

Original Research Article

Land, Diamonds, and Local Power: Legal Pluralism and the Persistence of Land Conflicts in Artisanal Diamond Mining in Bobi and Forona (Séguéla, Côte d'Ivoire)

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Abstract: *Introduction:* This article examines the social, economic and institutional dynamics underlying the persistence of land-related conflicts associated with artisanal diamond mining in the villages of Bobi and Forona, located respectively in the sub-prefectures of Bobi and Diarabana, in the Séguéla Department of the Worodougou Region of Côte d'Ivoire. Particular attention is paid to the tensions arising from the coexistence of customary and statutory law in the governance of mining-related land. *Methodology:* The study adopts a mixed-methods approach combining documentary research, semi-structured and unstructured interviews, focus group discussions, and a questionnaire survey. The questionnaire was administered to 64 artisanal diamond miners, including 42 in Bobi and 22 in Forona. The analysis draws primarily on the theory of legal pluralism (Griffiths, 1986; Vanderlinden, 1972), complemented by social conflict theory (Marx, 1867; Dahrendorf, 1959) and the theory of access to resources (Ribot and Peluso, 2003). *Results:* The findings indicate that the respondents are predominantly married men (87.30%), while 67.18% are primarily engaged in mining activities. Access to land is organised through both open-ended arrangements, notably customary grants and theoretically prohibited sales, and time-limited arrangements, such as loans, tenancy agreements and leases involving the payment of rent. The conflicts identified are predominantly intra-family disputes (35.93%), followed by conflicts between indigenous community members (31.25%), boundary disputes (18.18%), and inter-village conflicts (14.06%). Conflict resolution remains overwhelmingly grounded in customary mechanisms (75% of cases), whereas administrative intervention accounts for only 25%. Security mechanisms based on social recognition, interpersonal relationships and mining permits nevertheless remain insufficient to prevent tensions. Indeed, some stakeholders perceive mining permits as potentially contributing to greater community fragmentation. *Conclusion:* The study concludes that the persistence of land conflicts in artisanal diamond-mining areas stems not primarily from a legal vacuum, but rather from the insufficiently coordinated coexistence of customary and statutory normative frameworks. It therefore advocates a hybrid approach to land governance based on the legal recognition of customary land rights, strengthened inter-community mediation mechanisms, and greater clarification of formal mining rights.

Keywords: Land Conflicts, Artisanal Diamond Mining, Legal Pluralism, Mining Resource Governanc.

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INTRODUCTION

The exploitation of mineral resources occupies a central position in the development policies of many countries of the Global South, particularly in West Africa, where the subsoil constitutes a major driver of

wealth creation and economic growth (Campbell, 2004). In Côte d'Ivoire, extractive activities represent an important source of development for several mineral-rich rural areas, foremost among them the Séguéla region. However, the governance of mineral resources extends

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well beyond the community level: it involves the State to a considerable degree, having emerged since the colonial period as the principal regulator of the social relations surrounding subsoil resources (Légoux, 1983).

During the colonial period, indigenous populations experienced a gradual dispossession of their lands in favour of the public authorities, which durably weakened their prerogatives over mineral resources (Légoux, 1983). Following independence, this logic of centralised land governance was maintained by African states in order to secure access to mineral deposits, direct extractive industries towards the most favourable areas, and increase public revenues (Koffi, 2017). However, state intervention also intensified pressure on rural land and contributed to the emergence of numerous land and mining-related conflicts (Marcoiret, 1994), a finding corroborated, in other West African contexts, by studies on rural land tenure in Côte d'Ivoire (Chauveau and Colin, 2010; Chauveau, Colin, Jacob, Lavigne Delville and Le Meur, 2006).

In Côte d'Ivoire, the policy of securing mineral resources initially led to the adoption of the 1963 Mining Code, which was never promulgated owing to contradictions between state legal norms and customary rules governing land tenure (Koffi, 2017). Furthermore, certain political discourses asserting that the Ivorian subsoil belonged exclusively to the State contributed to treating mineral resources as vacant resources available for mining industries to exploit (N'Zi, 1991). Although this approach was intended to strengthen mining activities, it generated multiple social tensions surrounding access to, control over and management of mineral-rich land (Kouakou, 2015).

In response to the scale of these conflicts and the persistent legal vacuum, several reforms were undertaken over the past three decades, culminating in Law No. 95-553 of 18 July 1995 on the mining domain, subsequently revised by Law No. 2014-138 of 24 March 2014 (Koffi, 2017). In principle, this legislation recognises pre-existing customary rights while encouraging a transition towards a uniform body of positive law compatible with the modern governance of natural resources (Coulibaly, 2014). This reform process echoes developments in rural land tenure in Côte d'Ivoire following the Law of 23 December 1998, whose ambiguities in implementation themselves contributed to major land conflicts in the country's western forest region (Chauveau, 2006). Despite these reforms, land and mining-related conflicts persist in several parts of Côte d'Ivoire, particularly in the north-western region of the country.

