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Regional Research Study
Lake Chad Basin :
Endogenous mechanisms of
prevention, mediation and conflict
resolution in the face of current



THE URD GROUP **EMERGENCY. REHABILITATION. DEVELOPMENT**

Founded in 1993, Groupe URD is an independent think-tank specializing in the analysis of practices and the development of policies for humanitarian action and the management of fragility. Its multi-disciplinary expertise, nurtured by constant return trips to crisis and post-crisis areas, enables it to understand the functioning of the sector as a whole. Committed to knowledge exchange and collective learning, he supports aid actors in the process of improving the quality of their interventions.

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ACRONYMS

ACF: Action Against Hunger

ACTN: Association of Traditional Chefs of Niger

ANADER: National Agency for Support to Rural Development (Chad)

BH: Boko Haram

TLW: Lake Chad Basin

DAC: Development Assistance Committee

LBC: Lake Chad Basin Commission

CJTF: Civilian Joint Task Force

COFO: Land Commissions

COFOCOM: Communal Land Commissions

COFODEP: Departmental Land Commissions

FAO: Food and Agriculture Organization of the United Nations

MMF: Mixed Multinational Strength

LACON: Legal Aid Council of Nigeria

OECD: Organisation for Economic Co-operation and Development

IOM: International Organization for Migration

NGO : Non Governmental Organization

CSO: Civil Society Organization

PBF: Peace Building Fund

PDI: Internally Displaced Persons

UNDP: United Nations Development Programme

PRSDL: Plan Régional de Sécurité et de Développement de la région du Lac (Regional Security and Development Plan for the Lake Region)

TFP: Technical and Financial Partners

RESILAC: Inclusive Economic and Social Recovery of Lake Chad

SFCG : Search for Common Ground

UNHCR: United Nations High Commissioner for Refugees

UN: United Nations (United Nations)

URD: Urgence Réhabilitation Développement

EXECUTIVE SUMMARY

The endogenous mechanisms for conflict prevention, mediation and resolution in the countries of the Lake Chad Basin have been the subject of particular attention by international actors in recent years. Because the region is still marked by recurring attacks by ¹armed groups, and because peacebuilding seems to have become one of the new paradigms for international assistance in the region, these mechanisms are increasingly being used to "build peace" and "strengthen social cohesion. Between local peace and community conflict management on the one hand, and global peace and security efforts on the other, the strategies are as varied as the lexical field of the "triple Nexus" remains unclear and sometimes leaves aid operators and populations feeling confused.

The objective of this research, conducted within the framework of Pillar 4 of the RESILAC project, is precisely to attempt to clarify to what extent and for what purposes aid can support these mechanisms to ease sources of tension and conflict, and to participate, to some extent, in the strengthening of social cohesion at the community level. To do this, the first step was to draw up an inventory of the current conflict dynamics in the areas under investigation, before mapping the endogenous mechanisms (whether traditional or modern justice) capable of preventing and managing conflicts in these areas. Between February and March 2020, more than sixty interviews and focus groups were conducted by a multidisciplinary team of researchers in the capital and nine territories of the region: in the districts of Jere and Monguno in the State of Borno in Nigeria; in the communes of N'Guimi, Chetimari and Mainé Soroa in the Diffa region of Niger and in the cantons of Bol, Ngarangou, Nguéléa 1 and Nguéléa 2 in the Lake region of Chad².

The analysis of conflict dynamics shows first of all that the security crisis is rooted in already fragile contexts where the state is weak and a source of mistrust, access to basic services is restricted and ethnic tensions are quickly activated and instrumentalized. The crisis has exacerbated conflicts over land and access to resources, which remain among the main sources of disputes mentioned in the territories surveyed: on the one hand, because insecurity, by causing massive displacement of populations, has increased pressure on land and resources; on the other hand, because the conflict has reinforced the already initiated loss of legitimacy of traditional authorities which, in these territories, play a central role in land management. Moreover, the increased presence of "dressed bodies" is generating new tensions. While in Chad, the military is frequently accused of collecting taxes at improvised checkpoints and committing abuses against the population, in Nigeria, citizen self-defense militias and the use of "vigilantism" have been reported to be amplifying the violence. Finally, the level of violence has created a climate of suspicion and fear that has fostered the revival of certain religious and ethnic cleavages (stigmatization of the Kanouris, Boudoumas and Fulani) and the reactivation, in Niger, of the former Peule militia that fought the Toubou rebellion in the 1990s.

Faced with these conflicts and tensions, research has focused on identifying the endogenous mechanisms present to prevent and resolve conflicts. A first observation is that the multiplicity of existing mechanisms and the pluralism of norms (traditional, modern, etc.) offer different opportunities to populations, and they allow them to resort to various routes to win their case in the event of conflict. Mediation by traditional authorities,

¹ Given the multitude of groups using violence to assert control in the region, and the complexity of distinguishing between them, we will use the broad term armed groups (not Boko Haram) in this report.

² The land originally planned for the end of March 2020 in the Far North region of Cameroon could not be secured due to the health situation and government measures then in progress (COVID-19).

which is accepted *a priori*, can thus be called into question as soon as a different opportunity for conflict resolution arises, if it refers to more advantageous mechanisms and/or norms. However, despite possible opportunistic use of the law, it emerges very clearly that traditional conflict management mechanisms (as instruments to prevent, moderate or resolve conflicts brought about by individuals mobilizing norms and values perceived as legitimate because they are based on references to customs, religion and history) are used more than modern mechanisms to resolve low-intensity conflicts (proximity conflicts, land and resource access conflicts, intra-community and inter-community conflicts, etc.). In the interviews we conducted, the populations justify this preference by pointing to the ethnic and religious basis of these mechanisms, as well as their speed in resolving conflicts and their low cost. However, the surveys also showed that these mechanisms are now being put to the test (mainly in Nigeria and Chad) because of the crisis of legitimacy of their representatives, but also because some of the new conflicts are partly beyond the power of traditional chiefs (particularly the case of the repentant from Boko Haram who are returning to settle in the communities).

Consequently, it emerges that while traditional conflict management mechanisms play an undeniable role in calming certain conflicts and maintaining social cohesion in the areas under investigation, they cannot take on responsibilities for "peace" that are played out on a different scale. This observation, no doubt "common sense", seems however to be diluted in the prism of the so-called "triple Nexus" interventions. Indeed, interviews with aid actors (donors, operational staff) have shown that the "peace" component of the Nexus is very broad, and that it encompasses both "small peace" issues at the community level and more global issues of stabilization, and even the fight against terrorism. The interviews thus show that this double reading grid sometimes blurs the actors' understanding of the objectives pursued by the "peace" and "social cohesion" programs put in place.

Having made this observation, the research then confirmed the relevance of supporting traditional conflict management mechanisms to strengthen social cohesion and "local peace". It emerged from the field observation work that support for these mechanisms can take different forms, and interacts more or less directly with them via a very wide range of activities focusing above all on prevention issues (creation of spaces for interfaith/intercommunity dialogue, etc.); organization of forums on social cohesion and reconciliation between certain communities, particularly between Boudouma, Kanouri and Fulani in Chad; awareness-raising activities and dissemination of peace messages; support to chiefdoms for the revitalization of pastoral conventions and the demarcation of transhumance routes; support to chiefdoms for the integration of displaced persons, refugees and demobilized persons from Boko Haram, etc.). Finally, a major limitation to these interventions to strengthen social cohesion through conflict management was also mentioned. It refers to the multiplication in recent years of "peace committees": groups of individuals composed with the aim of promoting dialogue between communities, stimulating exchange and a relationship of trust, and defusing potentially conflictual situations through dialogue and mediation. If, in some cases, these committees are coherently anchored in social dynamics, sometimes acting as true relays to traditional endogenous mechanisms, in others they are widely questioned because of their exogenous nature, their non-representativeness, their lack of legitimacy and their weak sustainability. Without totally calling into question the establishment of such committees, greater attention should probably be paid to their composition, ownership and sustainability, and to the way in which they truly interact with traditional endogenous conflict resolution mechanisms. Otherwise, there is a great risk of creating new (temporary) norms of conflict prevention and management in territories where several levels of rights and dispute resolution modalities are already juxtaposed.

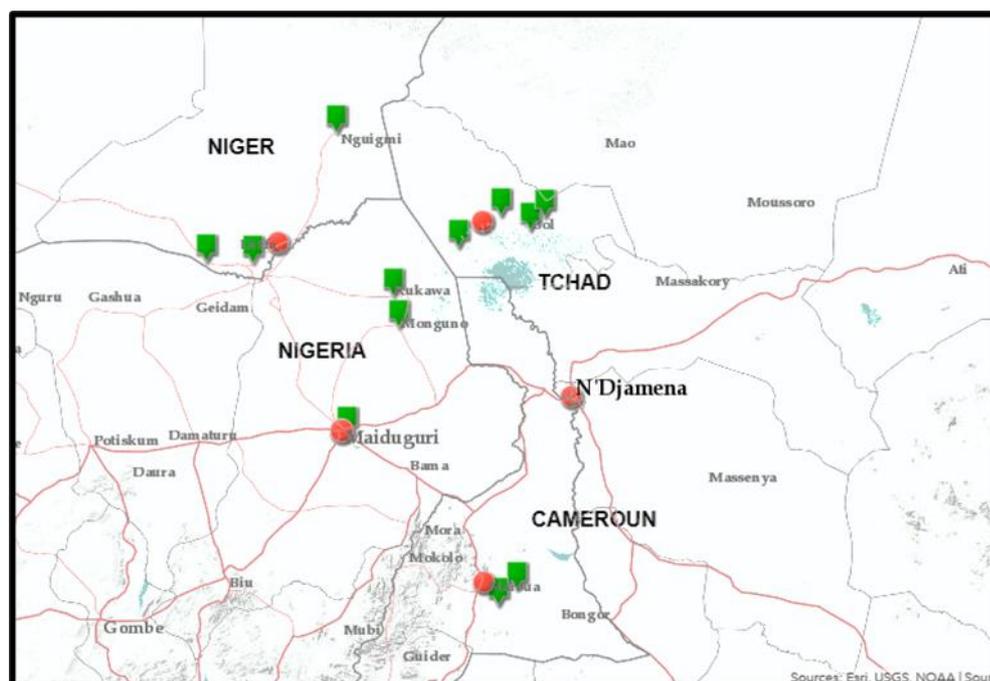
INTRODUCTION

RATIONALE FOR THE STUDY

BACKGROUND REMINDER

A territory with traditionally porous borders stretching across the four states bordering the lake (Cameroon, Niger, Nigeria and Chad), the Lake Chad region has become the focus of a major crisis over the past decade that has its roots in a plurality of causes and cannot be read solely through the prism of a security crisis. The insurgency of the Boko Haram jihadist group, which began in 2009 from Borno, Nigeria, and its gradual expansion to the other countries of the lake (2014-2015), points to the chronic challenges and fragilities facing the states, rather than to a recent adherence to a "supposed ethnic liberation front"³ that has destabilized a prosperous region. Beyond the security crisis linked to the insurgency of the Boko Haram jihadist group, the Lake Chad region is thus traversed by a series of conflicts involving a plurality of actors. These conflicts, often pre-dating the "crisis," have been exacerbated by the crisis and the consequences of its military management and repressive measures. New factors of tension have also emerged, weakening, to some extent, traditional cohesion systems and endogenous conflict management mechanisms.

REMINDER OF THE RESILAC PROJECT



Areas of intervention of the RESILAC project :

Diffa Region in Niger, Borno State in Nigeria, Lake Chad Region in Chad, and the Far North Region of Cameroon

The RESILAC ("Inclusive Economic and Social Recovery of Lake Chad") project was launched in June 2018 and aims to achieve economic recovery and

³ M. A. Pérouse de Montclos, G. Magrin, E. Chauvin and Charline Rangé, Développement et gouvernance, un espace fragile, in *Crise et développement, la région du lac Tchad à l'épreuve de Boko Haram*, edited by Géraud Magrin and Marc-Antoine Pérouse de Montclos, AFD, 2018.

rebuild the social fabric of the region. This 4-year regional project, funded by the French Development Agency and the European Union, combines emergency, rehabilitation and recovery actions, and is articulated around four axes of intervention which have the following objectives :

- **Pillar 1:** Strengthen human capital, social cohesion and the collective and sustainable management of natural resources in the targeted territories ;
- **Pillar 2:** Promoting economic recovery in the targeted territories and the resilience of the most exposed populations, particularly youth and women, through access to employment and intensified agro-sylvo-pastoral production systems adapted to climate change;
- **Pillar 3:** Valuing and consolidating the actors of the targeted territories by promoting dialogue and commitment, and by reinforcing their capacities according to the skills and roles of each one;
- **Pillar 4:** Produce knowledge useful for the quality of project activities in a crisis context.

While the various pillars are interdependent and contribute to the achievement of a common objective, Pillar 1 "social cohesion" seems to play a pivotal role, making it possible to base the various activities on an in-depth analysis of the factors of cohesion and/or tension in each of the targeted areas of intervention. More specifically, Pillar 1 has two outcomes:

- The living forces of the targeted territories are supported in building sustainable peace and development by enabling them to analyze and act on the root causes of economic problems, degradation of natural resources and social tensions/conflicts (R.1.1);
- Concerted and equitable access to natural resources is secured in certain territories with a view to preventing and managing conflicts and identifying replicable approaches (R.1.3).

OBJECTIVES OF THE STUDY

In accordance with the terms of reference, the objective of the study was to allow RESILAC to better understand the functioning and uses of endogenous mechanisms of conflict prevention, mediation and resolution in order to define, if relevant, strategies to support and strengthen them. It therefore aimed to better identify the social and structural processes at the root of conflicts, the types of antagonisms faced by the populations, as well as the mechanisms in place that work to pacify relations within and between the communities bordering Lake Chad (conflict prevention/dialogue-mediation/resolution).

