

## Review

# Challenges facing land tenure system in relation to pastoral livelihood security in Gedarif State, Eastern Sudan

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**Land in rural communities is not just a means of livelihood but also a source of wealth, tribal identity, social peace, and also source of conflicts. This paper addresses the issue of pastoral land tenure in relation to their livelihood security in Sudan. The overall objective is to trace the changes in land tenure system and its implications on pastoral communities in Gedarif state, eastern Sudan. In Gedarif like elsewhere in Sudan accessing pastoral land was governed by the system of communal rights. Although, this system has some shortcomings such as lack of transparency and democracy besides being gender bias as woman can access land only through their fathers and husbands, it has proven its efficiency in securing livelihood and reducing conflicts in the country. Several land acts have been introduced since the colonial era and during the national successive governments aiming to provide the state full authority to control land resources and undermining the traditional communal right of pastoral people. Among these was the unregistered act of 1970, this act has given the government the full power to grab and reallocate the land to the public and private sectors most were not from Gedarif state, without taking into account the communal right of utilization and access to land, which is the major source for pastoral livelihood. As a result unplanned mechanized farming has expanded rapidly at the expense of traditional right causing rigorous implications and threat on pastoral economy. These implications include: livelihood insecurity, drop out from traditional sectors, collapse of pastoral adaptation, poverty, rural urban migration, weakening the role of tribal leaders and acute conflict over limited resources.**

**Key words:** Land tenure, livelihood, poverty, pastoral economy, Gedarif, Sudan.

## INTRODUCTION

Land tenure remains; at least, one part of complicated combination of the structural factors contributing to poverty and violence in contemporary Africa (Egemi, 2006). Currently, particularly in Africa land tenure system has become a debatable issue among planners and policy makers at local, national and international level. This might be due to the close link between land tenure security and challenges facing African countries especially when it comes to the poverty alleviation and addressing the situation of human insecurity. Further, this link has been escalated by Millennium Development Goal (MDG) as declared eradicate the extreme poverty and hunger by half by 2015 as one of the eight goals to be met (UNDP, 2010). This cannot be achieved unless issues of access to land, security of tenure and the

capacity to use land productively in a sustainable manner are addressed (ICA, 2004). In Sudan like elsewhere in Africa, the majority of rural population depends on communal access to pastoral land for securing their livelihoods. Despite this pivotal role, still the issue of land tenure does not given an attention it deserves and so far there is no proper action taken at least by Sudanese government to address the issues related to the communal land right.

In pastoral communities, communal right has become so well embedded in their culture and daily life that local residents regard it as indigenous and believe its efficacy to regulate their access to land and to adjudicate social conflicts (Shanmugaratnam 2008). Although these rights are difficult to define in western terms, they are still so

flexible and subject to communal welfare that they offer the opportunity for land control system where each interested group, even in the case of conflicting interests can respect and tolerate the needs of others. This system needs to be understood not only as means of accessing and securing livelihood for pastoral people, but also as an efficient way of managing resource scarcity in arid lands. For example in Sudan pastoral production still constitutes a fair part of the GDP (22%) and the overwhelming majority of Sudanese rural population continues to rely, at different degrees, on extensive mobile herding for its subsistence (El Hadary, 2007). Despite all these, the communal rights do not seem to have been a priority for planners instead it was considered as a constraint that hinders the development of the country and there is an urgent need to change it. The common desire of most of the planners and decision makers is to modernize (privatize) communal land tenure and make exclusive right for more production. For them customary law was designed for small communities and that makes it unfit to cope with the rapid economic development and rapid land resource competition pattern (Runger, 1987).

Change communal land ownership in Sudan goes back to the colonial era when hungry colonizers circumvent land rules so as to extract and grabbed the natural resources with low cost for their own benefit. Several land Acts have been introduced such as act of 1925 and of 1930 the overall objective is to dismantle customary land tenure systems based on common property and to provide the state full power to control and owned lands (Babiker, 2008). As a result large cash crops schemes were established at the expense of pastoral economy. The successive national governments inherited the colonial legacy and adopted the same policy but, in some cases, have introduced land Acts even harder and beyond the dreaming of the colonizers such as unregistered land act of 1970. Despite these interventions, customary systems have proved very resilient, and are still widely applied in many rural areas (Babiker, 2008). Up to the present still large group of pastoral people believe in communal right and land is theirs while the state insisted that this system is no longer valid and it becomes part of the historical legacy of country. Based on that, the government usually allocates land to the investors, rich people and their loyalties without taking into consideration the traditional right of the rural people. Changing communal land tenure system into exclusive right has led to collapse the whole system of pastoral economy, speed up resource degradation and increase the rate of conflict.

Access to land in Gedarif state is not far from other pastoral area in the country, it was associated with a particular tribal homeland (*Dar*), defined by customary rights. This system showed its efficiency up to the 1970 when the government abolished the system of Native Administration and decelerated that land is for all under the control of government. This has led to sharp

decrease of the available pastoral land, close of traditional pastoral routes, acute cut of water points, collapse pastoral adaptation and increase resource conflict. This paper focuses mainly on the link between lack of access to land and the livelihood insecurity in the eastern Sudan using Gedarif State as case study. It identifies that unregistered land Act of 1970 constitutes one of the major driving forces behind shifting from pastoral livelihood security to livelihood vulnerability. The analysis is based heavily on the review of the recent literature, a range of secondary sources and support from the author personal experiences in this field. This paper tries to answer the following questions: How pastoral people access land in Gedarif? What are the major changes and threat in pastoral land tenure system and its impact on pastoral livelihood?

