RURAL DEVELOPMENT FORESTRY NETWORK

Si, Nda Bot and *Ayong*: Shifting Cultivation, Land Use and Property Rights in Southern Cameroon

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Si, Nda Bot and *Ayong*[1]: Shifting cultivation, land use and property rights in Southern Cameroon

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Introduction: Shifting Cultivation in World History

Shifting cultivation systems have a long history (Olofson, 1981; Brady, 1996; Jinfeng, 1996; ZuoXiong, 1996). In ancient China, for example, they occurred as early as 6000 BC, if not before (JianGe & XiSheng, 1996). Traditional slash-and-burn systems are recognised in the literature as sustainable within an appropriate range of fallow lengths and associated demographic conditions. It is estimated that fallow lengths of 10-20 years or more are necessary to prevent soil erosion, loss of fertility and loss of water balance, as well as to allow for forest regeneration (Bahuchet, 1996; Brady, 1996). These conditions are normally associated with population densities of less than 20 persons per sq km (Boserup, 1965).

Today, slash-and-burn agriculture is found only in the most marginal conditions in countries such as China (JianGe & XiSheng, 1996), and has disappeared from many other areas of the world. On a global scale, however, the system still constitutes the basis for the livelihood of an estimated 300-500 million people, and is practised on about 30% of all arable land (Brady, 1996). In the tropical rainforests of Central Africa, it is still the dominant cultivation system. This is despite – or it may even be because of – its comparatively late origins, following the penetration of the forest by the western fringe of the Bantu migrations.

The relationship between peoples' migrations, shifting cultivation and contemporary land tenure systems in forest environments has not been sufficiently stressed in the literature. In Central Africa, it must be emphasised that shifting cultivation systems have been much more than a way to manage soil fertility and agricultural productivity. They were also an essential feature of the expansion of

[1] *Si, nda bot* and *ayong*: *lit.* Land, family and clan.

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the Bantu peoples and provided an important mechanism for establishing tenurial rights over vast expanses of land. At the same time, by combining farming activities with collective access to a wide range of natural resources in the forest 'granary', shifting cultivation systems were able to secure the energy, protein and medicinal components of the household economy and to establish a vital linkage between biological and social reproduction. The whole pattern of land use in this part of Africa derives from this historical legacy.

This paper addresses the question of the intricate relationships between the principles of use, access, appropriation and succession embodied in the systems of tenure of forest peoples and the principles of reproduction which are central to their social organisation. These principles are described against the background of both contemporary land use and history, including the expansion and settlement phases of Bantu peoples. The problems of interpretation relating to complex issues of anthropological segmentation and ethnogenesis (i.e. the creation of new ethnic formations) are also addressed.[2] A diagrammatic representation of the relationships between society, history and land tenure is given in Figure 1:

Figure 1:
Society, History and Land Tenure

The paper is based on two essential arguments:

(a) Shifting cultivation today, among the Western Bantu forest dwellers, is based on a system of property rights which is the product of both migration and history. This system of rights and the corresponding tenure principles are not merely linked to, but are actually embedded in, the principles of social reproduction, mainly through genealogical rights and processes of segmentation. It is our contention that the superimposition of State structures

[2] The term 'ethnic formation' is used to emphasise the fact that ethnic identities are not based on closed 'groups' but are, on the contrary, in a perpetual process of formation and transmutation.

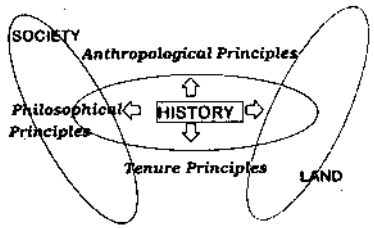


Figure 1:
Society, History and Land Tenure

and legal systems on this traditional structure has not fundamentally altered its functioning within the forest communities of Southern Cameroon[3].

(b) The present study addresses not just isolated aspects of the system of property rights but its global structure and operating principles. The unifying principles of land tenure in the societies in question have not been given adequate recognition in the literature. These issues are of vital importance, however, for they have a direct bearing on potential agricultural alternatives to slash-and-burn, and on the likely effectiveness of new initiatives aiming at the implementation of devolved schemes for forest resource management (Diaw *et al*, 1997). The uncovering and modernisation[4] of these principles is a pre-condition for the minimisation of the social costs of institutional change.

The Enclosure Movement in History: Expansion, 'Axe Rights' and Ethnogenesis

The idea of movement is inherent in the concept of shifting cultivation. It is, however, important to distinguish the migration component of the system from the shifting element in crop management strategies.[5] The crop management strategies may involve at least two types of shifting sequence after the opening up of the forest: cropping-fallow sequences involving spatial shifts, and various combinations of crop rotation as a way to optimise the overall productivity of land and labour.

The two components – migration and crop/land management – have differing implications with regard to the tenure system. The former relates to the establishment of a system of rights whereas the latter operationalises those rights

[3] The arguments presented here are the result of two years of research in Central and Southern Cameroon, within a complex mosaic which includes *Bëti*, *Bulu*, *Fang* and *Kwasi'o* ethnic groups. A more detailed presentation of the principles and relations described will be given in a forthcoming contribution by the author to the *Alternatives to Slash-and-Burn* programme (Diaw, forthcoming).

[4] By 'modernisation' we mean the incorporation of customary principles, through adaptation and negotiation, into modern tenure and devolved social institutions (Diaw *et al*, 1997).

[5] The French term for shifting cultivation *agriculture itinérante sur brûlis* encapsulates both the nomadic (*itinérante)* and slash-and-burn components of the system.

within a given agricultural and social space.

The colonisation of the forest: Bantu expansion and ethnogenesis

There is evidence that, until the administrative changes introduced by the German and French colonists, group semi-nomadism was the principal way of life for the peoples of the forest (Alexandre & Binet, 1958; Laburthe-Tolra, 1981; Leplaideur, 1985). People moved throughout the forest and the resulting mix of languages, cultures, institutions and genealogies laid the basis for the ethnic complexity which has made understanding the region's history so difficult.

Shifting identities: the ethnic inventory of Southern Cameroon

After more than a century of in-depth research, a considerable amount of knowledge has been gathered on the history and cultures of the region. One might suppose, therefore, that the very abundance of the knowledge available would make it easy to reach a consensus on the substantive issues raised. Far from it.