In order to do this, the research first focused on reporting on conflict dynamics and their evolution in the study regions. It then focused on analyzing the mechanisms for managing these conflicts (whether under traditional and customary law or modern justice), and on how the new dynamics underway affect the vitality of these conflicts and promote - or not - the emergence of new ones. Finally, the study sought to better understand how the peacebuilding and social cohesion mechanisms implemented by the various bodies are part of this new environment. In addition, a fourth, cross-cutting objective was taken into consideration throughout the study in order to make this study an action-oriented research, intended to draw up work paths for Pillar 1 of RESILAC and to support agile decision-making.

Specific Research Objectives

OS1: Analyze the nature and causes of ongoing conflicts/factors of tension in the areas of intervention.

- OS2: Identify endogenous mechanisms at community, local, national and regional levels for conflict prevention, mediation and resolution.
- OS3: Provide an overview of peacebuilding and dialogue mechanisms in the areas of intervention.
- OS4: Cross-cutting objective: Support agile decision making.

METHODOLOGY

This research was therefore structured around four specific objectives, for each of which hypotheses and research questions were formulated following a preliminary bibliographical work and a methodological framing workshop that brought together the entire research team in N'Djamena, prior to data collection in the field. (See Appendix 2)

INTERVIEWEES AND DATA COLLECTION TOOL

The sampling of interviewees sought to represent the diversity of actors present in the region and villages, and to gather different perspectives and feelings on issues of social cohesion and conflict resolution. At the level of the villages surveyed, the researchers conducted focus groups (based on trade guilds, gender, age and displaced person status, if applicable), individual interviews (village chief, religious leader, gendarme, member/representative of vigilance committee, etc.). At a more macro level, individual interviews were also conducted with provincial/regional prefects and governors, canton chiefs, and staff of governmental and nongovernmental institutions involved in stabilization/peace building/promotion of social cohesion programs. A total of sixty individual interviews were conducted and twelve focus groups were also organized based on the interview frameworks prepared collectively during the start-up workshop.

CRITERIA FOR TARGETING SURVEYED VILLAGES & DATA COLLECTION

The objective of the research was not to visit as many villages as possible, but to deepen, in a qualitative approach, the territorial dynamics at stake. Several criteria were taken into account in the choice of study areas: areas targeted by RESILAC (but not exclusively); degree of conflictuality (conflictive villages and stable villages, more or less affected by the Boko Haram crisis); exposure to potential risks; presence of displaced persons and/or refugees; presence of "reintegrated" people / ex-combatants.

Villages selected for research

Country	Region/State	District/Canton/Community	Villages
Nigeria	Borno	Jere	Gongulong; Kirbiri; Fariya
		Monguno	Chesala; Gana Ari

Niger	Diffa	N'Guimi	Rimi ; Klakoumana ; Adjiri ; Gagala Peul ; Gagala Arabian
		Chetimari	Amsamiri; Maina Kaderi
		Mainé Soroa	Tam; Fououraram
Chad	Lake	Bowl	Bowl; Kaya village
		Ngarangou	Ngarangou; Taou Kirou
		Nguéléa 1	Nguéléa ; Tagal
		Nguéléa 2	Bagasola; Kafia
Cameroon	Collection cancelled due to VIDOC health crisis-19		

CONSTRAINTS AND ACCOMMODATIONS

- **Nigeria:** Due to difficult access to the field (security constraints), local interviewers were recruited to administer the questionnaires to key informants. A working session was held in Maiduguri during which the methodology was explained by the researcher. The interview guides were translated into Kanuri and Haoussa.
- **Chad:** Security constraints (ban on access to certain areas and restricted traffic on certain roads) and language constraints (Boudouma, Kanembou) required collaboration with a "fixer" with a very good knowledge of the area and its issues. Some resource persons, such as military officials, have repeatedly invoked their right to reserve in order to decline maintenance offers. As compensation, informal interviews were held with soldiers.
- **Niger:** Insecurity (attack on March 7, 2020 in an initially targeted village on the outskirts of Chetimari, recurring kidnappings by armed groups in the town of N'guigmi near Lake Chad) has prevented access to some of the sites initially planned. Security measures related to the curfew led to the observance of vehicle travel times (banned after 8 p.m.).
- **Cameroon:** After a temporary suspension of collection work and real-time monitoring of the health situation and government measures in the country, it was decided jointly by the Cameroon research officers, the Pillar 4 referent and the research coordinator that the collection could not be carried out in serene health conditions. The decision was taken to cancel the field.

1. RECOMPOSITION OF REGIONAL DYNAMICS: WHAT NEW CONFLICTS?

1.1. SOME CHARACTERISTICS OF THE SURVEY TERRITORIES

1.1.1. INSTABILITIES, EXCHANGES AND MULTI-ETHNIC SETTLEMENT

Between the 9th and 19th centuries, the lake region was a fertile breeding ground for the political hegemonies of the Sahelian empires. In the heart of central Sudan, Lake Chad thus saw the emergence, coexistence and confrontation of political entities of varying sizes and military power⁴. The kingdoms of Kanem, Bornou, Baguirmi, Wandala and the Kotoko principalities make this strategic water point sometimes a space for slave predation, sometimes a military fortification and a field for the expression of vassalized political micro-powers. The successive waves of colonization and conquest of the great kingdoms of central Sudan set a multi-ethnic demography where we find, besides the Sao ancestors, their Kotoko and Boudouma descendants. The migratory thrusts observed during the era of the Sahelian kingdoms are the result of the periods of drying up of certain shores of the lake. The military expeditions to secure the borders of Bornou led by the Maï Idriss Alaoma from 1571 resulted in significant population movements. At the end of the 16th century, many ethnic groups lived together: the Manga, Nguizim, Ngasser, Koyam, Mobber and Margi-Putai in particular were conquered and assimilated. The Bedde, Nounio, Machena, Gummel, Boudouma, Gamergou, Damagarin, Kotoko, Marghi Babal and Mandara accepted the suzerainty of Bornou. The Chamba, Bata, Bolewa, Kaleli, Tal and Jorto in particular prefer to emigrate⁵.

At the beginning of the 19th century, a new phase of conquests driven by political-religious and economic ambitions reconfigured the Chadian basin. Successively, the Kanem-Bornou, the Baguirmi, and the vassal kingdoms and principalities were defeated by Fulani and Rabah assaults. The latter established a slave state, causing the exodus of many populations, but also opening the way for a new wave of Arab migration in the southern basin of Lake Chad. From this moving history a double demographic characteristic emerges, pointed out in particular by Seignobos: on the one hand, a certain civilizational homogeneity based on numerous exchanges between groups, and on the other hand, a great ethnocultural diversity. We will see that the contemporary conflicts revealed by this research, especially those related to access to natural resources, are rooted in this history of exchange and diversity, as well as in the political instrumentalization of community identities.

Settlement history and environmental and socio-demographic characteristics in the Chadian part of

⁴ J. Lemoalle and G. Magrin (eds.), 2014, *Le développement du lac Tchad : situation actuelle et futurs possibles*, Paris, IRD editions, p. 146.

⁵ *Ibid.*, p. 149.

the lake

At the beginning of the 19th century, the colonial conquest settled in a Lake Chad reconfigured by several centuries of wars and conquests where populations, bound by political, military, economic, religious and ecological constraints, coexisted. Western colonization thus set about banishing the former kingdoms and recomposing the territories according to traditional organizational models strictly under its authority. Chad's accession to independence in 1960, the preservation of the modes of governance inherited from colonization and the need to govern particularly porous border areas made it necessary to maintain a "hybrid" local governance system that combines administrative authorities with customary and religious authorities⁶.

Demographic dynamics in the lake region remain modest, with an estimated population of 596,068 according to the 2009 general population and housing census, representing a demographic weight of 3.9% of the total population of Chad. The dominant ethnic groups are the Kanembou (66.3 percent), Boudouma (18.8 percent), Daza (4.1 percent), and other groups (7.3 percent). 2.1% are foreign fishermen from different countries (Cameroon, Nigeria, Niger, Mali, Senegal, Ghana...). In terms of access to education, in the absence of disaggregated statistics at the departmental, communal and cantonal levels, it is important to note that the Lake and Barh El Gazal regions are the least educated in Chad, with a rate of 8.4% among the ordinary resident population aged 6 to 24. Working conditions are the most precarious in the country, with poor equipment and a lack of human resources. The province also has thousands of internally displaced persons (IDPs): in November 2019, there were 22,926 IDPs in 17 sites in the sub-prefecture of Bol and 60,119 in 16 sites in the sub-prefecture of Bagasola⁷.

The four cantons in the study belong to an environment characterized by steppe-like vegetation consisting of species such as the Rônier, which degrades to desert as one moves northward. In the departments of Mamdi and Kaya, nature is marked by a scattered tree structure with a concentration around the polders. In the islands of the lake, the vegetation is composed of reeds and papyrus. The structures of socio-economic activities are defined around the agriculture practiced mainly by the Kanembou, fishing and livestock breeding carried out by the Boudouma. Several other groups are involved in agro-pastoral or agro-fish farming activities, particularly in the polders and the exuded terroirs of the lake. Tertiary activities such as petty trade are mainly carried out by Kanembous traders.

1.1.2. LACK OF STATE AND WEAK PUBLIC SERVICES

It would be impossible to analyze the contemporary dynamics of conflicts in the region without mentioning the issues of poor governance and weak public services in which these conflicts take place. Indeed, the regions in the study area have often been neglected by the central authorities, starting with those of Diffa and Borno, which are geographically distant from the national political and economic centers (in Chad, the area can be considered more central since it is closer to the national capital). Development policies in the region have been marked by internal political crises and cycles of economic growth in the states, sometimes quite prosperous (1960s and the first decade of the 2000s), sometimes rather unfavorable (crisis of the 1980s and

⁶ G. Magrin, M-A. Pérouse De Montclos (dir.), *op. cit.*

⁷ DTM, Travel Tracking Matrix, Report Round 9, November 2020.

1990s), but in any case never sufficient to lift the lake regions out of extreme poverty. To cite just one example, the poverty rate in Borno State (Nigeria) was 70 percent in 2017, significantly higher than in many southern states, where it is sometimes less than 20 percent⁸.

If precariousness and limited access to socio-community infrastructures and basic services is a challenge for the three countries, it is all the more so in the regions surveyed.

In addition, the sense of rupture and abandonment by state authorities is fueled by recurring accusations of corruption and mismanagement. The 2019 edition of Transparency International's Corruption Perception Index (CPI) lists Nigeria, Chad (and Cameroon) among the worst ranked countries, and to a lesser extent Niger⁹. Finally, we will see that the military response to the security crisis and the very numerous accusations of abuse and violence by security forces against civilians also contribute to fuelling resentment against governments.

1.1.3. THE TURNING POINT OF THE SECURITY CRISIS

Born in Maiduguri in 2002 under the influence of the Salafist preacher Mohamed Yusuf, the Boko Haram group builds its discourse primarily on religious claims and the contestation of poor local governance. It was in 2009, following the extra-judicial execution of its charismatic leader by the Nigerian police force, that the group went underground and abruptly changed its modes of action. Boko Haram then multiplied armed attacks and suicide bombings in a context of near proliferation of weapons from post-Gaddafi Libya. The forced flight of the Maiduguri group in 2012 does not mark the end of its actions: first from the forests of the Mandara Mountains, then from the lake areas, in 2014-2015 Boko Haram extends its zone of influence to the border regions, from Diffa to Kolofata via the Chadian part of the lake. The strong mobilization of the regional armies eventually partly explains the movement's loss of territorial control (despite the persistence of attacks by armed groups).

Brief chronology of the MMF's military response in the region

2009 : Beginning of the Boko Haram uprising.

2013: Declaration of a state of emergency in Borno, Yobe and Adamawa; Military operations of the Nigerian army and extension of movements from the cities to the countryside.

2015: Deterioration of the situation in Niger and Chad; Establishment of states of emergency; Reactivation of the Joint Multinational Force (FMM) composed of Beninese, Cameroonian, Nigerian and Chadian forces.

June-September 2016: Operation "Gama Aiki" ("Finish the job" in Hausa) in response to Bosso's attack in Niger; Beginning of the deployment of Chadian troops in Niger.

2017: End of MMF Operation Rawan Kada and withdrawal of Chadian troops from Niger.

2018 : Launch of the Anmi Fakat operation to consolidate the gains of Rawan Kada.

Today, although attacks have largely diminished, the various armed groups continue their incursions and regularly cause deaths among the military but also the civilian population. In Chad, for example, the Bohoma

⁸ *Country Briefing 2017: Nigeria*, Oxford Poverty and Human Development Initiative, June 2017.

⁹ https://transparency-france.org/wp-content/uploads/2020/01/2019_CPI_Report_FR.pdf

military camp was attacked on March 23 by a jihadist group of 400 individuals who landed on the camp island,¹⁰ killing nearly 100 soldiers and wounding 47 others. More recently in Nigeria, where there has been a resurgence of attacks in recent months, armed elements attacked the town of Monguno northeast of Borno, again causing the death of several civilians¹¹.

In the end, the repressive and ultra-militarized management of the crisis by the Nigerian authorities first and then by the authorities of other countries was in a way the detonator of a larger and lasting political crisis that today generates many conflicts and social tensions at a more local level. The loss of legitimacy of the state, the weakness of its public services and, as we shall now see, local land tensions and the resurgence of identity-related tensions have all contributed to the current "crisis".

