Conflicts and Political Instability in Sudan: A Re-visit Discourse

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ABSTRACT

The research study evaluated the nature and character of the Darfur crisis of Sudan. The study made used of only secondary source of data, exploring various literatures on the issue from scholars. It was revealed that the Darfur crisis which lasted between 2004 and 2011 ensued as the result of political subjugation, economic exploitation and underdevelopment of the Darfur region of Sudan. The People Southern Sudanese considered these trends as injustice and as such they violently revolted against the Sudanese Government with the agitation for independence. The wanton destructive nature of the crisis necessitated the intervention of the international community. The study revealed that African Union was the first body to intervene in the crisis through mediation and sending of troops in July 2004 before the United Nations took over the mission in 31st December, 2007. The study showed that even after United Nations took over the Peace keeping operation, African Union still made significant contributions in terms of troops, finance, and humanitarian services. It was concluded that despite the weaknesses of African Union in managing the conflict, the success story of United Nations in Darfur region cannot be analyzed without taking into cognizes the effort of African Union put in the crisis. Therefore, it was recommended that African Union should be proactive and timely in intervening in conflict in the continent so as to avoid escalation.

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1.1 Introduction

The conflict in Sudan's Western Darfur region flared up in 2003 when two rebel groups rose up against the government, accusing it of neglect. Khartoum moved swiftly to crash the revolt by the Justice and Equality Movement (JEM) and the Sudan Liberian Army (SLA) (Ba, 2005). The government is widely accused of arming militias drawn from Arab tribes who have used scorched earth tactics against the rebel's communities. The militias known as Janjawed, had blamed killings, widespread rape and abductions. Refuges describe them as ferocious gun-widding men riding camels or horses who burn villages and steal whatever they can carry (Salvin, 2007). Khartown has repeatedly denied any links to the Janjaweed, dismissing them as outlaws. But in March 2009, the International Criminal Court issued warrant of arrest for Sudan's presidents Omar Hassan Al-Bashir for war crimes and crimes against humanity in Darfur, describing the Janjaweed as allies of the Sudanese armed forces.

In 2009, the United Nation's outgoing military commander said that the conflict was effectively over and isolated attacks and banditry were the region's main problems. Both the U.S-based anti-genocide project and the Ugandan army say the Ugandan Lord's Resistance Army (LRA) has moved fighters into Darfur (Gana, 2010:34).The exact number of people killed in the conflict in Dafur was hard to ascertain. But, the United Nations says many as one million people may have died since 2003 (Deby, 2011:9).

According to Gibril (2011:12), the violence has displaced up to 2.7 million people from their homes. As many were living in squalid

camps in Darfur and neighbouring Chad. The International Crisis Group (ICG, 2012:36) says the displacement of many people from their homes appears to be part of a government policy of ethnic cleansing, and its bid to cripple support for the rebel movements. It was reported that the displaced were mostly African farmers from the fur, Zaghance and Massaleit tribes (ICG, 2012:56). The Janjanweed are from the Arabic-speaking pastoralist communities, which hard camels in Northern Darfur and cattle in Southern Darfur. Both the farmers and the pastoralists are Muslim and dark-skinned, and have inter-married for centuries. The Zaghawa are also camel herders and have strong ties to Chad while Darfur's population of 7 million is scattered over a harsh desert area and size of France (Kingibe, 2010:21).

More fundamentally, the Darfur was a region historically separated and had experienced long neglect by Khartoum in the areas of basic infrastructural development. Scholars such as Kingibe (2010), Gibirl (2011) and Ba (2011) in their separate opinion argued that the motives for the rebellion were predicated on the aged long political exclusion, lack of roads, schools, and portable water and health services in the Darfur region. The Darfur people saw these as pragmatic justice and as such the frustration of the people led to revolt against the Khartoum.