The main divergences of opinion have centred on the classification of the peoples of the region. A particular problem has been the widespread assumption that it is possible to both compartmentalise the wide variety of ethnic identities in the region, and in the process of so doing, to classify them into separate generic groupings which would indicate some ultimate historical 'truth'. The result has been massive disagreement: disagreement on the existence of a cultural Basa-Fang-Maka continuum; disagreement on the existence of two distinct Bantu continua represented by a Dwala-Bulu-Ngumba-Kong-Makota group and a Beti-Fang group; disagreement on the exact composition and affiliations of the major ethnic groupings of the region; disagreement on a host of micro issues related to the migratory routes and the composition of each group; etc. (Laburthe-Tolra, 1981b; Ngoa, 1981; Tardits, 1981).

The 'fragmentary and hypothetical' nature of the information on these forest peoples (Santoir, 1995) is a fact recognised by almost all authors working in the field. We believe, however, that the fundamental problem is not a lack of information as such, for most of the relevant information, including the dates of the major migratory movements, is available. Rather, the essence of the problem is the theoretical interpretation of the nature of ethnogenesis in the context of the

patrilineal, segmentary and exogamous societies of the Sanaga-Ntem complex.[6]

In 1996, we recorded the ethnic and clan affiliations of 471 villages located in the heart of the Sanaga-Ntem complex. The results of this survey, complemented by oral testimonies on the history of inter-ethnic relations and on land use, show that the process of ethnic group formation is still occurring today, nearly a century after the German and French colonisations put an end to the expansion phase of Bantu migrations in the region.

Three converging patterns of fragmentation, territorialisation and assimilation emerge from the present ethnic landscape:

1) Firstly, there is the extreme level of fragmentation of ethnic formations and identities claimed by the people. No less than 221 clan groups (*ayong*) were recorded in the 1996 survey.

   It should be pointed out here that clan and ethnic identities are 'floating' concepts in the sense that they refer to different realities according to the context of the communication. This is certainly true of the *mëyong* (sg., *ayong*) some of which may be important lineages without yet having acquired full clan status. This is not the case, however, for those *mëyong* about whose rules of exogamy (out-marriage) we have detailed information. As we will see in the section on anthropological institutions, the issue of marriage rules is the critical variable in understanding the dynamic nature of clan identities.

2) Our data show an average of 1.6 clans per village (see Figure 2) and 8.6 clans per village grouping. These clan identities at village level are defined mainly through family groups and lineages. This reflects two phenomena:

   - a clear territorialisation and clustering of lineages at village level – an

[6] We use the term 'Sanaga-Ntem complex' to describe the physical and cultural area extending from the Sanaga to the Ntem and Woleu rivers in Southern Cameroon and Northern Gabon, and to emphasise its cultural and linguistic coherence. Use of this term is preferable to characterisation in ethnic terms, which would run the risk of distorting the fluid ethnohistorical processes involved. These societies are *patrilineal* in the sense that the inheritance of property passes in the male line, from father to son; they are *exogamous* in that marriage within the patrilineal kin group is not permitted, at an accepted level of inclusiveness; the term '*segmentary*' indicates the formation of a hierarchy of kin groups, defined largely on the basis of paternal descent of progressive inclusiveness.

important feature to remember in relation to land tenure issues;

- a significant pattern of clan association within the administrative boundaries, relating to the major ethno-political groupings.

♦ Incidence of clans

Figure 2: Declared clan identities per village

3) There are clear indications of assimilation processes though these are restricted by the resilience of kinship and clan identities (see the testimony presented in Box 1). The strength of the assimilation processes is also evident from Figure 3.

Figure 3: Ethnic cross-membership in sample

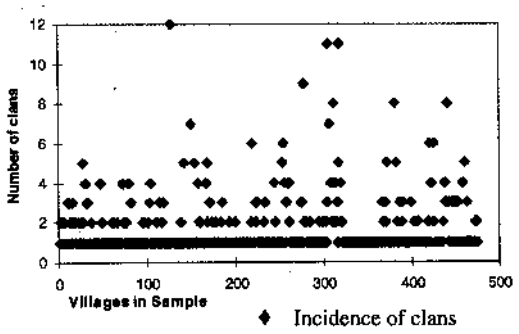
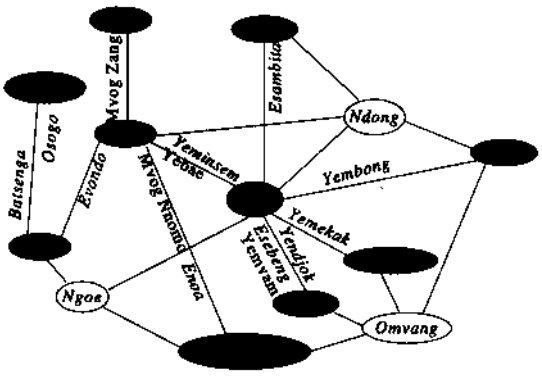


Figure 2: Declared clan identities per village



Lines: Bilateral affiliations
Blank circles: Multilateral affiliations

Figure 3: Ethnic cross-membership in sample

Box 1
Esele-Meñada Cohabitation in the Village Grouping of Nkolbogo

"The Esele lived in the other bank of the Sanaga... (in) Bokito. The crossing (of the river), under the leadership of Ayissi Ngono and for reasons that we ignore, happened in a mystical way. Ayissi Ngono gathered the whole people on the border of the Sanaga. He hit the water with a stick and a snake appeared. It is on the back of this snake that the Esele crossed the river and found themselves with the Meñada here. Between the Esele and the Meñada there is no kinship relation. By force of circumstances, we just became administrative neighbours... (But) all the Meñada are descendants of the same ancestor. This is why, among all of us, marriage is forbidden..."

Essala Menye Gilbert, 43, Meñada (Eton), Nkolbogo

In order to understand the relationships between clan identity at village level and the most important ethno-linguistic groupings in the region, we asked the question: 'To what linguistic group do you belong?' With at least 16 groups we received several answers. Some groups, such as the Esse, Mvog Nyenge and Mbida Bani, were already known from the literature as involving different ethnic formations. This study confirms that *mëyong* such as the Omvang, the Ngoe, the Ndong and the Enoa also enjoy multiple ethnic membership and are in the process of total integration with diverse host groups. The study reveals a dozen cases in which reference to dual ethnic identities might be expressing the same reality (i.e. ethnic assimilation) or, alternatively, a shared past between the two host groups. It also shows that, within the area covered, groups such as the Bulu, Bënë, Eton and Ewondo represent powerful forces for assimilation, because of the density and diversity of their inter-ethnic relationships. It is also the case that inter-clan marriage represents one of the most important – if not the most important – influence towards assimilation in this region.

