

CHAPTER 7

SMALL DAMS, LARGE DAMS: BIZĀN LAND TENURE AND SOCIAL STRATIFICATION

Ruins on the Tagant, as in other mountainous areas of Mauritania, bear witness to a long history of cultivation. The numerous remnants of stone built round houses and extensive terracing designed to enhance cultivation indicate the presence of a former sedentary and agriculturist population, now called Gangara.

The cultivation of millet in precolonial times was not limited to the more humid zones of the south, or the šemāma-region bordering the Senegal river. The Tamourt en-Naaj on the Tagant, and some other important depressions and valleys, together with the oases, were the locus of intensive agricultural production, providing the pastoralists with a crucial complement to their diet. Although the total amount of production in precolonial times cannot be evaluated, the patterns of trade showing a pastoral population bartering desert goods like salt and dates for grain reveal that the local production of millet was too low to meet the needs in the north and centre of the western Sahara.¹ This situation persists until today, although the bīzān increased their involvement in agriculture several times. During the 19th century, the import of slaves not only freed many bīzān masters from manual work, and benefited the pastoral sector, but led to the extension of both agriculture and pheniculture. From the turn of this century on, French colonisation confronted the bīzān with a policy aiming not only to fix (and thus to better be able to control) the nomadic population, but to minimise the bīzān need for grain imports (cf. p. 221-228). Finally the drought of 1969 transpired to be only the beginning of a period of subsequent droughts and increased aridity, which together with human action caused a severe degradation of natural resources. Facing the changed environment and the loss of most of their animals, bīzān who did not leave for the cities altogether, began to cultivate millet and sedentarise in villages and small towns. While the evolution during the first two periods matches neither in scale nor in speed the last one, a proper knowledge of these past events is essential for an understanding of today's configurations of land tenure and property. Access to land and rights over land, especially cultivable land in an almost desert environment, is at the very base of social inequality in rural societies.

Slaves and ḥarāṭīn both experience their subordinate position in bīzān society through discrimination against them in matters of access to land and

land tenure. To grasp this issue comprehensively, the following analysis focuses on two domains. Besides the legal framework of land tenure in traditional *bīzān* society, as well as in colonial and independent Mauritania, detailed case studies from the region of Achram-Diouk will throw a light on practices of land tenure and their change. These appear to be full of ambiguities. While much of past domination lives on in today's access to land, new patterns of land tenure have emerged, reconfiguring the spatial representation of social boundaries among *sūdān* and *bīzān*, tribes and fractions, as well as women and men.

LAND TENURE: THE LEGAL FRAMEWORK

Islamic Jurisprudence and Land Tenure in the Western Sahara

Like other legal matters, the basic principles of the constitution and transfer of ownership rights in land in precolonial *bīzān* society were laid out by Islamic jurisprudence, and detailed by the *mālikī* school of law. At the core of this legal framework is first the “opening” of land for subsequent appropriation marked by the arrival of Islam in this territory, and second, the “vivification” of land, which establishes and legitimises ownership rights. Only the initial user is able to appropriate, and establish ownership rights in land. These are maintained by sustained use, which is considered to leave its imprints on the land. All other types of property exchange, be it by sale, donation or appropriation through violence come after it (Ould al-Barra/Ould Cheikh 1996: 158, 164). As clear as this principle seems, its practice reveals many problems. Contemporary or recent claims can be put in question by claims supposed to be more closely linked to the initial appropriation. As factual authenticity can hardly be proved for times lying several centuries back, conflicts over land are likely to arise and are legitimised by the same legal framework.²

To further elucidate *bīzān* land tenure, it must be noted that the interpretation of Islamic law was concentrated in the hand of the *zwāya*, for their elite was the only group disposing of the cultural and symbolic capital necessary to legitimise such an undertaking. As they were also the prime agents of the pastoral and trade economy, the *zwāya* by this role were able to further promote their own position, both symbolically and materially, with regard to the other social strata. Legal judgements (*ḥukm*) and legal expertise (*fatwā* and *nawāzil*³), were a major domain for *zwāya* Islamic scholars struggling to deconstruct the illegitimate nature of *ḥassān* power and property. This image was one which many *zwāya* scholars liked to contrast to their own supposed piety (cf. Oßwald 1993: 62ff.). Furthermore, as is the case in most other legal systems, Islamic jurisprudence does not recognise the transient pastoral-nomadic land-use as a basis for direct ownership in land: grazing animals do not “vivify” land, nor do they imprint permanent signs of land-use. With

regard to these prescriptions, the *bīzān* nomadic pastoralists therefore are unable to constitute individual or collective ownership of the land they exploit. Such rights, according to an orthodox interpretation of Islamic law, are limited to agricultural use, or other modes of permanent, productive use, such as the construction of wells, or continued farming.

Despite the difficulties of fitting this narrow legal framework, grazing land was subject to forms of appropriation recognised and approved as legitimate by the *bīzān* jurists. The basis for this practice was the option provided by Islamic jurisprudence to tolerate under certain conditions local tradition as part of a customary law (*urf*; cf. Oßwald 1993: 38ff.). Although these regulations could not become a source of legislation, customary law allowed the local *bīzān* jurists to legally recognise tribal territorial claims, and to ascertain them in legal terms by linking the ownership of distinct locations with the right to take into possession the pastureland in the vicinity. All these varying levels of territorial control and land ownership were exercised by the collectivity of the tribe, which in this respect assembled a number of pastoral nomads sharing economic and political interests to control and exploit a common territory.