Traditionally, conflicts were settled with little or no violence by respected local councils. These were abolished by the Khartoum Government after it came to power in a coup in 1989, leaving no mechanisms for resolving disputes peacefully. The disbanding of the councils coincided with droughts and the encroachment of the expanding Sahara-Desert, which forced Arab herders from the North into

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competition over land with farmers based in villages (Udombana, 2009:14). To make matters worse, ethnic differences between the two groups-who used to co-exist peacefully in the past was exaggerated by local leaders in the battle over resources.

Finally, the existence of oil in Darfur, revealed in 2005 when Sudan's Advanced Petroleum Company (APLO) partly owned by Swiss Company Children-began drilling, has led some analysts to wonder how far oil could be guiding Khartoum's actions in the region (Piipannen, 2007). We thought that the oil reserves could act as an incentive to end the fighting. Drilling is risky during conflict, and if the oil can be extracted, there will be more wealth to go around.

In October 2007, the JEM rebel groups attacked Sudan's oil field in the Kordonfan region, neighbouring in Darfur, killing 20 government soldiers and taking two foreign hostages. The rebels vowed to launch more assaults on oil installations across Sudan that is why many commentators say conflict is Darfur has been exploited in the struggle for power within Sudan's Islamic movement. Be that as it may, from the various sources we have discovered that the war waged by Muslim Arabs against Christian and Animist black Africans, which had claimed many lives and properties is not very true that the conflict was rooted in religion, but, the major reason was using primordial sentiments as a basis of allocation of authoritative resources among Sudanese, whereby the Southern Sudan felt politically subjugated, marginalized and economically exploited permeated by ethnic and religious differences. It is against this background that the thrust of the paper is to examine the Conflicts and Political instability in Sudan.

2.2 Literature Review

2.2.1 The Term Conflict

To start with, conflict is by no means a new phenomenon; it is an aspect of social interaction that usually occurs between at least two individuals or groups. Conceptually, conflict is "a struggle over values and claims to scarce status, power and resources in which the aims of the opponents are to neutralize, injure, or eliminate their rivals". According to Jinadu (1980:44) "physical violence involves somatic injury inflicted" on human beings, the most radical manifestation of which is the killing of an individual". Therefore, conflict in this essay refers to physical violence. Otite (1991:1) notes that "conflicts arise from divergent interest, goals and aspirations by individuals or groups in defined social and physical environments". Viewing conflict as natural in social existence, Adesanye notes that intolerance; conflict and war are inevitable social phenomenon (Adesanya. 2000:12).

Similarly, Francis (2007) argues that conflict like any other concept in social sciences does not have universally acceptable definition due to its elusive, elastic nature and as well as scholar's divergence perspectives. However, he defines conflict as the pursuit of incompatible interest and goals by different groups. According to him, groups inability to harmonize their interest and goals is what leads to disagreement on his part Lewis (1991:2) sees conflict as "struggle over values or claim to status, power and scarce resources, in which the aim of the conflicting parties are not only the defined values, but also eliminate the conflicting party. He further argues that such conflict may take place between individuals or groups. In a similarly view, Ochoga (2010:2) argues that conflict is the "disagreement over uneven allocation of authoritative

values among individuals or groups who feels subjugated, alienated or suppressed in the society in which they belong". According to him, when the aggrieved (frustrated) group revolt against the system or the people, there is tendency for the other group to respond with corresponding force some times more powerful attack. When the violent persist with high magnitude, concerned individuals, bodies ad governments may show interest to put an end to the conflict.

Fundamentally, the concept of conflict may be view from different perspectives as scholars have over the years argued that conflict does not only involve the use of physical force among individuals or groups. There is another form of conflict we do not physically see, but affect many people in a society. Therefore, it was against this background that we put this question forward. Is peace the absence of conflict? Thus, Ochoga (2010:4) asserts "a nation may not be engulf with physical and direct war, yet is possible for some people not to have peace". The Marxist dialectical materialism frame work helps students of peace and conflict studies to understand that the unequal relationship characterized by excruciating poverty, injustice, subjugation, alienation and exploitation are capable to produce hardship and suffering conditions for the workers which has the tendency to emanate into intensive conflict in the society (Best, 2006).