This situation is particularly evident in the villages of Bobi and Forona, located in the Séguéla region, where artisanal diamond mining remains one of the principal economic activities despite the United Nations embargo imposed on Ivorian diamonds between

2005 and 2014 (Partenariat Afrique Canada, 2016). These localities, characterised by considerable social heterogeneity among indigenous populations, non-native populations and migrants, have experienced recurrent conflicts over control of mining sites and access to diamond-bearing land: twenty-four diamond-related conflicts were recorded between January 2014 and June 2015 (DPDDAII/GRPIE, 2014). These tensions frequently involve families holding customary rights, artisanal miners, indigenous communities and institutional actors.

The persistence of these conflicts can be explained, in particular, by the coexistence of two normative systems that are often contradictory: customary law and state law. On the one hand, local communities assert property and use rights grounded in ancestral traditions, the principle of first occupation, land tutorship and the notion that "land is not for sale". On the other hand, the State asserts its sovereignty over the subsoil and grants mining permits to mining operators. This legal duality, already documented in other parts of West Africa (Le Roy, 1999; Kuba and Lentz, 2006), fosters situations characterised by overlapping rights, contested legitimacy and competition among stakeholders.

Several questions therefore arise. What are the social, economic and political dynamics underlying the persistence of land and mining-related conflicts between the villages of Bobi and Forona? To what extent do local mechanisms for managing mineral resources and conflicts contribute to explaining this situation? Do the resource-security strategies implemented by the various stakeholders not, paradoxically, contribute to perpetuating tensions rather than resolving them?

The overall objective of this study is to analyse the social and economic dynamics underlying land conflicts associated with the exploitation of mineral resources in the villages of Bobi and Forona. More specifically, it seeks to identify local mechanisms for managing mineral resources, describe the principal causes of conflicts, analyse the resource-security strategies implemented by the various stakeholders, and formulate recommendations aimed at improving land governance and conflict prevention.

The central hypothesis of this research is that the persistence of land and mining-related conflicts between Bobi and Forona primarily results from the uncoordinated coexistence of different norms governing access to mineral resources, arising from discrepancies between local customary rules and state legal provisions governing land and mineral-resource management.

1. METHODOLOGICAL AND THEORETICAL FRAMEWORK

1.1. Methodological Framework

This study adopts a mixed-methods approach combining qualitative and quantitative methods to analyse the social, institutional and land-tenure dynamics associated with artisanal diamond mining in the villages of Bobi and Forona, located in the Séguéla Department, Worodougou Region, in north-western Côte d'Ivoire. This region is characterised by intensive artisanal mining activity, which serves both as a source of income for local populations and as a driver of social and land-related tensions (AIP, 2024).

In addition to the indigenous Koyaga population, the villages of Bobi and Forona are home to several non-native communities from other parts of Côte d'Ivoire, as well as foreign populations originating from other countries in the West African sub-region. This social diversity, combined with the exploitation of mineral resources, contributes to the emergence of land conflicts involving various local, customary and administrative actors. The choice of Bobi and Forona is justified by the persistence of land conflicts, the intensity of diamond-mining activities, and the presence of modern administrative institutions in these localities.

The study included several categories of stakeholders involved in the management of mining and land resources. At the customary level, discussions were held with village chiefs and their notables, who are responsible for land management and conflict resolution, as well as with youth leaders, who are closely involved in mining activities and local social relations. The presidents of mining cooperatives and artisanal miners were also interviewed in order to gain a better understanding of mining practices and the social relations surrounding diamond extraction. At the administrative level, the sub-prefects of Bobi and Diarabana, officials from the sub-prefectures, and local representatives of the Société de Développement Minier Ivoirien (SODEMI), representing the Ministry of Mines and Energy, were consulted on issues relating to conflict management, the regulation of mining activities, and the social consequences observed in the study area. The study also included representatives of non-indigenous communities, diamond buyers and collectors, and young people from the villages, all of whom were considered key stakeholders in the socio-economic dynamics associated with artisanal mining.

Data collection relied on two main techniques: documentary research and field surveys. Documentary research involved consulting scientific books, academic articles, dissertations and theses, technical reports, as well as legal and administrative documents relating to the management of mining resources, land conflicts and mining policies in Côte d'Ivoire. This process made it possible to construct the theoretical and analytical

framework of the study while updating the existing body of scientific knowledge on the subject.

The study employed both probability and non-probability sampling techniques. For the quantitative component, accidental sampling was conducted among populations in the sub-prefectures of Bobi and Diarabana, based on inclusion criteria relating to individuals' involvement in mining activities and their exposure to land conflicts. A total of 64 individuals were surveyed, including 42 in Bobi and 22 in Forona. For the qualitative component, purposive sampling was used to select ten key stakeholders according to their roles in the management of mining and land resources. These included customary leaders, sub-prefects, SODEMI officials, presidents of mining cooperatives and community representatives. Two focus group discussions were also conducted with notables and two others with community leaders.

