis. The traditional owners want to regain control over their land, whilst the newcomers want to keep control over the land that they currently hold (Brosché 2008). This affects the quality of institutional design negatively as it creates parallel systems of who should be in control over an area. Such dynamics often lead to sons-of-the-soil conflicts (Fearon and Laitin 2011).

Hence, the quality of the institutional design in Darfur is poor, strongly characterized by unclear boundaries and rules.

[20] Ibid.
[21] Women working for a local NGO at the Kalma camp, interviewed 12 November, 2010, Nyala
[22] Interview with Sudanese Darfur Expert 2 April 2011, Khartoum

Eastern Sudan

In Eastern Sudan, the Sudanese government has acted in a comparatively neutral fashion between different communities. This has enabled a relatively high quality of the institutional design as boundaries and rules have not been extensively disarrayed.

The largest ethnic group in the East is the Beja and the Beja Congress is a political party that promotes the rights of this group. In 1995 the Beja Congress declared armed struggle against the Sudanese government and in the same year joined the umbrella anti-government organization of National Democratic Alliance (NDA). In 1996 the civil war extended to Eastern Sudan when NDA carried out attacks in the region. Although this fighting killed hundreds in some years the war in the East was much less intensive than in the South and the NDA rebellion ended in 2001. This fighting threatened Port Sudan which is the only oil-exporting port in Sudan and the town in which most foreign trade passes. In order to secure this economic lifeline the government mobilized an impressive military strength (three times as many troops are employed in Eastern Sudan than in Darfur according to some sources) that prevented major economic damages (ICG 2006). Later, a rebel group called Eastern Front challenged the regime in Khartoum through a very low intensive rebellion that ended through the signing of the Eastern Sudan Peace Agreement in October 2006 (UNDPSudan 2011). [23] Compared to Darfur, the effects of this rebellion were limited. Although, at times trying to mobilize ethnic communities (ICG 2006), the government has been less prone to use militias in the economically significant Eastern Sudan. Instead, Khartoum has relied more on the military.[24] Also, numerous economic assets essential for the regime in Khartoum is located in Eastern Sudan (ICG 2006). Therefore the government is dependent on stability in the East in order to be able to make use of these resources. Tribal

[23] The rebel group was formed in March 2005 when the Beja Congress and the smaller Rashaida Free Lions merged into a united movement named Eastern Front.
[24] Academic, University of Gedarif, Interviewed 29 March 2010, Gedarif

militias are more efficient when such considerations do not need to be taken as they often create chaos. When crushing a rebellion is the prime objective, such chaos can be part of the design of the counterinsurgency (HRW 2007). Also, the government policy since 2003 is was influenced of what have happened in Darfur. They did not want things to develop in a similar pattern in Eastern Sudan. A member of the native administration claims that: "The government has learned a lesson from Darfur and will not use the same tactic here in the East."[25]

With less desire to recruit tribal militias the government has taken quite a neutral position between communities in Eastern Sudan. This relative impartiality can be seen in that borders and rules have not extensively been interfered with. Also, in general the government is viewed as being fairly neutral in Eastern Sudan. Consequently, the quality of the institutional design in Eastern Sudan is not undermined by impunity for certain groups. Yet, the quality of the institutional design in Eastern Sudan is not perfect and unclear boundaries of Masarats (roads) that are used by the pastoralists when moving their animals often leads to disputes. From the pastoralists perspective the main problem is that the roads are too narrow and that farmers often cultivate them.[26] On the other hand, from the farmers' perspective, animals eating their crops constitute the main problem.[27] The government allocates these roads to the nomads but often do not communicate this to the farmers.[28] Also, the government has not bought the land from the farmers so they still perceive the land as theirs. Contrary, the pastoralists have been promised access to the land from the government and thus think that they have the right to the land. Hence, both the farmers and pastoralist view themselves as the

[25] Member of native administration, Interviewed 1 April, 2010, Gedarif.
[26] Four Beni Amer cow nomads, interviewed 3 April 2010 southeast of Gedarif, Government official, specialist range and administration, interviewed, 31 March 2010, Gedarif.
[27] Eight farmers (some elders some youths) interviewed 31 March 2010, village of Saraf Said 11 km South of Gedarif.
[28] Four Beni Amer cow nomads, interviewed 3 April 2010 southeast of Gedarif, Government official, specialist range and administration, interviewed, 31 March 2010, Gedarif.