In his definition Galtung (1990:27) argues that "war is only one form of conflict, which is physical, open and direct, but there is another type of violent that is not immediately perceived as such". According to him, this has to do with social conditions such as poverty, exclusion, oppression, intimidation, want, fear and many types of psychological presence. Professor John Gultung argues that it would be wrong to classify a country experiencing pervasive structural violence as peaceful.

Galtung believes that war may not be going on in a country where there is pervasive poverty, oppression of the poor by the rich, police brutality, intimidation of ordinary people by those in power resources and power by some sections of the society. He submitted by arguing that it will still be wrong to say that there is peace in such a country. Consequently it is quite possible not to have peace even when there is no war.

Be that as it may, as presented by scholars, the concept of conflict is multifaceted as it involves both violent (physical) and non violent conflict all depends on the view point. However, this research is basically concerned with the direct and physical forms of conflicts as in the case of the Darfur crisis in Sudan. From the above views of scholars, we can sum up that conflict is the violent manifestation of incompatibilities of groups over the struggle for authoritative values which the inherent forces are destructive to lives and properties where by concerned bodies, governments or organizations show interest to reduce the incompatibilities or put an end to it. What then is the concept of conflict resolution? This forms the discussion of the next segment.

2.2.2 Conflict Resolution

The resolution of conflict using peaceful, non-violent methods has been around for a long time. In nearly all African societies, there is a preference for the peaceful settlement of disputes along the lines prescribed by the institutions and values of the community. Violence is normally frowned at. In a few instances where it may be tolerated, the community rather than the individual has to be the sanctioning authority; conflict resolution is seen by Miller (2003:8) as "a variety of approaches aimed at terminating conflicts through the constructive solving of problems, distinct from management or transformation of conflict".

Miall et al (2001:21) indicate that by conflict resolution, it is expected that the deep rooted sources of conflict are addressed and resolved, and behaviour is no longer violent, nor are attitudes hostile any longer, while the structure of the conflict has been changed. Mitchel and Banks (1996) use conflict resolution to refer to:

> *An outcome in which the issues in an existing conflict are satisfactorily dealt with through a solution that is mutually acceptable to the parties, self-sustaining in the long run and productive of a new positive relationship between parties that were previously hostile adversaries; and any process or procedure by which such an outcome is achieved.*

Some people may use the term "conflict resolution" to refer to a specialized field of study and practice as in the field of conflict resolution (Best, 2006), Professor Best putting these ideas together, He submitted by arguing that in principle, conflict resolution connotes a sense of finality, where the parties to a conflict are mutually satisfied with the outcome of a settlement and the conflict is resolved in a true sense. Best asserts that some conflicts, especially those over resources, are permanently resolvable. To him, from the point of view of needs, a conflict is resolved when the basic needs of parties have been met with satisfiers, and their fears have been allayed. Others like those over value may be non-resolvable and can at best be transformed, regulated or managed.

From the contention of Professor Best who avers that conflict is resolved when the basic needs of parties have been met with necessary satisfiers, and their fears have been allayed. Thus, it is the interest of the AU to work in collaboration with other concerned parties and to satisfy the needs and aspirations of the conflicting parties especially the quest of the Southern Sudanese for independence so as to have fears allayed.

Haven discussed the analytical meaning of the concept of conflict resolution, it is equally imperative to operationally explain the various methodology of conflict resolution to enhance coherent understanding of the research as the AU has used some of the methods in the attempt to resolve the Darfur crisis. The article 33 (1) of UN Charter stipulates that;

> *The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall first of all, seek a solution by negotiation, mediation, conciliation, arbitration, adjudication, or other peaceful means of their own choice.*

While Article 51 (1) of UN Charter, empowers AU and other regional organizations to employ mechanism to resolve conflicts within their Jurisdiction in the quest for international peace and security. What then is negotiation?

i. Negotiation

A party disputing with another could try to settle such dispute through negotiation. The negotiation can be effected directly or through a third party. The third party can be an individual, a state or an organization (Barnes and Jande 2002). Fisher et al (200:115) define negotiation as a structural process of dialogue between conflicting parties about issues in which opinions differs". It is the responsibility of the third party to work out modalities for the parties to redress their different opinions.