### Conceptual and analytical framework

In order to address the changes in land tenure systems, it is therefore necessary to formulate a working definition of terms. For this purpose, land tenure can be defined as the way by which land is held or owned within societies, or as indicated by (FAO, 2005) as a set of relationship whether legally or customarily, among people, as individuals or groups, with respect to land and other natural resources. Communal tenure is a traditional system created by those whose livelihood was often precarious and depend on access to land for survival, this land is either fragile or need careful use to ensure an ecological balance. This system has long history not only in Africa but also in the Middle East and (once upon a time) North America, has evolved from largely agricultural societies where little competition for land (Payne, 2000). In Gedarif like elsewhere in Sudan both systems (formally or communally) are co-existed side by side creating an overlapping and land laws dichotomy. Each system of tenure has its advantages and limitations depending upon its context. Unlike formal right which is documented and authorized by the state, the communal is unwritten right allocation, use, transfer, etc, are determined by the leaders of the community according to its needs, rather than through payment, though some form of token amount is often extracted as a sign of agreement (Payne, 2000). This communal tenure system has undergone severe changes and the livelihood which based on pastoral economy is under threat.

Pastoral economy refers to the system of production as well as a way of living in which herding of domesticated animals in arid and semi-arid regions that are marginal to agriculture, is the dominant economic activity (Grigg, 1974; El Hadary, 2007). In securing livelihood this system depends on periodic mobility over traditionally exclusive rights of residence and exploitation over territory referred to as (*Dar*-homestead). Livelihood security concept has entered the arena of development recently; it has a close

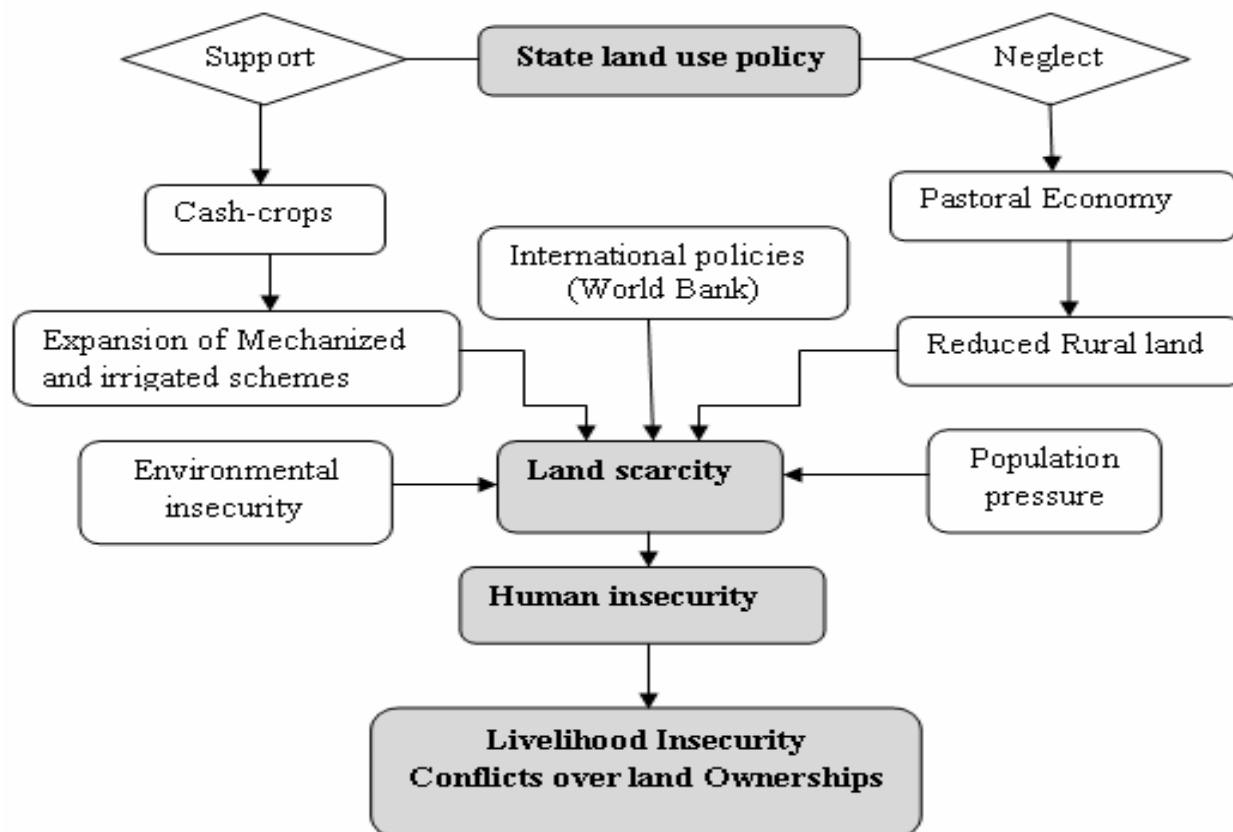


Figure 1. Analytical framework.

link with the concept of human security, which implies safety from both large and small-scale violence but also from chronic, non-military threats such as hunger, disease and repression (ECA, 2004). In Gedarf large group of pastoral people have faced many problems related to livelihood insecurity such as poverty and shortage of food.