rightful owner of the land.[29] In this institutional design, unclear boundaries create problems as it is uncertain to whom the road area belongs. Clearer rules and regulations in regard to the Masarats would improve the quality of institutional design in Eastern Sudan. Yet, the quality of the institutional design is comparatively good. Except for Masarats, boundaries and rules are fairly clear and have not been extensively disarrayed.[30]

In comparison, the problems with institutional design are much more severe in Darfur than in Eastern Sudan. In the East, unclear boundaries are primarily centred on the uncertainty of the Masarats, but boundary problems are much worse in Darfur. The creation of new states, meddling with more localised administrative units, and the influx of foreigners show the severity of problems around clear boundaries in Darfur. In general, the government's interference with institutional design is more biased in Darfur as the government views some communities in the region as enemies. An example is that although both regions in focus split in 1994, the split of Darfur were deliberately drawn in order to divide the Fur community between all three states whilst the split in the East was not as politicised. These problems are further aggravated since affected communities view the decisions taken by the government as unreasonable and unfair. Moreover, local elites in Darfur has continuously called attention to these problems but has not been supported by any external political actor. In Eastern Sudan certain government decisions are sometimes accused of being biased, in favour over a certain group over another, but overall the government is not seen as having certain enemies that they always rule against. Also, the lost neutrality of the government has caused widespread impunity in Darfur that leads to problems for the trust that the communities have in the quality of the institutional design. Such impunity is not present in

[29] Eight farmers (some elders some youths) interviewed 31 March 2010, village of Saraf Said 11 km South of Gedarif.
[30] International Sudan Expert interviewed 6 October 2011, Khartoum.

Eastern Sudan. To sum up, although problems with institutional design exist in the East, the quality of the institutional design of the CPRs is much poorer in Darfur.

Strength of Conflict-Resolution Mechanisms

Traditionally, the most important institution for conflict-resolution mechanisms in rural Sudan is the native administration. When a dispute erupts, the native administration officials sit down together and address the problem. One important factor of their problem-solving strategy is to keep the dispute at an individual level, so that it becomes individual-individual and not tribe-tribe. The conventional way of dealing with a problem is, however, not to go to the individual, but instead to the chief of that tribe. If the chief does not solve the problem it is referred further up in the hierarchal chain of the traditional leadership, to middle-ranking administrative chief (Omda), and then to the paramount chief (Nazir, Shartay, Melik, or Sultan, different names for different tribes). If these tribal authorities cannot solve the problem the government is sometimes called in. If the issue deals with intra-tribal disputes the native administration might resort to government-sponsored conferences, and if a crime has been committed the issue may be taken to court (O'Fahey and Tubiana 2007; de Waal and Flint 2008).[31]

Darfur

Darfur has a long history of conflict resolution that combines traditional African and Arab-Islamic methods for resolving conflicts, a system that has been thoroughly dependent on the native administration. For centuries this system of dispute resolution was entrusted by many

[31] Omda from Western Sudan, interviewed 1 April, 2010, Gedarif.

Darfurians as a sound means for preventing conflict and promoting peace. The effectiveness of the native administration rests on trust in the system that in turn depends on faith in the neutrality of those presiding over the hearings (Mohamed 2009). When government neutrality diminished in the mid-1980s, much of the respect for the native administration was lost. The native administration continued to work but as the system builds on trust and respect the role that they could play diminished. Also, government bias decreased the independence of the native administration. After the start of the rebellion in 2003, the role of the native administration was further undermined by the fact that the government started to interfere more in who was assigned a position in the native administration. Previously, the native administration consisted of representatives that were seen as genuine by their constituency but government interference changed this and the respect for the native administration eroded further.[32]

A comparison between the Reizegat native administration in South and West Darfur illustrate these dynamics. Traditionally, the tribal leadership in Darfur holds high symbolic power. The Nazir (paramount chief) of the Reizegat in South Darfur is very notable as he comes from a rich and famous family. Contrary, the tribal leadership of the Reizegat in West Darfur is created by the government. The Reizegat leadership in West Darfur does not possess any traditional power. For instance, they are not in possession of historical land rights which is against Darfurian traditions and weakens their authority. In South Darfur, a conflict between the Reizegat and Zaghawa communities in 1996 broke out over water resources and grazing rights (UCDP 2011). The conflict was solved by the native administration and ended with the Reizegat having to pay 250 million Sudanese pounds in Diya (blood money) to the Zaghawa. Also, the native administration made clear that if the Reizegat did not deliver the

[32] Samia Nihar, University of Khartoum, Interviewed 5 April 2010, Khartoum.

money within 72 hours, the Nazir would be arrested. Such a move should be very shameful to the Reizegat, but was avoided since the money was delivered before the sun rose.

