

ACCESS TO LAND AND THE SYSTEM OF LAND OWNERSHIP IN  
NORTHERN CAMEROON

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**Abstract**

*Northern Cameroon is a vast geographical region made up of a population with diverse customs, religions and migration processes. The entire population is made up of paleo-nigritics, neo-Sudanese and pastoral nomads who practice activities such as agriculture, livestock and fish farming. This ethnic heterogeneity, the complex historical events and the cultural diversity have made the customary system of land tenure vary both in ancient aspects as well as in contemporary manifestations. Therefore, based on verbal assertion and written data, this article examines the methods of land access as well as the traditional and modern land tenure system.*

*For the population of Northern Cameroon and elsewhere, land represents a natural resource of prime importance. Access to land and its control constitutes a major economic challenge and it is equally a source of diverse conflicts. The system of land ownership has been influenced by external unforeseen events. From the pre-colonial period to the so called post colonial period, access to land and land ownership vary between the conservation of a traditional system which land owners are trying to preserve and the weight of modernity which has economic implications.*

**Keywords:** access, land tenure, Northern Cameroon, disputes.

**Introduction**

Northern Cameroon is divided into three administrative regions, namely: Adamawa, North and Far-North. Just as in every other part of sub-Saharan Africa, the problem of land tenure is a very sensitive issue in these regions. The government and traditional authorities give much attention to this problem. Land represents without any doubt a home and a source of livelihood for the population. Besides, it is equally perceived as a major policy problem; for example the agrarian policy based reform has been a contemporary issue in several African countries during the last decades. The constant land disputes that have plagued both rural and urban areas confirm the interest and role of this resource in the lives of the population. If popular imaginations perceive land as a divine gift to fully enjoy, the

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control over land and natural resources has been the cause of invasive wars in the ancient kingdoms of Central Sudan.<sup>1</sup>

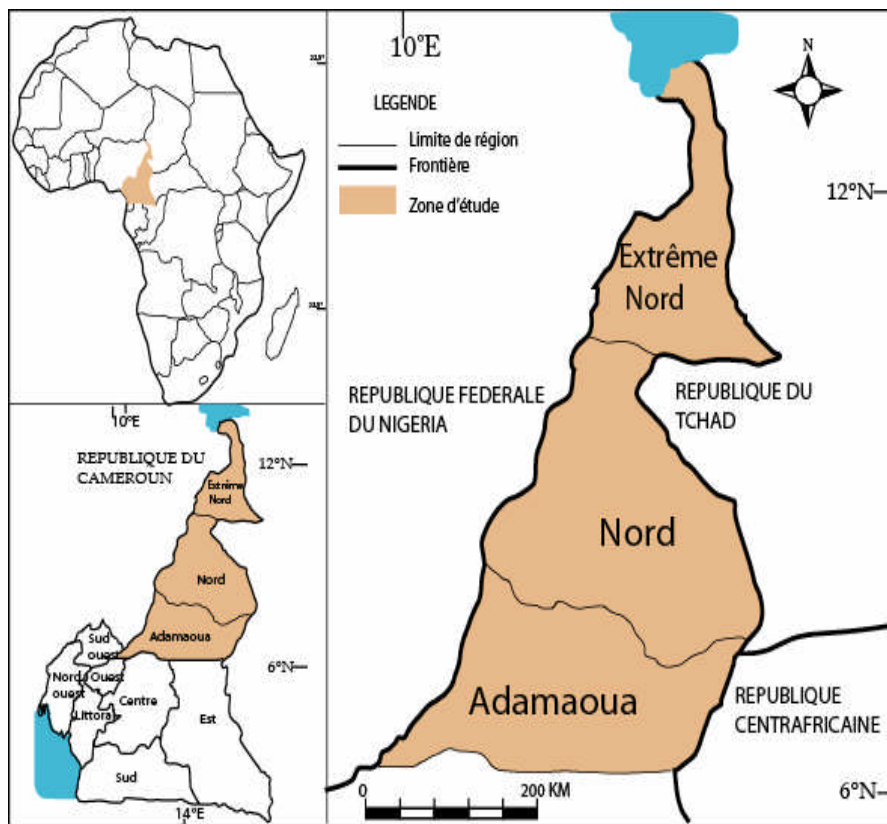
Northern Cameroon was not excluded from this conflicting situation. The conquest of Idriss Alaoma, monarch of the Bornu Empire in the XVI century and the Fulani invasions were all determined by environmental problems. Moreover, the ancient and recent population migration of victims of climate insecurity, especially the Massa, Kotoko, Mousgoum, Toupouri and Moundang can be further explained by the search of favourable land for activities like agriculture, livestock and fisheries. It is important to mention the fact that the population of Northern Cameroon is made up of sedentary inhabitants and already settled nomads who attach so much importance to land.