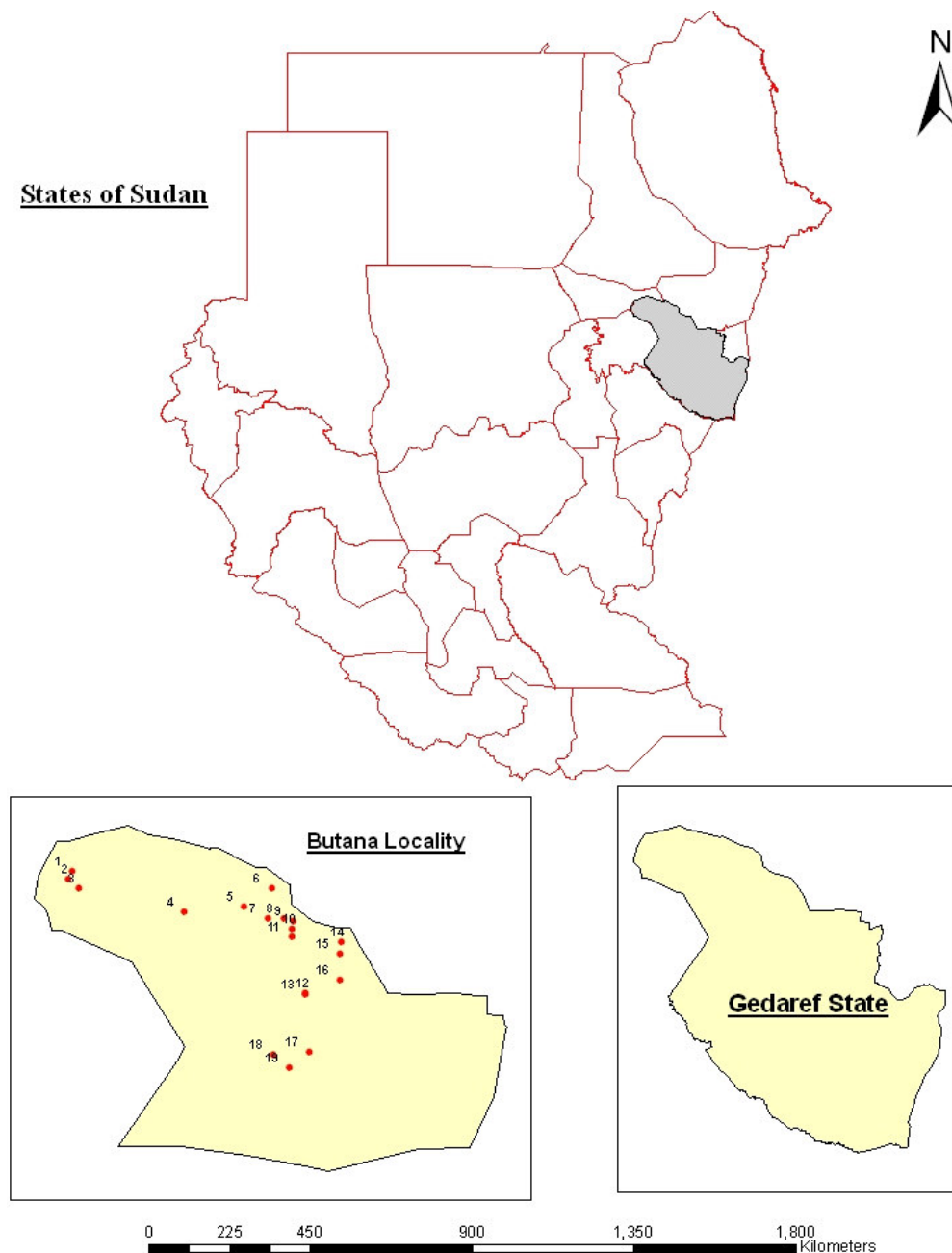
To address the issue of livelihood insecurity in relation to access to land this paper develops an analytic perspective to understand the implications of land tenure changes on pastoral communities (Figure 1). This frame is starting by putting in place the role of state as an essential factor behind the collapse of pastoral economy. The double standard and unfair policy adopted by the state in supporting cash crops and neglecting pastoral economy has created socio-economic disparity between people and reduced pastoral areas. Under the pressure of international policy such as World Bank, the state has introduced several land acts aiming to control land for modernization of agriculture (Mechanized Farming). As a result, large areas have been taken and reallocated to the public and private investors at the expense of pastoral right. This together with role of prevailing drought, high population growth and ecological degradation has resulted in massive land resource scarcity. This scarcity has led to enormous implications among

pastoral communities such as livelihood insecurity, resource competition, tensions over land use and severe armed disputes particularly in pastoral areas.

## GEOGRAPHICAL SET UP OF THE STUDY AREA

To look into pastoral livelihood security in depth and also to avoid the risk of over generalization, the focus of this article is narrowed down to Gedarf State, one of the twenty five states that together form Sudan (Map 1). Gedarf State is located in the eastern part of Sudan together with the two states: Kassala and Red Sea, forming eastern states, which is another Sudanese marginalized region. Geographically, Gedarf state is located between longitudes 33° 34' and 37°E, and between latitudes 12° 40' and 15° 45'N. The state is bordered to the east by the Ethiopian and Eritrean frontiers, and it has borders with four of the other states of Sudan, namely Kassala state to the north, Khartoum state to the northwest, Gezira state to the west and Sennar state to the south.

The total area of Gedarf state is (about 72,000 km<sup>2</sup>) has been divided administratively into seven localities, namely Fashaga, Faw, Gallabbat East, Gallabbat West, Gedarf, Rahad, and Subaqh (El Butana) localities. Each



**Map 1.** The location of Butana and Gedaref State. Source: Central Beurea of Statistics 2007 modified by the author.

of these localities is also geographically divided into smaller administrative units. In 2008 the total number of population of Gedarif has reached 1 348 378 inhabitants (CBS, 2010), being composed of people belonging to several ethnic groups including in general Arab and non-Arab background. By the way ethnicity has a direct contribution in accessing land and securing livelihood in the state. Thus Arab of Shukriya tribe and its affiliation has occupied the northern part and non Arab from western Sudan and West African countries dominated the

southern part. Generally, there are five *Nazaras* in Gedarif sate these are *nazara* of shukriya (Butana), *nazara* of Dubbanya (wad Zied), *Nazara* of Wad Bakur, *Nazara* of Al amir Yagoub (gala elNahal), and the deputy of *Nazara* of Beni Amir.

El Tayeb (1983) mentioned that Abu Sin, the *Nazir* of Shukriya (1790 - 1870) was the first to settle his family in the Gedarif area. He formed the first nucleus settlement, and Gedarif began to grow as a tribal market developed. Historically, Most of the inhabitants of Gedarif State

depend on pastoral economy for survival. This type is mainly survival-oriented includes both livestock husbandry and traditional farming for growing staple food crops such as sorghum (*Dura*). It is characterized by small-scale farms (shifting cultivation), dependent on family labour and periodic mobility of both people and livestock. Recently, as will discuss later this system has faced severe challenges that threaten its existence due to the change in communal right system and introduce of large mechanized farming schemes.

