



"Nguèré": Local Mining Exploitation Among the Gbaya and Kako of Eastern Cameroon: Land Dynamics and Power Relations

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Abstract:

The Eastern region of Cameroon, rich in geological resources, is a key area for extensive mining activities that bring both benefits and challenges, including land pressure and the strain on soil and water preservation. Land and water are central to agricultural, pastoral, and food production activities. This article seeks to examine the current state of local mining exploitation in the Batouri and Bétaré-Oya districts of Eastern Cameroon, focusing on the relationships between direct and indirect mining actors. To achieve this, we conducted documentary research, group discussions, in-depth and semi-structured interviews, and direct observations. The collected data was analyzed using functional content analysis to identify congruences and discrepancies between regulatory texts and the on-the-ground economic and social practices. The analysis revealed that, first, large-scale miners often exploit land due to a combination of institutional oversight failure and power relations that prioritize financial interests over justice. Second, small-scale miners, opportunistic actors, and auxiliary workers infiltrate the sector for substantial gains, as long as their actions do not lead to conflict. Third, local populations benefit from position-based capital that enables them to adapt, thereby defining a lived space that is both a "re-communitarization" and a progressive de-statization of land management.

Keywords: Mining exploitation – Land – Conflict – Eastern Cameroon

I. Introduction:

Physiocrats believed that nature dictates the type of development a group of individuals can

undertake. The Eastern region, the largest in Cameroon, spans 108,940 km² and is characterized by dense forests and abundant waterways. Its faunal, floral, hydrological, and edaphic wealth has supported age-old activities like agriculture, fishing, hunting, livestock farming, and gathering. However, activities like mining, which serve as a much faster social elevator than traditional occupations or education, have become a boon for populations in precarious conditions. To understand the development of this social flourishing, a qualitative methodology is essential for describing the current state of local mining activity. This includes both diachronic and synchronic descriptions of mining systems and practices. Additionally, the relationship between artisanal mining and semi-industrial mining must be explored, as they interrelate in the local context. Furthermore, an investigation into land tenure acquisition is essential for understanding the significance of mining activities. The concept of "nguèré" and the conflicts it generates are also central to this exploration. The following presentation of findings will discuss functional dynamics and the "re-communitarization" of populations in the face of these challenges.

II. Methodology:

The methodology of this article is qualitative, following an inductive, descriptive, and interpretative approach to depict local mining exploitation, its characteristics, components, and variations. This approach aims to explain and assess the meaning of mining exploitation (Thorne, 2008). Both documentary and field research were conducted. The thematic research focused on solid mining, land, and local resource management.



Fieldwork involved in-depth interviews with direct stakeholders such as miners, NGO leaders, and Decentralized Territorial Community (DTC) administrators, as well as semi-structured interviews with indirect stakeholders like community leaders. The local population played a crucial role in group discussions. Additionally, direct observations were made at mining extraction and processing sites in the Bétaré-Oya and Batouri areas, which have hosted intense artisanal and semi-mechanized mining activities for several decades. The data collected was analyzed using content analysis, which helped categorize and structure the power relations between mining exploitation and land access in Eastern Cameroon.

1. Solid Mining Exploitation in Eastern Cameroon

Mining in the Eastern region of Cameroon is an ancient activity practiced by the *Kako and Gbaya* communities since the colonial period. Though initially marginal, this activity evolved during the German and later French colonial periods and was further liberalized after Cameroon's independence in 2007, which saw a surge in both legal and illegal mining concessions. For the local communities of Batouri and Bétaré-Oya, mining activities have shaped their way of life and are deeply ingrained in cultural practices. Reports from the 1960s show the region's abundant natural resources, with the majority of the forested area constituting national reserves. The exploitation of forest products was the main industrial activity for a long time, with forestry companies of French, Italian, and Lebanese origin playing a key role. Mining, however, was initially restricted by the colonizers, preventing local communities from engaging in the activity. After independence, the sector was liberalized, allowing local communities to participate, albeit with limited success. Today, artisanal mining accounts for about 66% of the population in mining areas like Batouri and Bétaré-Oya, where it is widespread and typically practiced along watercourses. Mining plays a crucial role in the local economy, providing rural populations with more diversified income opportunities. However, artisanal gold mining is often clandestine and informal, which creates significant gaps in understanding the associated risks, particularly in terms of health, lifestyle, socioeconomic systems, and cultural impacts (Mokam, Aurelie, & Tsimak, 2016).