Fieldwork was conducted through semi-structured interviews, unstructured and non-directive interviews, and questionnaire administration. Interviews with customary and administrative authorities addressed methods of managing mining resources, land-management mechanisms, the causes of conflicts, and local strategies for resolving social tensions. Non-directive interviews were used in some cases to allow respondents to express their perceptions and experiences freely, given the researcher's prior knowledge of the research context. Focus group discussions were also organised with notables and community leaders to gather collective information on social relations, land practices and community-based mechanisms for regulating conflicts.

The field investigation was conducted in several phases: an exploratory phase in June 2023, devoted to preliminary visits and establishing contact with local stakeholders; a main data-collection phase from July 2023 to September 2024, involving individual and group interviews, focus group discussions and questionnaire administration; and a return to the field in 2025, aimed at updating the data collected and observing recent developments in the management of mining resources and land conflicts in the study area.

The qualitative data were subjected to thematic content analysis, making it possible to classify and interpret the information according to the main research themes: mining-resource management, land conflicts, social relations and land-security strategies. The quantitative data were processed using Microsoft Excel to generate statistical tables and descriptive analyses facilitating the interpretation of the findings. The overall analysis was grounded in a dialectical approach, highlighting the social, economic and institutional contradictions underlying land conflicts, particularly tensions between customary land-management norms

and the legal and administrative reforms introduced by the State.

The study encountered several difficulties, including the temporary unavailability of certain key informants during fieldwork periods, reluctance among some stakeholders to disclose sensitive information relating to illegal diamond mining and land conflicts, and linguistic barriers that occasionally required translation from Koyaga into French or Nouchi. Despite these constraints, the cooperation of local authorities and the participation of community members made it possible to collect relevant and usable data for scientific analysis.

1.2. Theoretical Framework

This study draws primarily on the theory of legal pluralism developed by John Griffiths (1986) and Jacques Vanderlinden (1972), as well as on social conflict theory inspired by the work of Karl Marx (1867) and Ralf Dahrendorf (1959). These two theoretical frameworks are complemented by the theory of access developed by Jesse Ribot and Nancy Peluso (2003), which makes it possible to link power relations with the concrete mechanisms through which certain actors are able or unable to derive benefits from mining resources. Taken together, these theoretical perspectives provide a framework for analysing the social, legal and economic dynamics that structure land and mining conflicts in the villages of Bobi and Forona.

1.2.1. Theory of Legal Pluralism

The theory of legal pluralism posits that multiple normative systems coexist within the same society and simultaneously contribute to the regulation of social relations (Griffiths, 1986). In contrast to the monist conception of law, this theory considers that state law is not the sole source of legal legitimacy: customary, community-based and traditional rules also possess normative value recognised by social actors, as illustrated by Étienne Le Roy's (1999) work on the "land game" (*jeu foncier*) in sub-Saharan Africa.

According to Griffiths (1986), legal pluralism rests on three fundamental principles: the coexistence of several legal orders within the same social space, the relative autonomy of these normative systems, and the overlapping of management rules, which may generate conflicts of legitimacy. Vanderlinden (1972), for his part, emphasises that individuals mobilise the normative system that appears most advantageous to them depending on the social and economic context an instance of "forum shopping" that is also illustrated, in the Ivorian context, by the work of Jean-Pierre Chauveau and Jean-Philippe Colin (2010) on the strategic mobilisation of sources of land law.

Within the framework of this study, this theory helps explain the persistence of land and mining conflicts between Bobi and Forona through the coexistence of customary law and state law in the management of

mining resources. On the one hand, local communities assert rights grounded in ancestral traditions, the principle of first occupation and systems of land tutorship. On the other hand, the Ivorian State asserts its sovereignty over the subsoil through the Mining Code and the granting of mining permits. This legal duality creates situations of overlapping rights, contested legitimacy and rivalry over control of diamond-bearing land.

1.2.2. Social Conflict Theory

Social conflict theory is rooted in the work of Karl Marx (1867) and was further developed by Ralf Dahrendorf (1959). This approach views society as being characterised by relations of domination and ongoing struggles between social groups over the control of resources, power and economic interests.

For Marx (1867), conflicts arise primarily from the unequal distribution of resources and power relations between social groups. Dahrendorf (1959) further argues that conflicts are also associated with authority and the ability of certain groups to impose their interests upon others. The theory therefore rests on the principles of competition over resources, conflicting social interests and relations of domination mechanisms that Philippe Le Billon (2001) likewise highlighted at the continental level in his analysis of the political ecology of "conflict resources", of which diamonds constitute a prominent example in West Africa.

Applied to this research, social conflict theory makes it possible to understand that the tensions observed between local stakeholders, artisanal miners and state institutions result from competition over access to and control of diamond resources. Mining land constitutes a major economic asset, generating rivalries among indigenous populations, non-indigenous populations, artisanal miners and administrative authorities. The resource-security strategies implemented by each stakeholder consequently contribute to the perpetuation of tensions and the recurrence of land and mining conflicts in the villages under study.

1.2.3. The Theory of Access: A Complementary Perspective

The theory of access developed by Ribot and Peluso (2003) calls for a distinction between formal rights to a resource and the actual capacity to derive benefits from it, which depends on concrete mechanisms such as social relations, technical skills, capital, authority and identity mobilised by different actors. This analytical framework usefully complements legal pluralism and conflict theory by drawing attention to the fact that possession of a customary right or a mining permit does not, in itself, guarantee effective and secure access to diamond resources. Rather, it is the combination of access mechanisms that ultimately determines who is

able to benefit from exploitation and, consequently, who may challenge existing arrangements.