According to Miall, Bomsbo and Wood House (1999:21), negotiation is a process whereby the parties within the conflict seek to settle or resolve their conflicts. On his part, Miller (2003:25) who quoted the University for Peace sees negotiation as "communication, usually governed by pre-established procedures between representatives of

parties involved in conflict or dispute". In an explicitly manner, Best (2006:103) defines negotiation as a direct process of dialogue and discussion taking place between at least two parties who are faced with a conflict situation or a dispute. According to him, both parties come to the problem, and both are aware that by talking to each other they can find a solution to the problem. The goal of negotiation to Jeong (2000:106) is to reach agreement through joint decision making between parties.

ii. **Conciliation**

This has been described as a process of formulating proposals of settlement after an investigation of the facts and an effort to reconcile opposing contentions of the parties to the dispute are left free to accept or reject the proposal (8) formulated to a dispute (Stake, 1977). The Hague Conventions on Pacific Settlement of International Dispute of 1899 and 1907 provided for setting up of conciliation commission on agreement of parties to a dispute.

It should be noted that with regard to conciliation there does not seem to be anything special other than that upon the request by the parties in dispute, the commission or conciliation will ascertain the facts of a particular dispute and on the basis of its findings, it will go ahead and make recommendations which are put forward to settle the dispute (Adeniran, 2000). Best (2004:106) argues that conciliation is another peaceful means of resolving dispute that involve third party persuasion to accept peaceful approach. Under this method disputants are expected to voluntarily accept or reject to the recommendation of the commission or conciliation for peaceful resolution as the university for peace (cf: Miller, 2003:4) has put it:

Conciliation is the voluntary referral of a conflict to a neutral

party (in the form of an unification commission) which either suggest a non-binding settlement or conducts explorations to facilitate more structures or techniques of conflict resolution. The latter can include confidential discussions with the disputants or assistance during a pre-negotiation phase.

In most cases the conciliation or liaison that separately with the disputants, aim at reducing tensions between the parties in conflict condition. Simply put, conciliation is a non-violent method of resolving conflict among disputants by a third party usually a commission which investigate into the causes and facts associated with the dispute, while the disputants may accept or reject the recommendations, for instance levi's (1979:31) argued that, since 1918, seven hundred conciliation treaties have been concluded and more than 100 conciliation mission have been established but there have been almost no cases of conciliation except in the league of Nations and the United Nations as part of their peace keeping machinery. And Adeniran (2007:5) contend that the UN Security Council seems to have been particularly prominent, especially with regard to the Palestinian issues, been particularly prominent, the Netherlands – Indonesia issues and the Indian – Pakistan issue.

iii. **Mediation**

Mediation is another peaceful method of settling conflict among nations in the international community. According to Adeniran (2000:12), the intention or goals of the disputants and to ensure that they settle their disputes amicably. He further asserts that unlike the good office, however, mediation involves some degree of participation in the process of settlement

Similarly, Miller (2002:23) sees "mediation as a voluntary,

informal, non-binding process undertaken by an external party that fosters the settlement of differences or demands between directly interested parties". Miall, Ramsbotham et al (1999:22) view mediation as "the intervention of a third party, it is a voluntary process in which the parties retain control over the outcome (pure mediation), although it may include positive and negative inducement (mediation with muscle)".

In most cases, it is incumbent upon the mediator to create a platform (meeting point) for the disputants to dialogue. Hence, when two friends have a problem there is tendency fir friendship to be broken. Thus, he is the links between the parties to resolve the issue amicably. For example, President Thabo Mbeki and General Abdulsalam mediated in the ongoing Darfur crisis in Sudan under the auspices of AU.

iv. **Arbitration**

Arbitration is perhaps, the oldest way of settling dispute. Arbitration requires consent by all the states involved generally in treaties. Since the Hague convention of 1899 and 1907, there has always been a clause in treaties which suggest that an issue would be put up for arbitration without unnecessarily indicating the particular machinery to be used (Adeniran, 2002).