1.2. ACCESS TO RESOURCES AND LAND MANAGEMENT: HISTORICAL ISSUES THAT REMAIN AT THE HEART OF CURRENT CONFLICT DYNAMICS

1.2.1. AN AGRO-SYLVO-PASTORAL AND FISHERIES ZONE WEAKENED BY THE SECURITY CRISIS AND GLOBAL WARMING

The population of Lake Chad remains overwhelmingly rural and activities are still based mainly on agriculture, livestock and fishing, on which almost the entire population depends. In the Diffa region, for example, which is essentially agro-pastoral, livestock farming is the main activity of the population living on about 30,000 km² of pastoral land, and the second activity of farmers. The surface area of the pastoral zones is estimated at about 6,078,320 hectares. As a production activity, livestock farming - most often practiced extensively - concerns nearly 95% of the region's population and accounts for nearly 55% of the region's gross annual product. More generally, and to use the typography carried out by Charline Rangé, the mobility of men and herds is a fundamental element of the resilience of these systems and structures the territorial complementarities between four well differentiated types of areas¹² :

- Densely populated and ancient areas, exporters of agricultural products, places for seasonal workers and homes for residents to leave (Komadougou Yobe valley, Firki and Diamare plains);
- Reception areas, exporters of agro-(halio)-pastoral products, recently settled and still sometimes presenting the aspects of pioneer areas (Lake Chad, Benue Valley);
- Vulnerable agro-pastoral areas, the source of migration (Mandara Mountains, the Sahelian and Sahelo-Sudanian zones);
- Saharo-Sahelian spaces that are exclusively pastoral (northern Kanem and the Diffa region).

¹⁰ Because Boko Haram has split into two factions, there is still no consensus on who should be responsible for the attack. Images of the attack showing the emblem of the Islamic state in West Africa circulated at the same time as it was claimed by Abubakar Shekau's faction.

¹¹ <https://reliefweb.int/sites/reliefweb.int/files/resources/06.26.20%20USAIDBHA%20Lake%20Chad%20Basin%20Complex%20Emergency%20Fact%20Sheet%20%233.pdf>

¹² Charline Rangé, in Géraud Magrin and Christine Raimond, "La région du lac Tchad face à la crise Boko Haram: interdépendances et vulnérabilités d'une charnière sahélienne," *Bulletin de l'association de géographes français*, 95-2 | 2018, pp. 203-221.

Conflicts related to access to resources have been exacerbated by climatic hazards, particularly since the 1973 and 1983 droughts and recurring climatic shocks. The security crisis and its management have also contributed to increased pressure on resources. The closure and control of borders has severely limited trade flows (smoked fish, dried peppers, etc.) and partially deregulated pastoral dynamics by pushing herders to rethink their mobility and grazing areas, at the risk of fuelling new local land conflicts. To cite just one example highlighted by Christian Seignobos: "the shock wave of the lake crisis is causing a domino effect among groups of Fulani herders, who are pushing them across borders, such as that of Cameroon, for example¹³".

Almost everywhere, the interviews show that the main sources of conflict - current and latent - are directly related to access to and management of natural resources.

1.2.2. TYPOLOGY OF THE MOST RECURRENT RESOURCE-RELATED CONFLICTS IN THE SURVEY AREAS ¹⁴

Conflicts between fishermen

Conflicts between fishermen were especially mentioned for the Nigerien part of the lake, in a context of reduction of spaces reserved for fishing. Conflicts most often occur during years of low lake flooding: the more the flooded areas are reduced, the greater the pressure on fishing and the more conflicts intensify. Competition seems to regularly lead to confrontation, especially when it concerns the use of motor pumps (which has become an increasingly widespread fishing practice that allows the exploitation of portions of the lake in order to catch large quantities of fish). Conflicts also arise during periods of low water, when the non-natives do not comply with the principles laid down by the natives. Finally, in Nigeria, in the lake districts of Abadam, Kukawa, Monguno and Marte, recurrent conflicts between fishermen among themselves but also between fishermen and herders have been systematically reported.

Conflicts between breeders and farmers

Most often, these conflicts are related to the raving of livestock in the fields. In Niger, in the zones surveyed, conflicts occur between pastoralists and agro-pastoralists, between herders and farmers and other actors directly or indirectly involved in the management of pastoralism. The main source of these conflicts is the use of the same corridors, and farmers also blame transhumant herders for bringing various diseases into the area.

Conflicts between farmers

These are mainly conflicts related to plot boundaries and the digging of small canals to bring water to the least flooded plots. These conflicts are most often observed in years of flood deficits.

Typology of conflicts most prevalent in the survey areas, Borno, Nigeria

¹³ Seignobos Christian, "The Lake Chad Region under the Boko Haram Mortgage," *Herodotus*, 2019/1 (No. 172).

¹⁴ For an in-depth analysis of land tenure issues, see the RESILAC research report "Contrasting Impacts of the Security Crisis on Land Tenure Situations in the Lake Chad Region", July 2020.

DISTRICTS	JERE			MONGUNO	
	Villages	Gongulong	Fariya	Kirbiri	Chesala
Voltage sources	Access to water and land; Insecurity BH	BH insecurity; Family conflicts	Insecurity BH; Cohabitation with IPRs; Poverty	Insecurity BH; Access to water	Insecurity BH; Access to water
Most prevalent conflicts	Marital conflicts; Conflicts between breeders and farmers	Conflicts between PH and IDPs over access to resources; Conflicts between youths	BH security conflict; Conflicts at water points; Conflicts between IDPs and PHs over access to resources; Family conflicts	BH Security Conflict; Conflicts of Interest; Theft; Access to Water	BH security conflict; Domestic conflicts; Farmer/pastoralists conflicts; Access to water

Typology of conflicts most prevalent in the survey areas, Lake Region, Chad

Types/Sources	Objects of the conflict	Categories of actors
Inter-community conflicts over access to natural resources	Polders, grazing areas, fishing areas on the islands	Boudouma & Kanembou Communities/Villages
Inter-community conflicts related to the control of traditional power	Boundaries of cantons or villages, disputed membership of villages or polders	Populations of villages or neighboring villages in the disputed polders Heads of villages or cantons
Intra-community conflicts	Grazing and fishing areas, agricultural land, flooded islands	Examples: Boudouma Gouria against the Boudouma Mabula on the island of Lictroia. Boudouma Kalia and Bugara on the island of Kassalaré
Land conflicts	Exempt land for agriculture, livestock and fisheries	Corporations of fishermen, farmers and breeders
Disputes and tensions between IDPs and host populations	Occupied land Surrounding resources available	Host populations Displaced populations
Social conflicts	Theft, adultery, abduction of women, fights, homicides...	Families, women, youth, youth groups, drug users addicted to tramadol
Tensions and fights between defense and security forces and populations	Untimely controls, violence against populations, confiscation of goods, irregular levying of taxes, influence peddling...	Village populations, youth groups, heads of villages or cantons

1.2.3. LEGAL UNCERTAINTY OVER LAND TENURE AND A LOSS OF INFLUENCE OF TRADITIONAL CHIEFS THAT MAKE IT DIFFICULT TO MANAGE TENSIONS OVER RESOURCES.

At the heart of contemporary Sahelian issues, land tenure and resource management appear to be central to the dynamics of conflict at the lake. While this type of conflict is not new, it seems that the management strategies that worked in the past at the community level are weakening and making conflict resolution more complex.

It should first be pointed out that in all the regions studied, traditional authorities play a central role in land management. In a global context where land and resource access rights are generally weakly codified, it is indeed they who, among other things, manage the repair of agricultural land and plots and regulate access to pastoral and fishing resources. However, the - not new - corruption of traditional authorities, their increasingly strong - and questioned - links with the national political and administrative sphere, but also the flight of some officials due to insecurity linked to attacks by armed groups have, among other factors, weakened the legitimacy of traditional authorities, making land and resource management even more complex (see Chapter 2).

Interviews show that in Borno and the Lake Chad region (to a lesser extent in Diffa, where the 1993 Rural Code is particularly robust and where traditional authorities have for the most part remained during peaks of insecurity and are still well respected), land tenure insecurity is all the more important today as traditional chiefs have lost their influence. In Chad, for example, the traditional chief is the guarantor of the resources on his territory and administers them with the administrative authority (sub-prefect) to whom he reports. While this dual administration of populations and resources has for decades been the source of tensions and carries with it interests that can lead to conflicts, it seems to have become even more fragile in recent years. As a result, networks of influence are growing and the individuals in the best position to take advantage of them to appropriate resources. In Chad, land conflicts recorded in all the cantons and most of the villages surveyed are difficult to reach agreements because the authority that controls the land is in fact the manager of the resources on it. As a result, we are witnessing what the canton chief of Bol canton calls a "guerrilla *war*" of traditional chiefs over control of villages with resources. This is notably the case of the dispute over the Kalali polder by the cantons of Ngarangou and Nguéléa 1, which gave rise to violent clashes in 1995, causing 14 deaths.

The case of land management in Niger

The land commissions (COFO) are consulted on the management of natural resources and participate in the elaboration of land development plans through a permanent consultation process. There are departmental (COFODEP) and communal (COFOCOM) land commissions, as well as basic land commissions (COFOB) in some villages. These structures are modern instruments for preventing and managing land tenure security conflicts.

The Rural Code is a set of legal and institutional texts that specify both the rational management of rural land, namely: land, resources and rules, conflict prevention and human promotion. It is also, and above all, a process that is still ongoing, and the drafting of additional texts should eventually make it possible to build up a coherent corpus of rules for securing land tenure in rural areas. All these documents define the missions of COFO, which can be summed up as follows: land management, concerted management of natural resources, management of the imbalances that periodically affect these resources, management of conflicts related to access to and use of natural resources.

The land commission thus ensures the delivery of land deeds:

- Final deeds: certificate of customary possession, certificate of land donations, certificate of land sale;
- Temporary acts: the land lease contract, the customary land pledge contract and the land

loan contract ;

- Other deeds issued by the COFODEP (right of land ownership): attestation of priority right of use, rural concession (by the Minister's opinion).

The management of "proximity" conflicts is one of the key missions of COFOs. In Chetimari, for example, the COFO organizes sensitization assemblies bringing together all ethnic groups, and has set up peace committees and COFOBs (Base Committees) in the 20 villages of the commune around the animal passage corridor along the Komadougou Yobé River. These are 8-member committees chaired by the village chiefs. The COFO facilitates, for example, the preparation of the minutes of the conciliations.

1.3. NEW FACTORS OF TENSION DIRECTLY RELATED TO THE SECURITY CRISIS

"In addition to conflicts between communities over access to resources and the demarcation of traditional power, We are now witnessing conflicts and fights due to the radicalization of the increasingly stigmatized Boudouma, some tensions between displaced and host populations and also fights between populations and the military. »

Prefect in the Lake Province, Chad

1.3.1. DISPLACED PERSONS

The violence of the conflicts and repression by the defense and security forces, as well as the measures taken in the context of the state of emergency have upset the balance in the region, calling into question the territorial complementarities and socio-demographic balances in progress. Repeated attacks have caused vast population movements. According to UNOCHA, nearly 2.5 million people were displaced (IDPs, refugees, returnees) in the region at the beginning of 2019¹⁵. New forms of inter-community tensions have thus emerged with the forced displacements. In addition to the traditional dynamics of mobility, new modes of migration have emerged, motivated by the search for security and the needs of communities in terms of access to natural resources. Restriction to certain production areas and new demographic pressure have led to a spatial concentration of activities and increased pressure on resources.

In Nigeria, the interviews highlighted the existence of strong tensions between host populations and IDPs, tensions crystallized around access to water (use of boreholes), access to land and woodcutting by IDPs. The presence of IDPs in Kirbiri has thus led to increased competition over the wood resource, already lacking due to deforestation.

In addition to exacerbating pressure on natural resources, forced displacement has also reactivated certain

¹⁵https://www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/documents/files/lake_chad_snapshot.pdf

identity tensions. While in recent years ethnic tensions between host and displaced populations did not seem to "break out" too much in the Chadian part of the lake, no doubt thanks to the strength of existing pacts and/or community solidarity, the survey results show that new conflicts are now emerging. Several IDP sites on the islands of the lake, such as Kafia in Bol canton, are experiencing tensions between IDPs and the host population. For the head of the displaced Boudouma community of Kafia: *"We are here to stay permanently, even if the Kanembou from here want us to leave. We won't leave, this is the land of our ancestors here"*¹⁶. This conflict must be understood in the context of the historical rivalries between the Boudouma and Kanembou communities. The Boudouma, considered the indigenous people of the lake, have always followed the trend of the retreat of the waters, leading them to abandon the firm lands, which then remain occupied by the Kanembou populations. Decades later, with the displacement caused by the Boko Haram crisis, the Boudouma populations who had become islanders returned to settle on sites on the mainland that they considered their former properties. This scenario was described by many displaced persons interviewed at the Kaya site, not far from Bol. Coming from the islands of Fétiné, Nguéléa and Kotogorom in the lake, these displaced Boudouma populations clearly expressed the desire to no longer distribute and said they wanted to *"take back their land"*¹⁷.

1.3.2. AN INCREASED PRESENCE OF "DRESSED BODIES" ON THE TERRITORY, A FACTOR OF NEW TENSIONS

As noted earlier, the response of the Lake Chad basin states, beginning with Nigeria, was initially military and ultra-repressive. And while at first the armed forces could be perceived as liberating from the yoke of violence of the Islamic sect, they are now at the heart of new tensions and suspicions. In Chad, for example, the military is now accused of levying taxes at improvised checkpoints and of committing numerous abuses against the population. On the shores of the lake and at the landings, the head of the community radio FM Kadaye de Bol told us that some soldiers are now at the heart of various trafficking operations, particularly those involving counterfeit medicines, tramadol and adulterated fuel from Nigeria. This general observation is shared by an institutional source from the Kaya department we met in Bagasola: "Indeed, we owe the gradual return of security to the interventions of the defense and security forces and vigilance committees, especially on the islands where the deployment of the military is not easy. But there is a division of space: the military and the village vigilance committees are active in the isolated areas of the lake. The gendarmes and policemen are more present in the localities of the terrestrial part (Bol, Bagasola and villages). In the beginning, this deployment was appreciated. But today, we receive many complaints from village chiefs who complain about the exactions of the military on the population (violence, bullying, irregular taxes...).