### **PASTORAL LIVELIHOODS: ADAPTATION TO HARSH NATURE IN GEDARIF**

The livelihood of rural communities in the Gedarif state is based on the use of land for grazing purposes with traditional cultivation for house subsistence. Small producers mainly pastoralists in Gedarif have developed multiple strategies to cope with ecological and socio-economic situation in the area. Their adaptation concentrates on pastoral economy as a source of livelihood and on sharing the commons. Livestock husbandry together with some traditional farming are considered as the major source for securing livelihood for people in the area. Due to the harsh nature of arid and semi arid land people in Gedarif adopted mobility system as suitable adaptive mechanism in such condition (Map 2). This strategy allows for the use of all available feed sources and helps to minimize competition and conflict over resources.

Marketing is not a big issue and this is due to the small size of the farm, shortage of labour and use of traditional equipment. It is worth nothing that pastoral economy depends mainly on extended family member and free collective workers known locally as *Nafir*. All the above activities are governed by flexible institution in accessing land. Thus, every member of the tribe feels that land belong to him/ her and should use it in a very sound and rational way. The tribal leader is considered as the most essential character and so his words must be respected by all. The flexibility of pastoral livelihood strategies has always been one of the means of survival in harsh nature of arid and semi arid environments.

### **COMMUNAL LAND TENURE SYSTEM: GENERAL PERSPECTIVE**

Sudan is one of the African countries which has witnessed the system of communal right since a long time. This system offers the tribal leaders power to manage and distribute resources fairly overall member of their villages. Generally, the system consists of three administrative tiers these are *Nazir* who are in charge of the entire tribal administrative and judicial affairs, *Omdas* those who supporting *Nazirs* and took the responsibility of tribal subsections and the third are *sheikhs* who are the village head man. All these tribal leaders work in

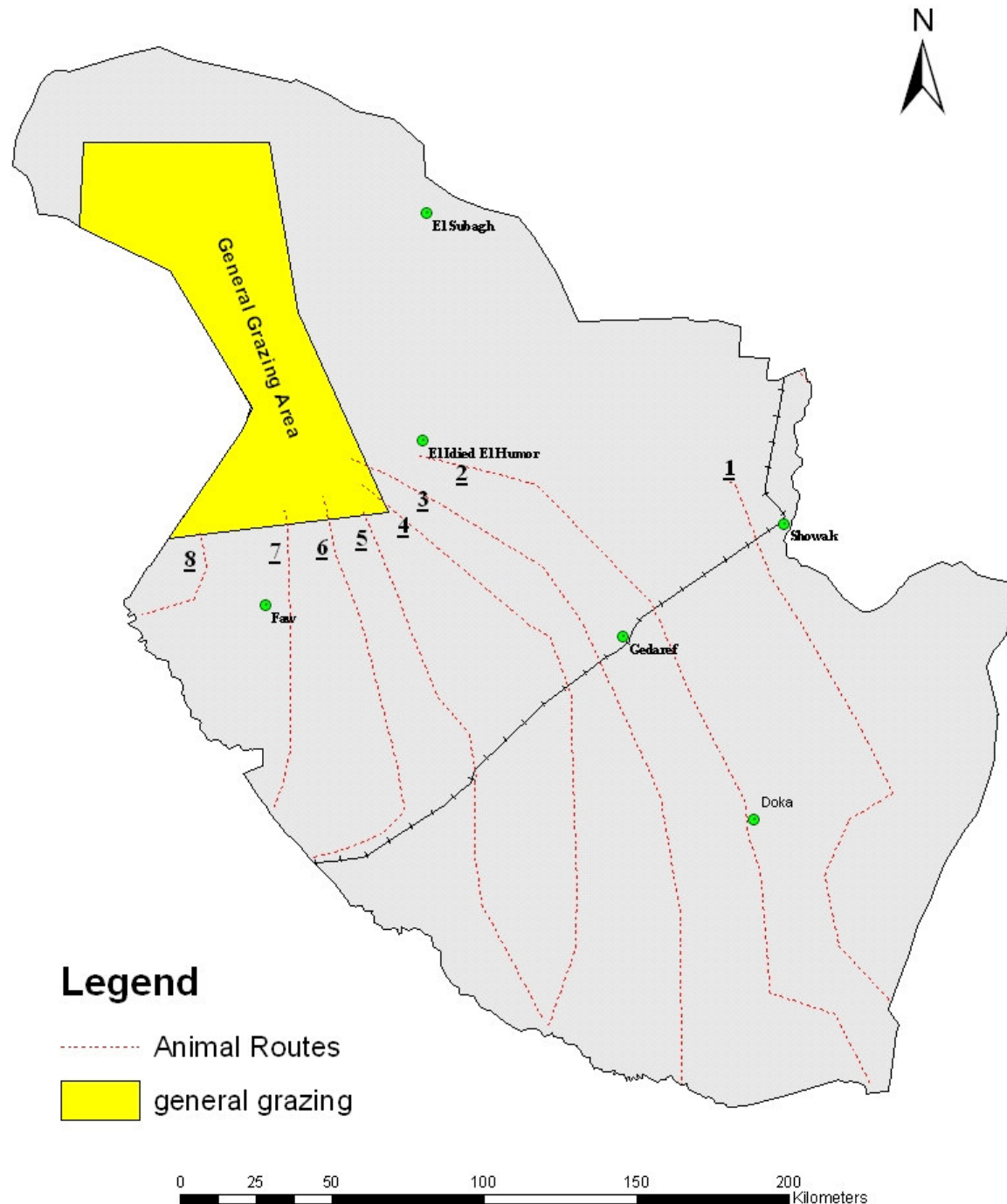
harmony to maintain security and order in their areas besides collecting taxes from their followers. In addition to that, they play vital role to settle disputes and conflicts between their followers and outsiders (El Hadary, 2007).