Arbitration is an old method of settlement of dispute however, Hudson (cf: Barnes and Jande 2000) argued that the history of modern arbitration dates back to the treaty of 1794 between United States and Britain under which claims commission was established to settle certain dispute. According to him, 1972, the Alabama claims award between United State and Britain gave an impetus to the development of arbitration. To him, it is on record that the success of the Alabama Claims Arbitration stimulated a remarkable activity in the field of international

arbitration.

Interestingly, Adeniran (2000:100) sees arbitration as the settlement of disputes between states by people of their choice and on the basis of respect for law but the arbitrators awards are not always binding on the parties unless there is prior agreement to that effect, what is important therefore, the disputants involved give their consent and it is equally easy to get compliance with whatever compromise that is reached. For authenticity and effectiveness of arbitration, in 1907, the Hague conference established a Permanent Court of Arbitration to handle related cases in the international community.

v. **Adjudication**

Adjudication as a non-violent means of resolving dispute among states is newer than arbitration. Adjudication usually takes place under a permanent tribunal with specific number of judges who base their judgments on law. Their decisions are final and binding on parties involved.

vi. **Peacekeeping**

Peacekeeping as a conflict control measure was not foreseen by the founders of the organization and therefore not reflected in the theoretical substructure of the UN charter. The concept of peacekeeping was developed by the UN at the start of cold war in the late 1940s because of the unworkability of the original collective security system envisaged by the organization and the increasing disagreement among the major powers. Peacekeeping originated as an experimental compromise between collective security and permanent paralysis which confronted the organization as a result of virulent ideological polarization of the

international system (Celestine, 1993).

Peacekeeping missions are established by the instrument of the security council of UN and also regional supranational organizations like the AU whose resolutions and decisions are binding on members states. The approach to peacekeeping represents a different formulation of the UN role in the field of peace and security from those envisaged in Article vi and vii of the charter. In other words, it has added a new dimension to the traditional diplomatic instruments of negotiation, conciliation and mediation. The peacekeeping approach has as its base "series of assumptions bearing on distinctive conception of the nature of war (Celestine, 1993).

It is worthy of note that, it is only when stabilized atmosphere is provided by a peacekeeping mission that negotiation or mediation through governmental, political and diplomatic machineries (peace-making process) can be employed, peacekeeping by the troops and peace-making by politicians and diplomats are complementary. UNEFR was enable to stabilize the Sinai situation and to provide peaceful environment, conducive to the effective implementation of the camp David Accord and eventual peace treaty between Egypt and Israel in 1979 (Erskine, 1991). Peacekeeping is a means to an end and not an end itself. We see, therefore in peacekeeping a technique that expands the possibilities for both the prevention of conflict and the making of peace.

Erskine (1991:6) distinguishes two types of peacekeeping operations. According to him, observer mission is normally composed of officers, who do not carry arms nor can they use force even in self defense. This was the case of Sudan in the initial stage. The second type of peacekeeping is the actual force, comprising officers and men who are armed and can defend themselves, the mandate and their equipment

where necessary.

We have identified eight roles of peacekeeping. These are:

Prevention of future conflicts or eruption of cold conflicts

Interposition by separating contestants and providing buffer

Restoration of a deteriorated situation

Preservation of a tenuous and threatened peace

Facilitation of political resolution

Protection of law ad order, public safety and services

Enforcement of the consensus of the Security Council and

Punishment of violations of agreements or security resolution/decisions.

3.0 The Conflict in Darfur Region

The conflict in Sudan's Western Darfur region flared up in 2003 when two rebel groups rose up against the government, accusing it of neglect. Khartoum moved swiftly to crash the revolt by the Justice and Equality Movement (JEM) and the Sudan Liberian Army (SLA) (Ba, 2005). The government is widely accused of arming militias drawn from Arab tribes who have used scorched earth tactics against the rebel's communities. The militias known as Janjawed, had blamed killings, widespread rape and abductions. Refuges describe them as ferocious gun-widding men riding camels or horses who burn villages and steal whatever they can carry (Salvin, 2007). Khartown has repeatedly denied any links to the Janjaweed, dismissing them as outlaws. But in March 2009, the International Criminal Court issued warrant of arrest for Sudan's presidents Omar Hassan Al-Bashir for war crimes and crimes against humanity in Darfur, describing the Janjaweed as allies of the Sudanese armed forces.