Despite agriculture, fishing, hunting, and gathering being the primary occupations of the *Kako and Gbaya*, mining has become a generational

activity. Over time, mining has overtaken other traditional activities as the dominant one. As one religious leader in Bétaré-Oya explained:

"Before mining was discovered, agriculture, livestock, and fishing were the main activities, but once mining was discovered, everyone shifted their focus to it. It became the main activity, even though people used to juggle agriculture, livestock, hunting, and mining in the past. However, over time, people realized that gold brought more hope, and everyone got involved in it. Initially, gold was not the main activity, but now it has overtaken agriculture and hunting." (Interview with a religious authority in Bétaré-Oya, March 14, 2024).

In the community's view, gold is a cultural treasure handed down by ancestors to local communities. Mining activities are essential in regulating cultural norms and values through adaptive mechanisms. The culture of mining in local communities has become a social norm. A child is considered an adult when they can already go down into a mining pit or are able to find gold. Thus, mining work becomes a legacy passed down through generations. Although mining techniques have evolved over time, particularly with mechanization that reduces the physical strain, it remains deeply rooted in the culture. As a result, it is common to find members of different families working together at mining sites. In daily practice, mining is the quickest way to build a life without attending school. In the past, mining activities were centered around placer gold along rivers and watercourses. For some parents, it also became a way to quickly escape family responsibilities. This community logic has contributed to changing cultural values such as the sacredness of land and the prohibition of selling land spaces. It has also introduced new family values, such as the transmission of knowledge and the involvement of the whole family in mining practices.

Mining has led to an influx of people from other regions of Eastern Cameroon into mining areas, as well as from other parts of the country. This community mixing observed in mining zones has contributed to the establishment of a new habitus of mining culture. Indeed, mining has integrated as a major aspect of the culture in places like Batouri and Bétaré-Oya. For local communities, going to school seems pointless if the goal of education is to get a job that brings money. Therefore, it is necessary for them to start searching for money through mining. This has led to some school dropout rates. Mining in the Eastern region of Cameroon has been practiced for several decades



and has attracted various community movements. It continues to generate interest from local and foreign communities, including expatriates. This mobilization of different communities has led to land pressures between local communities and others. Access to land, in the context of mining, remains a major challenge for all populations in Batouri and Bétaré-Oya.

III. Land Ownership

Mining activities require access to land where they can be carried out. In the context of mining, this activity has continually raised land ownership issues, particularly in the coexistence between institutional laws and customary norms. These issues call for the recognition, respect, and protection of the legitimate land rights of local communities. There is also a dual relationship in land ownership: on the one hand, the separation of rights to the land and the subsoil resources, and on the other, the strong links between the two, which employ broader definitions of land¹.

2.1. Access to Land for Local Communities in Mining Activities

In the Eastern region of Cameroon, land ownership is based on several forms of rights. The recognition of rights over a space begins when the land is cleared, cleaned, inhabited, and cultivated by a third party. The foundations of land ownership vary from one clan or lineage to another, though all confer property rights. There is genealogical ownership, based on the rights of the first occupants of a space; then there is inheritance ownership, acquired through succession rights; and finally, ownership based on alliances through pacts and agreements made between the first occupants and migrating communities.

For the *Kako and Gbaya* communities, mining activities traditionally took place along rivers, which are recognized as community spaces where collective rights are exercised. Mining in these communities is a collective activity, carried out by the entire community. The spaces used for mining also fall under collective land ownership, regulated by community norms. Access to mining

spaces did not require formal consent. For the community, the presence of an active mining site grants access to all members, though rules must be respected, such as not working in another person's "hole" or mining plot without their consent. Some members grouped together to make the work less strenuous and to share experiences, allowing them to detect gold more easily and apply the appropriate techniques for searching for the precious metal. Just as spaces are considered communal property, the resources within them are also seen as belonging to the entire community. Therefore, being part of the community grants the right to access land for mining activities. These communities were characterized by both mechanical and organic solidarity, sharing the same values, with a strong collective consciousness and complementarity in members' activities.

Although land is a collective property, it is still managed by families, with the head of the family serving as the guarantor of access to land for members of the lineage. Mining activities remain largely communal, even though they have become more focused on familial or financial interests. With the introduction of machinery in the area, work that once took weeks or months to complete is now done in a single day, but this still follows the community logic. Access to land for mining activities remains collective, although individual financial interests are increasingly shaping the dynamics. The main goal that unites the members of a community is no longer communal benefit, but rather the pursuit of profit. However, the presence of foreign miners, both from other regions of Cameroon and expatriates, has led to land disputes for control of mining spaces. Foreign miners, who invest significant material and financial resources to acquire land, create competition with local populations for access to mining areas. To respond to this situation, local communities, like the *Kako and Gbaya*, organize into groups such as Community Initiative Groups (GICs) or associations to compete with the large investments made to control land. This approach allows them to access land for mining and secure the necessary tools for mining activities. Access to land for exploration and mining is becoming increasingly difficult due to the presence of foreign entrepreneurs, especially Chinese investors, who put substantial amounts of money into acquiring land in the Batouri and Bétaré-Oya areas. Despite their efforts to cope with the growing land pressure, conflicts over land control persist. The presence of these other communities disrupts the traditional norms of land acquisition and management

