

## **CHAPTER III**

### **THE DYNAMIC OF DARFUR CRISIS**

In chapter III will describe about the dynamic condition of Darfur crisis started from challenges and constraints of African Union and the history of ethnic conflict emergence in Sudan. The factors of Sudanese Civil Wars in 26 February 2003 until 2014 which are the main reason the African Union involved in Darfur crisis.

#### **A. Challenges and Constraints in African Union**

According to Alan R. Ball, the differences that provide for rise the clash need not have an objective base such as monetary or racial contrasts. They at the same time distinguish that all differences are not the sources of conflict at public level because the differences between men who have different size and also do not give rise to political conflict. (Ball, 2000) In Africa, research findings and conclusions have shown that Africa has never experienced a lasting peace. Peace and stability proved elusive in pre-colonial and colonial Africa. The scourges of the slave trade, inter-races battle and the imposition of colonialism did not allow it. The expect of emancipation and independence to have created and era of stability and relative peace. Instead post-colonial Africa has experienced several conflicts (Munya, 1999).

According to Torild Skard, there were at least 18 civil wars in sub-Saharan Africa, each conflict is different. But in all cases, the civilian population became directly involved in a different way. In the past, there were very low-numbered of civilian casualties. Now, they amount to 90 percent, of which at least half are children. Civilians

are not only caught in unexpected crossfire, women and children have become important targets for conflicting groups. It then became a characteristic of African conflict that majority of victims are children and in the estimated two million children that were killed in wars globally (Skard, 2003). The African conflicts are spread all over the continent and there are no regions without conflicts. The nature of African conflicts therefore creates the need for capabilities for peace support operations. The nature of African conflicts shows that efficient resolution of conflicts in Africa requires that the African Union has the authority to intervene in international transnational and intrastate conflicts. However, the main topic is that the well as challenges of providing adequate funds for resource build-up and expansion required for such peace-support operations (Mathiasen, 2006).

As a newly established organization, the African Union has been confronted with a number of issues related to the organization's ability to cope with security, stability, and peace in Africa region. The existence of Security Council in the African Union is still criticized by some international observers, one from Parker and Rukare, who says that changes in African regional organizations in the African Union is nothing more than a simple change of symbolism. Indirectly Parker and Rukare mean that the African Union felt it was not able to overcome the various problems facing the African nation. In the other side, the positive opinion of the presence of the African Union according to Sonu Trivedi is the changes as a major event in the history of Africa. Trivedi said that the creation of the African Union is nothing but an image of the commitment and

awareness of African leaders in order to build together in African region (Triveldi, 2003).

To realize this dream, according to Nkrumah, to unite all African countries in a single container, organizations are very important and it is a strategic step that must be taken. When it was first established in 1963, the OAU's main objective is to protect the sovereignty and defend the territorial integrity among member states, not only of the West but also of a member of the OAU. The non-intervention principle contained in Article 3 of the Charter of the OAU. In addition, OAU also has five core tasks: the fight against colonialism and racism, in collaboration with international organizations, conflict management within and between African countries, economic cooperation among countries, and the African Charter on Human Rights (Triveldi, 2003).

## **B. The History and Roots of the Conflict in Darfur**

The Darfur community consists of 40 to 90 ethnic groups. In general, they are composed of two groups of nationality; Primarily African nationals and Arab nationals. Darfur is a region of western Sudan with about 6 million people. The indigenous African tribes of Darfur include native fur, Masalit, Zaghwa, Daju and Berti (Prunier, 2005). The relationship between the Arabs and the indigenous tribes of Darfur is very good in the 14th century and the peaceful coexistence between the migrants and the indigenous population continues, the inevitable disputes over natural resources have been resolved through the mediation of local leaders. Later, the Arab tribes of Darfur are mainly immigrants who occupy the Darfur region in North and South America.

Although not a native, Arabic is the dominant ethnicity in Darfur and they are Muslims. Today, the majority of Arabs in Darfur are black, as a result of mixed Arab-African marriages (Collins, 2012).