These data, as well as other available information, overwhelmingly demonstrate the cultural, linguistic and symbolic kinship of the peoples of the Sanaga-Ntem region. They also illustrate the ways in which that unity is fragmented into segmentary units where wider ethnic identities encompass separate clan or lineage identities. The implications of this situation for land tenure will be considered later. For the present, the point at issue is that this unified complex of identities is, above all, the result of migratory movements. These movements have, in the words of Vansina:

> 'facilitated the spread of ideas and practices in and across the rain-forests, as shown by the distribution of words, objects, institutions and art styles.

> Population mobility and social plasticity also help to explain profound similarities in the organisation of forest societies, so that all of them, including pygmy communities, appear as variations of a common theme. ... The environment was influential, but ... certainly a myriad of contacts helped produce the resulting situation.' (Vansina, 1982)

The enclosure movement in the Sanaga-Ntem forest complex and the 'axe right'

On the basis of ethnolinguistic dating, Vansina (1990) has estimated that the expansion of the Ntumu-Ewondo-Bulu-Fang complex, from its cradle in the Sanaga valley to the shores of the Ntem and Woleu rivers in Gabon, took place as early as the 14th or 15th centuries AD. This movement is distinct from the separate 18th and 19th century migrations in the area.

The pre-existence of an ancient Bantu population layer, including Sa'a and Maka speakers, is recognised by Bekombo-Priso & Laburthe-Tolra (1981) who suggest that this population probably provided the foundation of ethnic cultures in the forest. They comment:

> 'This nucleus of Bantu was confronted with a land empty of all but the Pygmies and perhaps some early hunter-gatherers who did not practise any agriculture and who were therefore few in number'. (*Ibid*)

It is with the early Bantu expansion that the movement to colonise the forest began. This was to undergo a tremendous acceleration in the 19th century, a fact of considerable significance in relation to the present pattern of village territories and land tenure arrangements. It triggered a major reorganisation of the ethno-cultural landscape until it was abruptly curtailed by the Germans who, in 1903, forced the resettlement of Bantu villages near to trading routes. This policy was later enforced by the French colonial government. In the 1930s, the policy was extended in Gabon with the systematic resettlement of villages along the newly-created road network and the railway line (Balandier, 1955).

People moved in the forest in various ways and for a multitude of reasons. The diversity of migration patterns and causes is often masked by the quasi-military language used to portray the 'march' of various groups through the forest. But, as Vansina has made clear, 'the typical movement in the forest has been a slow drift'

(1982). In the 19th century, massive population movements also took place over short distances, as well as the displacement of large clusters of villages over distances as great as 200 km. The reasons for these migrations also differed widely. Vansina suggests that demographic pressure was the main reason for the early Sanaga expansion. Oral traditions, as reported in the literature (Vansina, 1982; Laburthe-Tolra, 1981) and as we found ourselves, tend to emphasise 'cosmological' explanations and traumatic events such as wars and other conflicts. In the 19th century, the search for salt and new trading opportunities was also a driving force for population movements towards the Atlantic coast.

All these cosmological explanations subsume micro-processes through which peoples were left along the routes of the migrations, to establish villages, clear their fields, and mark out their territories. The search for a forest well-stocked with game, fish, non-timber forest products and fertile agricultural land was always a major concern in an economy dominated by slash-and-burn agriculture and hunting, fishing and gathering.

Leplaideur (1985) writes that in this period each Bëti chief (*nkukuma nnam*) might be involved in two, three or four migrations in his lifetime. Bahuchet (1996) characterises such migrations as short distance or rotational movements linked to fallow strategies and swidden cultivation. But migrations could also result from the colonisation of a portion of a *mvog* (kin group) territory by a newly-independent member of the group or from the shift of an entire community towards a new area (Leplaideur, 1985). In all cases, the pattern of spatial movement or expansion through the forest reflected the form of social organisation. According to Santoir (1995), strong father-son relationships among the Bëti favoured an 'oil stain' form of spread, while among the Fang, looser lineage structures and often, family or clan splits, resulted in more discontinuous movements, with successive 'jumps' across neighbouring territories (cf. Alexandre, 1965). Whatever their particular form, these processes were the determining influences on the ways in which genealogical rights to land were established.

Leplaideur (1985) states that the assumption of a new territory was symbolically marked by the chief defecating into a hole dug on the land, and designating the natural boundaries of the new territory. Within the *mvog*, it was the 'axe right' (in French, the *droit de hache*) – the right to cut trees – and the usufructuary rights which then became the sign of the acquisition of the land. The axe right went far

beyond the internal boundaries of the *mvog*. The axe right was the confirmation of the *collective rights* of the first occupants, and was (and still is) a 'constitutional right' in the sense of being universally recognised by neighbours and strangers alike, except in situations of war. In order to be constitutionally recognised, the designation of a territory demarcated by its natural boundaries (rivers, mountains, etc.) had to be confirmed by the physical marking out of that territory through symbols of human occupancy and productive use. It was mainly through the clearing of land that people established use rights over an area or areas of forest land. As the first act in forest agriculture, the axe right thus symbolised the taking over of an area of land by the founder of a lineage. In other areas of Africa, the axe right might be replaced by a 'fire right' (*droit de feu*), as was the case with the *lamanat* of Senegambia (which was associated with massive deforestation in the Middle Ages). Almost everywhere, however, such rights could be supplanted by the 'unquestionable right' of conquest.

In the forest, the exercise of the axe right is reflected in the occurrence of plants such as bush mango (*Irvingia gabonensis*), which is one of the few fallow species to thrive in regrowth forest. Its presence in primary forest is a sign of ancient human use, and thus, of the past appropriation of the land. Other plant species such as the 'red flower' (*Dracaena* spp.) are used to mark out hunting and gathering territories. The right of the first occupant has genealogical and collective implications in relation to the segmentary and lineage organisations of forest peoples. In Southern Cameroon, these rights and principles remain operational today, both through the mutual recognition of territorial rights by forest communities and in the internal mechanisms of land use and succession within families and lineages.