Contrary, in West Darfur the same tactic was used in an attempt to solve a conflict between Reizegat and Masalit in 2007. The decision established that the Reizegat should pay Diya, and if not delivered the Nazir would be arrested. Nothing happened and the Nazir was arrested. As the Reizegat in west Darfur did not view the Nazir as their legitimate leader, they did not care much when he was arrested, and the shame was minimized.[33] Currently, due to the outspread anti-government feeling among many Darfurians it can be enough for a person to be viewed as potentially pro-government to lose support within the community. This positions the government in a situation where they in very elaborate ways can undermine the position of a local leader just be indicating that a particular leader is close to the government. [34] Thus, the government is in a unique position to weaken local conflict-resolution mechanisms. Clearly, interference from a central authority affects how a native administration is viewed among the local population. Hence, interference of a central elite, can undercut a local authority that is working properly and thereby weakening the strength of conflict-resolution mechanisms.

Many Darfurians argue that the Sudanese government, in particular, but also other external parties, has to withdraw from Darfur. The problems of Darfur can only be solved if Darfurians exclusively are involved. Such a withdrawal would create space for traditional leaders, and others, to get to the bottom of the problems between different Darfurian groups (Brosché 2008). Furthermore, if the outside interference in groups' interaction decreases, there are well established forms for how groups can interact. Also, the government-sponsored reconciliation conferences are unworkable, as the government is

[33] Adam Azzain Mohamed, Professor, University of Khartoum, Interviewed 25 November 2010, Khartoum
[34] Interview with former UNSG Special Envoy for Darfur Ambassador Jan Eliasson, 24 May 2011, Stockholm

perceived as being involved in the conflicts by taking sides (Mohamed 2009). Thus, people can manage better if left alone.[35] This proposition supports the notion about the benefit of autonomy for the management of CPRs.

Since the start of the insurgency, the government interference in favor of certain communities has increased and this has further deteriorated the relations between communities, as the favoured groups felt that they did not have to follow the existing rules.[36] Hence, traditional sanctioning capabilities eroded and no modern system has to date fully replaced it. Instead, the current situation in Darfur is characterized by a proliferation of tribal conferences and local peace-initiatives instead of a functioning native administration respected by the communities. Instead of bringing proper solutions to the inter-communal conflicts, these initiatives rather contribute to the chaos as there is no co-ordination among the initiators, the government is highly involved, and the situation is misused by many Darfurians in attempts to gain a powerful position within the community (Abdul-Jalil 2009).[37]

The Darfur crisis embraces several examples of the government manipulating local actors. In essence, the central elite uses local elites in self-interest. The prime example concerns landless pastoralists that were exploited by the government to be used in the counter-insurgency (de Waal and Flint 2008). However, there are also situations where a local elite manipulates a central elite (Kalyvas 2006). One example was seen early on in the rebellion in Darfur. After JEM and SLM/A took up weapons a big conference was held in Darfur with representatives from most of the affected constituencies. The government contemplated to give some concessions to the rebels and their constituencies. However, local elites from communities, that later made up the backbone of the infamous Janjaweed militia,

[35] Khalil el-Amin, Associate Professor, Development Studies Research Institute, University of Khartoum, interviewed 5 December 2007, Khartoum.
[36] Ibid.
[37] Adam Azzain Mohammed, Professor, University of Khartoum, Interviewed 15 March 2011, Khartoum

made clear to the government that they did not need to make any concessions to the rebels. Instead, the leaders from these communities claimed that they would solve the problem if the government provided them with weapons and the government followed this advice. This maneuver from the local elite was possible as the government did not have appropriate information about how extensive a threat the rebels constituted.[38]