¹ Abbi Buxton, Brendan Schwartz, and Lorenzo Cotula, October 2021. Land Rights in Large-Scale and Artisanal Mining. Implications of the Voluntary Guidelines for Land Governance, Legal Brief 5. FAO, International Institute for Environment and Development, UN Environment Programme.



established by the *Kako and Gbaya* for controlling their land spaces.

2.2. Land Appropriation by Mining Operators

Mining activities in Cameroon have been growing rapidly in recent years, especially with the liberalization of the mining sector, which has become an alternative for emerging or developing countries. Foreign companies, primarily from Asian countries such as China, have been setting up operations in the Eastern region of Cameroon, which has significant mining potential. In 2017, over 1,090 new mining exploitation permits were issued in the Eastern region alone. However, mining activities in this region are still chaotic, with violations of current laws (such as the mining code, forest law, environmental law, etc.) and the negative consequences of mining, including land disputes (Tchindjang et al., 2015). In the case of Bétaré-Oya, mining, which was once a community activity, is now undergoing major changes. Following the "gold preservation" operation launched by the Ministry of Mines in 2007, in anticipation of the filling of the Lom-Pangar hydroelectric dam (Voundi, Mbevo, & Essigue Emossi, 2019), foreign companies and individuals became heavily involved in mining activities. New companies involved in mining now require land for their operations. According to the mining code, artisanal mining permits are only granted to individuals who are Cameroonian citizens². However, non-Cameroonians are still involved in artisanal mining, often using permits acquired through intermediaries. In the land acquisition process, mining operators subcontract to gain easier access to land ownership. They use intermediaries, who may be local communities or populations from neighboring regions or outside the Eastern region. This practice of land appropriation is common in Batouri and Bétaré-Oya. Although the authorities are aware of this situation, it persists, as the forces of money dominate. It is common for some mining operators to use a permit from one site on another. However, the exploitation of land continues. According to the law of the Mining Code³, a mining permit is granted

² Article 20. - (1) the practice of artisanal mining is reserved solely for individuals of Cameroonian nationality. It is subject to obtaining an individual artisanal miner's card and an artisanal mining authorization.

³ Article 23. - (1) The area to which an artisanal mining authorization is granted takes the form of a

for a well-defined area and cannot be substituted for another area for exploitation. However, mining operators do not always comply with the regulations in place and often operate clandestinely, leading to frequent conflicts with local communities over land appropriation in the towns of Bétaré-oya and Batouri.

There is significant opacity in accessing and managing land in mining areas. Mining operators do not follow the normal process of land acquisition within the community, which requires the involvement of all stakeholders, as stipulated by the Mining Code⁴. They often take advantage of the naivety and impoverishment of local communities to appropriate land with the approval of certain community leaders, but without the consent of the entire community. In many cases in Batouri and Bétaré-oya, mining operators use intermediaries to approach communities and request mining spaces, often in areas where the communities themselves have already been mining. The spaces that are ceded are later disputed by the communities, who are often only compensated with small amounts of food and drinks, yet continue to live in recurring poverty. However, according to the Mining Code⁵, the goal of these operators should be to set up community project agreements aimed at improving the living conditions of local populations. Access to land by mining operators in the East-Cameroon region is granted over large tracts of land for semi-industrial

quadrilateral equivalent to a surface area of one (01) hectare, with each side not exceeding 100 meters in length.

⁴ Article 133.- (2) The proceeds from surface royalties, domain concession rights, the ad valorem tax, and the extraction tax are distributed between the public treasury, the administration in charge of mining, the duly authorized public body, municipalities, the administration in charge of domain, the tax administration, the funds provided for by this law, and the neighboring populations, if applicable.

⁵ Article 121. - The development of mining resources and industrial quarries includes a "Local Content" section that specifies the impacts of the mining and quarry projects, particularly on the economic, social, cultural, industrial, and technological development of Cameroon.



exploitation. Although this mode of land appropriation sometimes complies with institutional law, it significantly impacts customary land ownership. Under the land regime⁶, the state holds primacy over all national domain lands. Given the interest that foreign investors have shown in mineral resources over the years, the government grants land concessions to mining operators. These land concessions follow regulations under the land regime, which considers the protection of customary land rights, such as the right to food, housing, and the rights of indigenous peoples to their ancestral lands.