Anthropological Institutions and Tenure Principles

Despite the imposition of the nation-state model since colonial times, social institutions at community level in the humid forest zone are still rooted in rights based on kinship and descent. These rights are of central relevance to the understanding of contemporary issues of land tenure, agriculture and natural resource management.

Clanship, exogamy and segmentation: the making of genealogical rights

The early generations of anthropologists elaborated a sophisticated nomenclature of kinship systems and terminology based on the observation of hundreds of societies across the world. The resulting concepts have an operational validity in relation to the societies of the equatorial forest. In Southern Cameroon, the key to understanding the common features of social institutions is patrilineal descent based on clanship, unilineal organisation, exogamy (rules requiring marriage outside the kin group) and virilocality (residence after marriage in the husband's settlement).

Patrilineal descent and clanship

In patrilineal descent, jural relations in kinship are traced through males to a lineage or clan going back to an original ancestor. Progressive branching leads to lineages with a segmentary form, reflecting the complexity of succeeding gener-ations of male kin. The dominant principle, however, is one of inclusion and unity.

These principles of unilineal descent groups have been verified in a wide variety of African societies, including several of the communities in which we conducted interviews. According to Vansina (1990), the diffusion of the ideology of patrilineality and of the segmentary system among the Saa, Maka, Ngumba and Njem peoples, located at opposite poles of the region, was largely the result of the Sanaga-Ntem expansion. The system may have been adopted as early as the 13th century; it then became the blueprint for social organisation among the groups of the Sanaga-Ntem forest complex.

The difference between 'clans' and 'lineages' is as difficult to grasp as that between 'clans' and 'ethnic formations'. De Thé (1970) and Ngoa (1968) make conflicting statements about the status of some of the terms involved, particularly *ayom*, *mvog* and *ayong*. For De Thé, *ayom* is the concept for clan, i.e. 'a grouping of medium lineages (*mvog)*', while *ayong* refers to 'maximal lineage' or 'composite clan'. Ngoa views *ayom* or *ayom bot* as synonyms of *mvog* – meaning either a medium lineage or a clan. Once again, we seem to be facing the same problems of interpretation as with ethnicity, and for the same reasons. Classificatory thinking has tremendous difficulty in coping with the plasticity of anthropological units which are in a permanent process of mutation. This comes about because of the need to maintain the principles of coherence and production along identifiable

kinship lines. The term *mvog* means a 'house' and refers to the founding act of creating a lineage. Because this involves a reproductive unit of men and women allied with territory and natural resources, the destiny of the minor *mvog* or *ayom* is, under normal conditions of genealogical growth, to mutate into a higher unit and eventually to undergo segmentation.

The two fundamental functions of the patrilineal and clan institutions are assured by the processes of biological and social reproduction. The first function is to guarantee the integrity of kinship relations against the taboo of incest; the second is to secure permanent access to natural resources within the patrilineage.

Exogamic institutions and virilocality

The peoples of the Sanaga-Ntem complex are ruled by a double principle of exogamy. Exogamy applies both to the patriclan on one side and the matrilineage on the other. However, it is within the patriclan that the exogamic principle is the most extended. Observance and enforcement of the rule is very strict, at least until the seventh or eighth generation after the foundation of the *mvog*. Beyond that, a period of discussions ensues, to decide whether the *mvog* has grown large and deep enough in its genealogy to abolish the incest taboo of within-group marriage. A frequent argument in favour of abolition is the fear of young people entering into socially incestuous relations without knowing it. A way around the problem is to make a collective decision to split the clan along major lineages. This is what happened with the *Mvog Nyang* of Endom, who created a second distinct clan, the *Mvog Atuba* in order to render inter-marriages possible.

A fundamental component of exogamic marriage among the forest societies of this region is virilocal residence. De Thé has shown how women play a fundamental role as the 'makers of alliances' (1965). These vital inter-clan links are made sacred by bridewealth and paternal benediction of a daughter's marriage. To some extent today, the institution of bridewealth fulfills the past function of the *mvol* – the exchange of women – whereby a sister enabled her brother to obtain a wife in her husband's clan. Transmission of wealth, life, prestige and new blood lines are the expression of the sacred alliances created by exogamy. However, as stressed by both De Thé (1970) and Bouly de Lesdain (1996), the bride also enters her new universe as a stranger and has to develop various coping strategies in her new milieu. As will be shown, the combination of these two factors (exogamy and virilocality), along with the patrilineal nature of the tenure system, has tremendous

implications for a woman's overall position in the system.

Anthropological institutions as a conduit for tenure institutions

It is necessary at this point to tackle the issue of the anthropological units which have primary operational relevance in land tenure matters. Two concepts need to be examined here, the 'corporate lineage' and the nuclear lineage (*nda bot*).

The concept of the 'corporate lineage'

The main concept in relation to land tenure issues is that of 'corporate lineage'. The opposition between blood rights and territorial rights is not absolute, as all societies have both genealogical and territorial foundations. The operating principle of societies organised on the basis of blood rights is that territorial and land rights are transmitted through the kin group. This notion of kin group is, as we have seen, highly variable. The clan consists of interlocked segments that have different functions and operational capacity according to the issue at stake (marriage, rituals and religion, political organisation and economic life). Each of these segments is a kinship group in its own right. For reasons related to the nature of ethnogenesis, whereby one unit progressively transforms into another, the terminology used to capture the reality of the lineages and segments of lineages is a highly fluid one. The key operational unit relevant to land tenure questions in the Sanaga-Ntem region is 'corporate lineage'. We need therefore to describe this unit in a way that transcends its variability and makes it useful as a policy tool.

In Southern Cameroon, the clan is seldom the operational level for land and natural resource management. Even in cases where it does have ultimate ownership rights to land, the historical process of territorial dispersion and patrilineal segmentation has led to its retaining a largely ritual status. As pointed out by several authors (Fortes, 1975; Radcliffe-Brown, 1975; Agondjo-Okawe, 1970; Kumekpor, 1971; Nukunya, 1971), it is within the lineages and segments of lineages that land ownership and tenure decisions are most commonly vested in unilineal societies. All our investigations in Southern Cameroon lead to the same conclusion. But the concrete lineage unit exercising decision-making power on land-related questions varies enormously from one place to another. Nowhere is it possible to point at one definite level of segmentation (from the nuclear to the maximal lineage) and identify this as the one universally relevant unit for operational decision-making on tenure issues. Whatever the level, however, the kinship unit endowed with a given territorial and natural resource base and able to make both the operational and

'collective choice' decisions related to that resource base, is what we call the 'corporate lineage'. The corporate (or operational) lineage is the conduit for tenure institutions. It is the operational unit that deals with land sharing, land access, succession, litigation and all the other aspects of the tenure system at the local level. Several operational lineages may coexist in a given community, but a single lineage may also be the exclusive occupant of a village or a group of villages. From the point of view of the present forestry reforms in Cameroon, this is particularly worthy of note, as references in the new law to 'village communities' might cover these different possibilities (Diaw *et al*, 1997).