Moreover, in addition to the various operations of the anti-terrorist coalition and the significant presence of the military, the governments of the region have supported, to varying degrees, the formation of citizen self-defense militias. While this phenomenon is not new in the Lake Chad basin, it has undoubtedly taken on a new dimension with the Boko Haram crisis and the increase in incursions by armed groups. In Maiduguri, the governor of Borno began supporting and funding the militia that would become the Civilian Joint Task Force (CJTF) a year later. These committees played a very important role in the fight against the expansion of the jihadist group. Now attached to the Ministry in charge of Justice, they are organized into three units that work closely with the state defense and security forces. These are the CJTF locally designated Yan Gora, the Hunters locally designated Yan Banga and the Vigilantes locally designated Kungiyar Maharba. In Jere, the CJTFs interviewed were made up of members from different social and ethnic backgrounds, men and women from

¹⁶ Focus group with displaced farmers and fishermen from Kafia, February 28, 2020.

¹⁷ Group interview with displaced fishermen from Kafia, February 26, 2020.

the area or who had been displaced by the violence. To a lesser extent, Chad also saw the formation of vigilance committees: in 2015, N'Djamena authorized the establishment, via the canton chiefs, of watchdog committees to secure certain areas and conduct intelligence.

Today, while these groups play a key role in the fight against armed groups (to a lesser extent in Niger), this role is questionable and far from unanimous. In Nigeria in particular, the use of "vigilantism" has been instrumental in transforming an insurgency against the state into a more bloody civil war, pitting Boko Haram against communities and leading to a drastic increase in violence (ICG). In Chad: "*Vigilance committees were seen as heroes when Boko Haram threatened here. Today, this appreciation has declined because they are no longer as committed as they used to be and also because many are engaged in illegal activities of trafficking, smuggling and swindling of the population.*" (Military source met in Bagasola, also a member of the civil-military coordination OCHA).

1.3.3. REACTIVATION OF IDENTITY TENSIONS AND ETHNIC STIGMATIZATION

The level of violence has created a climate of suspicion and fear that has encouraged the revival of certain religious and ethnic cleavages (the fight against jihadist terrorism has stigmatized the Kanuri, Boudoumas and Peuls, as well as certain social categories such as Koranic students¹⁸). In Chad, this is even "*the greatest consequence of the Boko Haram crisis,*" according to a canton chief in Lac Province, who also states: "*The conflicts are happening because the communities, especially Boudouma and Kanembou, have developed a self-perception that fuels the conflict. For nothing, these groups can get into conflict. Intercommunity relations between these two ethnic groups really deteriorated with the Boko Haram crisis. The Boudouma feel marginalized by others. They are considered Boko Haram or accomplices.*"

In Chad, as in Niger, Boudouma fishermen were widely accused of having swelled the ranks of Boko Haram. Because some of them - from the cantons of Kalfoua and Tchouktalla, particularly on the islands of Boudja, Kabga, and Alia - joined the ranks of Boko Haram or were forced to do so, their community was almost systematically considered to be complicit in Boko Haram. This stigmatization is all the more virulent since it may, in some cases, have been perpetuated by the administrative authorities, particularly in Chad. One recalls the polemic provoked by the words of the governor of the lake who, addressing the Boudouma, stated that "*they are your children, you are covering them, feeding them and you do not denounce them, so you are all accomplices. So, it is time to put an end to this enterprise*". Like the Kanouris in Nigeria and Cameroon, the Boudoumas of Chad and Niger are thus the subject of recurring suspicions that can lead to deadly conflicts. In Chad, this issue was even the subject of two resolutions at the Boudouma forum held in Bol on October 10 and 11, 2018, which stated that "confidence must be restored between the government and the Boudouma community" and "the stigmatization of the Boudouma community must be stopped.

Finally, the interviews conducted in Niger highlighted a significant increase in tensions between the Boudouma and Kanouri communities on the one hand and the Peul community on the other. Indeed, the stigmatization of the lake Boudouma populations led to the reactivation in 2016 of the former Fulani militia that had fought the Toubou rebellion in the 1990s. While the Fulani pastoralist communities defend

¹⁸ A. Hessana, G. Pierre Don-Donné, MA. Pérouse de Montclos, G. Magrin and C. Rangé, Régime humanitaire, tensions sociales et enjeux de développement, in *Crise et développement, la région du lac Tchad à l'épreuve de Boko Haram*, edited by Géraud Magrin and Marc-Antoine Pérouse de Montclos, AFD, 2018.

themselves from fighting the jihadist forces and protecting their population, the Boudouma and Kanouri communities accuse them of using the situation to reactivate militias in order to appropriate new resources and establish a lucrative livestock trade. Numerous testimonies were gathered in this regard during the field survey:

Before, the agreement between us (Boudouma and Kanouri) and the Fulani was good, we were the ones who gave them land to cultivate, places to make water points, etc. "Before, the agreement between us (Boudouma and Kanouri) and the Fulani was good. But since the advent of Boko Haram, the Fulani considered us as their first enemies. They sometimes say "the Kanouri and the Boudouma we will chase you one by one out of this area, we will take this area of the lake and you will not be able to do what you did before" (interview of March 14, 2020 in N'guigmi).

"In recent times, the Fulani have taken advantage of the situation to cut the roads in order to monopolize the livestock and other assets of the Boudouma and other ethnic groups" (interview of 14 March 2020 in the village of Klakoumana, N'guigmi).

"Here in Fouraram, we have seen everything, tragic things ... Lately in our fields, the Fulani came armed with bows, knives, clubs ... They came to provoke us and fortunately our youth groups were able to make them turn back" (interview of March 5, 2020, in the village of Fouraram Commune of Mainé Soroa).

"Boko Haram and the Fulani kill both, but today those who bother us the most are the Fulani, because Boko Haram is becoming increasingly rare in the village" (interview of March 7, 2020, in the village of Maina Kaderi, Chetimari commune).

2. BETWEEN CUSTOM AND MODERNITY : RECONFIGURATION OF POWERS AND USE OF LAW

"I remember the pre-Boko Haram period, when our problems were managed internally around the canton chief and the traditional chiefs. Now with the Boko Haram crisis, problems are being taken to other levels, even those that can be solved such as conflicts between herders and farmers. Everyone is in conflict management because it brings money. »

Head of a Monitoring and Vigilance Committee, Lake Province, Chad

2.1. WHO "DOES JUSTICE"? MAPPING OF EXISTING MECHANISMS AND PATHWAYS

By analyzing this conflict context, we have just seen that traditional authorities play a central role in the management of at least one type of conflict: those related to land and resource management. More broadly, we will now attempt to account for the variety of endogenous conflict resolution mechanisms that exist in the three regions of the survey, whether they come under "modern justice" or customary law, before delving more deeply into the perception and use that the populations make of them, as well as their scope of operation. Let us begin with a few terminological clarifications. First of all, because we are going to be interested in so-called "traditional" mechanisms, it is appropriate here to clarify again the dynamic and not fixed character of tradition: tradition is in fact continually reinterpreted, and there is sometimes a great risk, as we observed in some of the speeches during our interviews, of seeing it as a static entity, out of time, over which the interplay of political interests has no control. Obviously, as we shall see, the reality is quite different.

Finally, we will understand traditional conflict management mechanisms to mean "processes aimed at preventing, moderating or resolving conflicts that rely on individuals mobilizing norms and values that are perceived as legitimate because they are based on references to customs, religion and history. "Conflict management mechanisms are therefore understood here in the broadest sense, encompassing the dimensions of conflict prevention, mediation and resolution.

2.1.1. IN CHAD AND NIGER, TRADITIONAL MECHANISMS RECOGNIZED BY THE CENTRAL AUTHORITIES

Traditional Conflict Management Mechanisms, Lake Region, Chad				
Villages/ Townships	Mechanisms	Deliberate topics	Process	"Assets"
Taou Kirou Kaya village Kafia Tagal	Blama courtyard/chief of village	Social conflicts (theft, breach of trust, marital disputes, adultery, fights, drug use, etc.) ; Conflicts related to natural resources (agropastoral tensions, disputes over resources); Land conflicts (boundary disputes)	Committee of wise men co-chaired by the village chief and the imam and composed of the wise men of the village ; Islamic legislation used (Koran) ; Presentation of the problem by the parties in conflict, debate, deliberation and judgment rendered	Object of the conflict familiar to the populations ; Rapid reconciliation and non-judgment ; Flexible and negotiable repair ; Legitimate reconciliation based on the Koran

Bowl Ngrangou Nguéléa Bagasola	Court of the chief of canton	Inter-community conflicts over resources, village boundary disputes, homicides; Agropastoral conflicts; IDP conflicts/tensions and host populations	Cantonal committee presided over by the head of the canton, bringing together, in addition to the princes, the Waziri, and village chiefs ; Koranic legislation used ; Presentation of the case by the Waziri, speeches by the parties in conflict, debates, deliberations, judgment rendered, drawing up of the minutes.	Conciliation organized on the basis of customary codes and in the local language ; Absence of the spectre of immediate prison ; Legal document produced (Minutes) ; Possibility of recourse
Townships and villages	Goumiers, vigilance committee	Theft, fights, disturbance of the security of the village by drug addicts, watch and surveillance of village entrances, markets and mosques.	Quick presence on the scene of the conflict ; Case identification and assessment ; Alert to the village headman/canton ; Interposition if possible or escort to chief's court	Presence in the village ; Good knowledge of the actors and villages ; Impartiality and early warning
Townships and villages	Religious leaders (Imams)	Marital conflicts (divorce, conjugal violence, adultery) ; Islamic interpretation of disputed social facts ; Family reconciliation, inheritance	Domicile of the imam or the parties in conflict ; Conciliation and advice ; Prayer of Blessing	Conciliator of family proximity ; Legitimacy based on the Koran ; Respected

The traditional mechanisms are mainly based on the institution of traditional chieftaincy. It is, to varying degrees, the foundation for all actions for justice, peace, security and social cohesion at the community level. According to Chad's Constitution, traditional and customary authorities are the guarantors of customs and traditions. They participate in their valorization, in the promotion of the ideals of peace, development and social cohesion, as well as in the non-jurisdictional settlement of disputes within their territorial jurisdiction¹⁹. Also in Chad, endogenous mechanisms such as customary courts, conciliation courts for traditional chiefs or management committees are governed by rules that have been passed down from generation to generation, even if adaptations are made to make them more participatory and effective²⁰. Generally speaking, the conciliation scheme begins with the alert of a conflict or a complaint by a village chief or a community member. The referral to the chief is less and less formal and formal. The parties in conflict are summoned to the chief's court where several notables, wise men from the community, the imam of the Grand Mosque and all persons invited by the chief in relation to the conflict sit. In the protocol of exchange, the sitting positions of the parties are organized in such a way as to give primacy to the chief. He must dominate the court. Moderation is ensured by the notable who distributes the floor in turn, starting with a preliminary description of the conflict. Then, the parties in conflict are heard. The notables members of the court may intervene to ask for clarifications on specific aspects of the case. Witnesses intervene if necessary. The chief and the notables generally lead the parties in conflict to formulate the terms of their agreement themselves. If necessary, the court makes proposals that are discussed with the parties by mutual agreement. The agreement reached is intended to be balanced to avoid the feeling of defeat for one party. The agreement rendered declines the

¹⁹ Constitution of the Republic of Chad, Title XIV, Articles 217, 218.

²⁰ Ali Mamoudi & Pabamé Sougnabé, "La chefferie traditionnelle, gouvernance et sécurité en milieu rural", paper presented at the regional symposium on *The contribution of pastoral livestock to the security and development of Saharo-Sahelian areas, Ndjamena, 27-29 May 2013.*

"sense of truth", the future attitudes to be adopted by the parties, the eventual reparations to be made and the terms of payment, the deadlines and the modalities for monitoring the implementation of the resolutions. An act of conciliation is drawn up and delivered to the parties in conflict. In reality, the procedures as applied in the courts of customary chiefs are not rigid. They are most often influenced by the contexts, circumstances and power relations in the community. Faced with low-intensity conflicts within the village, *"the goumiers are dispatched to apprehend the parties in conflict and bring them back to the canton chief depending on whether they are interpersonal problems, debt conflicts, fights or marital conflicts"*²¹. The recognized legal value of the minutes drawn up by the heads of cantons after a conciliation constitutes a document required by modern justice in the event of an appeal. For the head of the canton of Nguéléa 1, *"the minutes we draw up are a recognition of our work in conflict management"*²². The roles of traditional chiefs are defined by the constitution of the Republic of Chad and laws regulate traditional and customary functions. For example, traditional leaders are prohibited from having prisons in their courtyards. Remedies are often those of reconciliation and reparations. Traditional and customary chiefs handle purely civil cases (in principle)²³.

In Niger, traditional chiefdoms occupy a fairly similar place. The traditional chief, as the guardian of customs, ensures the protection of the communities under his care and safeguards social cohesion among the inhabitants. His power is first and foremost that of conciliation, at the end of which he also draws up the minutes of conciliation or non-conciliation. As such, the management of water resources provides a good overview of the procedures of these mechanisms. Indeed, in the region of Diffa, the village chiefs are the main masters of water and their words or decisions are respected by the inhabitants. In the different villages, various types of conflicts are brought to these chiefs for judgment. Sometimes, in some islands, the populations are rather organized around the chiefs of a community or ethnic group. We find Malian or Chadian communities that are grouped around their chief who plays the role of intermediary with the village chiefs and the administrative authorities. The community leaders also settle certain disagreements between communities. This is the case of the Djoukoune fishermen, who are organized around a Djoukoune chief. Each time there is a conflict, the matter is brought to the attention of the djoukoune chief who, in turn, seeks solutions to promote good cohabitation among the fishermen. However, when the ethnic chief is unable to reconcile the conflicting parties, he brings the problem to the traditional authorities. For conflicts related to fishing, the *doumba uban* also plays the role of manager for all the fishermen to whom the doumba line belongs. Like the ethnic or community chief, the *doumba chief* brings the problem to the village chief in order to find a solution. Solutions to conflicts that arise within villages between fishers and other water users are resolved either by the Boulama, the community or ethnic chief, or the *doumba uban*. For conflicts that are limited to verbal exchanges, mediation by one or more "old sages" often helps to ease tensions. For tidy fights, the village chief is usually the first instance of settlement. When it goes beyond his field of action, the canton chief is called upon. And if the judgment at the level of the canton chief is not accepted by one party, that party will then complain to the courts.