It is the hierarchy both among and within tribal groups which adds further complexity to the practices of land tenure in precolonial *bīzān* society. In general it was the *zwāya* tribes which effectively appropriated pastureland and established ownership rights over both agricultural sites and wells.⁴ This ownership, however, did not imply an exclusivity of use-rights. Many *zwāya* lived under the political domination of *ḥassān* tribes, and often paid tributes to them (a condition turning them into *zwāya* “of the shade” in contrast to the independent *zwāya* “of the sun”; Bonte 1989: 118). Out of this power relation arose a number of customary rights, which gave the *ḥassān* the right to use the *bīzān* land and wells. The *ḥassān* thus were able to live as pastoralists side by side with the *zwāya*, although they did not own the pastoral resources they exploited. Analogous is the case of the tributary strata, the *znāga* and *tlāmīd*. Being free but socially inferior, these did not own land, i.e. they were unable to constitute exclusive use-rights over pastoral resources. The *znāga* and *tlāmīd*, who sometimes constituted tribal groups, but often just lived side by side with their patrons, therefore had to develop relations with a powerful tribe which would grant them access to pastoral resources in exchange for tributes. In the case of the *znāga* the major patrons were the *ḥassān*, while *zwāya* clients were called *tlāmīd* (cf. Ould Cheikh 1985a: 533ff.; Bonte 1987b).

The tribal partition of land which predominated in pre-colonial western Sahara was not one of clear-cut borders, but resembled more a collage of oscillating, partially connected and overlapping spatial entities,⁵ the maintenance of which depended on collective, i.e. tribal action. Despite this eventful history, until today, the legitimisation of tribal claims to land follows a most scrupulous interpretation of the principle of initial vivification that rules this section of Islamic jurisprudence: distinct tribal property in land is traced back

to its first appropriation under Islam, the event in history clearly marking the beginning of all legal transactions, and thus the ultimate point of reference on which to construct legitimate claims to property. For this undertaking to succeed, a great many reliable testimonies have to be assembled, thus involving joint action and expression by the tribal body to affirm ownership in land (cf. Ould al-Barra/Ould Cheikh 1996: 176).⁶ It is this structuration of the constitution of legal claims through a set of continued, collective social practices (cf. Giddens 1992: 67ff.) that forms the basis of the persistence of the tribal fragmentation of land rights until today.

Within the tribal boundaries individual property in land is possible, but is accessible only to members of the corresponding tribe. Exceptions occur rarely,⁷ as transfer of land to members of foreign tribes would weaken internal tribal solidarity, and endanger the coherence of the discourse constituting the tribe as a social and spatial entity, demarcating itself from the outside world.⁸

The Transformation of Land Tenure under Colonial Rule

Legislation in colonial Mauritania (as in the other West African colonies) initially introduced the French legal code, and declared all conquered land property of the colony. Recognising that this legal guideline had little to do with the situation the administration had to face on the ground, the colonial legislation from 1904 on became increasingly sensitive to the traditional, collective structures of land tenure and ownership. This tendency culminated in 1955, when the French conceded traditional rights in land supremacy over claims by the colony. According to this law, it was the colony which had to prove that land had been unused for at least ten years, and therefore was free for appropriation, and not vice-versa (nevertheless all land still could be expropriated by the colony in cases of public interest).

The most important change colonial rule introduced to local patterns of land tenure was the establishment of land registers in 1925.⁹ These registers were designed to account for rights in land in the different administrative posts. Most often the tribes' chiefs were listed as owners in these registers, but they were meant not to appear as individual owners but as representatives of their collectivities, i.e. their tribes, which for this purpose had to be rigorously classified into tribes and sub-tribes.¹⁰ The distinct, more or less well-defined agricultural sites registered therefore had to be considered as collective, and not as individual property (cf. Leservoisier 1994a: 87ff.).

This procedure reveals the wish of the French administration to adapt action to local, i.e. *bīzān* customs, and in this respect marked a departure from their policy in most other colonies, such as e.g. in North Africa. Rather than draw tribal territories on a map, they acknowledged – within certain limits – the fluctuating nature of nomadic habitat,¹¹ together with respect for the significance distinct places had (and continue to have) for the constitution of tribal identity and territoriality. Nevertheless this measure modified the nature of land tenure. Ownership rights were codified, and this definitely

altered the negotiatory and sometimes violent mode of disputing and changing access to land that had prevailed in precolonial *bīzān* society. Additionally, the administration, by this new practice, was able to exploit its power and to attribute or withdraw ownership rights in response to cooperation with, or hostility towards the colonial power. This was possible because the French colonial laws defined the coexistence of French civil law and the recognition of traditional land rights (cf. Leservoisier 1994a: 87f.). Colonial interests thus could override rights defined by custom, as far as these had not been registered. That this option was rarely applied resulted from the administration's disinclination to increase opposition and conflict with and among the *bīzān* tribes. Instead of voluntarily attributing land entitlements, the colonial administration spent much time on assembling claims and proofs of collective land ownership, in order to become a competent arbiter in *bīzān* disputes over land.¹² Due to this complex intermingling of *bīzān* and colonial interests, the constitution of the colonial land registers became an important issue in local politics, involving the tribal elites in another struggle for influence on the colonial administration, the generation of references, the control of land, and finally the power to attract followers and clients (cf. below, p. 208–247).¹³