The nuclear lineage: nda bot and enong

It is important at this stage to define the *nda bot* or nuclear lineage, which is an essential constituent of the corporate lineage throughout the area. In some instances, the *nda bot* is the operational lineage unit in a community; in others it is merely a component. Every clan has started with a *nda bot* and all *mvog* are made of kin-related *menda mëbot* (pl.). The *nda bot* (from *nda*, house, and *bot*, person) is the basis of all social life in the forest and refers, among the Beti-Fang and Bulu ethnic formations, to the basic lineal unit covering three generations (parents, children and grandchildren of the male line). We define it here as the 'nuclear lineage' and its anthropological content must therefore be distinguished from that of the *ndobur*, which among the peoples of the Kwasi'o ethnic formation (Ngumba, Mabi, Meka, etc.) designates a major or a minor lineage (*mvog* among the Bëti) of at least 4-5 generations. The equivalent of the *nda bot* among the Kwasi'o might be the *gwong* which refers to a maternal branch of the patrilineage (in cases of polygyny). The *gwong* identifies kindred of the 'same bed', a notion which also exists among the Bulu-Bëti under the label of *enong*, to designate the smaller domestic, nuclear family. The *nda bot* is not necessarily a residential or a domestic unit. It bears the name of its founder and constitutes the lowest level of corporate lineage property, particularly with regard to the sharing of farm land, marriage and inheritance. Natural sons of daughters are part of the *nda bot*, have the same rights as their uncles and often enjoy a particular status as 'speakers of truth' in delicate family matters. These different characteristics of the *nda bot* should be kept in mind when seeking to understand the social implications of tenure principles and land use, the subject of the next section.

Land Use and Property Regimes

We shall now briefly outline the fundamental principles which underpin tenure rights, before looking at actual patterns of land use and their relationship to distinct but interrelated property regimes. Understanding the underlying rationality of the complex system of tenure is essential if policy formulation is to be effectively carried out. For want of space and time, this presentation will limit itself to the basic outline of this system of rights.

Philosophical principles and 'constitutional rights'

Our hypothesis is that there is a common set of principles shared by the land-based forest societies of the Sanaga-Ntem complex. This common set of principles is made of the hierarchical interweaving of three series of rights:

- *genealogical rights*, or rights of the first order;
- *productive rights* or rights of the second order; and
- *succession rights* or rights of the third order.

Genealogical rights form the first series of rights. They reflect the communalist ideology that is the basis of the whole patrilineal system. They are based on the establishment of territorial rights of first occupancy through the migration processes described above. The axe right on virgin land and the establishment of a *mvog* are the first set of core elements of this series of rights. The axe right established by individuals or *menda mëbot* on land already opened up – and hence already owned by their corporate lineage – does not belong, conceptually, to this level of rights.

Genealogical solidarity is a core element in this series of rights. Rights of first occupancy are transmitted through the genealogical line but are not lost to their founders in the process. Land belongs, collectively and organically, to the dead, the living and the unborn. The works of De Thé (1970) and Laburthe-Tolra (1985) emphasise the alliance between the living and the ancestors as exemplified by the veneration of the skulls of the lineage founders and sacred rituals. All tenure rights are ultimately vested in the collective entity which is both biologically and socially established. Land has the function of ensuring the continuous growth of the founder's line and cannot, therefore, be alienated or sold, except as an extraordinary measure taken by the collective entity. This fact is probably one of the primary factors responsible for the low level of land transactions and the stability of tenure

institutions in the region (Short, 1994; Whyett, 1994).

Productive rights are the second series of rights. Production is the basis of social reproduction. The first right in this series is the fundamental right to live by one's own labour. All individuals in the community thus have the right to work and the 'right to create' – the right to open the forest or to clear an old and long-abandoned fallow field. From the perspective of the community, this second series of rights is universal. It applies to all members of the community, including strangers to whom a plot of land has been allocated and any other people (for example, hunters, fisher-folk) to whom temporary use rights have been granted over natural resources. In these cases the sovereign rights of the community apply to the principle of access to the resource, not to the product of labour once that access has been granted.

Investment of labour in the resource is the fundamental principle of appropriation in this second series of rights. Production rights in this context are basically rights of usufruct. The key principle that allows the individual or the *nda bot* exclusive control over part of the collective property is the actual work done on it or the physical evidence of that work. The duration and security of tenure thus depend on the enduring nature of labour and physical investment in the resource. This principle explains the major drive to establish cocoa plantations in the 1930s and confirms Weber's (1977) and Leplaideur's (1985) thesis that this drive was originally motivated by the desire to establish tenure security within the *nda bot* and not by financial motives. It is only through permanent embodiment of labour in the resource, as in the case of houses and other similar infrastructure, that permanent exclusive use rights can be established.

Succession and inheritance rights constitute the third series of rights and relate back to genealogical rights. Following the principle of patrilineal descent, sons are supposed to be the heirs of their father's *elig* (property) and daughters cannot inherit. All male members of the lineage have a right to inheritance through their *nda bot* line. This includes any natural sons of a daughter who are adopted by her parental lineage. It seems, at least in certain areas, that the present father-to-son inheritance rule is a development from a tighter lineal inheritance principle, whereby brothers were the primary heirs of a deceased person. Inheritance by brothers still occurs, though only when the deceased male lacks any closer heirs (sons and widows).