Institutional recognition of the power of chieftainships, the cases of Chad and Niger

On September 25, 2018, nearly 200 sultans, majesties, chiefs of cantons and groupings gathered in N'Djamena to participate in the first conference of traditional and customary chiefs of Chad. The purpose of the conference was to discuss the place and role of traditional leaders in Chad, in a

²¹ Interview with the President of a Conflict Prevention and Management Committee, Lake Province, Chad, February 25, 2020.

²² Interview with a Canton Chief from the Lake Province, Chad, March 2, 2020.

²³ Interview with the President of a Conflict Prevention and Management Committee, Lake Province, Chad, February 25, 2020.

context (or at least in the discourse) of a strong state desire to promote the role of traditional authorities: *"It is logical and fair that those who work daily to settle disputes between communities and popularize the government's policies on major societal issues should be able to operate within an assertive institutional framework. The Republic must strengthen our traditional chiefs in their role as guardians of habits and customs, and also lead them, because of their moral authority recognized by all, to be leading actors in a State that wants to be modern and forward-looking"²⁴* (Idriss Deby).

A few months later, the first ordinary session of the High Council of Autonomous Communities and Traditional Chiefdoms was held, in charge in particular of non-jurisdictional conflict resolution, with a mandate to guide land-use planning decisions and decentralization policies.

Association of Traditional Chefs of Niger (ACTN)

In the mid-1970s, Niger established the Association of Traditional Chiefs of Niger (ACTN), which brings together all the chiefs of neighborhoods (cities), villages (sedentary areas), tribes (nomadic areas), cantons (sedentary), groups (nomadic), provinces and sultanates of the country. It is in 1983 that the chieftaincy acquires a real status and is fully integrated into the administrative organization of the country. The conciliatory role of the traditional chief is recognized.

The Constitution of December 23, 1992 recognizes the Traditional Chieftaincy as an institution of the Republic and, one year later, it was endowed with a special status specifying the rules for the management of customary and traditional communities and specifying their attributions as well as the conditions for the exercise of the rights and duties recognized to them.

Article 14: "In the area of protection of the rights and duties of citizens, the traditional chief represents the customary and traditional communities, for which he is responsible, in their relations with the administration and third parties. In this capacity, he ensures: the protection of the individual and collective rights and freedoms of citizens and communities, the safeguarding of harmony and social cohesion, the respect of administrative rules and the law in their application to citizens and communities; the respect of religious tolerance and customary practices provided that these practices do not disturb public order and do not infringe on the rights and freedoms of other members of the community; the defense of the interests of citizens and communities in their relations with the administration and third parties.

Article 15: "In judicial matters, the traditional chief has the power of conciliation of the parties, in civil and commercial customary matters. He regulates, in accordance with custom, the use by families and individuals of land for cultivation and pastoral areas, over which the customary community for which he is responsible has recognized customary rights. In all cases, he draws up the minutes of these conciliations, which must be recorded in an ad-hoc register, an extract of which is sent to the administrative authority and the competent court.

2.1.2. IN NIGERIA, A CUSTOMARY SYSTEM FOR TWO JURISDICTIONS

²⁴ Official website of the Presidency of the Republic of Chad, <https://www.presidence.td/fr-news-3427-MOT-DU-PRESIDENT-DE-LA-REPUBLIQUE.html>

Traditional and customary system

In the state of Borno, there are many non-judicial conflict prevention and resolution mechanisms. Whether they originate from a family, community, cultural, traditional or religious regime, they all contribute to resolving conflict situations, either upstream through prevention or downstream through management. Among the mechanisms identified in the districts surveyed (Jere and Monguno), some are still widely used while others seem to be losing their vitality. Thus, the palaver (a practice common to almost all the peoples of sub-Saharan Africa) is an emblematic figure of traditional governance in sub-Saharan Africa that allows for the public reconciliation of people in conflict. This village practice is tending to disappear, at least in its original form. If it is true that conciliation and mediation remain the main modes of conflict resolution in the villages of Jere and Monguno, it is equally true that the framework and procedure are no longer the same. Meetings are no longer held under a tree and solemnity is no longer the order of the day. In the same way, joking kinship - a preventive mechanism found in the state of Borno (but not specific to Nigeria) used between the Fulani (Fulani) and Kanuri (majority ethnic group in Borno) - seems to be gradually losing its use. Among the traditional non-judicial mechanisms still in use in the villages surveyed, the most frequently invoked are: mediation, conciliation²⁵, the good offices of elders²⁶ and traditional authorities, swearing on the Koran, the obligation to forgive and abstain, and *Sulhu* (a form of mediation from an Islamic perspective)²⁷.

Judicial mechanisms

Prior to the arrival of the British in 1900, *Sharia* law was categorized as "customary" or indigenous law. British settlers then maintained this system until their departure. In 1958, the reform removed the penal aspect of Islamic law (*Sharia*) and established it as part of a single code applied to all residents of northern Nigeria. Under this system, the law was enforced by the *Native Authority*²⁸, which operated its own local police and prison systems, separate from those of the federal government, but secondary to the national level²⁹.

Three legal systems coexist:

- The *Common Law* or modern Nigerian law derived from the British legal system ;
- Customary law from the pre-colonial traditional system ;
- Pre-colonial Islamic law, or *Sharia*, was abolished in its penal aspects in 1958 and reintroduced in 1999 in the state of Zamfara and 11 other states³⁰, including Borno (in 2001).

While the first law (*common law*) is domestic and mandatory, the other two (customary and Islamic law) are left to the discretion of states to determine whether or not to develop them. The binary division of Nigeria into two zones divided in terms of belief and religion³¹ has impacted on the application of law in that country. Thus, the south applies *common law* and customary law while the northern states have overwhelmingly opted for the application of *Sharia* in addition to *common law*. In the state of Borno, for example, there are two categories of jurisdiction based on the two legal systems, namely common law or *domestic* law on the one

²⁵ Mechanisms provided for in the Koran: 49/9.

²⁶ The solutions proposed in mediation can be accepted or refuted. However, refusals are rare because of the respect due to the mid-mediator, any refusal being considered a lack of respect and therefore a violation of customary rules.

²⁷ *Sulhu* is an agreement between two parties that acts as a negotiated settlement between the parties with the help of a third party, *kadi*, head of family or community leader.

²⁸ Local government in each of the major emirates.

²⁹ Murray Last, "La Charia dans le Nord - Nigéria," in *Politique africaine*, Karthala, 2000/3 No. 79, p. 148.

³⁰ Kano, Katsina, Niger, Bauchi, Borno, Kaduna, Gombe, Sokoto, Jigawa, Yobe and Kebbi.

³¹ Muslims represent 50.5% of the total population compared to 48.2% for Christians. Other religions make up the remaining 1.3% (Okpanachi, 2009).

hand, and *Sharia* or Islamic law on the other. In the State of Borno, Islamic courts are of two hierarchical orders, namely: the Sharia Court of Appeal at the State level; and the Sharia Court or Area Court at the LGA, i.e. district level.

Conflict Management Mechanisms in Borno, Nigeria		
Customary mechanisms	Religious mechanisms	Modern mechanisms
Shehu Emir Hakimi Lawan Bulama	Court of appeal Charia court of appeal Upper Sharia court Lower Sharia court Religious Leaders	Federal high court High court Short district Short Magistrate Administrative Authorities/ Defence Committees

2.1.3. MODERN MECHANISMS DESIGNED FOR ALL TYPES OF CONFLICTS BUT USED FOR CONFLICTS OF HIGHER INTENSITY.

As we have just seen in the case of Nigeria, alongside the traditional mechanisms, modern or criminal justice mechanisms coexist. In Borno, surveys conducted in the five villages of the Jere and Monguno districts show that the use of different mechanisms depends primarily on the type of conflict or the actors involved. Thus, low-intensity conflicts are primarily resolved through extra-judicial mechanisms, while security conflicts or conflicts in which one of the acts can be classified as criminal are referred to the judicial system. Interviews conducted in the Lake Chad region and in Diffa confirm this observation. Also, while certain types of conflict (such as family or neighborhood conflicts) leave only a marginal place in the texts for customary law in favor of criminal treatment, in reality, traditional chiefs continue - often at the request of the population, as we will see - to manage these minor offenses that are supposed to fall under the jurisdiction of the state justice system.

Overview of Modern Justice Mechanisms Lake Region, Chad				
Mechanisms	Deliberate topics	Process	"Assets"	Boundaries
Modern Justice	All subjects, in particular those with a penal aspect following a crime, disputes over the territorial limits of chiefdoms, intercommunity conflicts around the polders.	Complaint formulated and filed with the mobile section (police, gendarmerie, public prosecutor); Investigation (parties heard on PV)	Legitimate justice because/and based on law ; Recognition of minutes from customary courts ; Competent for inter-community conflicts with human deaths	Mechanism based on the unknown right of the populations ; Use of French and Arabic not always spoken by the populations; <i>Manipulable</i> by those dissatisfied with customary conciliations

The administrative authority (sub-prefect, prefect)	Dispute over the territorial limits of chiefdoms; Inter-community conflicts around the polders ; Tensions between populations and the military	Complaint addressed by the head of the village or canton ; Convening of the parties in conflict ; Parties heard on the minutes ; Reconciliation of compensation deliberation	Highest personality of the administrative unit ; Legitimate Conciliation ; Strong authority over customary chiefs ; Ability to involve other actors	Authority capable of maintaining conflicts for its interests ; Low logistic capacity of prevention ; Conciliation called into question in case of transfer of authority
Defense and security forces (police, gendarmerie & military)	Common cases of fraud, theft, trafficking or consumption of tramadol	Summons or interpellation; Immediate conciliation ; Repair	Coercive device ; Quick and convenient reconciliation ; Possibility of examining the file	Corrupt conciliation ; No legal value

2.1.4. PLURALITY OF NORMS AND OPPORTUNISTIC USE OF LAW

The multiplicity of existing mechanisms and the pluralism of norms (traditional, modern, etc.) offer different opportunities to the populations, and allow them to resort to various routes to win their case in the event of conflict. An *a priori* accepted mediation can thus be called into question as soon as a different opportunity for conflict resolution arises, if it refers to more advantageous norms. In this way, everyone can play with the normative register that suits him or her in order to obtain satisfaction, since the application of the rule can then become a source of conflict in itself: individuals choose, according to their interests, this or that system of justice to the point of "confusing" the reconciliation process and maintaining the conflict. In Chad, as an institutional source in Ngarangou points out: *"People seek customary justice because it is rendered on the basis of accessible and religious (Islam) reasoning. It is directly accessible, practical, non-procedural and with immediate effects. Those who choose modern justice are often the people who have been disempowered by traditional justice."*

2.2. "A BAD CONCILIATION IS BETTER THAN A GOOD JUDGMENT"³²: TRADITIONAL MECHANISMS WHICH REMAIN PRIVILEGED COMPARED TO "MODERN JUSTICE" ...

2.2.1. IMPORTANCE OF THE ETHNIC AND RELIGIOUS FACTOR

"The populations continue to solicit the traditional chiefdoms. These are mechanisms close to their perception of the world, based on the Holy Koran and run by the members of their communities in their traditional language. »

Prefect in the Lake Province, Chad

In all three survey countries, the interviews show that people prefer to have their conflicts handled primarily

³² Popular Nigerian adage.

by chiefs with the same ethnic and religious background as themselves. They have more confidence in customary conflict management methods, which are overwhelmingly exercised by chiefs belonging to their ethnic group. In Chad, for example, historical allegiances to ruling families are thus still maintained and passed on from generation to generation. Household heads, women and some young people still recognize their chiefs as the community's guide and favor their role in times of conflict.

The religious factor also explains the appeal of traditional mechanisms to the population. It should be remembered that the conciliations organized within traditional chiefdoms or with religious authorities are based on Islamic legislation. The use of the Holy Koran to render justice is perceived by the majority Muslim populations as proof of faith and practice of Islam. Young people interviewed during a focus group in Bol said: "*We are Muslims and we want to be judged according to the Holy Quran*". In the same way, the interviews conducted in Borno showed that the inhabitants who actually practice Islam have more confidence in Islamic courts than in common law or customary courts.

2.2.2. QUICK AND INEXPENSIVE RECOURSE FOR RESOLVING LOW INTENSITY CONFLICTS

"The populations are more demanding of traditional justice because it is quick justice with actors and procedures that they know. »

Chef de Canton, President of the Association of Customary and Traditional Authorities of the Lake Province

In both Chad and Niger, the rapidity of the conflict resolution process and its low cost were widely cited to explain the populations' preference for customary mechanisms. Speed because, once a dispute is referred to the traditional authorities, the parties in conflict are summoned by the traditional authorities to find conciliation. The procedures are light and based on codes understood by all in an environment where, in the Lake region of Chad, 92.4% of the population between the ages of 6 and 24 cannot read or write. They speak their mother tongue and the members of the Council have a good knowledge of community problems and related issues.

The practicality of the judgments rendered by traditional and religious leaders also depends on the consistency between the compensation required and the socio-economic status of the litigants. Here, "*we are not afraid because we don't go to prison and the fines, which are generally not heavy, can be paid over time*"³³. According to a wise man from the Court of Ngarangou Canton: "*villagers often seek traditional recourse because it is faster than modern recourse, which is slower, corrupt and costly. At the traditional level, the plaintiff pays a sum of 1000 FCFA to the members of the Court of the Chief of Canton. This sum is called "table price"*". The interlocutors we met in Niger also confirm this: "*the villagers seek our judgment out of respect for the chief, because it is the judgment of proximity*" (Chetimari institutional source).