Patterns of *Bīzān* Land Tenure

The issue of inner-tribal hierarchy affects access to land in various ways. First of all, tribally owned land, such as agricultural sites, is under the collective ownership of the tribe's members. These, however, are constituted only by the free people of common affiliation. Associated members of the tribe, such as *znāqā* and *ḥarāṭīn*, do not have the necessary genealogy, and thus are excluded from sharing equal rights in land with the full-fledged members. This hierarchical structure of tribal property in land has two major consequences. Areas which have been under tribal control for long time are in the hands of only a small group of families, forming the centre of the tribe. These groups in turn have to maintain this configuration of land property over generations. They achieve this end by keeping the property legally undivided, and thus inalienable, although its exploitation takes place individually. This juridical procedure also has further advantages. It allows them to omit the obligation to share inheritance, as defined by the *šarī'a* for individual property, which in the case of its application would entail fragmentation of agricultural plots within the families holding rights in the land. Last but not least, the described patterns of continued, collective ownership exclude women from claiming rights in land which they otherwise would gain through individual inheritance, according them half of their brothers' share (cf. Ould al-Barra/Ould Cheikh 1996: 178).¹⁴

The concentration of direct land ownership in the hands of the *bīzān* tribes, nowadays of both *zwāya* and *ḥassān* status, is one of the most important means by which relations of hierarchy and dependency among *sūdān* and *bīzān* are perpetuated. Even more often than in the case of pastoral land, the

users and owners of agricultural sites did not coincide. In precolonial times, it was the slaves and the then still small number of *harātīn* who cultivated. Occasionally *znāga* cultivated too, but the *zwāya* and *hassān* rarely did.

Breaking the *bīzān*'s stranglehold on land ownership has proved difficult for the *sūdān* up to the present. Slaves, due to their legal estate, had no rights to constitute property. All of their work belonged to the masters, who in turn were obliged to feed and clothe their slaves. These legal prescriptions were fundamental to the definition of the slaves' relation to the land they cultivated. Even though many slaves lived in conditions characterised by some autonomy, and e.g. did not give all of their harvest to their masters, but have managed especially since the first decades of this century to give only a fixed part (cf. McDougall 1988: 379), they nevertheless never could challenge their masters' rights over the land they cultivated. The same legal rule applies to those cases in which slaves were involved in acts constituting the appropriation of land, e.g. the clearing of bush, or the construction of dams. All such work done by slaves constituted property only for their masters. The case is different for the *harātīn*. They could become landowners, but in the majority of cases nevertheless failed in this attempt. Legally free, those *harātīn* who had gained this status by manumission, still had no means to sustain themselves. In order to get access to land for cultivation, they had to negotiate with *bīzān* land owners, and to associate themselves with a *bīzān* tribe. To develop and maintain even a limited access to land these *harātīn* were thus forced to submit themselves to the tribal social hierarchy, discriminating against them as free women and men of secondary rank (cf. Ould al-Barra/Ould Cheikh 1996: 162).

As regards the cultivation of millet the most frequent arrangement between *bīzān* land owners and landless, but cultivating *harātīn* was as follows: the *bīzāni* land owner had to provide the seed, and the *harātāni* the labour. The harvest was shared equally between both parties. Besides these conditions, many other arrangements were practised. Not all *bīzān* provided the seed, nor did all *harātīn* pay half of their harvest. What remained unchanged was the fragile nature of *harātīn* land access. While working as a kind of share-cropper, they were unable to constitute proper ownership rights in the land they cultivated. These remained with the *bīzān*, who additionally had the option of withdrawing the *harātīn*'s use rights to cultivate from one year to the other. Those *harātīn* who had no other means of sustaining themselves, therefore heavily depended on maintaining good relations with their *bīzān* patron. Other more favourable arrangements mediating land-access for non-landowners did exist, but were restricted to dependent strata other than the *sūdān*, or were granted to poor *bīzān*. These arrangements established long-lasting use-rights, paid for with only one tenth of the harvest or even less (cf. Villasante-de Beauvais 1991: 192).¹⁵

Despite these unfavourable configurations of land ownership and tenure, *harātīn* effectively could, and did become land owners. This was most frequent in the south, and parts of the Aftout, which largely correspond to

today's Gorgol region. In parts of the Aftout, and notably in the Gorgol plain, the *bīzān* tribal grip on land had been comparably weak due to long periods of political instability and conflict, which saw the local *ḥassān* tribes being defeated several times, and the area come under the political domination of the large and powerful *ḥassān* confederations of the Tagant and Hodh (notably the *Idaw-Is Abakak*, the *Idaw-Is Šrātit*, and the *Ahel Sīdi Mahmūd*), which made of the area another locale for their rivalries. The ecology of the Aftout too is responsible for the density of occupation having been persistently low for a long time. The pastures, which are abundant for some months after the rainy season, are considered too "wet", and infested by insects and parasites by the pastoralists. The number of permanent wells is small, for traditional techniques allow only the drilling of seasonal wells in the *wāds*, the seasonal watercourses in this area. Vast areas therefore remained vacant for permanent occupation by immigrant *ḥarāṭīn*, and a number of slaves, many of whom had left their former overlords and masters, and sought protection from regional *zwāya* tribes.¹⁶ In many cases these *bīzān* granted the *sūdān* the right to appropriate land like free men according to the principle of vivification, and thus to act like real *ḥarāṭīn*. Today their acts of appropriation are viewed as legitimate even by the local *bīzān*, who thus acknowledge the *ḥarāṭīn* to be free men possessing all civic rights (cf. Park 1988: 62, 64; RIM 1986: 57; Schmitz 1987: 6ff.).¹⁷