Access to land is considered as acquiring portions of land for exploitation within a geographical area. This is determined by the methods emanating from the customary laws of the community. Ownership is a right that every individual possesses in his portion of land. This ownership right is recognized by the traditional custom. Since independence and with the creation of a State of Law, land ownership is regulated by legal texts, though the traditional procedure still stands. In this perspective, the system of land ownership was influenced in the course of history by exogenous and endogenous contingencies.

The topic related to access to land and land tenure has attracted researchers from scientific fields like: ethnology, anthropology, geography, sociology, law and history. Through a multidisciplinary approach, this article attempts to analyze the methods of access to land and the stakes involved. How can one have access and become a land owner in Northern Cameroon? What are the factors that have influenced the system of land ownership? What are the stakes involved around land? The answers to some of these questions will form the focal interest of our study. The methodology is structured around two points; primary data obtained from field surveys and secondary data obtained from books and internet sources. These data have enabled us to write this corpus which has contributed to understanding the process of access to land and land tenure in Northern Cameroon. The work consists in a first part to show how we can have access to land and a second part on the changes and factors that influence the system of this land ownership. Finally, we seek to examine the stakes involved around land issues in line with land disputes.

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<sup>1</sup> Central Sudan: from the IX to XIX century, this period was characterized by the creation of great African empires, central Sudan is that geographical area which covered the empires of Bornu, Baguirmi, Kanem, Wadai and Wandala. The name of the central African sub Region originated from the history background of Central Sudan.



Source fond de carte: Atlas Agriculture et développement rural des savanes d'Afrique centrale, 2003

Figure 1. Localization map of the zone under study

### Methods of access to land and the ancient land tenure system

From times immemorial, the search for a favourable environment and natural land conducive for human activity has influenced the movement of human beings. Everywhere around the world, we have witnessed movements geared towards land occupation. In Northern Cameroon, vast pre-colonial migratory movements started, as from the IX century up to the beginning of the XVIII century. This situation enabled the settlement, stabilization and consolidation of different communities on their present settlement sites. These communities were especially the Massa, Mousgoum Kotoko, Kanouri, Toupouri, Moundang, Mboum, Mbaya, Fulanis, and Arabs Choa.<sup>2</sup> In fact, this dynamism occurred in a vast

<sup>2</sup> On the issue of ancient migration in the Lake Chad Basin in general and particularly in Northern Cameroon, it was examined by advocates in a multidisciplinary perspective like: Lembezat, Podlewski, Beauvilain, Boutrais etc.

and collective process. Consequently, the settlement of sedentary people and nomads has enabled them to organize their land in order to undertake primary activities. The exploitation of land has pushed these people to determine the methods of access to land in relation to their customs.

For the population of Northern Cameroon, access to land responds to the simple logic that land is a collective property bestowed on humanity by God. The space of land occupied by a community belongs to them and they exploit it according to their traditional values. This principle of exploitation stems from community rules and it translates the common importance of land. If respected, these rules help to avoid disputes between the clans that constitute an ethnic group. Each clan in the group occupies a specific portion of land. This portion is therefore divided among the different families. The land is placed under the authority of the "Chief". The land Master who is a land trustee is a title that exists among the different people of Northern Cameroon who live in lowlands as well as mountainous areas. Like the Massa people of the Logone valley who carry out agricultural, livestock and fish farming activities, the land Master is commonly called Boum *Nagata*. They perform all the necessary sacrifices to the land so that the people can have a good production<sup>3</sup>. Unexploited land is the property of the clan or some families. It is therefore the duty of the chief of a clan or family to offer to whosoever requests a portion of land for exploitation. The clearing and long term use confers the ownership title to the exploiter of the portion of land.