2. RESULTS

2.1. Characterisation of Miners and Modes of Access to Diamond Resources in Bobi and Forona

2.1.1. Characterisation of Miners in Bobi and Forona

2.1.1.1. Gender

According to the survey data, 95.23% of the miners interviewed are men. This predominance can be explained by the fact that, within Koyaka customary practice, the management of mining resources has traditionally been regarded as a male prerogative. Women access land primarily through usufruct rights, mainly for subsistence farming, often through their husbands. Nevertheless, a minority of 4.77% of female landowners exists, which is not an insignificant proportion. By forming associations or cooperatives, these women are able to gain collective access to land.

K.A., Cooperative Chairwoman:

"In our community, it is rare for a woman on her own to have the opportunity to become the owner of a plot of land; but once we come together as an association, it becomes easier because the customary authorities are more receptive to projects that we undertake collectively."

This statement highlights a transformation of social norms, resulting in a partial deconstruction of the established social order within Koyaka society. This process of change nevertheless also generates tensions and conflicts over access to land.

2.1.1.2. Marital Status

Marital status plays a key role in access to land in Koyaka society. According to the data collected, 87.30% of the miners are married (55 out of 64 individuals). Marital status confers legitimacy and social recognition, as a married man is perceived as responsible and capable of managing land assets for the well-being of his family. Although they constitute a minority, single men may also gain access to land ownership, often through specific negotiations.

K.M., Land Custodian:

"I only obtained the plot of land I own today after lengthy discussions with the customary authorities. Here, it is considered that without marriage one cannot claim land, which remains our main source of wealth in the village. I therefore had to convince the head of the family to grant me this plot."

Such practices, which diverge from established norms, may generate tensions and contribute to conflicts over access to land.

2.1.1.3. Main Occupation

The data collected reveal that 67.18% of respondents have mining as their main occupation. This

predominance can be attributed to the diamond wealth of the region, where access to land constitutes a crucial issue for any economic activity. Furthermore, 18.75% of respondents are engaged in agriculture, while 14.06% work in commerce. Population growth is exacerbating pressure on land, making it increasingly scarce and thereby intensifying competition and conflicts over access to land.

2.1.2. Modes of Access to Diamond Resources in Bobi and Forona

The management of mining resources falls under the authority of customary leaders, who are responsible for overseeing them. Land belongs to the village rather than to the individual: an individual's membership within the village is what enables access to land. In principle, land cannot be sold because it belongs to the ancestors, and those who occupy it are merely its custodians. In Bobi and Forona, two broad forms of land acquisition can be distinguished: open-ended forms of access and time-limited forms of access.

2.1.2.1. Open-Ended Modes of Access

Open-ended forms of land tenure are characterised by the absence of a fixed period of validity for the rights granted. These transactions generally concern plots that have not been formally appropriated. Two principal forms have been identified: gifts and sales.

(i) Land Grants/Gifts

For various reasons, a first occupant may transfer part of their land to the leader of a newly arrived group. Such a grant enables non-native populations to use the land and, potentially, to transfer it to others. It may benefit a group, a community or an individual. In cases involving individual grants, the land often eventually becomes incorporated into the beneficiary's hereditary lineage, becoming a family or even community asset.

F.M., Land Custodian and Miner

"Originally, it was the village of Forona that granted land to the elder Koné, who settled there and founded what later became the village of Bobi. The land was granted to him following matrimonial alliances, which gave his descendants autonomous use rights. Today, however, this situation is in turn weakening the position of the original donor."

However, land grants are a frequent source of conflict, as younger generations often challenge decisions made by their elders.

K.A., Youth Leader

"Our parents gave their land to the Fofana family from Forona free of charge, without considering us, treating them as full members of the family. But this way of gaining access to land simply through an emotional or kinship-based relationship is now a source of tension between us."

These statements reveal a degree of resentment among the young people of Bobi towards those of Forona, thereby contributing to land-related conflicts.

(ii) Sale

In the villages of Bobi and Forona, there is broad agreement that land should not be sold.

K.M., Land Custodian

"In our community, land is not for sale. We do not allow non-indigenous people to plant cocoa or cashew trees, and no perennial crop cultivation lasting more than five years is permitted for them."

Despite this prohibition, practices resembling sales have emerged in the form of land transfers. Non-native populations often regard the money paid and the verbal agreements concluded as de facto sales. Although these transfers are not formally documented, they may give rise to land conflicts.

F.M., Land Custodian in Forona

"Land is sacred because it comes from our ancestors; it is their legacy, and as such it should never be sold. Yet we are increasingly witnessing transactions that resemble sales, which, from our perspective, is unacceptable."

These statements show that the growing commodification of land is eroding its social and community-based values, thereby contributing to conflict.