In the village of Boukaro/Kambélé, Batouri, a land concession for mining exploitation was granted covering the entire village. The mining activity in this area initially took place along rivers and watercourses. Later, this activity expanded to the old community mining spaces. Years later, the presence of additional mining operators required more land for mining activities, leading to the displacement of the entire Kambélé 3 village, where a semi-mechanized mining operation was set up.

The methods of accessing land for mining operators in the East-Cameroon region are both formal, through the relevant authorities, and informal, via community intermediaries. The state, as the guarantor of land ownership and management, has institutional provisions in the land regime⁷ to respect customary property rights.

⁶ Article 14. - Lands that, as of the effective date of this order, are not classified in the public or private domain of the State or other legal entities of public law shall automatically constitute national domain. Lands subject to a property right, as defined in Article 2 above, are not included in the national domain.

In case of forfeiture as provided in Articles 4 and 5 of this order, or failure to complete the procedure mentioned in Article 6, the land is automatically incorporated into the national domain.

⁷ Article 17. The dependencies of the national domain are allocated through concession, lease, or allocation under conditions determined by decree.

However, customary communities, their members, or any other Cameroonian nationals who, on the date of entry into force of this order, peacefully occupy or exploit dependencies of the first category as provided in Article 15, will continue to occupy or exploit them. Upon request, they may obtain property titles for these areas in accordance with the provisions of the decree provided in Article 7.

However, in practice, these provisions are often ignored by mining operators. In the appropriation of land spaces, many controversies and dysfunctions arise, especially concerning the respect for the land property rights of local communities. The methods of accessing land differ from one actor to another, with competing interests that create a conflictive situation. The practice of mining requires rational management of land spaces between local communities and external operators.

2.3. Mining and Land Management

Mining in the East-Cameroon region raises the issue of land management by the various actors involved in the mining activity. This activity is practiced differently depending on the actor involved. For local communities, the practice is artisanal, and the spaces used are not vast. On the other hand, external operators, with semi-industrial methods, require much larger land areas. Mining in the Batouri and Bétaré-oya localities thus highlights two types of exploitation: artisanal mining by local communities and semi-mechanized mining by expatriate operators. These activities take place differently depending on the methods employed by each actor.

As mentioned earlier, mining in the *Kako and Gbaya* communities has been carried out in an artisanal manner since the colonial period. Initially, it was done along rivers and streams, where sand or alluvium was gathered to extract gold. The tools used were rudimentary, consisting of shovels, picks, buckets, or basins, and "*the abatte*"⁸. The principle of exploitation was to position oneself near the river, dig up sand, put it into a sack or container, and wash it with water to separate the larger minerals. These minerals were then placed in a

In compliance with applicable regulations, they are also recognized with hunting and gathering rights on the dependencies of the second category as provided in Article 15, as long as the State has not assigned a specific purpose to these lands.

⁸ It is an object made from a wooden plank with three sides in the form of a trench where "mats" are laid out to collect a mixture of minerals containing gold powder, which will then be washed in a container with a mixture of water, detergent, and mercury to extract the metal.



container with water, detergent, and mercury to extract the gold. Over time, mining shifted to digging holes on the sides of hills. Communities gathered to dig underground holes to extract rocks containing gold dust, which were then placed in bags. These rocks were crushed with locally-made machines to obtain powder, which was then dried and taken to a watercourse for washing and gold extraction. When the mining site was far from a watercourse, communities built cement basins to wash the mixture of earth and crushed rocks.

As for semi-mechanized mining, it is carried out by external operators, who are usually not members of the community. Although some are often holders of mining permits used by expatriate mining operators. Mining sites are acquired by community members or elites, who then collaborate with external individuals or entities. According to the Mining Code, only individuals of Cameroonian nationality are allowed to hold permits for artisanal or semi-industrial mining. If they fail to obtain permits from the relevant state authorities, some operators partner with those who already hold such permits, using these individuals as intermediaries in acquiring land for mining. In practice, expatriate operators use machines to devastate large expanses of land. It should be noted that these operators do not conduct surveys or site exploration to search for gold. They settle on sites already mined by local communities and later appropriate the land, either through state entities or traditional authorities.