Fur Sultanate was founded by the Keyra dynasty in the mid-17th century and is growing in prosperous Darfur. At its peak in the 17th and 18th centuries, the Fur Sultanate became the center of developed commercial activity. At that time, there was a slave trade, ivory, and jewelry items with the Mediterranean. Unfortunately, in the middle of the 19th century, Fur Sultanate was defeated by the famous slave traders, Zubayr Rahma. The collapse of the Keyra dynasty makes Darfur things become erratic (Prunier, 2005).

On the other side, the Army of Mahdi which have Islamic religion wants to fight against British colonial domination in the region and trying to establish the Islamic Republic of Darfur. This period led to war with a long period of time. Until Keyra descended from Sultan Ali Dinar reappearing as the dominant power to reign in Darfur. In 1899, when Egypt was under the British regime recognizes the sovereignty of Ali Dinar as Sultan of Darfur. This recognition makes Darfur an independence based on *de facto* and Darfur live in peace for a few years. Ali Dinar refused to submit to the wishes of the French and the English while they are busy spreading their territory. Ali Dinar braved the British troops in the war. Unfortunately, Ali was ambushed and killed in November 1916 and in the early of January 1917, Darfur was under British colonial

rule and put it in a part of Sudan, making Sudan become the largest country in Africa (Flint & Waal, 2008).

Sudan gained its independence after being given by the United Kingdom on 1 January 1956. However, leaving a striking difference between Northern Sudan and South Sudan, developing arable land around the Nile valley in the North, ignoring the southern regions, in the west. It made residents of the South Rebellion in 1955, began the first North War with the South. The war lasted many years until 1972, when a peace agreement was signed under President Nimeiry (Prunier, 2005).

In the other side, the Darfur society itself also split into two groups among the conflict which partially involved in the rebellion struggle against the government because they are live in separated territory. At that time, this is the establishment of rebel movement against the government. Those rebel group were came from the educated African Darfur student who sparked a political movement since 1960s, because Darfur politically and economically marginalized by the central government. They demanded equality for the development of Darfur and the most extreme, they want to demanding the independence of the African Darfur. Catastrophic causing from marginalize, given the opportunity to hold a lot of weapons for Arab-Fur battle, making Darfur African rebel group perform a variety of small-scale local resistance and from this small resistance, the ethnic conflict throughout Darfur has begun.

In 1962 some of these exiles formed the Sudan African Nationalist Union (SANU), while others formed an underground movement which became popularly known as

Anyanya. Represented as bandits by the north and as liberation fighters by supporters in the south, the Anyanya were initially resisted by a lack of arms and also they were limited to launch the quick attacks on governments targets (Barltrop, 2011).

There are several factors that encourage the African Union to become involved in order to resolve the ethnic conflict in Darfur. These factors are divided into internal and external factors. Internal factors derived from the African Union have committed themselves to resolving conflicts in the countries of its membership through conflict resolution mechanisms and belonging to the African Union. While external factors have come from several international organizations such as the UN, the EU and the G-8, they continue to encourage the African Union to address the problems faced by the peoples of Africa and to achieve its objectives.

### **1. Internal Factor**

According to Richard Barltrop (2011) on his book titled *Darfur and the International Community: The Challenges of Conflict Resolution in Sudan*, Africa is a region that often faces several internal conflicts. The conflict indirectly disrupts regional stability and become an obstacle to the development and progress of African countries. Therefore, African leaders and the African Union realize that solving the conflict in the region is one of the top priority agenda, including the resolution of the ethnic conflict in Darfur which has been in the spotlight and the attention of the international community (Barltrop, 2011).

The African Union has finally decided to accomplish the Darfur crisis through the spirit of unity and fraternity around peoples of Africa. Article 4 of the Charter of the African Union explicitly states that the African Union has the right to intervene with its member states on the basis of the Assembly's decision after having seen war crimes, genocide And violations against humanity. The African Union also stressed that military intervention against the sovereignty of member states is the last step after many attempts at non-military intervention (Union, African Union Constitutive Act, 2000).