2.1.2.2. Time-Limited Modes of Access

Time-limited modes of access involve temporary transfers of land-use rights, often associated with mining or agricultural activities. These rights are valid either for a particular season or for a limited period of exploitation. Three principal forms of transaction were identified: land loans, tenancy arrangements and land leases involving annual rent.

(i) Land Loans

A temporary arrangement between indigenous landholders and migrants, land lending accounts for 13.04% of the agreements recorded. The borrower gains access to the plot without making a monetary payment but is expected to demonstrate gratitude towards the lender.

K.L., Farmer:

"When we lend someone a piece of land, we do not ask them for any money. However, it is customary for them to show their gratitude by sharing part of their harvest with the landowner."

This practice is intended to strengthen social ties. A lack of acknowledgement or reciprocity on the part of the borrower may nevertheless generate conflict.

(ii) Tenancy

The most widespread form in both villages, tenancy emerged during the diamond crisis (2002–2005), which led many miners to turn to agriculture. These agreements are concluded orally and allow non-native and migrant populations to cultivate land temporarily, particularly for export crops such as cocoa and cashew. However, tensions arise when the terms of the tenancy agreement are disputed, thereby contributing to land conflicts.

(iii) Lease Involving Annual Land Rent

Individuals seeking access to land pay a symbolic sum to the landowner or their land custodian. This payment represents neither the market value of the land nor its purchase price.

O.A., Representative of the Migrant Community

"Once the plantations begin to produce, the farmer pays an annual fee to the landowner or their custodian, either in cash or in kind. In Forona as in Bobi, these amounts can reach CFAF 45,000 per hectare at the time of establishment, followed by annual rent of up to CFAF 25,000."

This testimony highlights a social practice in which the amounts paid are not fixed. They may be challenged by younger generations of landholders, who sometimes reclaim plots transferred by their ancestors. This creates tensions over land management and raises questions regarding the long-term sustainability of intergenerational land agreements.

2.2. Typology and Conflict-Resolution Systems for Land Disputes

2.2.1. Types of Conflicts Related to Resource Management in Bobi and Forona

Land conflicts in the villages of Bobi and Forona can be divided into four main categories: intra-family conflicts (23 cases, representing 35.93%); conflicts between indigenous community members (20 cases, representing 31.25%); boundary disputes (12 cases, representing 18.18%); and inter-village conflicts (9 cases, representing 14.06%). Intra-family conflicts and conflicts between indigenous community members account for more than two-thirds (67.18%) of the cases recorded, highlighting the importance of tensions within the communities themselves. Boundary disputes and inter-village conflicts (32.24%), for their part, reflect broader neighbourhood and territorial disputes.

2.2.1.1. Intra-Family Conflicts

Intra-family conflicts occur among members of the same family and arise mainly in the context of land succession, when disagreements emerge over the use and enjoyment of inherited land. This type of conflict accounts for 35.93% (23 out of 64) of the cases recorded.

K.M., Head of a Family:

"Disputes over land within our families most often arise when a relative dies and leaves an inheritance. Each of the children wants to benefit from it, whereas customary practice reserves this right for the eldest. But when the younger siblings reject this rule and demand an equal share, that is when the conflicts begin."

This testimony illustrates that intra-family conflicts often stem from disagreements over succession rules. The challenge to the privileges traditionally accorded to the eldest by younger siblings reflects changes in family dynamics and evolving expectations regarding inheritance.

2.2.1.2. Conflicts Between Indigenous Community Members

Conflicts between indigenous community members involve landowners from the same community and account for 31.25% (20 out of 64) of the cases. These disputes are often related to transactions or unfulfilled agreements.

F.M., Land Custodian:

"Nowadays, the Fofana no longer honour the commitments they made. We set rules for them when the transaction took place, and they received the land free of charge, but now they are reselling it without even consulting us. In response, we are forced to intervene and reclaim what they hold."

This conflict reveals tensions between former landholders and new users, exacerbated by the failure to comply with customary agreements.

2.2.1.3. Boundary Disputes

Boundary disputes, representing 18.18% (12 out of 64) of the cases, arise when land boundaries are altered or following changes to cadastral plans. Such situations are often attributable to the failure to verify existing rights prior to the transfer of land.

2.2.1.4. Inter-Village Conflicts

Inter-village conflicts arise between neighbouring communities over the management of plots located along the boundaries of their respective territories. They account for 14.06% (9 out of 64) of the cases. A notable example is the dispute between Bobi and Forona over a contested plot claimed by Forona following a boundary demarcation regarded as unilateral. Farmers from Bobi maintain that they were not consulted when the demarcation was carried out.

This typology highlights the diversity of land-related issues in the villages of Bobi and Forona. The predominance of intra-family conflicts and conflicts between indigenous community members reflects internal community dynamics, whereas boundary disputes and inter-village conflicts point to broader territorial rivalries. These findings underscore the need

for targeted interventions including land-mediation mechanisms, clarification of customary rules, and support for land-demarcation initiatives to prevent and effectively manage such disputes.

2.2.2. Modes of Land-Conflict Regulation

In Bobi and Forona, two principal modes of land-conflict management coexist: customary management (75% of cases) and administrative management (25%). These proportions reflect both the enduring influence of local traditions and the still limited involvement of administrative structures.