Although this was done as part of the counterinsurgency, it also had huge effects on the creation of communal conflicts. Foremost, the government promised various landless communities access to land and when these promises remained unfulfilled, it caused conflict between these communities. In addition, the government provided weapons to many communities who were viewed as anti-rebel and these weapons were used in the ensuing communal conflicts. Hence, the fact that a local elite manipulated a central elite was one of the reasons behind the disastrous situation that followed. Thus, at times the central elite manipulates local elites and sometimes it is the other way around. This show the complexity of Sudan conflicts, that derives from intricate local dynamics, connections with national politics, and the broader region (Sørbo 2010). Such behavior directs the situation away from trust, communication, and appropriate information-sharing. Hence, conflict-resolution mechanisms in Darfur are weak, neither the native administration nor the modern court system played an operative role during the studied time period.

Eastern Sudan

In Eastern Sudan, relations between people from different tribes within the native administration are generally good. They have a committee of conflict management that meets once every month. Also, they are always on standby and can meet as soon as a dispute

[38] Dr. Musa Adam Abdul Jalil, Associate Professor Department of Sociology and Social Anthropology University of Khartoum, Interviewed7 July 2009, Khartoum.

emerges.[39] The importance of the native administration, and the role that they are allowed to play in the East, is emphasized by youth representatives, unionists, and governmental persons, from various tribes.[40]

Several examples illustrate these dynamics. In Gedarif in November 2008, a pastoralist from the Beni Amor tribe killed a farmer from the Masalit. People were very worried that this could lead to a war between these communities and without any intervention a tribal war would, in all likelihood, broken out. However, community leaders from many different tribes as well as the Wali (governor) went to ease the situation and to ask the Masalit not to retaliate. They succeeded in calming the situation and no more killings were carried out. Also, the Beni Amor pastoralist that killed the Masalit is now imprisoned.[41] This exemplifies a fruitful conflict-resolution mechanism where cooperation between central and local elites enabled a solution. Another example, showing the importance of rapidity, is a conflict in 2009, where a Bergo farmer killed a man from the Falata tribe. The native administration interfered immediately and paid Diya (blood money) which calmed the situation.[42] Another conflict took place between Beni Amor and Beja in Port Sudan. When the conflict started, native administrations from the whole east – Gedarif, Kassala and Red Sea – were called in. Representatives came from several ethnic groups and they succeeded in calming the situation.[43] Thus, the native administration is allowed to play an effective role in the East and there is no evidence that the government attempts to undercut the role it plays.

In November 2009, a conflict between the Hausa and Masalit in Gedarif caused 13 fatalities, making it the most severe communal conflict in eastern Sudan in a long time. In this conflict, the Hausa perceived the government as biased in favor of the Masalit, a view

[39] Representative from legislature in Gedarif locality, from the Hausa tribe, Interviewed 1 April, 2010 Gedarif
[40] In fact none of the 44 people interviewed during a field trip to Eastern Sudan disagreed with the view of the importance of native administration for conflict-resolution mechanisms.
[41] Pastoralist union representative interviewed 2010-03-30, Gedarif
[42] Omda from Western Sudan, Interviewed 1 April, 2010, Gedarif.
[43] Representative from legislature in Gedarif locality, from the Hausa tribe, Interviewed 1 April 2010 Gedarif.

shared by local academics.[44] During the conflict, the Omda (highly positioned traditional leader) of the Hausa was arrested by the government and this was perceived by the Hausa as evidence of the government's bias in favor of the Masalit. People from other ethnic groups, belonging to the native administration, thought that this was a severe mistake. Moreover, they saw a clear risk for the conflict to become more violent because of the tribal shame of having the Omda arrested. The government listened to the advice of the native administration and released the Hausa's Omda.[45] The interaction between the central and the local elite worked constructively, of highest importance as it is suggested that "if they should not have released him there would not have been anymore Gedarif."[46] Later, the government arrested some persons but it did not solve the problem and the government gave back the responsibility to the native administration, which sorted out the situation.[47] This constitutes a clear example of fruitful interaction between local and central elites. Regardless of an initial bias the government listened to the native administration and changed their decision accordingly. Hence, the bias was not as strong in this case as in the cases from Darfur described above.