In 2009, the United Nation's outgoing military commander said that the conflict was effectively over and isolated attacks and banditry were the region's main problems. Both the U.S-based anti-genocide project and the Ugandan army say the Ugandan Lord's Resistance Army (LRA) has moved fighters into Darfur (Gana, 2010:34).The exact number of people killed in the conflict in Dafur was hard to ascertain. But, the United Nations says many as one million people may have died since 2003 (Deby, 2011:9).

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in the Darfur region. The Darfur people saw these as pragmatic justice and as such the frustration of the people led to revolt against the Khartoum.

Traditionally, conflicts were settled with little or no violence by respected local councils. These were abolished by the Khartoum Government after it came to power in a coup in 1989, leaving no mechanisms for resolving disputes peacefully. The disbanding of the councils coincided with droughts and the encroachment of the expanding Sahara-Desert, which forced Arab herders from the North into competition over land with farmers based in villages (Udombana, 2009:14). To make matters worse, ethnic differences between the two groups-who used to co-exist peacefully in the past was exaggerated by local leaders in the battle over resources.

Finally, the existence of oil in Darfur, revealed in 2005 when Sudan's Advanced Petroleum Company (APLO) partly owned by Swiss Company Children-began drilling, has led some analysts to wonder how far oil could be guiding Khartoum's actions in the region (Piipannen, 2007). We thought that the oil reserves could act as an incentive to end the fighting. Drilling is risky during conflict, and if the oil can be extracted, there will be more wealth to go around.

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lives and properties is not very true that the conflict was rooted in religion, but, the major reason was using primordial sentiments as a basis of allocation of authoritative resources among Sudanese, whereby the Southern Sudan felt politically subjugated, marginalized and economically exploited permeated by ethnic and religious differences.

4.0 African Union Legal Framework for Conflict Resolution

The untold experience of both World Wars I and II Nations States decided to established a supra national organization to prevent or manage break of conflict among nations. It was against this background that the preamble to the charter of the United Nations states:

we the peoples of the United Nations determined to save succeeding generations from the scourge of war which twice in our lifetime has brought untold sorrow to mankind, and to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and to established conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained and to promote social progress and better standards of in large freedom.

And for these ends, for the sake of peace and security in the international community, the preamble also stated that nation States are:

To practice tolerance and live together in peace with one another as good neighbours, and to unite our strength to maintain international peace and security, and to ensure, by the acceptance of principles and the institution of method, that armed

force shall not be used, save in a common interest, and to employ international machinery for the promotion of economic and social advancement of all peoples.

There is no gain saying that the formation of United Nation was borne out of the fact that individual nation-States may not be able to effectively cope with internal conflicts and challenges. And as such this called for the integration of States to establish structures to perform certain functions at the global arena. Even article 52(1) of United Nation charter stated that:

> *Nothing in the present charter the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate fur region actions, provided that such arrangements or agencies and their activities are consistent with the purpose and principles of the United Nations.*

This implies that the UN set the pace for regional organizations to compliment its effort at the regional level. Thus, we can boldly say that it was against this premise that the African Union was formed in 1963 to galvanize both materials and immaterial resources within the Africa continent to confront insecurity and other problems in the continent.

In pursuit of continental peace, the article 19 of the African Union charter established the Commission of Mediations, Conciliation and Arbitration (CMCA) in these words:

> *Member States pledge to settle all disputes among themselves by peaceful means and to this end, decide to establish a commission of mediation, conciliation and arbitration.*

The protocol for this Commission was signed by 33 states in 1964 and made part of the then OAU charter. According to the Charter every

Member State of the OAU is ipso Facto a party to the protocol without reservations (Gono, 1989). By implication therefore, all members of AU have the collective responsibility of involvement in issues that affect the organization hence a party is member.