2.2.2.1. Customary Conflict Resolution

Traditionally, conflicts relating to access to land or the use of natural resources are resolved by the village chief, assisted by the notables. This approach, deeply embedded in local practices, remains predominant (75% of cases). In intra-family conflicts, the elders intervene first, generally favouring dialogue and conciliation. If the younger members remain dissatisfied, the dispute is brought before the village chief.

In conflicts between indigenous community members, customary authorities summon the parties involved, hear their respective accounts, and then issue a decision in accordance with local customary rules. In boundary and inter-village conflicts, one of the parties refers the matter to the customary authorities, who conduct a field assessment before reaching a decision. The party deemed responsible is generally required to pay a fine intended to cover travel expenses and ritual offerings.

However, these customary mechanisms have certain limitations. Some local stakeholders criticise the lack of impartiality among customary authorities, who may be influenced by the level of inducement offered, ethnic affiliation or personal interests. Furthermore, the requirement to recognise the rights of the first occupant as the basis for negotiations contributes to maintaining a form of symbolic domination. Although deeply rooted in tradition, this approach often contributes to the persistence of land conflicts between Bobi and Forona.

2.2.2.2. Administrative Conflict Resolution

Administrative management of land conflicts, particularly those involving mining resources, gained prominence following the 2002 crisis and the involvement of SODEMI in regulating diamond-mining activities. This mode of management generally comes into play when attempts at customary resolution have failed, particularly in cases involving violent conflicts between users of natural resources. The principal actors in this approach include district-level administrative authorities, local security commanders and judges, who intervene within a judicial framework.

Administrative intervention is often triggered by the filing of a formal complaint by one of the parties.

Conflict resolution is based on the mining and land codes, which provide that disputes should be settled through the courts while taking into account the customary practices specific to the region concerned. This approach provides a degree of institutional structure and legal legitimacy to conflict-resolution processes. Its effectiveness, however, depends on the extent to which statutory provisions correspond to local socio-cultural realities, a convergence that remains difficult to achieve in some cases.

Overall, this analysis highlights the complex coexistence of tradition and modernity in the resolution of land conflicts in Bobi and Forona.

2.3. Strategies for Securing Mining and Diamond Resources in Bobi and Forona

2.3.1. Customary Practices for Securing Mining Resources

Customary strategies for managing mining resources are primarily based on local mechanisms, often informal, developed by the communities themselves. Under the customary land-tenure system, security is ensured through verbal agreements and forms of social recognition, without written documentation.

2.3.1.1. Social Recognition

Within the customary land-tenure system, the legitimacy of land arrangements relies largely on social recognition, exercised by local communities through customary authority. Despite the decentralisation of modern land institutions, this practice remains predominant in the rural communities of Bobi.

F.D., Spokesperson for the Traditional Leadership:

"To secure a landholding here, we rely on the customary authorities and on practices specific to the community, particularly social recognition. Everyone knows that a particular plot belongs to a particular family because the customary authorities can attest to this."

This testimony illustrates the central role of traditional leaders, whose close relationships with local stakeholders reinforce their influence. However, social recognition also has limitations: because it is based on implicit agreements, it may give rise to conflicts, particularly as increasing demographic pressure intensifies competition for land.

2.3.1.2. Securing Land Rights through Social Relations

Another strategy involves maintaining good relations with landowners, particularly those who have transferred plots to users. The latter seek to preserve harmonious relationships by providing various forms of assistance or services to landowners, in the hope of avoiding challenges to their rights of use. This approach nevertheless remains insufficient to prevent certain forms of conflict, such as disputes over exploitation rights.

2.3.2. Administrative Practices for Securing Mining Resources

2.3.2.1. Securing Mining Resources through Mining Permits

In Côte d'Ivoire, the formal security of mining resources relies primarily on the granting of mining permits, which confer a legal and durable right to occupy land designated for mining activities. They also serve to formalise and legitimise traditional mining rights through state intervention, with the State acting as the guarantor of mining-related relations. However, this formalisation can itself generate tensions.

K.A., Cooperative Chair:

"It is true that responsibility for managing the village's land heritage lies with the village chief. However, when it comes to mining permits, cooperative presidents are divided. Some believe that having the permit issued in the name of a cooperative creates a risk, because if the president were to disappear, his relatives might claim the permit as part of his personal inheritance."

This testimony shows that, although mining permits constitute an administrative strategy for securing mining rights, they can also generate intra- and inter-village conflicts. In some cases, local populations perceive the granting of permits as undermining community-based values, thereby exacerbating land-related tensions.

2.3.2.2. Mining Permits as an Instrument of Political Recognition of Indigenous Miners

Historically, miners in Bobi and Forona operated in relative harmony. However, the introduction of mining permits, perceived as a mechanism for privatising access to mining resources in favour of indigenous populations, has generated tensions.

K.A., Youth Leader:

"Since mining permits were introduced, our relations with our brothers in the other village have changed. Distrust has emerged because the permit is now perceived as something reserved for landowners."