This system is based mainly on having a historic right to land, which is accessed either through fighting with neighbours or in few cases granted as a gift by (*Sultan*) king of the State. This land is known locally as *Dar* in the eastern states or *Hakura* as in Darfur (means a homeland), defined by customary or communal rights. Within the (*Dar*) each member or group would maintain primary rights of access to use land for farming and herding within the territory under the system of native administration *Elidara Elahlia* (the system governs all matters regarding communal right). This system is the only institution, that respect not only by members but also by state and has reliable information about all matters concerning livelihood of the people.

Usually the land nearer to the settlement is assigned for cultivation, while that away from the settlement is for grazing. The area reserved for grazing is known locally as *Gifar* (empty land). Members of the tribes have secured rights to use communal land, and that right can be passed to heirs. Mutual and symbiotic relationships between tribes happen only through agreement between tribal leaders. For example, if one tribe faces a problem such as shortage of water, the other with sufficient amount can open its *Dar* to the needy group. This is usually under the control of the host tribal leader who determines time, place and number of days to stay.

In reference to customary land rights, two terms were invoked, namely *Asl* and *Amara*. The term *Asl* ("origin" in Arabic) refers to land that was historically acquired through customary arrangements by members of the indigenous tribal groups which first settled in the area. Wars have been fought in the past by tribal groups to protect such lands from being taken by other tribes. The *Asl* right to land entitlement is permanent and unchangeable under customary rules. On the other hand, the term *Amara* (temporary usage) refers to *Asl* land used temporarily by non-owners after being granted permission by the original owners. Use of *Asl* land for establishing an *Amara* customarily requires the payment of (a token rent known locally as *Godab*) to the owner.

The continuity of use of *Asl* land as an *Amara* depends on the continuity of payment of *Godab* and recognition of the land rights of the owner. According to the customary law, *Amara* right is unchangeable as long as the users continue to pay *Godab*. However, *Asl* holders are expected in principle to preserve their land right and property constantly by preventing *Amara* users from cutting trees and opening new wells or repairing the old ones without permission. Landless outsiders can access land through the system of *Ukul-ou-Goum* which literally means eat and leave that is to cultivate the land and then leave to the original owner after crop been harvested. No rents are demanded by the land owners in this case, but



**Map 2.** Animal traditional routes in the Gedaref State. Source: El Hadary 2007.

the users (usually poor people in need) may be expected to leave the land immediately after harvesting their crops. Beside the above mentioned advantages *Dar* system shows some limitations. These include but not limited to the absent of democracy, gender bias and concentration on subsistence economy. In this regard (Babiker, 2008) states that the most important disadvantage is the

embodiment of judicial and executive authority in a single individual (a village headman), which makes him a person of considerable powers in the allocation of tribal land rights and the settlement of tribal disputes over land. Also, this system shows some signs of discrimination especially against those who have no historical right to land like new migrants and displaced people. Regarding

the exclusion of women, their philosophy behind is that women might marry outside the tribe, and their exclusion will prevent tribal land to pass to members from different tribes.

### **From communal right to private right ownership: winners and losers**

Written documents show that the system of communal right in Sudan goes back to the Funj Sultanate/kingdom (1504 - 1821). During this kingdom title to land was characterized by *wathiga* system, by which Muslim monarchs granted by the sultans a land or *Dar*, as a gift, to local tribal rulers and holy men (Shazali and Ahmed, 1999). The leadership was the primary representative of the Funj in a given *Dar*. Tax collection and maintaining order in its territory, notably by preventing or solving conflicts over natural resources were the main duties for the tribal leader. The system of *Dar* witnessed no significant changes during the Turco-Egyptian rule (1821 - 1885). Land tenure system during this period had two main forms of ownership. These were individual land ownership along the river Nile in the north and in urban centres. The second form was continuous recognition of the communal ownership vested in a "tribe" during Funj sultanate (Egemi, 2006). Also, during the Mahdist rule (1885 - 1898) no remarkable changes were introduced to the basic structure of the land tenure system except in so far as they regularized the mode of collecting taxes from the cultivators. The practice of granting tracts of land to tribal chiefs, village sheikh and religious men continued on the understanding that paid whatever was imposed on them and their tenants ((El Mahadi, 1979; El Hadary 2007). Nevertheless, the ownership of vast territories was transferred by the *Khalifa* (Muslim leader) from disloyal to loyal groups; but this was soon to be reversed by the British colonial administration (Shazali and Ahmed, 1999).

A dramatic change in communal land right traced back to the colonial people (1898 - 1956) who paid particular attention to the system of land tenure not only in Sudan but also in British colonial nation-wide. The driving force behind that is simply to extract natural resources for their own benefit (Babiker, 2008). Title to Land Ordinance in 1899 was issued immediately on the eve of colonization followed by Land Settlement and Registration Ordinance Act of 1925. The later has paved the way to the current legal framework of land tenure system in Sudan and provided the government full power to grab and control land resources. According to this Act all waste, forest, and unoccupied land shall be deemed to be the property of the government until the contrary is proved" (Shazali and Ahmed, 1999). Theoretically, this act had provided a golden chance for land registration in the whole country but the reality had showed something different. It recognized the continuous cultivated land particularly in

the northern and central part of the country and registered only occupied land. This act kept silence and said nothing about the land right regarding communal ownership, meaning verbally continuity of the native administration system. The idea of bias in registration is supported by (Runger, 1987) who states that the act registered only land in towns, schemes along Nile valley, where land scarcity and possibly also because these areas where government could easily levy taxes. This unjust action has far reaching implications and created regional disparity in the country. Since then a region like Darfur, Eastern and Southern Sudan have strong feeling that they have been marginalized from economic development since long history. In this regard (Elshazali et al., 2006) stated that the Act of 1925 was unfair as no individual private ownership in central, eastern and western Sudan as well as all lands in southern Sudan was recognized. Lately, this have been aggravated by the Act of 1930 (the Land Acquisition Ordinance) which paved the way for the government to acquire any land (village or tribal) under the pretext of public interest.