The task of the CMCA which was not set up or conceived as judicial organ is to bear and settle disputes between members by peaceful means. It was not given jurisdiction over intra-states disparity. It also had not compulsory jurisdiction over State unless their consent was secure. Article 12 of the protocol requiring the disputing parties' joint empowerment, the empowerment of a party to the dispute, that of the Assembly of Head of States and Government or that of the Council of Ministers in Order to wade into an inter-State dispute (Salim, 2000).

Put differently, the CMCA is essentially to anticipate and prevent tension situations from becoming violent conflicts, and under taking peace making and peace building functions in situations where violent conflict has already broken out in order to facilitate the resolutions of the conflict. To this effect, paragraph 22 of the June 1993 Cairo Declaration establishing the mechanism provides that:

> *The Secretary General shall under the authority of the central organ and in consultation with the parties involved in the conflict, deeply effort and take all appropriate initiation to prevent, mange, and resolve conflict.*

In paragraph 15, the African Union leaders under that:

> *In circumstances where conflict have occurred, it will be its responsibility to undertake peace-making and peace building functions in order to facilitate the resolution of the conflicts. In this respect, civilian and military missions of observation and monitoring of limited scope and duration may be mounted and*

deployed.

Paragraph 16 anticipates the involvement of the United Nations as follows;

> *In the event that conflicts degenerate to the extent of requiring collective international intervention and policing, the assistance or where appropriate, series of the United Nations is sought the general terms of its charter.*

Structurally, the AU mechanism of conflict prevention, management and resolution is built around the Assembly of African Union Heads of State and Government. It has a decision making body called the central organ which has three levels of authorities- Ambassadorial, Ministerial, and Heads of State and Government levels (Garba, 1998).

Operational wise, the operational arm revolves around the General secretariat, the office of the Secretary General, and the division of conflict management (Salim, 2009). The mechanism is founded from the peace fund set up by the United Nation, to be financed from 5% United Nation regular budgetary appropriation, as well as voluntary contributions from Africa and non-African sources (Piiparimen, 2007). The organization utilizes the gains of the early warming system, and the quiet but effective and growing role of Secretary General how is now provided with a framework to take initiatives to carry out region intervention, or send special envoys to promote peaceful settlement of disputes and mediation or peace keeping with the aim to bring peace among the conflicting parts.

5.0 Conclusion

Although religion and ethnicity appears to be the causes of the Darfur crisis, but the actual cause was predicated on uneven allocation of

authoritative resources between North and South Sudan which was considered as political subjugation and economic exploitation against the Southern Sudanese. These shear injustices led to the civil war which claimed about 1.5 million lives of Sudanese and unestimated worth of properties were destroyed. The inability of the Sudanese Government to manage and cope with the conflict gave African Union the impetus to intervene. This premise made us to show the relevance or linkage of the Functionalism Theory to this work, because the exponents of Functionalism Integration Theory argued that International Organization were established as a result of the gap created by the inability of States to single handedly and effectively manage conflicts and other forms of development challenges in their territory.

Thus, through its structures, the African Union was the first International Organization that intervened in the crisis before 31st December 2007 when the mission was handed over to UN. This made us to believe the phrase 'Structures performing Functions' as presented by (Michael Hans) a leading proponent of Functionalism is not a myth but reality. Because it was through the structures that AU was able to perform certain functions in the Darfur conflict resolution. African Union worked assiduously with UN in all ramifications before and after the referendum with the interest that Sudan is in Africa, and what ever happen to Sudanese would directly or indirectly affect the African continent. Therefore, it was against this background that motivated AU to play major and leading role in Darfur crisis resolution and peace building process.

References

Adeniran, T. (2000): Introduction to international Relations. Ibadan: Multihouse Press.

Anifowose, R, (1982): Violence and Politics in Nigeria: the Yoruba Land, Tiv Experience. New York: Nork Publishers.