This testimony highlights the divisions created by the formalisation of mining rights, which is perceived by some stakeholders as exclusionary. According to the field survey, the management of mining permits is largely associated with cooperatives (71.43% of respondents, or 45 out of 63 cases), thereby marginalising indigenous people who are not members of these structures and reinforcing conflicts over land and mining rights.

The strategies for securing mining resources in these two localities thus oscillate between customary practices and formalised administrative procedures. While traditional mechanisms are grounded in community-based values such as social recognition and

interpersonal relations, they reveal their limitations in the face of demographic pressure and land disputes. Administrative strategies, for their part, provide a legal framework but also generate new tensions arising from the perceived exclusion of actors who remain outside formal structures. Greater coordination between these two approaches could therefore contribute to addressing the challenges of securing resources and reducing conflicts in rural areas.

3. DISCUSSION

The findings presented above provide an opportunity to revisit the central hypothesis of the study, according to which the persistence of land and mining-related conflicts between Bobi and Forona primarily results from the uncoordinated coexistence of customary and state norms governing access to mining resources. In light of the theoretical framework adopted, this hypothesis is largely confirmed, although it requires qualification on several points.

3.1. *A Structuring Rather than Residual Form of Legal Pluralism*

Consistent with the theory of legal pluralism (Griffiths, 1986; Vanderlinden, 1972), the findings show that customary law is not a residual vestige destined to disappear in the face of legal modernisation, but rather a fully active normative order that continues to govern 75% of the land-conflict cases observed in Bobi and Forona. This finding is consistent with research conducted in other parts of Côte d'Ivoire, where customary law remains the dominant reference for the allocation and transmission of rural land, despite the existence of a modern legal framework (Chauveau, Colin, Jacob, Lavigne Delville and Le Meur, 2006; Coulibaly, 2006).

The coexistence of the two normative orders, rather than the progressive replacement of one by the other, confirms Étienne Le Roy's (1999, 2011) analysis, according to which African land-tenure modernity is fundamentally constructed through pluralism rather than legal unification.

The mechanism of "forum shopping" described by Vanderlinden (1972) finds a concrete illustration in the strategies observed in Bobi and Forona: actors alternatively invoke customary legitimacy social recognition, land grants and land tutorship and state legitimacy mining permits and the mining and land codes depending on their interests and circumstances. The case of mining permits is particularly revealing: although intended as an instrument for securing mining activities legally, they are locally reinterpreted as a means of community capture, echoing findings elsewhere in West Africa concerning the ways in which the formalisation of land rights can paradoxically intensify conflicts over legitimacy rather than resolve them (Kuba and Lentz, 2006; Bassett, 2009).

3.2. *Resource Conflicts Structured by Power Relations*

Social conflict theory (Marx, 1867; Dahrendorf, 1959) sheds light on a second dimension of the findings: the predominance of intra-family conflicts (35.93%) and conflicts between indigenous community members (31.25%) reflects less a direct confrontation between customary institutions and the State than an internal struggle for control over diamond revenues within groups claiming customary legitimacy. Rivalries between elders and younger family members over land inheritance, or between indigenous lineages over previous land transfers, illustrate how customary authority itself constitutes an arena of power rather than a neutral mechanism of regulation. This finding is consistent with Philippe Le Billon's (2001) analysis, according to which high-value, low-weight mineral resources such as diamonds are particularly conducive to competition and appropriation by actors positioned at different levels of social and political hierarchies.

The theory of access (Ribot and Peluso, 2003) allows this analysis to be taken further by distinguishing between the formal possession of a right—whether customary or state-based—and the actual capacity to benefit from the resource. Thus, possessing a recognised customary right does not guarantee effective access if an individual lacks the social relationships, capital or authority necessary to assert that right vis-à-vis cooperatives or administrative authorities. Conversely, holding a mining permit is not sufficient to secure mining operations if it is not accompanied by local social recognition, as illustrated by the distrust directed towards cooperatives holding such permits. This distinction helps explain why legal formalisation, rather than bringing conflicts to an end, often merely shifts the object of contention.

3.3. *Effective but Increasingly Vulnerable Customary Regulation and Still Peripheral Administrative Regulation*

The widespread reliance on customary regulation (75%) confirms the resilience of local mediation mechanisms including family dialogue, arbitration by the village chief and compensatory fines which, in many West African rural contexts, remain more accessible, faster and socially legitimate than judicial proceedings (Le Roy, 1999; Ibo, 2012). These mechanisms nevertheless have limitations documented elsewhere in West Africa, including the perceived partiality of customary authorities, the structural precedence accorded to indigenous populations over non-native and migrant groups, and the absence of written records of agreements, which weakens their enforceability in cases of intergenerational disputes (Chauveau and Colin, 2010).