Similar cases can be observed in other regions too. In the area of Achram-Diouk several *ḥarāṭīn* managed to constitute rights in land by clearing and permanently cultivating it. However, as the most productive land was already under *bīzān* control, the *ḥarāṭīn* plots occupy areas of secondary rank. In other cases, *ḥarāṭīn* were granted land ownership or long term use-rights by members of the *bīzān* elite. They could either buy land, e.g. with the money they earned from migrant labour, or they became beneficiary of a *ḥubs*. This latter state of property was intended to immobilise assets, and render them indivisible and inalienable by establishing it as a sort of pious endowment. Besides *ḥubs* destined to last forever, there were also contracts limiting the duration of a *ḥubs* to the lifetime of either the beneficiary or the benefactor. The attribution of land as *ḥubs* to *ḥarāṭīn* was especially frequent for date palm plantations in the oases (cf. Villasante-de Beauvais 1991: 193; Toupet 1977: 275f.).¹⁸

A most controversial situation prevails in the Tamourt en-Naaj, the most fertile valley of the Tagant plateau. There, as in other areas of intensive agricultural exploitation and phenculture, the *bīzān* took (and still take) great care to prevent *ḥarāṭīn* from establishing ownership of land. One such means are contracts stipulating the exploitation of *bīzān* land by *ḥarāṭīn* workers, such as the *mugārassa*, defining rights and obligations arising from a *ḥarāṭīn* planting date palms for a *bīzān*. While the latter in general provides the seedlings, the well and the land, the *ḥarāṭīn* is responsible for planting and watering until the first dates come to maturity (normally this means a delay of five years).¹⁹ Once this is achieved, half of the palm trees (but not the land

on which they are standing!), becomes property of the ḥarṭāni.²⁰ There are several reasons why this last aspect of the treaty rarely became effective. The time between the conclusion of the contract and the maturity of the date palm trees was long, and many ḥarāṭīn became indebted in the meantime. Once the contract was finally accomplished, its gains were just enough to pay off the debts. In other cases, dishonest bīzān took advantage of their juridical knowledge, and developed a number of clever arguments to dispossess the ḥarāṭīn of their reward (cf. Ould Khalifa 1991: 404; Ould Abde 1989: 39; Grosser/Ibra Bra 1979: 305; Toupet 1977: 276f.; Interview Ahmed Ould Aly, qādi, 24.12.1995).²¹

Despite these many vagaries and the obvious bīzān hostility towards land ownership by ḥarāṭīn, some of the latter succeeded. Most of them came from families claiming a long ḥarāṭīn genealogy, and appropriated their land by vivification. To do so, these ḥarāṭīn, like those of the Gorgol region, had to be accepted as free men, embracing all the corresponding rights, and hence able to appropriate land individually like the bīzān.²²

Colonial policy, which wanted to replace traditional relations of dependence by sharecropping arrangements, did little to alter the sūdān's limited and fragile access to land. In the south their hand was strengthened in their struggle to confirm their control of land when the colonial administration recognised some adwaba as sūdān communities paying their taxes autonomously. In a few cases, such as the adwaba of Mbout, Kow and Djadjibine, the administrators even registered agricultural sites in the name of the adwaba, and thus in the name of the sūdān living there. At the same time, however, the colonial officers recoiled from completely negating bīzān claims on the land concerned, and registered it twice: once the sūdān plots in a separate register, and once the whole area as tribal territory of the bīzān, represented by their chief. Until today the land ownership of the sūdān continues to be contested by the bīzān on the basis of this double registration. Sūdān control of land is stronger in the Gorgol plain. There history provided better conditions for individual appropriation, and the end of individual and collective relations of dependency, as well as of territorial control between bīzān and sūdān (cf. Leservoisier 1994a: 287ff.; see also note 17, this chapter).²³

The independent Mauritanian state issued a new law on land ownership in 1960, which by and large perpetuated the colonial laws, and the discrepancy between legal ideal and reality on the ground inherent to these. All vacant and unowned land was declared to belong to the state, but again traditional claims to land, either by collectivities or individuals, were recognised. The new state thus secured itself the same options for opportunistic arbitration in matters of access to land as the colonial administration had before (cf. Grayzel 1988: 317f.).

A profound change in the state's policy towards land ownership occurred in 1983, 1984, and again in 1990. A new legislation was introduced, which had the individualisation of land ownership as its major objective.²⁴ In its