2.2.3. PERSISTENT MISTRUST OF MODERN JUSTICE, TO A LESSEXTENT AMONG THE YOUNGEST MEMBERS OF THE POPULATION.

Unanimously, it appears that modern justice is very little solicited in the survey areas. Perceived as remote and corrupt, it is ultimately used only as a last resort, when the conflict goes beyond the prerogatives of traditional authorities, or when a party to the conflict has felt aggrieved by customary judgment and wants to "take a chance" by resorting to other norms. The testimony of a canton chief met in the Diffa region speaks

³³ Focus group with the young people of Bol, February 27, 2020.

for itself: *"I have no confidence in modern justice because the facilitators of this justice system are corrupt, they take money from the litigants and agree with the one who has provided the most money. Now nobody trusts modern justice. Among the younger people the situation is slightly different, no doubt because their mistrust is primarily directed towards the "Elders", the guarantors of the traditional system. The young people especially challenge the traditional mechanisms, they find them outdated, not fashionable. Above all, they [the youth] find that they don't have the right to speak out sufficiently."* (community leader of Bol, Chad). Thus, the interviews showed, to a relative extent, that young people have a less negative perception of modern justice, and that they could use it if the need arose.

2.3. . . . BUT WHICH ARE STRONGLY TESTED

"Everyone knows that the chieftaincy no longer has its former power, that it can no longer provide protection as before (...). It is more and more perceived as a substitute for the administration, as an integral part of a corrupt political system".

Head of a civil society organization, Niger

2.3.1. A CRISIS OF LEGITIMACY OF TRADITIONAL CHIEFS AMPLIFIED BY THE SPEECH OF BOKO HARAM

Symbols of a model partly fought against by the Islamic sect, the traditional chiefs were harmed by the terrorist group on the grounds that they were the guarantors of an outdated order not in conformity with Islam. In both Nigeria and Chad, for example, chiefdoms have been the target of multiple attacks (most notably the attack on Ngouboua in Chad in 2015 in which the chief of cantonment was killed) and many chiefs have been forced to flee their villages. Customary chiefs then lost some of their prestige, unable to protect their communities. In addition, by proposing a reformist discourse of traditional Sufi currents, Boko Haram challenged the religious foundations on which traditional authorities draw their legitimacy. The terrorist group thus tries to gain the sympathy of the populations by denouncing the Islamic dogma practiced and the corruption of the Muslim elites, including that of the traditional chiefs, at the root of chronic poverty according to the discourse. If this strategy of denying traditional authorities and breaking the bond of allegiance between the population and the authorities has not in fact worked on a massive scale, it has undoubtedly contributed to the erosion of the image of traditional authorities, weakening their relationship with the populations and their capacity to prevent/manage conflicts.

In Chad, for example, there has been a decline in the number of audiences in the traditional chieftaincy courts. The Chief of Canton of Nguéléa 1 acknowledges that since the advent of Boko Haram, recourse to his court has dropped by nearly 50% "because of the *insecurity and above all the prevailing suspicion against us*. Indeed, in the face of the expansion of Boko Haram and the armed groups in the lake, the traditional chiefs have had to face the suspicion of the authorities who accuse them of connivance with the enemy. At the height of these power struggles, the chief of Canton Bol was removed from office on January 17, 2017 and finally rehabilitated on February 13 of the same year³⁴.

³⁴ TCHADINFOS.COM, "Chad: Bol célèbre la réhabilitation de son chef de canton Youssouf Mbodou Mbami," in <https://tchadinfos.com/tchad/tchad-bol-celebre-la-rehabilitation-de-son-chef-de-canton-youssouf-mbodou-mbami/>, accessed March 15, 2020.

2.3.2. NEW CONFLICTS BEYOND THE REACH OF TRADITIONAL POWERS: THE CASE OF THE REPENTANT OF BOKO HARAM

The emergence of new conflict dynamics to which traditional authorities were not accustomed has again undermined their ability to deliver justice and ease tensions. In addition to having to manage new conflicts between displaced and host populations (in Chad, for example, the exodus of populations took place in the wake of the Boudouma-Kanembou antagonism and made the situations and problems before the traditional courts complex (the Boudouma IDPs from the lake islands did not accept that their conflicts be handled by the Kanembou Canton chief of Nguéléa ¹³⁵), the traditional authorities were faced with the return of the repentant from Boko Haram.

The care provided to ex-combatants varies from country to country, but in some cases leaves traditional authorities feeling powerless to manage such returns and their consequences on the social fabric. In Niger, the government opened a camp in Goudoumaria in 2017 to accommodate repentant former members of Boko Haram. Between the deradicalization program and vocational training, support has been put in place to pave the way for the social reintegration of ex-combatants. At the time of the survey, 125 young repentant members of Boko Haram were celebrating their release from the Goudoumaria camp and their "return to active life. According to a Diffa canton chief, there is a *"real government will. There are no particular difficulties with the repentant because as soon as they report their arrival, the authorities come to pick them up within hours. Currently, I had a case and I just called Diffa and the regional authorities to come and pick him up to place him in the camp of Goudoumaria"*.

Conversely, there is a consensus among those interviewed in Chad that the state does not provide sufficient support for the reintegration of ex-combatants. The leaders of the cantons in the Lake region have made several appeals to the central authorities to set up reintegration centers, appeals that have so far gone unanswered. Moreover, according to a UN interlocutor met in N'Djamena who recalls a discussion he had a few days earlier with a senior Chadian military official: *"The central authorities are closed. For the Boko Haram or the repentant, there is only one law, and that is death. There are no human rights for a Boko Haram here. In the end, the repentant are stigmatized, the people distrusted and the traditional chiefs destitute. The lines seem to be moving, however, as the IOM, at the time of the survey, had begun a work of profiling returnees. At the regional level, the LBCT is also conducting advocacy work with the Chadian government to strengthen policies supporting the reintegration of ex-combatants.*

"It is a delicate question that that of the repentant. So far, there is no clear strategy for dealing with them. From September 2016 to September 2017, 1,075 repentis were registered. They had not been taken care of either by the state or by humanitarians. By March 2017, 1,015 had been returned to their communities of origin, including 350 men. So far, all of them have returned to their communities and those who are now returning are returning directly to their communities of departure. With the support of United Nations agencies, measures are being taken to initiate the triage and profiling of these returnees, thousands of whom have returned to their communities. »

Prefect in the Lake Province, Chad

³⁵ Focus group with the fishermen of the Kafia site, February 26, 2020.

2.3.3. EMERGENCE OF NEW ACTORS, THE CASE OF YOUNG PEOPLE AND THE POLICE

"In the past, there was a traditional warning system that relied on the loyalty of the people to their chiefs. Now it's not easy. The authority of the chiefs is sometimes contested by the same populations, some chiefs are poorly elected or designated and there are also many hierarchical interlocutors with whom the populations can exchange information, such as police officers, gendarmes, the sub-prefect or the prefect, men of justice, etc."

Chef de canton, Lake Province, Chad

Overall, in the three regions surveyed, young people are quite critical of customary authorities, which they find *"authoritarian and unfavorable"*³⁶. A group of young people interviewed in Bol felt that *"this is old people's justice"*³⁷ while the young people interviewed in Bagasola said that they were *"losers in every way"*³⁸. The traditional authorities are perceived by the young people as structures for conserving and perpetuating the authority of parents, elders and tradition.

On the whole, other mechanisms that attract the population and particularly the youth are the police, the gendarmerie, the military stationed at a fixed location and, to a lesser extent, the administrative and judicial authorities. In frontline areas, where only the traditional authority is responsible for community regulation, young people prefer to turn to the police and gendarmerie stations, or even the local military station, to resolve certain problems that arise in the community. These conflicts are often interpersonal, related to a breach of trust, an injustice that the complainant wants to redress quickly, or require intervention, most often as intimidation. Police officers and constables have the *"merit of being expeditious"* in managing conflicts through conciliation of the parties without prior formalities. Many young people, rebellious or put in minority by the community of elders (chiefs, notables, parents...) because of a fault (adultery, theft, drug use...) now have more confidence in the police and gendarmes. It is also a sign of a generational conflict that young people express by refusing to surrender to traditional authorities. This is confirmed by two statements by officials: *"Some young people today prefer to go directly to the courts or to the defense and security forces. They find that the traditional mechanisms are authoritarian and unfavorable to them"* (Prefect, Lake Province, Chad) and *"young people no longer listen to us"* (Chef de canton, Lake Province, Chad).

3. PROGRAMS AND STRATEGIES OF INTERNATIONAL ACTORS: PEACE BUILDING, BUT WHAT KIND OF PEACE ARE WE TALKING ABOUT?

As observed in the two previous chapters, tensions and conflicts are played out at several levels: very localized, and often related to access to and management of resources on the one hand, and more global and affecting the relationship between the State and populations, modes of governance and the impacts of the security crisis and its response on the other. However, this double reading grid sometimes blurs the understanding

³⁶ Interview with a Prefect of the Lake Province, Chad, February 28, 2020.

³⁷ Focus group with the young people of Bol, February 27, 2020.

³⁸ Focus group with the youth of Bagasola, February 28, 2020.

that actors (NGO staff, donors, populations) have of the objectives pursued by the "peace" and "social cohesion" programs put in place.

As such, the vagueness that surrounds these notions used in variable geometry illustrates well, if not the lack of consensus, at least the lack of understanding and clarity. In a context where the introduction of the peace component of the Nexus is still recent, the field work brought to light many questions, largely formulated by the interlocutors themselves: what is meant by peace? By social cohesion? How can they be strengthened at the local level while taking into account national dynamics of justice and governance? What community participation and what mediation/conflict resolution mechanisms should be supported? For what purpose?

In order to avoid falling into the trap of semantics, we will first clarify a certain number of these concepts, and finally tighten our analysis on the issue of strengthening social cohesion through support for traditional mechanisms of conflict management.

3.1. A VAST LEXICAL FIELD THAT HIGHLIGHTS THE VARIETY OF APPROACHES

Some key definitions

Social cohesion: "It is the ability of a society to ensure the well-being of all its members, minimize disparities and avoid polarization. A cohesive society is a community of solidarity composed of free individuals pursuing common goals through democratic means³⁹" (Council of Europe).

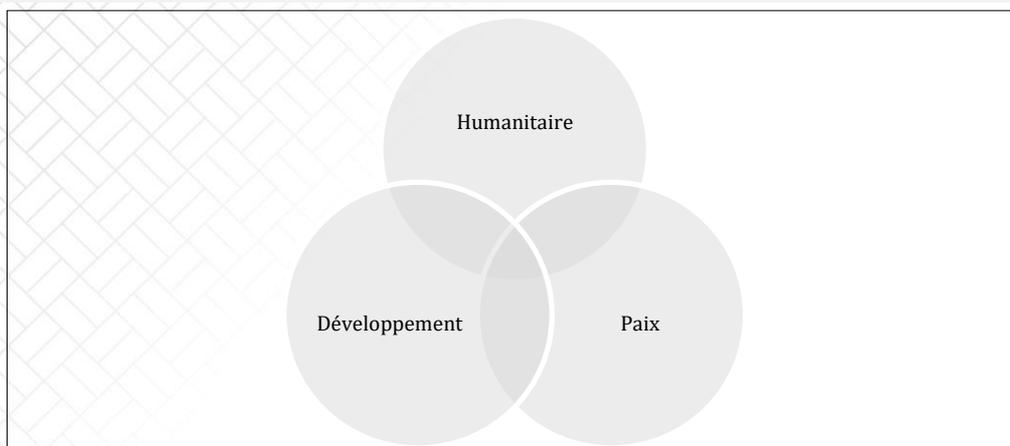
"A cohesive society works for the well-being of all its members, reducing disparities and avoiding marginalization. It has three main dimensions: increased cohesion between different groups in society through networks of relationships, trust and a sense of identity; the fight against discrimination, exclusion and extreme inequality; and upward social mobility" ⁴⁰(OECD).

Peacebuilding: "Peacebuilding involves a range of measures to reduce the risk of falling or relapsing into conflict by strengthening national capacities at all levels for conflict resolution, and to lay the foundations for sustainable peace and sustainable economic development. Peacebuilding strategies should be coherent and tailored to the specific needs of the country concerned, taken into account by the country, and should include a relatively limited set of activities, carefully prioritized and sequenced to achieve the objectives" (UN Secretary-General, 2007).

Triple Nexus / Integrative Approach: "It consists of strengthening collaboration, coherence and complementarity. Its aim is to build on the comparative advantages of each pillar (humanitarian, development and peace) to the extent that they are relevant to the situation at hand - to reduce overall vulnerability and unmet needs, strengthen risk management capacity and address the root causes of conflict" (OECD).

³⁹ Council of Europe, Concerted development of social cohesion indicators. Methodological Guide, Council of Europe Publishing, 2005.

⁴⁰ <https://www.oecd.org/fr/dev/pdm/conferenceinternationalesurlacohesionsocialeetledeveloppement.htm>



3.1.1.1. **PEACEBUILDING AND THE TRIPLE NEXUS: A NEW PARADIGM IN THE EARLY STAGES OF INTERNATIONAL ASSISTANCE IN THE REGION**

In recent years, efforts have been made by the international community, the Lake Chad Basin Commission and the governments of the region to keep the Lake Chad region on the international agenda and find solutions to this enduring crisis. Numerous cross-border meetings have sought solutions to bring peace and security to the region, including the Oslo Humanitarian Conference (February 2017), the Consultative Group on Prevention and Stabilization of the Lake Chad Basin (2017), the Abuja Conference (February 2018), the Lake Chad Basin Governors Forum in Maiduguri (May 2018) and, most recently, the High-Level Conference on the Lake Chad Region held in Berlin in September 2018.

This commitment of the international community can be seen in the relatively recent framework of the "new way of working" and the Triple Nexus, introduced at the World Humanitarian Summit in Istanbul in 2016. In line with the "Agenda for Peace" launched in 1992 by the then UN Secretary-General, the Triple Nexus aims to strengthen collaboration between humanitarian, development and peace actors, as well as coherence and complementarity between their respective mandates. In a context where protracted crises are becoming almost the norm, the Triple Nexus approach is based on the premise that "humanitarian, development and peace actors are most effective when they strengthen the coherence and coordination of their efforts to contribute to collective achievements in crisis and conflict-affected contexts, and also that development and peacebuilding activities that bring about structural change and far-reaching transformations are often possible and even necessary to achieve sustainable peace and prevent humanitarian needs from arising⁴¹.