There are also plenty of other examples where the interaction of the government and native administration plays a positive role in the East. For example, the native administration has been used to identify persons responsible for certain crimes and these criminals have then been imprisoned by the government.[48] Moreover, often the government cannot solve many of the problems between the communities, and instead does it through contacting the native administration. In general the government is seen as impartial and wants to solve the problem, although sometimes a government official belonging to a certain tribe might be biased in favor of his tribe.[49] Hence, in the East, the government listens to the native

[44] Academic, University of Gedarif, Interviewed 29 March 2010, Gedarif.
[45] Deputy Nazir, part of native administration, Interviewed 29 March 2010, Gedarif.
[46] Academic, University of Gedarif , Interviewed 29 March 2010, Gedarif.
[47] Representative from legislature in Gedarif locality, from the Hausa tribe, Interviewed 1 April 2010, Gedarif.
[48] Pastoral member of the native administration interviewed 30 March 2010, Gedarif.
[49] Academic in agriculture and environmental science interviewed 29 March 2010, Gedarif.

administration and occasionally changes its decisions accordingly. However, this does not mean that the government is entirely non-partisan. Instead, many pastoralists, and scholars, see them as somewhat partial in favor of the agriculturalists (Babiker, Wadi et al. 2005)[50]. Rather, what is meant here is that elite interaction is guided by a relative impartiality. Hence, conflict-resolution mechanisms in Eastern Sudan is strong as the native administration plays an operative role and also fruitfully cooperate with the modern court system when needed.

In comparison, conflict-resolution mechanisms are much stronger in Eastern Sudan than in Darfur. If respected among its constituencies, the native administration can play a fundamental role for peaceful co-existence between the communities through providing strong conflict-resolution mechanisms. However, a pre-requisite is that they are allowed to play this role, and that their status is not undermined. Interaction between central and local elite is a crucial factor in relation to the strength of conflict-resolution mechanisms. When the interaction works constructively the chances to hinder a conflictual relationship between two communities turning into a violent communal conflict are much higher than when the interaction is characterized by non-cooperation. A central elite can undercut the role of a local elite if acting in a biased manner.

Comparing the government's partiality between the East and Darfur, the differences in degree and kind of bias are evident. Government bias towards some tribes in Darfur has had devastating effects on the strength of conflict-resolution mechanisms. Hence, the interaction between central and local elites has been strongly negative and has eroded norms and trust that are essential for the successful management of a CPR. This has undermined the previously well-working native administration and in doing so weakened the strength of conflict-resolution mechanisms in that region. Contrary, in Eastern Sudan, the relative neutrality of the government has enabled positive interaction between central and

[50] Representative Pastoralist Union Gedarif State, Interviewed 30 March 2010, Gedarif.

local elites. This is manifested in the role that the native administration is allowed to play and the fruitful co-operation between the native administration and the modern court system that often emerges.

Conclusions

So, *why do conflictual relationships between different communities turn into violent communal conflicts in some regions of a country but not in others?* I argue that the main reason for conflicts over the commons being much more deadly in Darfur than in Eastern Sudan is that the government is more partial in Darfur. Most of the time, the communities solve conflicts before they turn into violent communal conflicts, but if the government is actively partisan, the situation can turn into violent communal conflicts. One explanation for why a partisan government is significant in generating violent communal conflicts is that it affects so many segments of the society.

A first finding relates to elite interactions and quality of the institutional design. When the government is biased, the quality of the institutional design is affected in a negative way. Clear boundaries may facilitate an appropriate management of a common-pool resource. However, in Sudan parallel law and land-owning systems have made this very difficult. This is particularly true in Darfur, where the government intentionally has redrawn boundaries as part of its divide-and-rule policy which has created unclear rules and borders. This meddling with rules and borders creates a volatile situation as these uncertainties can be misused by various actors. Also, this interference and non-neutrality has led to a situation of widespread impunity in which members of certain communities do not need to follow existing rules. This aggravates the quality of institutional design as it moves the actors involved away from trust in the system. Hence, when an institutional design is characterized by unclear boundaries,

imprecise rules, and distrust of the system, the risk of conflictual relationships between different communities, turning into violent communal conflicts will increase.