first paragraph this law stated all Mauritians to have equal rights to be land owners. By placing this statement in the most prominent place, the regime of Ould Haidalla (1980-84) both recognised the difficulty the sūdān and dependents of the black African ethnic groups had faced so far with regard to ownership of land. The new law thus created a crucial complement to the formal abolition of slavery (effected on the 5 July 1980). It provided a legal framework the dependent strata could rely on in their struggle. Besides this rationale the new law was a challenge to the preceding legislation. For the first time, the state recognised private property as the fundamental form of ownership. Consequently traditional patterns of land tenure – which persisted frequently under the guise of sharecropping arrangements – were officially abolished, and vacant land considered to become state property. In the case of controversy over the vacant status of a distinct site, it is again up to the owner to provide proofs for his claims. Public interest also has priority with regard to access to wells. All wells which are not located within individually owned land are declared to be of public interest and free for access. Thus clearly marking a break with former legislation, a number of exceptions were defined which assured the persistence of traditional rights in land in many domains. The new law declared conformity with the *šari'a*, and thus respect for all claims to ownership that conform to this legal reference. Further, all lands registered in the name of chiefs and notables were recognised as being in collective, i.e. tribal ownership.²⁵ Claims to land based on traditional rights were considered sufficient to allow registration as individual property or compensation, if this land had been appropriated by the state. Parallel to the maintenance of these traditional patterns of land tenure, the options for direct state intervention were enlarged. The state, wishing to expand intensive farming of rice along the Senegal river, needed land for the installation of irrigation perimeters. Land owned collectively and not attributed to a legal cooperative thus could be declared domain land by the state, and after a certain delay be concessioned out to private owners. Another decree in 1990 further facilitated the granting of individual concessions. It introduced a procedure permitting the state to mediate land access in three subsequent steps, ranging from revocable use-rights to definitive concession (cf. Crousse 1986: 91; Crousse/Hessling 1994: 91; Ould al-Barra/Ould Cheikh 1996: 177f.; Park 1985: 70f.; Villasante-de Beauvais 1995: 1040ff.).

The effect of the new legislation on land ownership and tenure is contradictory. Its application was most pronounced in the southern regions of Mauritania, where irrigation schemes were developed. In these cases the focus of the application of the new law lay on the option to declare domain land, and to subsequently concession out individual plots. This led to the expropriation of many and in the majority black African farmers to the benefit of an emerging agro-business, dominated by bīzān alien to the area under development. A different situation prevails north of the Senegal valley and the irrigation perimeters. In these areas the law effectively enhanced the emanci-

pation of slaves and *ḥarāṭīn*, who now had a legal reference for their claims on land appropriated by vivification (cf. Baro 1993: 287f.; Bonte 1994c: 85). This objective of the state policy was underlined by a massive campaign aimed at popularising the content of the new law. Not only state officials were trained, but the National Radio developed special broadcasts to popularise knowledge of the new legislation. Although details of the law are likely to have remained unknown to many peasants, the campaign increased the awareness of the changed legal framework among those concerned. While rural *bīzān* vehemently rejected the new legislation (cf. Villasante-de Beauvais 1995: 1056) it marked a leap forward for a great number of *sūdān*. The predominant position *bīzān* had held until then when appealing to the state's justice clearly began to deteriorate as many of their claims had become illegitimate.

Another aspect is that the explicit reference to the *šari'a*, and the accordance of major aspects of the new law on land ownership with its prescriptions (these references were deleted in the 1990 decree; cf. Villasante-de Beauvais 1995: 1056), and the emphasis on the principle of vivification, were in a certain sense self-explanatory to all *sūdān* who had some knowledge of the *Qur'an*.

The new law, declaring all Mauritians to have equal rights with regard to land, matched well the argument raised in the course of the official abolition of slavery, which had declared all Mauritians to be like brothers.²⁶ Put in a nutshell, this signified for many *sūdān* that they were recognised by the head of the state as social beings, and hence legal persons like the *bīzān*. Finally the *sūdān* could hope to have no longer only obligations, but equal rights too. This last aspect, which is related to the evolution of various configurations of *sūdān* and *bīzān* access to land in an area of marginal agricultural potential, will be analysed in the following case studies.

CASE STUDIES

While so far only the legal aspects of land ownership have been described, now the focus will be on the evolution of land tenure in central Mauritania as revealed by historical documents on the southern Tagant and northern Aftout, and case studies in the region of Achram-Diouk. The aim of this undertaking will be to analyse how the collective, i.e. the tribal control and ownership of land developed and responded to changing social and economic configurations in the course of both colonial rule and independent Mauritania. As outlined above, the development of a land register constituting tribal ownership of land that was essential to translate and materialise the social processes of tribal segmentation and factionalism (and later of the social conflict between *bīzān* and *sūdān*) into territorial fragmentation. Today, these territorial representations of past social and political relations are

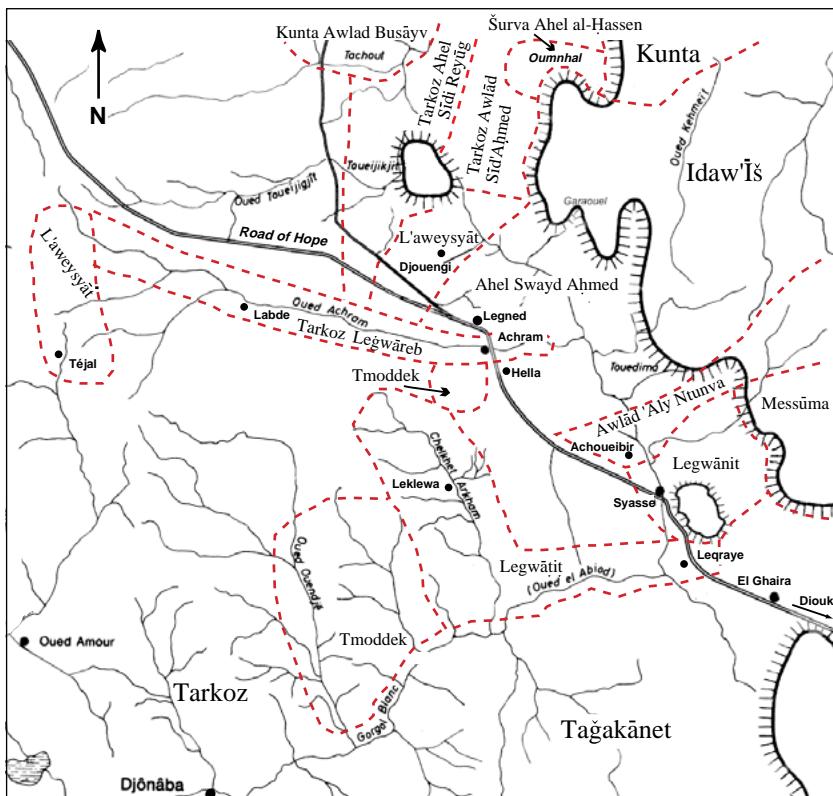
becoming more and more cemented. Land, and not only cultivable land, is becoming scarce due to its extensive appropriation in the course of sedentarisation, and the conversion from pastoralism to agriculture. In order to understand the motives of today's conflicts over land, which are primarily of a socio-economic nature, the past, during which the present shape of tribal land tenure emerged, has to be analysed.