Triple

⁴¹ See the DAC recommendations on linking humanitarian action, development and peacebuilding, www.oecd.org.

This new "way of working" and of optimizing synergies between the three pillars of Nexus has made its appearance in the Lake Chad region. In the words of an OCHA team member we met in Chad: *"Nexus and peace have become the new buzzwords in the region.* Thus, it appears that a new generation of programs is gradually emerging, combining resilience-building, awareness-raising, conflict and violent extremism prevention, stabilization, and peacebuilding. This change, particularly in Chad, was marked by the arrival of the Peace Building Fund (PBF): *"the PBF came late and since then, we have been in the process of introducing the peace component of the Nexus"* (same source).

New generations of projects in the region

Examples from UNDP and the PBF

The United Nations Development Programme

In 2019, UNDP launched the Lake Chad Stabilization Fund, a multi-million dollar mechanism to expand the range of stabilization interventions in the Lake Chad Basin areas. It aims to "undermine the capacity of the Boko Haram insurgents to harm by restoring and expanding effective civilian oversight, improving the delivery of basic services and strengthening livelihoods (...) The integrated civil-military approach of this multi-donor fund, which includes a focus on livelihoods and resilience, fills a strategic gap in ongoing stabilization efforts."⁴²

The Secretary-General's Peacebuilding Fund

The United Nations Peacebuilding Fund (PBF) was established in 2005 to support "countries emerging from conflict or where there is a perceived risk of conflict or its recurrence, while also supporting efforts to address the immediate needs of post-conflict countries when they are unable to secure resources from other funding mechanisms that can support peacebuilding activities. The Fund is managed by the UN Secretary-General's Peacebuilding Support Office (PBSO). It operates in four priority areas: 1) Supporting the implementation of peace agreements and political dialogue; 2) Promoting coexistence and peaceful resolution of conflicts; 3) Revitalizing the economy and generating immediate peace dividends; and 4) Restoring essential administrative services and capacity.

In Chad and the region, the PBF is conducting several projects over the period 2017-2022 : 1) Supporting community-based peacebuilding mechanisms and the inclusion of youth in the border areas between Chad and Cameroon (UNDP, UNICEF); 2) Strengthening youth participation and representation in conflict prevention and management mechanisms at the community level (UNFPA, UNESCO) ; 3) Project to restore peace and dialogue among communities affected by cross-border transhumance between CAR/Chad (FAO, IOM); 4) Project to build peace through adaptation to climate change and the resilience of livelihoods in the Lake Chad region (IOM, FAO/UNHCR); 5) Support for citizen participation of youth and women in local governance and peacebuilding in Chad

⁴²https://www.undp.org/content/undp/fr/home/presscenter/pressreleases/2019/UNDP_Launches_Regional_Stabilization_Facility_for_Lake_Chad.html

(UNICEF, UNDP/OHCHR/WFP); 6) Preventing inter-community conflicts and contributing to peacebuilding through the development of resilient pastoralism in the Diffa and Kanem cross-border zone (Niger/Chad) (FAO, WFP); 7) Empower vulnerable youth in central Chad to become peacebuilding agents (IOM, WFP); 8) Prevent and manage inter-community tensions through better access to and rational management of natural resources (UNHCR, WFP).

While the purpose of this research is not to analyze the issues related to the operationalization of the triple Nexus in the Lake Chad region, we cannot completely ignore them, as this new paradigm marked the interviews we conducted in the capital⁴³, and as it is linked, as we shall see, to the issues of strengthening social cohesion. Our discussions revealed that these new types of programs question the individuals who implement them and give rise to a certain amount of confusion and even reticence in the field when it comes to building and/or consolidating "peace":

- Overall, the difficulty of moving from "double to triple Nexus" has been mentioned several times ("*It's already complicated to make the double Nexus, to operationalize the link, then the triple, we're not there yet!*" OCHA). This remark is also part of a form of weariness of the teams to experiment chronically with new concepts in the region ("*We're tired of being a pilot! We are an experiment for everyone, for the United Nations, for NGOs, for donors!*").
- More specifically, some of the humanitarian actors interviewed were able to talk about their reluctance to integrate the peace component and thus enter into a highly politicized process. Indeed, the Nexus "peace" seems broad, bringing together both "small peace" issues at the community level (for example, support for the peaceful resolution of disputes over natural resources) and more global issues of stabilization and even the fight against terrorism at the national level.
- Finally, it appears above all that the operational humanitarian actors we met are, for some of them, not trained in the issues and concepts of *peacebuilding*, even though the NGOs and UN agencies are encouraged, and increasingly so, to implement peacebuilding in the region (only certain organizations in the field have real expertise, notably SFCG and CCFD). The result is a lack of a real shared vision and confusion about the objectives pursued and the means to be implemented.

Also, because the contours of the peace component of the triple Nexus remain unclear, and because the peace sought does not seem to be the same for everyone, we have chosen here to tighten our analysis of the issues of social cohesion and how it can be strengthened.

3.1.2. THE FIELD OF ACTION OF SOCIAL COHESION

Although the concept of social cohesion may *seem* more limited than that of the triple Nexus, it also suffers from a very broad definition. And while programs aimed at strengthening it are increasingly numerous in the region, the interviews conducted revealed that the concept remains rather vague for a large number of actors who are nevertheless supposed to promote it in the field.

Overall, it can be stated that social cohesion is based on the articulation of various principles and values considered essential for the creation of a society. It is a broad and multidimensional concept that can include, among others, issues of poverty, conflict and public order, territorial vulnerabilities, inequalities, trust, work

⁴³ In N'Djamena and Niamey in particular.

opportunities, ethnic, religious and cultural differences, governance and service provision, etc. It is a concept that is both broad and multidimensional. We will focus here more precisely on two key ideas, at the Durkheimian origin of the concept. Firstly, integration, since social cohesion implies a strong collective sense of integration and reciprocal ties: "It suggests that the members of a society must feel sufficiently united and similar, dependent and close enough to each other to want to live together⁴⁴". We will then retain the essential notion of social justice. Social cohesion is in fact the result "of an activity oriented by reason towards social justice (...). It is the product of a social contract that we strive to animate and update⁴⁵". Modes of conflict resolution and their effectiveness thus appear to be a key element of cohesion, inasmuch as they embody the institutions on which the issues of social cohesion are based. Social problems and conflicts manifest themselves all the more because the mechanisms supposed to deal with them are incapable of doing so. In other words, in terms of social cohesion, what matters "is less the sharing of common values than the presence of institutions capable of managing social conflicts⁴⁶".

It is in this sense that we will now turn our attention to programs aimed at strengthening social cohesion through support for one of its key dimensions, namely conflict management, bearing in mind that a cohesive society is not a conflict-free society. And that while strengthening social cohesion is a relevant objective for easing tensions and resolving disputes in localized conflict contexts, it is not necessarily and systematically a means for building broader peace.

3.2. SUPPORT FOR TRADITIONAL CONFLICT MANAGEMENT MECHANISMS AS A MODALITY OF ACTION FOR MORE COHESIVE TERRITORIES.

3.2.1. AN ADDED VALUE FOR THE PREVENTION OF CERTAIN CONFLICTS, PARTICULARLY THOSE INVOLVING NATURAL RESOURCES

"We continue to manage conflict as we have in the past. But what has changed is the presence of NGOs that help us resolve them. We are no longer alone in the face of conflicts, the contribution of organizations allows us to discuss and be concrete in our responses to these conflicts.

Prefect, Lake Province, Chad.

Despite a traditional system that is increasingly being challenged, the legitimacy and use of traditional mechanisms for preventing and managing conflicts by the populations in the survey areas remain important (see Chapter 2). Moreover, the mobilization of traditional mechanisms is based on a concern to preserve social

⁴⁴ Cyprien Avenel, La " cohésion sociale " : de quoi parle-t-on, clarifier le concept pour consolider un nouveau modèle d'action, in Jean-Yves Guéguen, *L'année de l'action sociale 2015 : Objectif autonomie, Hors Collection*, 2014.

⁴⁵ <https://spire.sciencespo.fr/hdl:/2441/6f9d1k9v178u89u2s72v4jf9t2/resources/forse-parodi-une-theorie-de-la-cohesion-sociale.pdf>

⁴⁶ J. Jenson, *The Contours of Social Cohesion: The State of Research in Canada* (Ottawa: Canadian Policy Research Networks, 1998).

cohesion, the objective being primarily to ensure the interests of the community and not to defend individual rights. Consequently, the dynamism of these mechanisms and the support that aid actors can provide is part of an approach to promote social stability and prevent local conflicts (which could potentially lead to conflicts on a more macro scale). Typically, as we said in the previous chapter, support for such mechanisms can help improve the prevention and management of: proximity conflicts (most often family or neighborhood conflicts); land conflicts, over access to land and natural resources; conflicts related to pastoral areas; inter-community and intra-community conflicts, etc.

It emerges from observation work in the field that support for these mechanisms takes different forms, and interacts more or less directly with them, via a very wide range of activities focusing above all on prevention issues. For example, the following are some examples:

- The creation of spaces for dialogue, particularly interfaith or intergenerational (*"These meetings are means that have allowed us to remind ourselves of the need to maintain and strengthen living together"*, Youth Focus Group, Bagasola, Chad);
- The organization of forums on social cohesion and reconciliation between certain communities, particularly between Boudouma, Kanouri and Fulani (Chad);
- Conducting sensitization activities and disseminating peace messages (*"Peace messages disseminated by national and international organizations bring serenity to the village"*, Nigeria);
- Support to chiefdoms for the revitalization of pastoral conventions and the delimitation of transhumance routes;
- Support to the chiefdoms for the integration of displaced persons, refugees, and demobilized persons from Boko Haram.

It emerges from the observations that it is undoubtedly in the area of prevention that international aid can best support the traditional mechanisms of conflict management, which themselves seem to be the most effective, and thus contribute, particularly through support for the revitalization of pastoral conventions, to peace issues that are both local and "more" global. Finally, it also emerges that activities to strengthen social cohesion through support for conflict management mechanisms are all the more effective because they are one of the components of more global programs that also support the livelihoods of populations.

3.2.2. THE RISKS OF CREATING NEW STANDARDS ? THE EXAMPLE OF "PEACE COMMITTEES" .

"Conflict management and peace committees have been set up in several villages in the Bol and Ngarangou cantons by an NGO. Even though these conflict management committees are not functional, cantonal committees have also been created in the same cantons with the support of another project. For the populations, this tendency to repeat is counterproductive in terms of the involvement and participation of community leaders and populations".

Chef de Canton, Lake Province, Chad

As international programs have integrated a peace or social cohesion component, new mechanisms have flourished with the ambition of supporting endogenous conflict resolution mechanisms: these are the "peace committees", groups of individuals perceived as influential (often selected or designated based on criteria of population representativeness) formed to prevent and manage tensions and conflicts that arise at the village level. At the basis of this approach, the aim is to bring individuals into dialogue with each other, to stimulate

exchange and a relationship of trust, and to defuse potentially conflictual situations through dialogue and mediation. These committees also have the ambition to include people who are considered not to be sufficiently represented in traditional mechanisms, notably young people, women and, in certain contexts, non-native populations.

While some of these mechanisms or peace committees are coherently anchored in social dynamics, sometimes acting as true relays to traditional endogenous mechanisms, others seem to be questioned by a plurality of actors we met. A first element that emerges from the interviews is the issue of the representativeness and legitimacy of such committees. Although often composed of representatives of the authorities, religious leaders, wise men, etc., *a priori guarantors of a certain legitimacy*, these mechanisms nevertheless remain exogenous and suffer from a lack of local anchoring. Moreover, while they have an undeniable function in creating social ties, they cannot ensure the management of the main disputes underway in the territories under investigation, particularly land issues. According to a UNDP representative we met with in Chad: *"No one is really trying to understand the history of the constitution of these committees, their composition, etc."* (UNDP, 2004: 2). (...) *The name itself is a jargon that came up with the NGO interventions. People did not set out on their own to create peace committees to resolve conflicts. These committees are a myth. They don't represent much.*

Even less nuanced, in Niger, a journalist from a non-governmental organization producing and disseminating information programs offered similar criticisms: *"I see all these NGOs recreating committees. They've come to tackle a new model that works artificially, because there's money for that (...) Above all, there's one thing that pleases everyone: listening clubs. It's ridiculous! People participate only because they are paid to get together. Spontaneously, they don't go, they end up in the grain, do FADA, etc."* A final element was raised during the interviews: the sustainability of such committees, directly questioned by their exogenous nature. Indeed, while peace committees and other listening clubs can play a definite role during the implementation of a project, it was pointed out that they often have a life span equal to that of the interventions. As the President of the Association of Customary and Traditional Authorities of the Lake Province told us: *"These committees are sometimes adapted but they have difficulty functioning because they depend on outside organizations and donations. We need to find a mechanism of internal appropriation so that the people themselves take care of these systems once the project is finished"*.

Therefore, without questioning in a Manichean way the establishment of such committees to prevent conflicts and strengthen dialogue and social cohesion, greater attention should probably be paid to their composition, ownership and sustainability, as well as to the way in which they actually interact with traditional endogenous conflict resolution mechanisms. Otherwise, there is a great risk of creating new (temporary) norms of conflict prevention and management in territories where several levels of rights and dispute resolution modalities are already juxtaposed.

3.3. LIMITATIONS OF THE LOCAL APPROACH: COHESION AND PEACE ARE ALSO PLAYED OUT AT THE STATE LEVEL

3.3.1. AN OVERVALUING OF THE CAPACITIES OF THE COMMUNITY APPROACH AND TRADITIONAL MECHANISMS IN PEACE BUILDING?

As indicated earlier, the definitions of the concepts of peace and social cohesion are broad and can be played out at several scales: local peace and management of low intensity conflicts; global peace and issues of governance, security, justice, equality. Thus, while building peace "from below" through the community-based approach and the resolution of low-intensity conflicts can have positive impacts and foster larger-scale peace processes, the capacities of such an approach should not be overvalued. Traditional chiefdoms are also affected by conflicts of interest and are limited in their ability to alleviate certain sources of tension (in which they are sometimes involved), which are nonetheless important in the survey areas.