After getting independence, the national governments inherited the legacy of the colonial people and followed their line in neglecting the right of pastoral communities. Regarding such right the successive government issued several land Acts that even harder and beyond the dreaming of the colonial people. One of this was the Unregistered Lands Act of 1970 which decreed for all unregistered land throughout the country occupied or unoccupied which is not registered before the commencement of this Act shall to be registered as government property, and granted the government the legality of disposing of lands as it saw fit. Moreover, as stated by (Egemi, 2006) the Act of 1970 entitled the government to use force in safeguarding "its land" and this has further been strengthened by the 1991 - 1993 amendment of the 1984 Civil Transactions Act which states that no court of law is competent to receive a complaint that goes against the interest of the state. This act stated clearly that all land including unoccupied (pastoral land) if not registered based on the act of 1925 it becomes a government land. It is important to note that communal ownership, for different reasons, were unable in the past to register their lands under the provisions of 1925 Act. These reasons include but not limited to, the overly complicated and lengthy land registration procedures, lack of adequate information on existing land tenure, lack of awareness about the existing land Acts and their provisions, and the difficulty of getting exclusive property rights in situations involving complex land use arrangements. In addition to that, two reasons might be put in place either both colonial and national policy makers were not serious in registering pastoral land because of no use at that times or they did that intentionally aiming to reserve it for future.

It is worth nothing to note that the Act of 1970 was passed by the Nimeiri government (1969 - 1985) under

the pressure of the World Bank to serve the purposes of its ambitious plan to make Sudan “the bread basket of the Arab world”. Thus, policies involving large-scale investments in irrigated areas and the expansion of capital intensive mechanized rain-fed agriculture were adopted by Nimeiri’s government (El Hadary, 2007). As a result large productive area has taken from pastoral communities and vested to the investors, merchants, or to the people that affiliated or close to the government with no compensation or commitment to the traditional right. The compensation remains valid only in the case of registered lands. In very few cases the “owner” gets compensation of it is taken land which is always below the market price. In this way, land as a source of wealth and power remains one of the main differentiating factors between the central and peripheral regions of the postcolonial Sudan (Komey 2009). The grabbing land for public and private use under the deceiving pretext of “new development” has completely undermining of the rights of pastoral people and thus affect their livelihood negatively. Land for pastoral people is not only source of production but it is way of life thus losing it means ruin for the whole tribal system.

Abolition of the native administration system in 1971 was the last decision taken by the government to ensure the suppression of community or individual that might resist the process of land grabbing and to disable their efforts (Komey, 2009). This has weakened the position of tribal leaders and their ability to regulate land use and manage inevitable land related conflicts in their tribal areas. It was observed that still the tribal leaders continue to participate informally in the resolution of conflicts, and the government has recently passed a law for reinstatement and limited empowering of Native Administration to enable them to participate more effectively in resolution of conflict situations. The *Nazirs* are appointed by the government as members of the National Assembly (the Parliament) and are represented in state level legislative bodies. The *Nazirs* and their subordinates in the native administration hierarchy are receiving salaries and/ or other forms of financial remuneration from the government. Despite all these and due to the great shock of the 1971 Act together with the new ideological changes of coming generations, leaders found themselves very weak to enforce the rules that governed land access like in the past. This weakness is also due to the fact that the tribal leader lost one of the basic pillars of native administration system, the land (El Hadary, 2007).

### **Pastoral economy under stress: From livelihood security to livelihood vulnerability**

Regarding the policies adopted by the colonial people to regulate land access in Gedarif state, three points should be put in the place these has summarized by (El Hadary, 2007), firstly, recognition of the of Native Administration

system as the responsible body for managing natural resources, collection of taxes and enforcing the regulations that govern grazing issues such as (*Dar*, grazing line, date of entering, common and special grazing, settle disputes). Secondly, the declaration of General Grazing Area in 1904 was an important Action undertaken to protect the grazing of outsider and avoid conflicts over land (Map 2). Thirdly, the enforcing of a grazing line which was considered as northern limits for agricultural cultivation. No farmer was allowed to cultivate north of it, otherwise pastoralists would not be held responsible for crop damage. Similarly, pastoralists were instructed not to enter the cropping areas with their animals during the agricultural season, otherwise they would be liable to both fines and imprisonment in case of agricultural damage. These policies were sound good and help in securing livelihood of pastoral people and at least reducing the rate of conflict over land resources until to the birth of the unregistered act 1970. This act as stated above has put some remarkable changes in communal land right all over the Sudan with paramount effect in Gedarif state. Based on this Act, unorganized expansion of rain-fed mechanized farming together with the irrigated schemes has expanded rapidly usually at the expense of pastoral land rights. At times when land that securing livelihood for overwhelming traditional producers remains reduced or in better case static, the area under unorganized mechanized farming is increasing rapidly. Recently, the total area under cultivation in Gedarif state reaches eight millions feddan 66.2% (5 347 115 feddan) is considered as unplanned scheme and 33.8% (2 729 500 feddan) is only demarcated.

Theoretically, one would expect that mechanized farming should play vital role in the development not only in Gedarif state but for the whole country. Instead, it has become a major constraint and hinders for rural development as it was failed to address the needs of the local people. Several authors have pointed out the limitations of mechanized farming and its impact on pastoral livelihood. In this regard (Elhadary, 2007) in his thesis explains how pastoral people pushed out from their traditional right in Gedarif sate, same as (Ahmed, 2008) who stated that the pastoral communities in the Blue Nile/Fung region have experienced a general crisis, namely increasing sedentarisation, a shift from pastoralism to transhumance, the forced switching to new sources of income, a high incidence of poverty and continuous marginalization, as well as (Komey, 2009) who speaks bitterly in showing how traditional land of Nuba mountaion region has taken by *Jellaba* (merchant Arab people) under the state protection. All share the common idea that the land which is a major source for securing livelihood of pastoral people started to be gradually appropriated by the state through its specially designed means for such a purpose (the Land Act of 1970, the Civil Transaction Act of 1984 and the amendments that followed in 1990 and after), or to be



grabbed by elites from outside the region through unauthorized means while the state turned a blind eye.