Land for the 'amīr

The colonisation of the Aftout and Tagant deeply affected the configuration of power among the local *bīzān* tribes. In 1903 and 1904 the French brought the Trarza and the Brakna region under their control by cleverly exploiting diverging interests between *ḥassān* and *zwāya*, and developing a coalition with leading *zwāya*. Aware of this threat to their hegemony, many tribes of the centre and the north formed a *bīzān* coalition to stop a further expansion of the French colony.²⁷ Well aware of this hostile potential animated by the Idaw'īš confederation and the 'amīr of the Abakak, Bakkar Ould Soueid Ahmed, the French set out in 1905 to invade the Tagant, the heartland of these *ḥassān* tribes, by military force. Xavier Coppolani,²⁸ the brains behind and leader of the French expansion to Mauritania, nevertheless was convinced that once he had entered the Tagant, he would be able to pursue his policy of "peaceful penetration". Building on his diplomatic abilities and good relations with numerous *zwāya*, he thought it possible to once again divide interests between the local *zwāya* and *ḥassān*, and thus to be able to install French domination with only minor military exertion, and the consent of the *zwāya*. This assumption later turned out to be only partially right. In the beginning, however, the conquest of Tagant seemed easy. The French troops advanced quickly and by brutally attacking the livestock of the *bīzān*,²⁹ hit and weakened their enemies considerably. In a series of battles the *bīzān* were defeated, and the 'amīr of the Idaw'īš Abakak, Bakkar Ould Soueid Ahmed, then almost 100 years old, killed in the battle of Bou Gadoum on the 1 April 1905. Soon after, the whole Tagant appeared to be under French control (cf. Frèrejean 1995: 262ff.).³⁰

Troubles began for the French after their occupation of Tidjikja, the economic centre of the Tagant. Initially the local Idaw'Alī *zwāya* (as well as a number of other tribes, and even some fractions of the Idaw'īš Abakak) had been willing to cooperate with the French,³¹ but hostilities grew rapidly after the French had installed their military post. Xavier Coppolani himself, much praised for his knowledge of Islam by colonial authors, raised fierce opposition among the leading *zwāya* of the town when he, an unbeliever, entered the mosque and hence desecrated it. Furthermore the French bitterly lacked food to feed their large garrison, and therefore put heavy pressure on the residents of Tidjikja to provide large numbers of livestock. Additionally they wanted fixed daily contingents of labourers, chopped down palm trees, and did much more to seriously annoy the local population, which unlike the pastoral nomads of the Tagant, was unable to flee from these pressures.³²

Map 3: Tribal Boundaries in the Southern Tagant and Northern Aftout



Finally the people of Tidjikja responded to the French aggression by shifting sides, and supporting the *bîzân* coalition against the French.

Although the *bîzân* succeeded a little later in killing Xavier Coppolani during a nocturnal ambush,³³ all their efforts to drive the French out of their garrison failed. Greater success was achieved by the subsequent strategy of guerrilla-like attacks and hold-ups. Operating from the north and supported by the northern tribes and the Moroccan sultan, these raids caused the French severe trouble for years. Economic needs, however, soon forced many *bîzân* tribes which had fled from the French to the Adrar to return home and to resign themselves to the French rule. Open resistance was thus upheld only by a small number of northern tribes, and lost much of its support among the Tagant tribes, preoccupied with the reconstitution of their herds and the payment of colonial taxes. An important step towards the definite colonisation of the Mauritanian territory was achieved by the conquest of the Adrar (“colonne Gouraud” 1908-09), and the defeat of the

coalition of *bīzān* forces led by the *zwāya* scholar Ma al-Aïnin (dec. 28 October 1910), based in Smara in today's Western Sahara.³⁴ Nevertheless raiding by northern tribes, among which the *Rgaybāt* were most prominent, continued until the 1930s, and even beyond the establishment of full military control of the Mauritanian territory in 1934 (cf. Ould Khalifa 1991: 541ff.; 565ff.; Désiré-Vuillemin 1997: 497ff.).