The special status of women within the inheritance system merits some comment. Firstly, daughters are almost certain to leave the clan at some point in their life and cannot therefore be the guarantor of the preservation of their father's *elig* within the collective asset of the clan or lineage. This does not mean, however, that women are excluded from ownership. One must remember that 'ownership' has, for everyone, a basis in usufruct. As a corollary to the right to create and to 'own', women's exclusive rights on farmed lands and similar implements can never be taken from them as long as they remain married. Secondly, widows can inherit from their deceased husband in their lineage of adoption. Thirdly, sons' inheritance, in polygynous families, is transmitted through their mothers and divided equally according to the number of wives and not the number of sons. Fourthly, unmarried daughters can have the right to inherit in cases where they do not have a brother or where the brothers agree to it. In most of the areas in which we conducted interviews, inheritance by unmarried daughters has become a common practice and is almost a 'right'. The structural rule that always remains, however, is the impossibility of transmitting succession rights through the female line (that is, from mother to daughter or to a non-member of the lineage). Fishing rights, for example, are transmitted from the mother to her daughter-in-law (acting for her son) and not to her daughter. Often, unwed women find themselves in conflict with their sisters-in-law who resent the competition resulting from their continuing presence in the settlement. Widows who do not remarry within the lineage (the levirate – inheritance of the wife of a deceased man by his brother – is now a declining custom) often take up with outsiders who act in the role of husband. Such men are given the ancient servile status name of *ntobo* or *mintobo* or are pejoratively called 'ambassadors' with a definite hint of derision. They are granted the normal prerogatives of a lineage member as long as the woman is there, but lose all their rights as soon as she leaves or is deceased. Some minor variants of these general schematic principles of inheritance can be found. The principles form, however, the common base shared by all the communities that we studied in different parts of Southern Cameroon.

Land as a physical and cultural space: land use, natural resources and property regimes

Figure 4, outlining the social representation of space among the Bulu, presents one example of the cultural conception of the landscape, and has much in common with those of other peoples of the Sanaga-Ntem complex and beyond. This cultural perception of land as a physical space is central to the intertwining of different

orders of tenure rights with the principles and institutions outlined above. These ultimately seek to strike a balance between the 'universal' right to work and live off one's own labour and the overriding imperative of preserving the resource-base necessary to the reproduction of the kin-group.

Three fundamental distinctions form the basis of this balance:

- The distinction between the terrestrial space, aerial space and the invisible world of the spirits;
- The distinction between land space, water bodies and arid, exhausted or 'reserved' land;
- The distinction between different physical and animal components of the biosphere where tenure status depends, in the last instance, on the expected effect of productive transformations on the resource base.

Si (pl. *mësi*) in Bëti-Bulu refers to the terrestrial space, conceived as land, soil (in a bio-physical sense) and biosphere. It is contrasted with *nyëm,* the aerial space, but does not really exclude *si-bëkon*, the land of the ghosts (*bëkon*), which is also conceived as a 'hole' (*bile bëkon*) among the Bëti, or a village – the 'great village', *nkala mpolog* – among the Menye of Gabon (Agondjo-Okawe, 1970). *Si* thus appears as the comprehensive generic term that relates to fundamental land tenure configurations. It includes the village and all the other portions of the clan or corporate lineage territory, as well as open or free access areas and other clans' territories beyond.

Figure 4: Social representation of space. A Bulu reference.

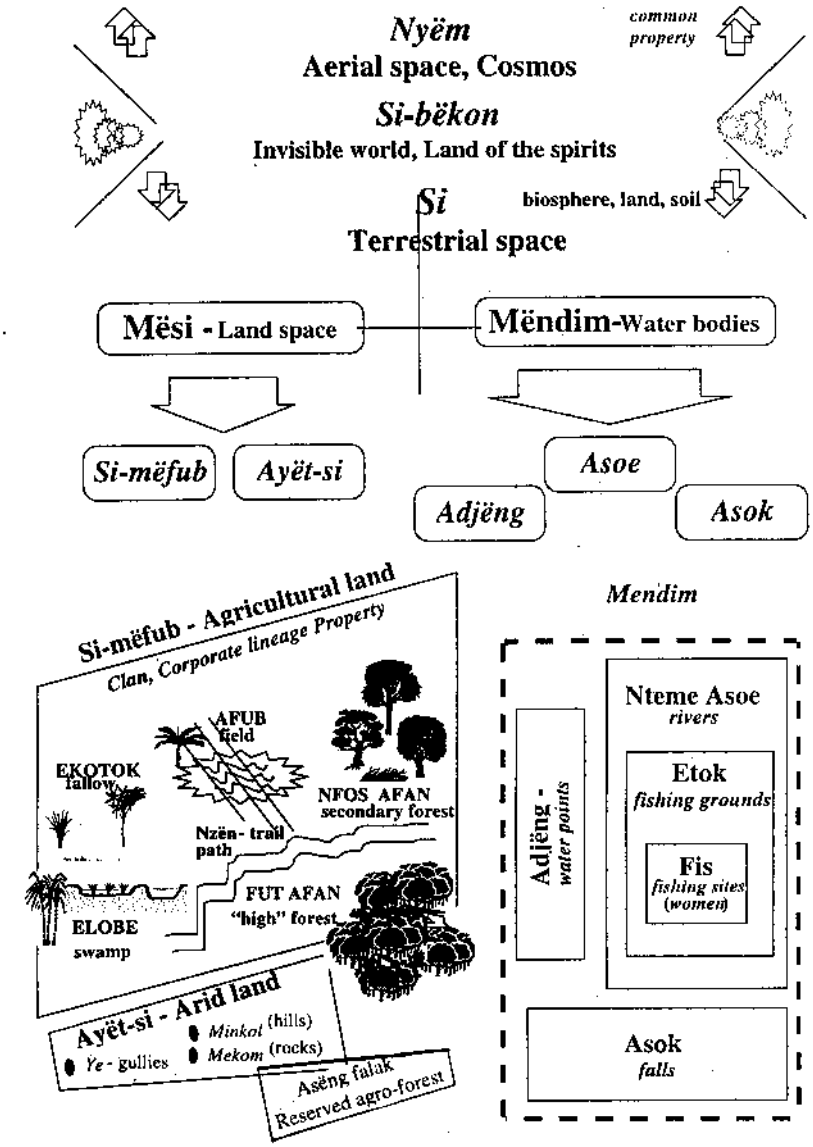


Figure 4: Social representation of space. A Bulu reference.

In order to understand the interweaving of access, use and succession rights and their significance in the context of the humid forest, we will now look at the specific land uses and land rights associated with different segments of the landscape. A critical distinction will be made between land as an infrastructural base and the activities and resources – mobile and fixed – that they support, as these latter do not necessarily have the same tenure status as the land base on which they are exercised or located.