Azar, E. (1994). "Protracted International Conflicts" Ten Propositions Quoted in Rabie M. Conflict Resolution and Ethnicity. London: Praeger Pulications.

Anger, B. and Jande, G. (2002): Basic Principles of International Law. Makurdi: Bencos printing and Publishing Co. Ltd.

African Union,(2011). African Union in Darfur Region. Adis Ababa: AU publications.

AMIS (2005). AMIS Annual Report

AMIS (2006), AMIS Annual Report

AMIS (2007), AMIS Annual Report

AMIS (2008), AMIS Annual Report

AMIS (2006), AMIS Annual Report

Ba, A. (2010). War in Sudan's Darfur is over. http://news.bbc.co.uk/2/hi/africa.

Bah, S. (20110. Eritrea Chad Accused of Aiding Sudan Rebel. http://www.alertnet.org.

Barkr. N. (2010). The Situation in the Darfur Region of the Sudan. http://humanrightscahnge.org/sudan.

Berkowitz. L. (1962): A Sociological Analysis. New York: McGraw Hill.

Best, S. eds. (2006). Introduction to Peace and Conflict Studies in West Africa. Ibadan: Spectrum Books Limited.

Brown, M. (1993). 'Causes and Implications of Ethnic Conflicts', in

Brown M. ed. Ethnic conflict and International Security. Princeton: Princeton University Press.

Burton, J. (1979). Deviance, Terrorism and War: The Process of Solving Unsolved Social and Political Problems. London: Macmillan.

Burton J. (1990). Conflict Human Needs Theory. London: Macmillan.

Celestine O. (1997). "The Peacekeeping Approach to conflict Trap: Civil War and Development Policy. Washington: The World Bank.

Charter of the African Union

Charter of the United Nations

Coser, L. (1962). The Functions of Social Conflict. New York: Free Press.

Faleti, S. (2006). Introduction to Peace and Conflict in West Africa. Ibadan: Spectrum Books Limited.

Gurr, R. (1970). Why Men Rebel. Princeton: Princeton University Press.

Gibril, H. (2011). Will Peace Return to Darfur? http://news.bbc.co.uk/2/hi/africa.

Giji, G. (2010). Q&A:Sudan's Darfur Conflict. http://www.amnesty.ng/en/library/info.

Gompert, M. (2007). The Situation in Darfur Region. http://www.sudantribuna.com.

Isard, W. (1992). Understanding Conflict and the Science of Peace. Cambridge: MA. Blackwell.

Koestler, A. (1967). The Ghost in the Machine. New York: Macmillan.

Kothari, R. (1979). The North-South Issue. Accra: Nozo press.

Lawrence, A. Onoja (1996). Peace Keeping and International Security in a Changing World. Jos: Mono Expression Ltd.

Merwe, E. (1993). Conflict Resolution Theory and Practice. Manchester: Manchester University Press.

Nikitin, B. (2009). Frights Group Says Sudan's Government Aided Militia. http://www.sudantribuna.com.

Piiparimen K. (2007). Our Case with Sudanese Government. http://www.rebesl/Darfur/freedom.com.

Poihe, A. (2010). Robbers Kill Egyptians Peacekeeper in Darfur. http://news.bbc.co.

Salim, A. (2004). AU Efforts. www.au.sudan.com.

Sudanese Government, (2011). The Steps Taken so far. Darfur: Darfur publications

Udombana, A. (2011). The Dimension of the Darfur Crisis. http://www.humanity/dafar.com.

UNAMIS (2006), UNAMIS Annual Report

UNAMIS (2007), UNAMIS Annual Report

UNAMIS (2008), UNAMIS Annual Report

UNAMIS (2009), UNAMIS Annual Report

UNAMIS (2010), UNAMIS Annual Report

UNAMIS (20011), UNAMIS Annual Report

Webr, A. (2008). UNMIS and the AU. http://www.prestr.com.

Williams, J. (2011). Jem Darfur Rebels Snub Sudan Peace Talks Over Attacks. http://rebels.Darfur.freedom.com.

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