The pre-colonial period was characterized by important human movements. The population moved from one village and region to another in search of new land for activities under the primary sector. They were able to have access to land through an application to the clan chief while respecting social order. These foreigners, known as "aliens", do not have traditional land rights. However, land can be given to them over time. As a result, they become land owners because of population growth. They have been highly integrated and they control land that is under the authority of the chief in the area. The most illustrative example is that of the Massa and Toupouri migrants in the Diamare plain.

Observing the social phenomenon of access to land enables us to understand the fact that traditional land tenure system of the different sociocultural groups in Northern Cameroon varies between community ownership and a free access system. The community ownership system signifies that the land belongs to a group. The entire ethnic group opposes any attempt of territorial conquest by another group. It is in this light that we find the local resistance to Fulani hegemony which was just a conquest of occupation and control over land through wars with the population

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<sup>3</sup> Interview held with a Massa patriarch in February 2011.

living in the Benoue and Diamare plain as well as the Logone valley. The protection of land by a community against enemies illustrates the fact that land is a heritage to the community. This common trend is a confirmation of a community ownership system.

Land ownership in a community system is acquired by a good number of people through the method of clearing. The person who clears a portion of land in the clan or family land consequently becomes the owner according to customary laws. Land ownership can also be acquired through inheritance. Land, especially family plots make up some of the properties we inherit from generation to generation. The farm lands inherited from generation to generation represents the private property of the family. Therefore, the different families have full usage and natural rights on their land. More plausible explanations further make the notion of private land ownership to be comprehensible. This is verified both among the people living in mountainous zones and plains.

With the Hurza community in the Mandara Mountains, each family possesses a farm on the mountain and on the plain. The farms found on the mountains are usually an inheritance from the grandparents. Similarly, in the mountains zones of Mora, the farms continue to belong to the family through the process of inheritance.<sup>4</sup> Comparable examples of customary land system can equally be observed among the people of the Logone plain especially the Massa people who have a land inheritance process that moves from father to son and from one generation to another. This method is equally common within the Toupouri community. Here it is often said that “the first person to cut down a tree in a site becomes the land owner and shall then transfer it to the future generation”<sup>5</sup>. Along the shores of Lake Chad, the Boudouma people believe that the first occupant of a portion of land becomes the owner. For the Mboum people of the Adamawa region, anyone who needs a farm land must apply to Bellaka, the traditional chief.<sup>6</sup> In Northern Cameroon, the traditional rulers in each community play an important role in the process of providing access to land.

It should be noted that land customs in Northern Cameroon do not give any importance to a woman. The reason is because the young girl has to get married in another clan or family. In fact, the farm a woman works on is owned by her husband. The exclusion of women in land issues has contributed to relegating them a secondary status in communities found in Northern Cameroon. Thanks to emancipation movements that seek gender

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<sup>4</sup> Binet J. 1951, *The customary land law in Cameroon*, extract of the **Non Christian world** n° 18, Paris, ORSTOM, p. 6.

<sup>5</sup> Interview with Wowé Crepin, Maroua, 02 January 2011.

<sup>6</sup> Binet J., 1951, p. 14.

equality, the situation of women as far as land matters are concerned in Northern Cameroon has witnessed amelioration at the level of access to land. Uninhabited lands situated kilometres away from villages are considered by popular imaginations as being a bush. It should be noted that a traditional authority or a control centre is very far away from the bush. In fact, this led to the settlement of pioneer groups who created important villages as a result of environmental phenomena. They became land owners and imposed their traditional authority in these different zones. Therefore, a group in its migratory process for example can settle hundreds of kilometres away from another group.