On February 2003, member states of African Union recondition the article 4 (h) from the Charter stated that:

*“The right of the Union to intervene in a Member State pursuant to a decision of the Assembly in respect of grave circumstances, namely war crimes, genocide, and crimes against humanity.”* (Union, African Union Constitutive Act, 2000)

Regarding to the amendment of Article 4 (h) of the African Union Charter, Ben Kioko as an official adviser to the African Union stated that,

*“the addition of article 4 (h) was adopted with sole purpose of enabling the African Union to resolve conflict more effectively on the continent, without ever hanging to sit back and do nothing because of the notion of non-interference in the internal affairs of member states, it should be internalize in mind that the peace and security council was intended, and should be able to revolutionize the way conflicts are addressed on the continent.”* (Kioko, 2003)

Article 4 (j) inside Charter of the African Union also stipulates that each member countries have the right to demand the organization to intervene in order to restore peace and security condition. According to Kristina Powell, the principle

of non-intervention is changed when the principle of non-neglect makes the Charter of the African Union as the first international treaty which recognizing the right to intervene in a member state in order to protect the humanitarian goals. It is the commitment of the African Union to participate directly in the resolution of conflicts in the member states (Powell & Tiekou, 2005).

Said Djimmit have a commitment as a Security Council of the African Union stated that,

*“No more, never again, African cannot...watch the tragedies developing in the continent and say it is the UN’s Responsibility or somebody else’s Responsibility. We have moved from the concept of non-interference to non-indifference. We cannot as Africans remain indifferent to the tragedy of our people.”* (Powell & Tiekou, 2005)

This commitment, which in turn directly encourages the African Union to resolve the ethnic conflict in Darfur, Sudan. Conflict resolution is the first challenge for the African Union to maintain the stability and security of the entire African region. If the African Union is able to carry out these tasks, it is not impossible that the African Union is an internationally recognized regional organization in its efforts to create prosperity around the world. The creation of Security Council on the Assembly of the African Union as the main body of the Organization is a concrete evidence of the African Union's commitment to resolving various types of conflict in the region. African Union forces establish the African Standby Force (ASF) to be deployed in the conflict zones and be fully developed in 2010. ASF has been appointed the Security Council Policy Board Of

the African Union that deals with creating prosperity in the region (Badescu & Bergholm, 2010).

Idea behind the establishment of the African Union force is not the first case in the history of the African Union. The OAU once trained African peacekeepers to resolve the conflicts in Chad, Rwanda and Burundi and declared failure for some reason (De Coning, 1997).

## **2. External Factor**

After the Constitutive Act of the African Union accepted as major idea for the organization of African Union to accomplish their tasks, African leaders agreed indirectly on all measures and measures taken by the African Union to The progress of Africa as a whole. Article 4 of the Charter of the African Union clearly stipulates that the organization has the right to intervene among its member states if the situations are described as genocide, ethnic cleansing, and war crimes in the region.

As a newly established organization in 2003, the African Union has a better mechanism than its previous organizations to maintain peace and security in Africa. The principles support the African Union peace and security program have in common with the elements of the Responsibility to Protect concept developed by the International Commission on Intervention and State Sovereignty (ICISS). ICISS was established in 2000 at the initiative of the Canadian government at the United Nations General Assembly in 1999 and repeated in 2000. ICISS aims to

develop a concept of how the international community reacts to the violation Systematic human rights. According to Kofi Annan, the international response to these violations is often seen as a violation of the country's sovereignty and eventually becomes an obstacle for the international community, especially the United Nations.

Encourage the international institutions to support the agendas of African Union peacekeepers give a meaningful experience to African leaders and the African Union to solve several problems in the region, in particular the settlement of ethnic conflicts in Darfur.