A second finding concerns elite interactions and the strength of conflict-resolution mechanisms. To empower conflict-resolution mechanisms, central and local elites must co-operate in a constructive manner. Conflict-resolution mechanisms are likely to break down as a result of government partiality because when the government is partisan, the respect as well as the room to maneuver for local actors diminishes. In contrast, when the government is relatively nonpartisan, local and central elites can work in tandem fulfilling different task. The native administration can for example identify a criminal and the government can put him in jail. In many countries, police, courts, and the law, are the most important conflict-resolution mechanisms. In rural Sudan, however, the native administration is the most important intermediary when it comes to disputes. For it to fulfill its task, the native administration must be respected and seen as an appropriate actor, as well as have a sphere within which it can authoritatively act. Thus, the strength of conflict-resolution mechanisms will dilute without such autonomy.

Historically, local actors in Darfur could act sovereignly but interference of the government has decreased their autonomy. By taking side with certain communities in Darfur conflict-resolution mechanisms weakened and this rendered the working local administration in the region inoperative. However, in Eastern Sudan local actors are more autonomous and the native administration can operate more independently. Also, local and central elites often interact in a fruitful manner through co-operation between the native administration and the government in Eastern Sudan. Hence, when the strength of conflict-resolution mechanisms, traditional as well as modern, is undermined, the risk of conflictual relationships between different communities, turning into violent communal conflicts will increase.

Thus, both these factors increase the risk that a conflictual relationship between different communities turns into violent communal conflicts in and of themselves. Yet, these factors also interact with each other. For instance, an inappropriate institutional design will make it much harder for efficient conflict-resolution-mechanisms to function since they depend on each other. This connection can be exemplified by impunity. If an institutional design is categorized by impunity it will have severe effect on the strength of conflict-resolution mechanisms, as it undermine the trust for these devices. If a conflict is solved before turning into a violent communal conflict and the perpetrator is identified the confidence in the system will be lost if he goes unpunished. Hence, the factors emphasized in this article have clear interlinkages.

Final Remarks

The main contribution of this paper is that it provides a theoretical explanation of a puzzling variation not explained by previous research. Through a structured focused comparison, and by bringing together the literature on CPRs with literature focusing on elite interaction, the variation between Darfur and Eastern Sudan is explained. Furthermore, the study suggest that adapting the literature about CPRs to standard civil war literature has proven to be fruitful and opens up multiple avenues for future research. Due to the many shared elements of armed conflicts and CPR management, a wide spectrum of potential exists. For instance, the CPR literature can be applied to other types of violence and the elaborated understanding of collective action can advance research within this realm. Also, the study contributes by examining a form of collective violence that has received limited attention within peace and conflict research.

An important question arises; are the findings of this study applicable outside the scope of cases of *ethnically mixed, marginalised and relatively deprived regions, with scarce subsistence resources, inhabited by both farmers and nomads, governed by the same national regime*? Theoretically, I deem my findings as more generalizable than to the group of cases investigated in the article, even if this has not been tested empirically. Nevertheless, I see two limiting conditions for how far it is reasonable to believe that the findings can travel. Firstly, groups inhabiting the region do not necessarily have to have different ethnic belonging, but the region has to harbour at least two groups with strong and different communal identities. Secondly, scarcity of resources is considered necessary because regions with an abundance of resources would not be as vulnerable to the dynamics that lead to violent communal conflicts presented here.

The government bias is fundamental for this paper. However, it is crucial to inquire into if another outside actor than the government could have similar effect. I argue that some of the arguments above would also apply if another outside actor than the government would try to meddle in the relation between communities in a region. Nevertheless, the ability of the government to take action within its own country is usually more comprehensive as it can interfere with so many different devices. For instance, the court system and abiding laws are factors that hardly can be used as easily by another actor than the government.

Policy-wise, actors concerned with conflict resolution can learn from adopting findings about CPRs to a context of violent conflict. Previously widespread notions about privatization or an outside leviathan being the only solutions have to be updated and much more context-specific policies should be adopted. In addition, Eastern Sudan show that communities can live in relative peace despite very harsh conditions when outside interference does not tear down effective ways of managing emerging problems. However,

local grievances among the communities have to be taken seriously and efforts conducted to ease their situation. As Darfur shows, the harsh situation and extensive frustration of many of the communities can turn into a deadly mix, if combined with a partisan external actor. That the hotbed for a similar situation will arise in other regions exists is accentuated by the following statement about the situation in Eastern Sudan: "the problems increase for every year and if this continues we will have a war between the farmers and the nomads."[51]

[51] Three camel nomads from the Lahuwien (also called Jawamis) tribe ("Arab") from Kassala State, interviewed 3 April, east of Gedarif.

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