The settlement process of Fulanis was marked by a profound change of practices, structures and organization of the ancient population of Northern Cameroon. As a result, the Fulani thrust and Islamic principles enabled the establishment of an organization in communities. They are made up of Lamidats, with Lamidos at the helm. The Lamido has spiritual or temporal powers and he is equally the Master lands. The Lamido has a distinguished influence on land under his jurisdiction. He judges land cases based on customary laws. In 1921, a monographic study in the town of Garoua by the colonial administrators revealed that "land is at the Lamido's disposal".<sup>7</sup> The religious, legal, and temporal functions of the Lamido give him supervisory rights over land. The traditional system of land ownership was influenced by colonial and modern power through currency exchange.

#### **Bargaining and client centred approach: new methods of access to land**

African traditions like that of Northern Cameroon were influenced by history with the presence of Europeans. The customs and traditions were heavily influenced by western civilizations. Communitarians progressively paved the way for individualism and the cultural system witnessed the introduction of new systems. Traditional land tenure system will coexist with the modern form of land ownership.

The introduction of currency exchange was inherited from colonization and it has influenced the method of access to land. Land is gradually losing its sacred value. In fact, it has become alienable and is subjected to individual appropriation. Access to land has become a bargaining thing with land owners as well as traditional chiefs and family heads. This new method of land acquisition has been witnessed throughout the entire Northern regions of Cameroon. In an environment where financial needs are growing and citizens would like to upgrade their living

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<sup>7</sup> Binet J., 1951, p. 13.

standards, land owners sell portions of land to individuals who are neither from the group nor from the community. Colonization and the advent of the modern state have brought about the system of individual land ownership. This system is acquired through purchase and it is practiced more in urban centres and sub-urban areas. This system of land ownership can be obtained with the consent between the land seller and the buyer.

In the modern state, land is part of national sovereignty. However, the state has an almost absolute right over private estates. Access to state land is under the jurisdiction of administrative or councils authorities. Furthermore, citizens also benefit from state owned land. In fact, this land is leased to them through competent administrative structures. For land tenure security, land owners especially educated people try to protect their property by obtaining a legal and administrative document known as "land title". This document is issued by a competent authority in conformity with texts regulating the procedure. It equally guarantees and gives full ownership rights to a physical or moral person on a state owned land. Therefore, the lands secured and protected by modern laws are not alienable. Only public authority regarding investment cases for public interest can intervene and they compensate the land owner.

Because of the severe food crisis that hit Northern Cameroon during the 1970s, the state provided large areas for the cultivation of rice in the Logone valley. This was to boost production and ensure food security. In fact, Northern Cameroon is experiencing drought. The government of Cameroon has entrusted the management of irrigated rice cultivated areas to the Rice Expansion and Modernization Company of Yagoua (SEMRY). In the mid 1980s, Cameroon was faced with economic crisis and consequently, all state owned companies were affected. With this, the government limited its intervention power through the provision of agricultural inputs. Given the new circumstances, rice farmers were obliged to procure their own input despite their low financial income.

The fact that SEMRY did not provide input because of its high cost discouraged some rice farmers. The economic constraints caused rice farmers in establish areas to develop new methods of access to land. As a result, rice growing areas were leased out between individuals. Consequently, the farmers who lacked financial resources for irrigation works leased out their portion of land to potential applicants following an agreement within a period of two growing seasons or one year according to the terms of the verbal contract. The leasing of land has been on a rise during the last decades. Today, rainy or dry season farmlands are leased out between farmers. In fact, land leasing is a form of temporary land ownership.

In line with this analysis and within the context of modernity, it remains obvious that the system of land ownership in Northern Cameroon varies between the conservation of a traditional system and exogenous influence. Despite the influence of modernity on customs and traditional rules of jurisdiction, access to land and land ownership in Northern Cameroon preserves some values. Land remains sacred; this sacredness is what land owners are trying to protect. Consequently, the method of access and acquisition of land remains the clearing of community land, inheritance, gift and much more, buying and leasing. Population growth and frequent migrations stir local tensions in North Cameroon.