3. “Nguèrè” and Land Conflicts

The practice of artisanal mining by local communities typically takes place on smaller areas of land. However, with the arrival of external operators, the land areas required become much larger, significantly impacting local communities' lands. Mining activities in Batouri and Bétaré-oya reveal the conflicts between various actors with different interests. On one side are the local communities, for whom land is a customary asset that allows them to engage in agriculture and artisanal mining. On the other side are mining operators, some of whom are from the local community but most are from external regions or foreign countries. Land appropriation by mining operators and the use of this land for mining activities often disregard the agricultural spaces of local communities, leading to collateral damage for these communities. The method of land appropriation and the mining activity that follows are major causes of conflicts in East Cameroon between local populations and foreign operators. These conflicts revolve around control of land and

access to mining zones. Agricultural activities of local communities are often disrupted by mining, forcing them to move towards mining sites, sometimes under the control of security forces, which makes access difficult. The refusal of semi-industrial mining operators to allow local populations to practice “*nguèrè*” – a local practice where communities access residues from semi-modern mining for re-washing with mercury and cyanide to extract gold – further exacerbates these conflicts. It is much easier for the *Kako and Gbaya* communities to engage in “*nguèrè*” at abandoned sites, which are usually not rehabilitated, despite the environmental risks of water turbidity and sediment load. Thus, on one hand, there are “powerful” actors who exercise influence in land decisions due to their rights, authority, and legitimacy, and on the other hand, there are “ordinary” actors who have little room to maneuver within the land system⁹. There are two levels of land regulation in the African context: the customary and the private systems, with the latter increasingly dominating the former. In Cameroon, land regulation presents a diversity of systems due to the emergence of a land market, where different power dynamics clash between the resurgence of customary cultures and administration. The management of land by state institutions, which is completely out of sync with community-based management practices, creates land insecurity and a dual system of land management where land is considered both a communal asset and a private production factor¹⁰. The term “community,” in the context of customary land law, refers to a social and spatial unit, which could be a tribe, ethnic group, village, or even a group of hunters and gatherers. In most cases, the operational unit is at the local level, often the village. Territorial concerns typically only emerge when community members collectively recognize

⁹ Gret – IRD – LAJP – Local Land Regulation Systems.

Local land regulation systems: empirical description and initial analysis.

¹⁰ André TEYSSIER, 2003; Land regulation in Cameroon, between community regimes and citizen aspirations. Proceedings of the international conference, February 25-27, 2003, Montpellier.



the threats to their land. The community's land is seen as an area where they exercise control, regulate rights to land and resources, and defend those rights (Liz Alden, , 2012).

The environment of commodification and land expropriation within local communities fosters a context of agrarian capitalism by wealthy minorities, under the control of state institutions, private businesses, and foreign interests, to the detriment of the local communities. Processes of land appropriation, although violating legal provisions, have turned land into a market commodity, leading to the fragmentation of kinship networks and the impoverishment of local communities. Land is often seized by "land oligarchs" with the complacency of administrative mismanagement, leading to the violation of rights, arbitrary expropriations, and opaque exploitation of natural resources. It is therefore not surprising that a sense of injustice and exclusion prevails among the "landless" populations (Balla Ndegue, 2019).

The dynamics of land appropriation in the context of mining exploitation in East-Cameroon continue to oscillate between traditional norms and institutional norms. Traditional land management relies on customary rules and institutions, which, although varying across different socio-cultures, share common elements promoting a collective view of land. The introduction of colonial land law in East-Cameroon established a dual system of coexistence between these two systems, which are in constant competition. These contradictions, perpetuated by successive land laws, have allowed land-based investments, such as mining, to take hold and led to critical land saturation in the Batouri and Bétaré-oya localities. Many external actors, primarily investors, benefit from an aggressive land policy designed to attract foreign capital and are settling on lands that local communities claim as their customary property. A peaceful governance of land in East-Cameroon would require the restoration of customary land rights to ensure the recognition and protection of the rights of local communities, such as the *Kako and Gbaya*. In the East-Cameroon region, local communities continue to show a willingness to adapt to the different reforms of modern norms, aiming to reconcile their way of life with the present social and institutional dynamics. Although these local communities demonstrate a desire to maintain homeostasis, the risk of land vulnerability is increasingly present. In order to reconcile traditional and modern methods, a new dynamic of customary land appropriation and land management has emerged in response to

mining exploitation in the *Kako and Gbaya* communities.

IV. Discussion

4. Dynamics of Land Appropriation Methods

The various transformations of the land landscape in East-Cameroon are the result of institutional reforms that have been in place since the colonial period and continue to affect land appropriation. These reforms have led to profound upheavals in land use by introducing the concepts of registration and individual property. In both villages and towns, local communities have transitioned from collective ownership and shared responsibility over land under customary law to gradual dispossession in favor of the state (Nguiffo, Kenfack, & Mballa, 2009). Although modern law takes precedence over customary norms, the fundamental principles of endogenous organizational and management systems still exist within the *Kako and Gbaya* communities. This leads to a dual relationship with land. On one hand, in the customary land system, land is considered a collective indivisible asset, which according to Chauveau (1998) is: "*the common coherence and general order that emerges from the provisions governing access to land and its use.*" On the other hand, in the positive law system, land is an alienable property and a means of production.