Si-mëfub, the agricultural space

Mësi, the land space, has two components: *si-mëfub*, agricultural land, and *ayët-si*, which refers to all the land spaces not available for agricultural use. *Ayët-si* includes arid or exhausted land, as well as usable but inaccessible land such as rocky (*mekom*) and hilly (*minkol*) areas. The *ayët-si* is a zone of open access and might include remote forest hills.

Si mëfub, the agricultural space, covers a variety of land uses, including agricultural fields (*afub*), swamps and marshes (*elobe*), fallow fields (*ekotok*) and forest areas (*afan*). There is a range of agricultural fields, corresponding to different phases of the shifting cultivation cycle: *esëp* fields, marking the opening of the forest, mixed food crop fields (mainly under the operational control of women), cocoa plantations and orchards, etc. A common characteristic of all these field types is that they belong to an area of direct individual control, usually under the overall supervision of the *nda bot*. As has already been noted, land is always ultimately the property of the corporate lineage, but the individual exerts exclusive rights of usufruct over a portion of land that he has cleared or that was cleared for her by her husband. This was the case in almost all the areas we surveyed. Only in one case was there an instance of the successful expropriation of lineage land by an individual reported in our sample. As recognised in the literature (see e.g. Short, 1994), there is a striking stability in the tenure system of Southern Cameroon, and this is reflected in the stable position of individual rights within the collective property rights.

The position of a fallow field – *ekotog* – within this configuration of rights is very similar to that of a crop field, because of the fact that the *ekotok* is an integral part of the cropping cycle. During the cycle, there is a recognition of a woman's priority use right over a field that has been turned into an *ekotok*. There would be recognition that the cutting of the trees, which represents the greatest labour investment on that piece of land, had been done by her husband or her father and

that she gained subsequent access rights through that transformation.

The difference between the European and Bëti-Bulu-Kwasi'o conceptions of fallow is a potential source of confusion. Firstly, there are two types of *ekotok*, corresponding respectively to a 'young fallow' of 3-4 years, *nfefe ekotok*, and an older fallow of 5-10 years, *ntiane ekotok*. More importantly, *ekotok* refers only to a fallow field that can be readily transformed into a crop field and does not, therefore, include fields left fallow for long periods (in general, more than 10 years old). Such old fields belong conceptually to *Nfos afan*, the secondary forest.

From the standpoint of forest agriculturists, these two main categories of fallow fields need to be treated separately, along with the spatial-agricultural domains to which they actually belong.

Marshy lands (*elobe*) are another class governed by a regime of exclusive individual control based on corporate lineage property.[7] Swamps are 'owned' in the sense of falling under individual control, as does any other agricultural land, through the right of first occupancy. Whoever works first in a marsh becomes its manager and is entitled to grant or refuse access rights to other members of the community. This happens, for instance, when community members (and sometimes strangers) want to collect raffia palm wine or raffia branches for house building. The principle of common property access to *elobe* land thus applies only to selected natural resources and is subject to the primacy of *nda bot*/individual rights over the land. Shared occupancy of these swampy lowlands is also frequent and is based on a principle according to which each of the occupants is the 'owner' of the swamp area adjacent to his/her agricultural field. With the development of fish farms and food crops in 'swamp fields' (*asan*) in recent years, there is a potential area of friction and conflict, as these new opportunities can lead to attempts to impose the primacy of the axe right, through actual development of the swamps, over the principle of first occupancy of adjacent *afub* land. Disputes, generally between opposing members of the same *nda bot*, have been reported to us in several villages (all of them presently pending and unresolved).

The fact that the forest, *afan*, and its components are conceived as being part of

[7] This has important implications for forestry reform in Cameroon, the new law being based on an administrative distinction of doubtful validity between two distinct types of space – 'forest' and 'agricultural land' (see Diaw *et al*, 1997:15).

mësi, is an indication of the centrality of swidden agriculture in the cultural perceptions of the ecosystems. *Afan* is basically divided into *fut afan*, the *'high forest'*, which includes at least the primary forest (*ngun afan*) and spaced out undergrowth (*nyobo afan*), and *nfos afan*, the secondary forest, which generally includes nearby forests (*ewom afan*). All the other concepts of forests can fall under either of these two categories according to one key criterion: has the forest ever been 'worked' within the collective memory? If the answer is negative, then the land is governed by an open access regime which in most places is increasingly limited to members of the territorial community (village or village group). In such an instance, it represents a common pool resource for the different corporate lineages belonging to that community. As a portion of long fallow returned to forest, the secondary forest, *nfos afan*, is the collective property of the corporate lineage. Its transformation into agricultural land is open to all members of the lineage (though not to strangers or members of another lineage) but no one can claim exclusive farming rights over it (short of going through the whole clearing and planting sequence once again). Such an area of *nfos afan* can thus be regarded as a portion of very long fallow returned to forest, governed by common access under the rules of collective lineage property.

Roads and trails, *nzën*, are another area of open access. They are ruled by a right of free passage, save in exceptional circumstances. Their use is open to anyone, strangers and community members alike. This is also true of *akang* (sing. *okang*, meaning 'intervals'), which designate the portion of forest (*bosquet*, grove) separating two plantations or villages. Traps are often set in such areas (Tsala, 1989).

Mendim, the aquatic space

Water bodies have a peculiar status with regard to resource control. *Mendim*, the aquatic space, is based on two subdivisions: *asoe*, bodies of running water, and *andjëng*, which are water points, wells and small-size lakes. *Andjëng* are based upon an open access principle, and general uses such as bathing, washing, drawing of water, crossing and navigation are totally unrestricted.

Asoe (rivers and streams) are governed by four distinct property regimes. Major rivers such as the Nyong, Ntem, Sanaga, Lokundje, Kienke and Lobe are generally open access domains, beyond the bounds of control of a single community. This is also true of the most important tributaries such as the Mvila (Ntem) or the So'o (Nyong), and of numerous smaller rivers as well.

The second type of property regime pertaining to the hundreds of streams and rivers found in the forests of Southern Cameroon, is open access restricted to community members. Similarly to the *fut afan*, this is a case of a common pool resource restricted to a territorially-based group of lineages.

The third type of regime is collective lineage ownership. In general, this is the result of an ancestral division of a territory between a number of *menda mëbot* descending from a common ancestor. In such cases, access is limited to and con-trolled by families of the corporate lineage owning the portion of river in question.