Besides this perspective, largely based on colonial sources, and thus bearing the imprint of the colonial point of view, an oral tradition of these events persists among the *Ahel Swayd Aḥmed*. Fortunately it has not yet been completely eliminated by "modern" knowledge transmitted in school and history books, which by and large paraphrase colonial history, and thus block access to a *bīzān*-centred reevaluation of history. Although somewhat breaking the bounds of this contribution, the following narrative, presenting a quite distinct view of what happened during the colonisation of the Tagant, will therefore be presented in detail. Its many subtleties and allusions reveal not only its revisionist ambitions with regard to factual aspects of history, but introduce *bīzān* modes of reflecting conflict and history. The following section therefore is dedicated to its author, Mohamed Ould Mbarek, an old *ḥarṭāni* from the *Ahel Swayd Aḥmed*.

In those times Bakkar Ould Soueid Ahmed had forbidden the French to enter the Tagant. He then was very strong, and could face the French directly. With his force he even could oblige them to pay him an annual tribute [the "coutumes" paid at Bakel]³⁵ that was called *al-kayyal*. After some years Bakkar became old. There was an *iggiw* [sing. masc. from *iggawen*, i.e. griot] of the *Šrātīt* [the second branch of *Idawīš*, which was the *Abakak*'s fiercest enemy]³⁶ who saw Bakkar, and who went to tell the *Šrātīt* that Bakkar had become faint. That was how the *Šrātīt* became able to withdraw the tributes of the French from the *Abakak*, and went to move from *Mbout* and *Kiffa* to *Kaédi* where the French were. The *Abakak* then went there too, and installed themselves side by side with the *Šrātīt*. That was the moment when the quarrels between both began. Before the great war between the *Šrātīt* and the *Abakak* started, the *Kunta* came and helped Bakkar. With this help he defeated the *Šrātīt*.

Some years later, the French started war with the *Abakak*. That was at *Ras el Ma* in the *Assaba*, the place where Bakkar died.³⁷ There was his son *Houssein Ould Bakkar* who saw that after [the death of] Bakkar they could no longer fight against the French. *Houssein* therefore started to make relations with them. Whenever necessary he made a list of the tents [i.e. families] of the *Abakak* and took it to the French [to register them]. There was another brother, *Ethman Ould Bakkar*, who was against the French, and against what *Houssein* did. He took a part of the *Abakak* and left to fight them [the French] as Bakkar had done before. Every time the French entered the Tagant, the party of *Ethman* started to combat them. But *Houssein* helped the French in battle against *Ethman*. When finally the party of *Ethman* was beaten, there remained people from the Tagant.

Houssein meanwhile had become old too, and said he had no longer the force to pursue these people into the Adrar. If there was anybody among the Abakak who could do so and leave with the French for the Adrar, then this person would become the chief of the Abakak. Everybody stepped back and only Abderrahmane [Ould Bakkar] remained. He said he would be ready to go to the Adrar, and he started to inform all Idawīš. He managed to convince them that the French wanted to liberate the Adrar, and he even got support from the Šrātīt. They left all together for the Adrar, where Abderrahmane succeeded. The French then gave him the emirate of Tagant. (Interview Mohamed Ould Mbarek, ḥartāni, 5.7.1995)

This summarising narrative of the recent history of the Tagant emirate, besides offering insights in the major patterns of tribal factionalism in the area and within the emiral lineage, puts a strong emphasis on how the new 'amīr, Abderrahmane Ould Bakkar, gained legitimacy. Unlike his older brothers, Houssein Ould Bakkar and Ethman Ould Bakkar, Abderrahmane was recognised throughout the whole Idawīš confederation, i.e. even by the Šrātīt, by the virtue of his military deeds, even though these had served the colonial expansion. The success of Abderrahmane in combining tradition and colonial modernity in his office in effect was so great, that some in the region of Achram-Diouk now consider him to have been the only real 'amīr of Tagant, and all of his predecessors only to have been major tribal leaders – a view in sharp contrast to the critical interpretation proposed by Francis De Chassey (1984: 62).

The imposition of French colonial rule on the Tagant indeed sparked off major changes both in the relations among the local bīzān tribes, and in their control and ownership of land. Before colonisation, the ḥassān tribes had lived off the tributes paid by the zwāya tribes and the znāga living under their protection, but did not own the land they controlled politically and militarily (cf. Bonte 1987b: 203f.). This configuration of different spheres of production, land ownership, and spiritual and political hegemony was profoundly challenged by the French occupation and subsequent demise of ḥassān power. This evolution was especially marked among the Idawīš Abakak. Already prior to the death of the old 'amīr Bakkar Ould Soueid Ahmed, factionalism among the different branches of his successors had risen considerably, and could no longer be controlled by his two sons Ethman Ould Bakkar and Amar Ould Bakkar, who were responsible for the administration of the office. Various "princes" and their numerous followers threatened tributaries and other dependents by raising voluntarily tributes. After the death of Bakkar Ould Soueid Ahmed, the emirate of Tagant underwent a severe crisis. Although Ethman Ould Bakkar nominally became 'amīr, his power remained limited. Having failed to reunify the Idawīš Abakak and to defeat the French,³⁸ he seems to have been unable to establish hegemony beyond his own faction. As a consequence of this situation, Houssein Ould Bakkar, who had been among the first Idawīš Abakak leaders to submit to the French, and who took care to never fight against them, became a sort of

intermittent 'amīr. His authority, however, remained limited too, as he appeared prominent only in negotiations between the French and branches of the Idawīš Abakak, who had ceased their resistance towards the French. Thanks to his ability to perform this role, Houssein became not only the chief intermediary of the French,³⁹ but was given a prominent role by the Idawīš Abakak too (cf. Ould Khalifa 1991: 566ff.).⁴⁰