In the dynamics of the norms and practices governing an endogenous system, the *Kako and Gbaya* communities have set up land regulation processes to reconcile tradition and modernity. This land appropriation dynamic aims to reduce the vulnerability of local communities in the face of the ongoing changes and transformations in the land landscape in East-Cameroon. The traditional land practices of local communities show an openness to an endogenous system, although embedded within larger social relations, products of history and conquests. Thus, the endogenous model of land space management presents a new form of regulation different from formal property norms.

The configuration of land organization and management systems in the East-Cameroon region depends on land occupancy patterns. There is a distinction made in land management based on the type of activity practiced and the representations of the space. The hierarchy between the symbolism associated with certain spaces and their uses, and the territorial representations attached to social control methods over productive activities, means it is not surprising that the status of a piece of land is not reduced, as in the case of reform, to the mere



representations linked to parcels and specific uses (Antang Y., 2017).

The first endogenous management model is the coherence of norms and a typology of different property rights. Traditional land norms have undergone a series of codification rules since the colonial era, which have been imposed on the communities of East-Cameroon. However, these rights are tied to broad normative principles within which various rights with *constitutional* value are expressed within the customary system. This customary system is based on a set of rights, including: genealogical rights derived from "*axe rights*" and the first occupier; productive rights acquired through human labor incorporated into the resource; and inheritance and succession rights ensuring the continuity of collective rights through individuals (Diaw C., 1997). There is also a transitional system for those who are not from the socio-cultural group, granting access to productive rights through genealogical rights. It is a mechanism for regulating access to land and resource management, guaranteed by institutions within family councils, village councils, and inter-village councils.

In East-Cameroon, the social representations of land result from a material and cultural organization. It is a process in which social actors cyclically and non-accidentally shape an ecology of environments, depending on the reproduction of social and economic means of production and cultural markers that confirm the operational sharing of segments of the territory. Each land segment corresponds to a precise mode of organization and management, and each type of organization is attached to a unit of land space development. The different community activities are integrated into spaces that encompass the quality of the activity. There are no defined boundaries as activities have variable configurations. However, they are structured by topocentric representations, such as: distance from the village, rivers, wetlands, clearings, large trees used as landmarks, and proximity to neighboring villages. The partial overlap of spaces linked to the complementarity of activities such as hunting, fishing, and gathering creates familiarity and an easily identifiable zone of influence (Marie & Karsenty, 1998).

Community land tenure is represented in four aspects, which are the endogenous management modes: the village (Djà / Sayè), fallow land (Mboutou ngòràn / Ino tè oma té), secondary forest (Kombo / Ngasà), and virgin forest (Jùngù

kombo / Toukà ngasà)¹¹. These different spaces are local variations representing the local theory of property and land rights. This local theory is based on a topocentric conception of space, which is the principle of allocating spaces for specific uses, recognizing rights over both space and resources. These spaces remain the environments that frame knowledge and reference, from which the *Kako and Gbaya* organize space, manage resources, and transmit land ownership. In East-Cameroon, a set of property rights over land is confined within family spaces. They produce methods of access to different resources. The articulation of rights of appropriation and access methods defines the concept of "land ownership" (Le Roy E., 1996), which must be articulated with the management units and institutions identified within the logic of the *Kako and Gbaya*. Over time, the cyclic exploitation of the land sediments a social conversion of property. In this sense, a piece of land, which is today the exclusive property of a family for agricultural improvement, may, after ten or a few years, once the forest is regenerated, be reconverted into lineage or community property. This typology of cyclical land ownership ensures the coherence of the various norms and aspects of functioning centered on rights of access, use, management, exclusion, and inclusion of land space. According to this typology, two types of rights exist: *operational* rights, which are rights of access and extraction that constitute individual rights; and *administrative or management* rights, encompassing other types of rights that are decided collectively. These typologies illuminate the sources of complexity in *Kako and Gbaya* land rights. Within these communities, it is difficult to delimit an autonomous land domain due to the multiple logics and uses that encompass it. The diversity of land situations is reflected in the lived experience of local communities through different levels of land security. This means that the communities of East-Cameroon recognize the predominant role of custom and believe it protects their various property rights over land and related resources (Antang Y., 2017).