Although, it has been stated that 60% of mechanized schemes should be distributed to the local people, the reality shows that this statement has been violated in Gedarif state. The mechanized farming schemes were allocated to the people who have close link to the government, most of whom were merchants having no connection with the state and with little or no agricultural background. These people have become the winners and pastoral communities were there are losers of the game. This due to the fact that local communities and their institutions were hardly engaged in the process of schemes allocation especially after abolition of native administration. In this regard (Ijaimi, 2006) states that the 64% of mechanized schemes holders in Gedarif are considered as outsiders, and astonishing enough most of them are traders 31% or government employees 48% and having no agricultural background. For him mechanized farming has been consistently perceived and accused as a major factor fueling conflict and source of injustice in the clay plains of the central Sudan. It was written that no farmer is allowed to have more than one scheme (1000 feddans) as a maximum but the reality shows that there is a violation of the regulations of lease provision. One third (32%) have more than ten schemes (10000 feddans) and in some cases it reaches thirty schemes an each.

In addition to rapid expansion of mechanized farming, Gedarif has also witnessed considerable expansion of irrigated scheme such as Rahad scheme in 1970. This scheme was financed by a loan from the World Bank under its policy of modernizing agriculture. This scheme together with Halfa scheme which is located in the Kassala state (eastern region) have cut million feddans of rich pasture land used during the dry season. In addition, access to the main sources of water (river Atbara and Rahad) has become difficult thus; shortage of water during dry season becomes acute. The area taken over by the Rahad Scheme was part of the "General Grazing Area" accessed by pastoral groups from both within and outside Gedarif (Map 2). This has increased competition over land resources and speed up environmental degradation.

## **MECHANIZED FARMING THE ILLUSION OF DEVELOPMENT**

The aim of this section is to examine critically the role of mechanized farming in rural development in Gedarif state. According to (El Tayeb, 1983) mechanized farming in the area started in the year 1940 on small scale and in 1945 the total area was about 21000 feddan. The stage of turning point was in the year 1968 when Mechanized Farming Corporation (MFC) was established by the government upon the request from the World Bank to

facilitate agricultural development in the Sudan. The objective behind MFC is demarcation lease as blocks to registered land users (individual, villages group, companies, government institution and co-operative) for specified period (25 years) and purposes. In addition (10%) of land leased should be given for tree planting around the scheme and in theory , 60% of land was to be allocated to local people in condition that no one can access more than one farm. Under the pretext of modernizing agriculture, the successive governments have systematically embarked on large mechanized farming schemes. Several scholars have criticized mechanize framing as being efficient and modern. The idea which says mechanized farming is somehow modern and efficient need to be revised though in reality, it is neither of these things (Komey, 2009), it is nothing than use of tractors to plough the land and sometimes help in harvesting (Ahmed, 2008). Whatever the case, no one can deny the role of mechanized farming and its contribution to the economy of the state. But these are always at the expense of pastoral economy which is the principal livelihood systems of the overwhelming majority of the population in Gedarif state. To proof the negative impact of mechanized farming in the development and securing livelihood of rural communities, this article collects some figures showing that such sector has no relation with securing livelihood for local people as the number of beneficiaries are rather limited (El Hadary, 2007). The total farmer that own mechanized land in Gedarif were about (9800) farmers most of them depend on (wakeel) care taker for farming as they have other business thus; their role is just funding and supervising the processes of cultivation. A mechanized scheme of 1000 feddan needs only five people as permanent workers and around (35) persons for the process of weeding and harvesting. In addition to that pastoralists cannot access crop residue in harvested farms unless they pay in cash.

The pastoralists were completely eliminated from the development processes although the schemes were established in their traditional grazing lands. The case of Umsainat – Sumsam in the southern Gedarif is a good example as 200 000 feddans have taken from traditional producers and demarcated for only two hundred investors leaving around 3750 families landless as only 7% or around 14000 feddans were given to local families (350) (Ijaimi, 2006). Another example is the movement of the grazing line towards far north (pastoralist area) nobody is held responsible for this shift but some voices under the table blamed and accused the lobby of the big farmers in Gedarif. Not only that, recently six traditional routes out of eight which organize pastoral mobility in the state, are closed or their limits are not clear and the remaining two are too narrow and no services are provided along them (Map 2). All above mentioned points confirmed that pastoral communities have benefit negatively from mechanized farming. They have been

pushed out of their traditional right, turning them in some cases into landless, wage labourers, and forced them to migrate to urban centres in search for income generating opportunities. These are enough justifications to call mechanized agriculture as an illusion of development rather than sustainable rural development.

## **FUTURE PROSPECTIVE OF PASTORAL LAND TENURE SYSTEM IN SUDAN**

Land for rural people is everything (livelihood, credit, dignity, wealth and social peace) lost it means lost all things and thus have nothing to lose. Therefore, pastoral land in all over the country has become an area of violence like in Darfur of the western part or waiting list as Gedarif of the eastern Sudan if no serious action taken to address the livelihood insecurity of pastoral communities. All the peace agreements that have currently taken place in Sudan (Comprehensive Peace Agreement CPA, 2005; Darfur Peace Agreement DPA 2006; East Peace Agreement EPA, 2006) have tried to put the issue of land tenure into light [www.sudantribune.com](http://www.sudantribune.com). For example, the Comprehensive Peace Agreement calls for the incorporation of customary laws and the establishment of four Land Commissions, to arbitrate claims, offer compensation and recommend land reform policies. These four include the commission of the National, South, south Kordufan and Blue Nile with no one in the east. Looking to the peace map one can observed that still no proper Action taken to address the access and security of land and tackle land grievances among the pastoral peoples of the Sudan. The CPA of 2005 addressed several issues such as power and wealth sharing and left the core issue of land ownership to be resolved later.