### **Conflicting issues around land**

Population growth and migrations are factors that explain tension over land observed in Northern Cameroon. During the last decades, disputes related to land issues have become more regular and traditional, administrative and judicial authorities are on a regular basis called up to settle land disputes.

During the post colonial period, the Far North Region became a tank of high population density. This growth has consequences on land in a context where resources are dwindling as a result of environmental contingencies. This leads to a situation where land becomes an issue of dispute. Analyzing this problem explains the fact that land tensions have been observed since the colonial period. The modern period is characterized by the magnitude of the phenomenon related to the influx of environmental migration as a result of high population growth. Land disputes are witnessed between individuals, groups, and communities. They begin in the form of a fight and sometimes turn into a fierce battle between individuals. In the regions around the Southern Lake Chad, land disputes are related to boundary limits. The limits are diverse: we have farmland and collective public lands.

Tension related to cultivating farmland can be witnessed in the month of June. In fact, displacing the boundary line leads to violent disputes between individuals. In countries where we have the Massa for example, the demarcation of farmlands is done by the lining of wild onion. Dislocating these wild onions by one or the other neighbour of the farm can lead to fierce tension between the farm owners or families respectively. Boundary disputes are also found in the rice growing areas of SEMRY. The severe drought of 1960-1980 caused a surge in population migration to environmentally favourable areas. These migrations are directed towards the Diamare and Benoue plains, as well as the banks and island of Lake Chad. The exploitation of cultivating farmlands explains the fact that land disputes often erupt between indigenous people and migrants.



Between 2001 and 2002, 38 land disputes were recorded in the Diamare plain by the modern courts of the area.<sup>8</sup> In the Logone and Chari, more than 80 cases of land disputes were equally recorded.<sup>9</sup> The chapter of land disputes combines without any doubt the disputes between farmer and herders. They are found throughout the region of Northern Cameroon, which is one of the largest pools of pastoral and agricultural production despite low rain fall and constant drought.

In the 1990s, the Logone and Chari were scenes of deadly disputes between two major ethnic groups in the region. The Kotoko-Arabes Choa dispute had its outcome during the period of democratic opening followed by important violence in several parts of Cameroon. This conflict as Hagenbucher Sacripanti analyzes it,<sup>10</sup> has its origin in the long walk of the history of cohabitation between the Kotoko-Arabes Choa since their implementation process. In fact, the Kotoko consider themselves as rulers and land owners of the Logone and Chari, whereas the other people are aliens. The confrontation that made headlines in every analysis has environmental foundations.

### **Conclusion**

At the end of this study, it is important to underline the fact that land in every community in Northern Cameroon has a sacred value. It is a gift that God has entrusted to mankind for exploitation. Since then, land has become a common heritage. The analysis of land issues among the people of Northern Cameroon shows that there are methods of access to land and land ownership. These methods vary from clearing to inheritance and, above all, to gifts. During history, methods of access to land have witnessed changes. Since then, land has become a purchase good for building in sub urban and urban zones, leasing for farming. Moreover, this population is now familiar with the notion of private ownership because they have the full right to enjoy their land.

Today, we are witnessing a population growth on land resources. This pressure is due to population growth in the region of Northern Cameroon. Population growth on land leads to challenges like disputes over land. Today, land has become a factor of persistent disputes whose resolution varies from negotiation process between the different stakeholders and through the intervention of a third party, customary court and modern court of law.

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<sup>8</sup> Bernard Gonné, Christian Seignobos, 2002, *Land issues in Northern Cameroon*.

<sup>9</sup> Ibid.

<sup>10</sup> Hagenbucher Sacripanti, F., 1977, *Arabes suwa in North Cameroon*, in Tardits, C., (dir), *Contribution of Ethnological research to the History of Civilisations in Cameroon*, Paris, CNRS.

## **PUBLIC ADMINISTRATION & REGIONAL STUDIES**

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