¹¹ The set of terminologies used to designate the various customary land spaces in this study, derived from two local languages in our study area: *Kako* for the Batouri subdivision and *Gbaya* for the Bétaré-Oya subdivision.



The social dynamics observed in the Batouri and Bétaré-oya areas are not always conducive to defining an environment with consensual norms, and the ability to enforce these norms remains a community challenge. The issue of authority and collective actions arises, especially given the problem of fragmented powers within the community and the coexistence of contradictory norms. The various powers that coexist allow for the construction of land management power within the local community, which involves power over people, land, and existing resources. The different representations of space reflect social relationships and the management of this space, allowing for the coherence of endogenous norms and rights typology. This endogenous model of land management, based on relations between people and nature, is part of a dynamic of land regulation norms. In East-Cameroon, community management of land rights follows a matrix of social regulation modes based on fundamental rules. These rules model the relationship between humans and their space in the logic of "land control." There are three variables in the regulation of access to land. This regulation passes through the recognition of customary norms in society, history, and the land, which serve as regulatory variables. Land regulation results from the interactions between external actors, who have power and legitimacy, and local actors who have the ability to maneuver within the land system. Land regulation seeks to identify potential regularities or emerging effects, the results of the diverse and partially contradictory practices; it does not assume coherence among these practices. Instead, it is important to highlight, without overestimating, the discontinuities and contradictions (Chauveau, Lavigne Delville, Le Roy, & Teyssier, 2002).

Access to land in the East-Cameroon region, as discussed in the previous chapters, is shaped by the norms of history, society, and land. It is guaranteed by the components of customary authority within the social structure, such as lineage chiefs (Tobà kàndo / Dawà kerà) or clan chiefs, village chiefs (Komdià / Wanlè), and the council of elders (Kaigamà), who exercise authority by mediating between humans and ancestral guardians. Their power is based on mastery of various rituals concerning land functions and the control of land spaces. Most of this power is not concentrated in one person but is specialized among individuals within the lineage. This power can also overlap with political and religious authority.

Access to land for the *Kako and Gbaya* is exercised through a system based on kinship. Blood

ties regulate land appropriation and management, reflecting the power the clan chief has over the land and its resources. These powers are recognized by community members or the lineage as a function of perpetuating community land heritage, thereby satisfying both present and future needs of the rightful owners. Thus, access to land is collective for the entire community, represented by an ethnicity, a clan, or one or more lineages, through inheritance from father to son within a family unit, or individually, with common exploitation of land through labor. Other forms of land access also exist, such as through gifts or purchases via alliances or adoption between community heirs and migrants. In this new dynamic of land access, those with rights of use must respect ancestral land management norms. In the communities, inheritance remains the primary method of regulation. The diagram below helps us better understand the effectiveness of endogenous regulation in land management, based on customary norms. Land sovereignty is embodied by the elders' hierarchies, who are responsible for transmitting this knowledge to the community's descendants. This indicates that control of land space is not solely functional; there is a web of links between "the governance of people and the governance of land" (Chauveau et al., 2004).

The control of customary land is linked to culture, history, social relations, and their recognition by traditional authorities. These cultural principles, which have been built around culture, history, and social relations, form the foundation of regulatory mechanisms and lie at the heart of various land tenure rights that structure individual and/or collective decisions, establishing common values for access to land. It is based on the knowledge and practices passed down by ancestors that land regulation norms were established. These local land management systems are in a state of perpetual change, developing their own mechanisms of resilience. Although these systems are grounded in culture and traditional institutions, they are not confined to a static, unchangeable past. This refers to the fact that the principles legitimizing the norms and the authorities who apply and guarantee them are tied to the cultural framework of the *Kako and Gbaya* communities. In the sociocultural context of Eastern Cameroon, traditions are based on orality, relying on the discourses and memories passed down by elders to the younger generations, concerning their way of life and their relationship with nature. Therefore, the younger generation bears the responsibility of perpetuating these traditions. As a result, local tradition regarding customary land appropriation and management is



not a set of immutable rules, but rather a repertoire of moral principles stated in the form of proverbs or historical narratives (Comaroff & Roberts, 1981).

In order to understand how traditional frameworks continue to structure more personalized land practices, particularly in contexts of strong transition, such as in Eastern Cameroon, we conducted an ethnographic study of the various rights, focusing on the legitimacy of practices rather than their legitimization, meaning their standardization and confirmation by the actors. Customary authority, therefore, becomes a source of legitimization, because legitimacy arises from conviction. Based on this approach, it is evident that the *Kako and Gbaya* communities possess a land ownership system that makes possible the survival of both material and symbolic elements, including land, rituals, and local knowledge. These systems include rules for land allocation and management, ensuring social renewal. Consequently, the rules of land allocation and management are based on cultural constructs that define the community's identity.