Although administrative regulation remains a minority mechanism (25%), it has gained importance since the 2002 crisis and the increasing involvement of SODEMI in supervising diamond-mining activities. This

development forms part of a broader trend towards strengthening mining governance in Côte d'Ivoire, also documented in reports concerning the artisanal diamond sector in Séguéla and Tortiya (DPDDAI/GRPIE, 2014; Partenariat Afrique Canada, 2016), which highlight the persistence of informal and cross-border channels despite the strengthening of the legal framework. Its effectiveness nevertheless remains dependent on its ability to reconcile statutory norms with local socio-cultural realities—a condition that is rarely fully achieved in practice, thereby helping to explain the population's continued preference for customary mechanisms.

3.4. The Limitations of Resource-Security Strategies and the Gender Dimension

The analysis of resource-security strategies confirms that neither customary social recognition nor state-issued mining permits, taken in isolation, can ensure sustained and secure access to diamond resources. This finding is consistent with critical analyses of land-tenure security policies in West Africa, where the formalisation of rights, although intended to reduce uncertainty, often creates new asymmetries between actors incorporated into formal systems and those who remain outside them (Chauveau, 2006; Kuba and Lentz, 2006).

The strong predominance of men among miners (95.23%) and women's limited access to land ownership, primarily through cooperatives, also illustrate the gendered nature of land and mining relations in the study area. This configuration is not specific to Bobi and Forona but reflects dynamics observed in other artisanal mining areas of West and Central Africa, where collective strategies often constitute women's principal pathway to resources traditionally reserved for men (Delve, n.d.).

3.5. Scope and Limitations of the Study

This research has several limitations that should be acknowledged. The quantitative sample of 64 individuals, although relevant in relation to the active mining population identified in the two villages, does not permit statistical generalisation to all diamond-mining areas in Côte d'Ivoire. Furthermore, the sensitivity of certain issues addressed including illegal mining, circumvention of the embargo and violent conflicts may have limited the depth of some of the testimonies collected. Finally, the data-collection period extending from 2018 to 2024 introduces a degree of temporal heterogeneity that should be taken into account when interpreting the findings, even though the 2024 return to the field made it possible to update the main trends identified. These limitations do not invalidate the patterns observed but point to the need for further research, particularly comparative studies involving other diamond- and gold-mining areas of the Worodougou Region.

4. CONCLUSION

For centuries, mineral resources have been managed by local communities as communal assets through various forms of land-tenure governance. Nevertheless, conflicts arising from such management remain widespread. For nearly two decades, the State has sought to address these conflicts through various mechanisms designed to secure mining resources, yet tensions continue to persist within communities. It is this phenomenon, observed in Bobi and Forona in relation to the management of mining resources and land conflicts, that constituted the focus of the present study. Using a sampling approach combining systematic enumeration and random sampling, sixty-four individuals were surveyed in order to analyse the persistence of land conflicts in these two villages.

The study reveals that this persistence is first attributable to the management of mining resources itself: existing modes of access to land are challenged by certain stakeholders, thereby generating conflict. It is also linked to the mechanisms through which conflicts are managed, which are based on the requirement to recognise prior indigenous claims before any negotiation can take place, thereby contributing to the continuation of tensions between Bobi and Forona. Finally, persistence is associated with the inadequacy of the resource-security strategies implemented by the various stakeholders whether customary or administrative to prevent conflicts on a sustainable basis.

These findings address the overall objective of the research, which was to understand the social, economic and institutional dynamics underlying conflicts over mining resources in Bobi and Forona. The specific objectives made it possible to explain the modes of mining-resource management, describe resource-security strategies, and identify the mechanisms used to manage land conflicts in the study area. Taken together, the findings indicate that relations surrounding mining ultimately reflect broader relations of social identity and community survival. In Bobi and Forona, most forms of access to land remain managed by customary authorities, the historical custodians of land. For farmers, land relations primarily serve to preserve the rules governing the functioning of the social group, which requires a continuous process of understanding, applying and adapting these rules.

From a theoretical perspective, the study confirms the complementary relevance of legal pluralism, social conflict theory and the theory of access for analysing land and mining conflicts in West African contexts. The persistence of tensions in Bobi and Forona does not stem from a legal vacuum, but rather from the unstructured coexistence of competing normative regimes, strategically mobilised by actors with unequal social, economic and political resources.

From a practical perspective, these findings call for several recommendations. First, customary land-mediation institutions should be explicitly recognised in law, while being subject to minimum safeguards including written records of agreements and accessible avenues of appeal to limit potential forms of partiality. Second, the capacities of local administrative structures, particularly the sub-prefectures and SODEMI, should be strengthened to enable conflicts to be addressed more rapidly and locally, in complementarity with rather than in competition with customary regulation. Third, the legal status of mining permits issued to cooperatives should be clarified in order to prevent succession disputes and suspicions of community capture. Finally, specific measures should be implemented to support women's and young people's access to land ownership, building on the collective initiatives already emerging at the local level.

Ultimately, this study invites us to conceptualise the governance of mining resources as a process of socially recognising land rights rather than merely as a matter of legal compliance. The fundamental question, therefore, is how traditional recognition of resource rights can be durably reconciled with state recognition in ways that prevent land conflicts rather than merely managing them after they have arisen. This question opens avenues for future research into hybrid governance arrangements combining customary authorities and state institutions in artisanal mining areas across West Africa.

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