In this line (Shanmugaratnam, 2008) states that the National Congress Party and the SPLM addressed several core issues in the CPA 2005 such as the right to self determination of the peoples of south Sudan, power sharing, and oil and non oil wealth sharing, democracy, and permanent ceasefire and security management, but left the vexed land question to be resolved at a later stage by the two parties. As if both want to benefit from the current situation and took land whenever there is a need (oil extraction, mechanized, or irrigated schemes) despite the existence of CPA. In this way, having sustainable social peace in Sudan is far dreaming as the picture of land right and access is still somber. In this regard (Komey, 2009) states that despite the fact that the CPA provides some mechanisms for settling land-related issues in the post-conflict era, the current difficulties facing the implementation of the Agreement had raised great fear among the local Nuba peoples as to whether their customarily owned land is going to be safeguarded by the agreement or it is going to experience further grabbing? (Egemi, 2006) raised several challenges regarding land tenure reforms and peace agreements as

he pointed out that beyond the questions of political will and land ownership, there are numerous other problems with the provisions these are:

- (i) The commissions are mandated to make recommendations; these are not binding on either party or on government policy,
- (ii) The CPA does not provide for the representation of pastoralists and farmers, the majority of direct land users, in the commissions,
- (iii) It is unclear how claims to rights are to be submitted, resubmitted, legitimated or contested, whether such claims are to be made on an individual or collective basis, and, if collectively, who will represent communities and with what basis of legality or legitimacy,
- (iv). There is extremely limited public awareness about the CPA in general and the Land Commissions in particular.

## **CONCLUSION**

This paper concludes that the livelihood security of pastoral communities in Gedarif state is under threat due to the changes of communal right system. Several land acts have been introduced by both colonial and national governments to provide the state full power to control land and at the same time undermining the communal right of pastoral communities. The rapid expansion of unplanned mechanized farming at the expense of pastoral land has becomes a major challenge for the existence of pastoral economy. This article describes mechanized farming as an illusion of development due to its failure to address the need of the local people and create unprecedented environmental problems. It has revealed that the reallocation of the grabbing pastoral land to the outsiders remains one of the essential factors behind having livelihood insecurity, grievance and conflict, marginalization and spread of poverty among rural communities. In view of these challenges, this article pointed out clearly that all the three peace agreements have not well addressed the issue of communal land right and still the law of accessing pastoral land is vague and not clear. This article believes that the system of land tenure in Gedarif like elsewhere in Sudan need to be revised and the taken (stolen) land need to be relocated fairly if the state is targeting sustainable peace. Two options are only left for the State to hear either to listen to the voices of pastoral communities (marginalized) and involve them in land tenure policy or to hear the voices of their weapons in fighting.

## **REFERENCES**

- Ahmed AGM (2008). Transforming Pastoralism. A Case Study of the Rufa'a al Hoi Ethnic Group in the Blue Nile State, Sudan working paper, CMI Bergen, Norway.
- Babiker M (2008). Communal Land Rights and Peace-Building in North

- Kordofan: Policy and Legislative Challenges, Sudan working paper, CMI Bergen, Norway
- CBS (2010). <http://www.cbs.gov.sd/>
- ECA (2004). Land Tenure Systems and their Impacts on Food Security and Sustainable Development in Africa, Economic Commission for Africa website at <http://www.uneca.org>
- Egemi O (2006). "Land tenure in Sudan challenges to livelihood security and social peace" in El T, Galal E (ed). land issue and peace in Sudan, Sudan Environment Conservation Society, Khartoum, Sudan.
- Egemi O (2006). "Sudan: Land and peace processes in Sudan," Conciliation Resources. <http://www.c-r.org/our-work/accord/sudan/Land-conflict.php>> Accessed 20 Oct 2009.
- Food Agriculture Organization (2005). "Access to Rural Land and Land Administration after Violent conflicts", in Land Tenure Studies, Rome, Italy.
- Ijami A (2006). "mechanized farming and conflict in Sudan" in El T, Galal E (ed). land issue and peace in Sudan, Sudan Environment Conservation Society, Khartoum, Sudan.
- El Hadary YA (2007). Pastoral Adaptation and Socio-Economic Transformations in the Butana Area - Al Gedarif State, Sudan, (unpublished PhD thesis), University of Khartoum, Khartoum.
- Komey GK (2009). Communal Land Rights, Identities and Conflicts in Sudan: The Nuba Question, Paper presented at —The Human Rights Dimensions of Land in the Middle East and North Africa, MENA Land Forum Founding Conference, Cairo. 10-12 May 2009
- Payne G (2000). Urban Land Tenure Policy Options: Titles or Rights? Paper presented at the World Bank Urban Forum Westfields Marriott, Virginia, USA.
- Runger M (1987). land law and land use control in western Sudan the case of Southern Darfur, Ithaca press, London and Atlantic Highlands, England.
- Shanmugaratnam N (2008). Post – War development and the land wuestion in South Sudan, in International Symposium on Resource Under Stress, African Centre for Peace and Development, Ryukoku University, Kyoto Japan.
- Shazali S, Ahmed AG (1999). Pastoral land tenure and agricultural expansion: Sudan and the Horn of Africa. IIED, issue paper no. 85.
- Shazali S, Adam F, Adam I (2006). Share the Land Or Part The Nation: The Pastoral Land Tenure System in Sudan, UNDP Sudan Country Office.
- El Tayeb GE (1983). "Environmental Degradation in Gedarif District", proceeding of the National Seminar on Indictors of Environmental Changes and Degradation in Sudan, University of Khartoum, Khartoum.
- UNDP 2010 <http://www.undp.org/mdg/basics.shtml>  
Internet site. [www.sudantribune.com](http://www.sudantribune.com).