For the *Kako and Gbaya* communities, the traditional and/or customary authorities, as noted earlier, serve as legitimizing components that better embody the basic services of regulating access to and management of land, in contrast to state institutions. These customary authorities uphold the principle of "informal community negotiation," which allows them to regulate land spaces. The principle of "informal negotiability," which seems to govern the allocation of land rights, should not be interpreted merely as an expression of a lack of regulation, but as the normal result of socio-political dynamics and power struggles over the control of strategic resources. While many things are negotiable and are indeed negotiated informally according to official rules, negotiations do not occur under arbitrary conditions, at any time, or for any benefit (Chauveau, Lavigne Delville, Le Roy, & Teyssier, 2002). Certain characteristics of social dynamics play a significant role in shaping these informal land regulations.

5. Renaissance of a "re-communitarian" land tenure

Access to land is at the heart of a direct clash between ethnic communities attached to their identities. Each community seeks to define itself as the original population with rights to the land, in opposition to "foreigners," who are considered illegitimate land users unless they pledge allegiance and pay for their occupation. Each ethnic group strives to create a reserved land heritage, a sort of

micro-national domain that is inaccessible to other communities that cannot prove their lineage to the group (Ndjogui & Levang, 2013). Far from being driven by a logic of land-based identity retreat, local communities are adopting a method of reappropriating land. According to the land ownership based on alliances in the Eastern Cameroon region, land is granted during a process of welcoming foreign or migrant communities after a period of observation, with certain guarantees in place to safeguard the privileges of the host community once the newcomers have integrated. As emphasized in the following statement: "*A person coming from elsewhere cannot just settle here freely. Certain conditions will be imposed on them; the chief and the elders will decide whether it is possible for them to be accepted into the village*"¹².

This process of granting land to outsiders or foreigners requires the requesting party to acknowledge existing competing claims over the same land. They must always keep in mind the counter-obligations that sanctioned their acceptance. The land granted is not neutral in the social relationship between the donor and the recipient. If the recipient does not respect the community's norms and rules, they can be denied recognition of the land granted, leading to their expulsion. This leads to a reappropriation of the land by the community. For the *Kako and Gbaya* communities, they are victims of land abuses in the context of mining exploitation, where land has been freely granted to mining operators. This situation continues to fuel a "*re-communitarianization*" of land, where the communities are engaged in a process of recovering land that was previously ceded to third parties.

The traditional system refers to customary land law, which outlines the rules and procedures governing land relations within populations or between neighboring rural communities. It is a dynamic system that predates the formation of the state and adapts as the state evolves. In theory, land belongs to the entire community. Members of the community are considered usufructuaries and holders of rights to specific plots within the domain (Wily, 2011). These land rights are passed down from generation to generation, representing membership in the lineage. Land is considered sacred and inalienable. This is explained by a

¹² Interview with a notable in Mali on 14/03/2024.



mystical bond between the living and the dead, the workers and their land. No one has the right to sell what is sacred and collective. However, there is a distinction between usage rights, granted to community members, and management rights, which depend on social position within the group (Moupou, 2010).

In Eastern Cameroon, the decline of indigenous customary systems in the face of migration has made land purchase the most frequent land transaction. The indigenous land heritage is gradually sold to successive generations of "newcomers" or ceded to mining operators. A land market has developed, and in the absence of widespread land registration, transactions occur based on arrangements validated by traditional authorities. Each land transaction is formalized with a sales certificate endorsed by the community leader of the seller's ethnic group. This certificate is a private contract, guaranteed by several witnesses. The boundaries of the plot are marked by various landmarks, and the location of neighboring plots and their occupants is included in the document. The sale is formalized through a social ceremony attended by witnesses and community leaders (Teyssier, 2003).

V. Conclusion

The goal of this article was to show how different modes of land appropriation and management in a mining environment have complicated local communities' access to land. This has led to the establishment of an endogenous dynamic in customary land appropriation in the face of mining exploitation in Eastern Cameroon. These are responses that local communities have devised to reappropriate their land, which continues to be encroached upon by various mining actors. These responses appear as solutions to facilitate better land regulation and ensure peaceful coexistence between customary and modern land norms. The management systems allowed for power relationships among members within lineages, based on the legitimacy of traditional institutions recognized by all community members, even those related to the group. The traditional land system in Eastern Cameroon ensures community members' access to resources through usage rights, while also promoting social continuity through production and reproduction. This traditional system does not integrate the notion of individual land appropriation or management but rather that of collective ownership, making the land inalienable.

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