The fourth tenure regime concerns only one type of fishing method, the *alook,* an exclusively female-operated system, the boundaries of which are defined by a *fis*, a collection of branches and rocks symbolising first occupancy. The *fis* is established in a fertile fishing ground (*etok*) with the purpose of creating an artificial habitat for the fish that will later be the target of a particular form of dam fishing. It is through this process that a *fis* right similar to the axe right is established. Within one stretch of a river there may be several *fis*, belonging to different women. But this notion of ownership is relative and corresponds to a 'second order' right since the *fis* is in fact the collective property of the *nda bot*. The female 'owner' just exercises this right through exclusive access, exclusive management control and exclusive rights over the product of her fishing. These rights, as we have seen, do not extend to succession rights.

The special status of 'above-ground' resources and activities

This overall configuration of property rights across the landscape has practical implications for different types of productive activities and the actual patterns of land use. Being confined to *si-mëfub*, within clearly delineated boundaries, the status of all the agricultural activities, including fish farming, is intimately linked to the tenure status of the land on which they are to be undertaken. This is also true of female dam fishing which, in terms of resource status, features the same characteristics as aquaculture and agriculture. This is not the case for other forms of fishing, nor for hunting or the gathering of non-timber forest products. These belong to a different natural universe as far as the possibility of permanent or sustained embodiment of labour into the resource is concerned. The case of fisheries has already demonstrated that this possibility is the key discriminating factor between *resources-as-means* and *resources-as-objects* in the production process (Diaw, 1983). Fishing, hunting and gathering in the forest, generally fall within the

second category. For the first two of these activities, an additional factor is introduced by the mobility of the resource, which makes its acquisition possible only through capture, hence its essential character as a common property resource. Given the sophistication of these rights of ownership and use, their incorporation into the institutional design of any future forest tenure systems would seem highly desirable.

Regardless of the status of the land base, hunting (*nsom*) is an activity open to all members of the community. Wildlife is thus governed by a common property regime, and individual acquisition is possible only through capture. Trapping is unrestricted everywhere, except for agricultural fields, where its status is tied to the exclusive status of the land. People are free to put their traps at a reasonable distance from someone else's *afub*. Projectile-based hunting methods, such as rifle hunting with dogs (*ëbwasa*) or without dogs (*nsom ngal*), are open to everyone, provided that public safety is assured.

The same general principles apply to fishing. As with wildlife, fish are basically governed by the rule of capture, except for the case of *alook* fishing where women's *fis* rights are even stronger than the axe right in *si-mëfub*. This is because the *fis* establishes a right of the *nda bot* over the relevant stretch of a river that remains permanent even after physical traces of the *fis* are gone.

As a general rule, gathering of forest products is permitted in the *fut afan* (open or restricted open access), but is restricted to the collective land owners (e.g. lineage members) in the *nfos afan* (common property), and limited to exclusive rights users, *nda bot* or individuals, in fallows or in cocoa plantations. In all the interviews conducted, however, these rights were primarily expressed in relation to the species concerned and only secondarily to their place in the landscape. Several products can be subjected to individual tree-ownership. This is the case with *ndo'o* (bush mango, *Irvingia gabonensis*), *esigang (Guiboutia tesmanii), oveng (Guiboutia demeussi)*, *adjap* (moabi, *Baillonella toxisperma*) and *njansang* (*Ricinodendron heudelotii*), which are increasingly planted in individual plantations. Other tree species, such as *mvut* (*Trichoscypha acuminata*) and *tom (Pachypodanthium staudtii),* which are not usually planted, have to be conserved during clearing in order to gain exclusive control. Some products, implicitly considered as social goods for their medicinal value, cannot be appropriated exclusively. Such is the case, almost everywhere,

with *esok* (*Garcinia lucida*).[8] *Esok* is an antidote to a whole range of poisons and is thus vital to social interaction in societies where the sharing of drinks and the fear of poisoning are both widespread. It is often found in inaccessible areas of the *ayët-si*. Whatever the area, however, its open access status, even to strangers, is generally recognised.

Conclusion

This paper has sought to establish the principles of land use, access and succession rights prevailing among the forest peoples of Southern Cameroon and the Sanaga-Ntem historical region. It has underlined the vital relationships linking the tenure system to the history and migrations of those peoples and to cultural principles grounded in blood rights and a conception of human rights based on the transformation of human labour. This particular combination of history, culture and philosophy constitutes the cement of tenure rights in the Sanaga-Ntem forest complex and highlights the policy hazard represented by the dissociation of the agricultural cycles inherent to the slash-and-burn systems with management issues related to the forest and other segments of the landscape. It also explains the extraordinary vitality of the traditional system despite the introduction of the authority of the nation-state, at least as a token authority on all national lands. To our knowlege, this is the first attempt to reduce the complexity of the tenure system and related social institutions in the forest to their essential working principles.

The theoretical and practical implications of these findings, in relation to technological change, natural resource management and devolution in the context of the humid forest, may well be considerable. The overall coherence of the tenure system and its relationship to other aspects of the social system demonstrates its rationality and explains its resilience. There may be instances which diverge from the general principles of application developed here. Some of these elements of change have been hinted at in this paper and they will be further developed elsewhere.

What is evident, above all, is the fact that the tenure system of the Bulu, Bëti, Kwasi'o and other affiliated peoples of the forest exhibits a considerable capacity

[8] We acknowledge the help of N. Tchamou and O. Ndoye in identifying the scientific names of these species.

to mutate while preserving its generic principles. This is a characteristic of resilient institutions. The capacity to contain social change within the boundaries of a set of fundamental principles confirms the robustness of those institutions and their validity as vehicles of social reproduction. This is a critical point to remember in the light of the spirit of reform which nowadays marks out the dominant approaches to forestry conservation and agricultural development in the tropical forests of Africa. As an example, the identification of the relevant institutions to which should be devolved the community forests currently being created in Cameroon, constitutes one of the major stumbling blocks in the implementation of that country's new (1994) forestry law. In the on-going discussions, there is great temptation to bypass traditional institutions in favour of 'legal entities'. In any case, it should be kept in mind that the rationality and dynamics of the social institutions described in this paper make them very resilient, and that their enduring qualities will certainly need to be taken into account to ensure the success of any proposals for change.

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