International actors, whether operators or donors, pay particular attention to the usefulness of traditional conflict management mechanisms. Because "*the main sources of conflict are played out at the community level*" (PBF representative in Chad), and also because the populations are, in the discourse of the main donors interviewed, at the heart of the challenges of preventing violent extremism, it seems essential to involve them as much as possible and obtain their support. But if, as we have seen, this attention is legitimate, it also sometimes seems to be rooted in representations that are not always well founded.

First, it is important to keep in mind that traditional and other community leaders are not neutral actors, nor are "modern" political actors. Nor are traditional conflict prevention and management mechanisms free of political instrumentalization and interest struggles (which is also in line with the observation made in the second chapter on the loss of legitimacy of traditional actors). Secondly, as we have seen, traditional mechanisms have limited capacity to manage certain types of conflict, particularly those related to the reintegration of former combatants or the management of displaced persons and/or refugees who have arrived in large numbers. Therefore, international assistance should not place too much of the burden of "peace" on the community level and its systems. Finally, efforts to improve natural resource management, inter-community dialogue, etc., should be encouraged. Finally, efforts for better management of natural resources, improved inter-community dialogue, etc., must not "*obscure political responsibility for the problems of governance, corruption, military repression, social injustice and access to land, which, in concrete terms, are at the root of today's insurgencies*"⁴⁷.

3.3.2. LAKE POPULATIONS DESIRING PEACE BUT ALSO SOCIAL CHANGE

"To ease the sources of tension, we must first strengthen national cohesion before talking about social cohesion in the villages. »

Head of Canton, Diffa Region, Niger

Despite the multiplication in recent years of international, regional, and national initiatives for the consolidation and promotion of peace (see box below), populations seem to perceive government (or even international) responses as more secure, to the detriment of development responses, which are nonetheless necessary and expected. This observation, shared by some civil society organizations we met with but not the majority, has the merit of raising a few key issues that we have chosen to mention here and that we think are

⁴⁷ Magrin and Perugia de Montclos, *op. cit.*

of interest to solidarity organizations when it comes to thinking about their strategy for strengthening social cohesion.

Some initiatives for peace in the region in Chad and Niger

The countries of the Lake Chad Basin have developed numerous multisectoral plans to stabilize areas plagued by violence, first and foremost with a view to combating and preventing violent extremism.

In Chad, the document of the National Development Plan (2019-2021) emphasizes in its Governance pillar the establishment of consensual mechanisms for the peaceful resolution of conflicts by strengthening the legal framework in order to promote a climate of trust between the population and the DSF, as well as socio-security dialogue, training on the values of cohesion, peace and peaceful coexistence, and the promotion of respect for differences and the values of peace. This strong national will meets, at the level of the lake region, regional strategies such as the one on the stabilization of the regions of Lake Chad affected by Boko Haram.

In Niger, the Haute Autorité à la Consolidation de la Paix (HACP) is working extensively to ease tensions in the Diffa region. The HACP is a state institution directly attached to the presidency, created in 2011, which focuses on the supervision of peacebuilding/intercommunity dialogue/demobilization programs, etc. The HACP is also responsible for the supervision of the peace process in the Diffa region. Its representation in Diffa was established in 2018, allowing actors working in the area of peace to fully play their role. HACP's activities in the Diffa region include the following:

- The establishment of spaces for exchange (inter-community dialogue) at the level of the 12 regional municipalities;
- The promotion of peace and social cohesion in the Region (sports and cultural activities through youth associations in all the communes, capacity building of peace committees to develop their action plan, recruitment, training and equipment of municipal police forces, etc.) ;
- Conducting training on the early warning mechanism.

The HACP works with the canton/group/tribal/village chiefs and religious leaders as well as with the Governor, the Prefect and the Defense and Security Forces (FDS). Together with the Governor and the Prefect, they mainly carry out targeting activities in intervention zones and villages that are often difficult to access, once the FDS grants them authorizations. Finally, they support the local authorities (Regional Council, Town Hall) in drawing up annual investment plans, particularly concerning the peace and security component.

Despite the multiplication of development, stabilization and peace initiative plans, the people are struggling to feel the effects of these efforts. At the local level, it seems that the signal sent by the state is one of ever greater priority given to military and security issues. In this regard, the appointment of Bol's new governor, a general, is emblematic of the situation and of the signal that the governor of the region wanted to send. The

people we met seem more than weary of the military response, which, as we said earlier, understands its own excesses and violence against the population.

"The answer that people are waiting for is not purely safe.... We are facing groups that propose a total social project versus a state that gives a military response with a whole bunch of excesses (...). The risk is that people will increasingly adhere to the discourse of extremists, or to the self-defense of their community interests, as the states prove incapable of responding to their social demands. »

Head of a human rights organization, Niger

In a context where national priorities have often been given to financing the fight against Boko Haram and armed groups to the detriment of local development, part of the lake populations have lost confidence in the State's ability to implement strong public policies. This is undeniably a hindrance to the construction of social cohesion, including at the local level, even when it is promoted by international NGOs. Indeed (and this is not a consensual statement among the interviewees), certain criticisms have been leveled at the aid system. Some CSO interviewees criticized international NGOs for preventing people from "*benefiting from the crisis*". Based on the observation that conflicts can also be a source of social change, they "accuse" certain NGOs of stabilizing situations that are at the very root of the imbalances and fragility to which they are trying to respond: "*NGOs do not act on the determining factors, they do not address the real questions, the real issues. The situation calls for a change in the relationship between citizens and the state, and this is where the real problem lies. We must take into account the aspirations of the population as citizens, and not just as beneficiaries (...) NGOs, without often meaning to, only save and maintain a system that condemns itself*" (Human Rights NGO met in Niger). From this perspective, humanitarian NGOs - in keeping with their mandate and principles of action (neutrality, impartiality, independence from political processes) - are invited to focus their social cohesion interventions more on the field of governance, citizen participation and, for some, even human rights. Social cohesion, like peace, undoubtedly requires sustained interaction between the local and national levels. The roles of traditional chiefs and conflict management mechanisms cannot fully ensure social cohesion without a real mobilization of States and without a minimum bond of trust restored at the national level.

CONCLUSION AND RECOMMENDATIONS

In regional contexts where highly localized conflicts are intertwined with national and transnational antagonisms, international solidarity programs are increasingly involved in "peace promotion" actions, with objectives as different as the definition of such a notion.

In the context of a highly territorialized approach to interventions, research has shown that support for traditional conflict prevention and resolution mechanisms at the community level can help promote social stability and thus prevent local conflicts (most often related to land management) that can lead to even greater conflicts. However, the study also showed that some of the current sources of conflict linked to the security crisis (reintegration of repentant people from Boko Haram; presence of displaced persons and refugees, etc.) were partly beyond the control of traditional authorities, and that the capacities of the community approach in alleviating these types of tensions should not be overvalued.

Finally, the highly politicized framework of the Triple Nexus, in which many of these interventions take place, undoubtedly requires all aid actors to conduct an in-depth reflection on their positioning, their partnerships, and the way they articulate _or not_ the issues of community cohesion and social change on a more global scale.

RECOMMENDATION N° 1

Strengthen the representativeness of the members of the local consultation committees/dialogue platforms and other instruments set up under Pillar 1. At a time when RESILAC is already anticipating exit strategies and can still adapt to maximize its impact, it is important to ensure from now on that these instruments are appropriated by the populations, that they interact with traditional mechanisms, and that they are sustainable beyond the intervention.

RECOMMENDATION N° 2

Pursue cross-pillar coordination efforts by further strengthening the links between social cohesion activities (particularly in terms of prevention), natural resource management and governance. This means taking advantage of RESILAC's resilience/inter-pillar strategy to increase the effects of Pillar 1.

RECOMMENDATION N° 3

To **promote activities that generate citizen participation and debate**, with a view to taking ownership of the democratic question, governance issues and societal choices. As social cohesion is played out at all levels of society, it would probably be too partial to approach this theme solely through the community prism. Project teams could, for example, develop "democratic debates" around issues raised by populations. In the same perspective, new partnerships with civil society organizations could be envisaged in the field of human rights.

RECOMMENDATION N° 4

Valuing the specific expertise of certain RESILAC partners in terms of social cohesion and peace building.

CCFD and SFCG, in particular, have strong experience in this area that could benefit all the other partners, who are sometimes less comfortable with the issues of development, cohesion and social change. Opportunities for exchange and discussion could be organized within the teams, possibly leading to position papers on these issues.

Set up training sessions for partners with a humanitarian mandate. Indeed, a good number of "classical" actors in the field of humanitarian crises are not familiar with the concepts of social cohesion and peace building. The need for a better understanding of these issues has emerged, and training sessions for field teams could promote the appropriation of the meaning and purpose of certain activities carried out under Pillar 1. More generally, an in-depth questioning of RESILAC's positioning on peace issues (including in the very political framework of the Triple Nexus programs) would be worthwhile.

RECOMMENDATION N° 5

To **support the production of knowledge** by continuing to closely monitor conflict in territories and changes in the way these conflicts are resolved on the one hand, and by implementing new research (if possible) on the other hand. Among the topics to be explored in greater depth are the following:

- Women's perception and use of conflict management mechanisms;
- The issues and problems raised by the operationalization of the triple Nexus in the Lake Chad region;
- Strengths and weaknesses of peace committees.

APPENDICES

APPENDIX 1: BIBLIOGRAPHY

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APPENDIX 2: HYPOTHESES AND PRELIMINARY RESEARCH QUESTIONS

OS1: Analyze the nature and causes of ongoing conflicts/factors of tension in the areas of intervention.

The study will attach particular importance to the multifactorial dimension of conflicts, and will attempt to highlight in a systematic way the interweaving of the causes and origins of latent and open conflicts.

Basic Assumptions :

- Beyond the security crisis linked to the insurgency of the Boko Haram jihadist group, the Lake Chad region is traversed by a series of conflicts involving a multitude of actors. These conflicts, often pre-dating the "crisis," have been exacerbated by the crisis and by the consequences of its military management and repressive measures.
- New types of conflicts have also emerged (between the host population and the displaced; with the proliferation of self-defense/"vigilantism" militias; with the reintegration of the repentant from Boko Haram, etc.).
- While new conflicts have emerged, new alliances have emerged around new common interests and new cleavages. To some extent, we are witnessing a reconfiguration of balances, sometimes based on the resurgence of old communal cleavages. In some regions, the new dynamics have led to a tension in identity tensions, even leading to the stigmatization of certain ethnic groups.

Research Questions :

1. What are the historical settlement dynamics in the TLW area?
2. What are the resources and how to access them?
3. What is the nature of the competition between different users of the same resource?
4. More generally, what types of conflicts are most prevalent?
5. How was the security crisis in each country approached/managed?
6. How did the management of the crisis affect the links between populations and authorities on the one hand, and the links between different communities on the other?

OS2: Identify endogenous mechanisms at community, local, national and regional levels for conflict prevention, mediation and resolution.

The study will map the existing mechanisms, highlighting their limitations and interests in the current context, their degree of vivacity and use, the actors/norms and practices that govern them, etc. The study will be conducted in the context of the current situation. Particular attention will be paid to the perceptions/representations that populations have of these modes of regulation and justice.

Basic Assumptions :

- The customary authorities, traditionally and still today, are the first responders to "low intensity" conflicts and act as tension regulators.
- The degree of recognition of traditional powers by central states varies from country to country.
- The ongoing security crisis and some of its implications are largely beyond the control of traditional power.

- The use of modern justice in the study areas remains very low for the most frequent and "low intensity" conflicts.

Research Questions :

1. What right governs access to resources? (Civil law and customary law)
2. Beyond the law, what are the actual standards and practices of resource use?
3. More generally, what are the existing endogenous mechanisms for conflict prevention, mediation and resolution? (Function; applicable for which types of conflicts; responsible authorities etc.).
4. How do traditional and customary mechanisms fit into the legal and judicial framework of the country?
5. What degree of recognition of traditional authorities in the constitution of the states? What real power is conferred on chiefdoms in the context of decentralization processes?
6. The particular case of Nigeria: are the Islamic courts perceived today by the populations of the state of Borno as guarantors of customary law?
7. What are the main mechanisms used today?
8. What practices and perceptions do people have of these mechanisms?
9. What sense of confidence in traditional justice? What sense of confidence in modern justice?
10. How have the practices of dialogue and conflict resolution evolved over the last ten years?
11. How have ongoing conflict dynamics and their consequences disrupted pre-existing conflict resolution modes?

SO3: Identify mechanisms for peacebuilding and dialogue in the areas of intervention.

The study will conduct a review of key programs, and how they interact with, strengthen or weaken the identified endogenous mechanisms. The analysis will take into account relevant initiatives that may emanate from groups of actors with different mandates and strategic visions. An important place will be given to the analysis of the actors' discourse.

Basic Assumptions :

- If the new dynamics of conflicts influence the mechanisms of mediation, resolution, etc., they also influence the strategies and forms of engagement of donors.
- International discourse tends to overemphasize the potential of the local level in conflict resolution.
- At the national level, the mechanisms for promoting peace, where they exist, are translated unevenly from one country to another into concrete actions.

Research Questions :

- Is there a consensus in the strategies of "stabilization", "consolidation of peace and social cohesion" etc. among international donors? How is "peace" understood?
- Since the issues of social cohesion are closely linked to those of justice, what types of mechanisms exist to strengthen access to justice?
- In a context of mutual distrust between the state and civil society, and in areas where its presence is weak, how do national mechanisms manage to support initiatives for dialogue and social cohesion at the community level? In what forms? With which actors? What types of initiatives are undertaken?

OS4 _ Cross-cutting objective: Support agile decision making.

The study will contribute to the production of regional and national scientific knowledge and its dissemination through research actors. It will also provide recommendations and points of vigilance for use by strategic decision-makers and development operators, particularly RESILAC. The study also aims to provide food for thought on the adaptability of social cohesion activities to the norms and values of the beneficiary population.



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