The political topography of the Idawīš Abakak was then seriously challenged by the rise of a new pretender to the office of 'amīr: Abderrahmane Ould Bakkar. Still a young man, this son of Bakkar Ould Soueid Ahmed and a slave woman had participated in, and personally performed several remarkable exploits in the "colonne Gouraud",⁴¹ which had installed French colonial rule in the Adrar by 1909. Having been a most impressive personality,⁴² he soon became a favourite of the French, who in 1918 reintroduced the Tagant emirate to his profit.⁴³ Within the Idawīš Abakak confederation, where he managed to become a major chief and to attract a number of followers, Abderrahmane faced fierce opposition, most pronounced among his brothers of more noble maternal descent (cf. p. 105-108), who travelled in vain to the governor at Saint-Louis to attempt to persuade him to revise his decision.⁴⁴ On the Tagant, the official removal of Houssein Ould Bakkar from his functions as a general chief of the Idawīš Abakak in favour of Abderrahmane took place in 1912.⁴⁵ The French eased this dismissal for Houssein by granting him the right to lead a tribal fraction of his own, and the registration of a major cultivation zone on the Tagant – Kehmeit – under his name. Houssein thus became the first ḥassān entitled to ownership rights on a Tagant agricultural site.⁴⁶ Although these rights depended on the French, the very nature of colonial power nevertheless meant that they became lasting ones. By this evolution the ḥassān of the Tagant were able to transform their vanishing political control of territoriality into direct land ownership. They thus entered a domain which until then had been the monopoly of the *zwāyā*.

At the beginning of his career Abderrahmane certainly was more nominally than really 'amīr of the Idawīš Abakak. Although he depended on the French colonial power to strengthen his own authority, he managed to exploit it cleverly, and thus to give his rule a proper shape full of the symbolism of ḥassān virtues, crucial to leadership in this social environment.⁴⁷ The major asset the French provided to their favourite ally was to withdraw his most vigorous enemies from the scene, or simply to punish them vigorously.⁴⁸ Ely Ould Bakkar, and other opponents of Abderrahmane, together with their followers, were released from the framework of the tribal confederation, and allowed to constitute together their own, independent fraction,⁴⁹ not subjugated to the authority of the new 'amīr (this measure applied initially to eight rival brothers, of whom only two were still alive in 1938).⁵⁰ Later, tribes that continued to contest Abderrahmane's authority were released from it, and all transferred to other administrative regions (such was the case of the Awlād Talha, who after such a solution had been discussed since 1914, were finally registered in Kaédi in 1939⁵¹).⁵²

Besides this deep influence on the inner structure of the Idawīš Abakak confederation, at which already lay the nucleus of the territorial materialisation of processes of (inner-)tribal segmentation and conflict, the instauration of the Tagant emirate had a second major outcome: the reorganisation, i.e. the dissolution, of the vast majority of tributes paid to the *'amīr* of Tagant by various dependent tribes or fractions. This large-scale process of renegotiating actually preceded Abderrahmane's coming into office as *'amīr*, and in these respects was unique in colonial history. Other emirates and *ḥassān* tribes were able to maintain their rights to tributes for much longer, and the French openly acknowledged this differentiation in their policy towards the leading *ḥassān*.⁵³ As representative of the Idawīš Abakak *ḥassān*, Abderrahmane Ould Bakkar certified the end of obligations to pay tribute, whenever these had been bought up by the former debtors according to terms over which both parties had achieved consent. The tributes bought up in the majority of cases were of two kinds. First came the *ḥurma*. This obligation normally was paid individually by tributary families to their individual *ḥassān* overlords, but in many cases these individual rights to tribute had come to profit the *'amīr* directly. The second type of tributes to *ḥassān* was the *gaver*, paid collectively by a tribe or a fraction to manifest the recognition of *ḥassān* political suzerainty. The colonial administrators showed themselves very satisfied with Abderrahmane's attitude in these delicate affairs. They considered him to have been very generous when negotiating what dependent tribes had to pay to be released from their tributes. By the end of 1914 twenty-two treaties had already been signed and registered in Tidjikja, and Abderrahmane was granted the right to negotiate in the name of smaller *ḥassān* tribes the conditions by which their rights to tributes were paid off. In 1915 the continuation of the campaign to free people of the Adrar from paying tributes to the *'amīr* and the *ḥassān* of Tagant was planned (cf. Bonte 1985a: 43f.).⁵⁴

Certainly the abolition of numerous rights to tributes held by the Tagant *ḥassān* and the *'amīr* did not end all relations of political domination that had existed before colonisation. The practice of inter-tribal relations is a complex matter, and many of its aspects are likely to have remained unnoticed by the colonial administrators, especially in the early decades of their presence on Mauritanian territory. In 1933 Abderrahmane Ould Bakkar obviously felt strong enough to reopen the case of tributes formerly paid by *znāgā* of the Brakna and Gorgol, the abolition of which had been negotiated by some of his brothers at very low prices, and to his detriment.⁵⁵ Still in 1942, the *'amīr* did not feel uneasy telling a French administrator that he was on the way to collect some of the *ḥurma* due to him from people of the Aftout (cf. Féral 1983: 64).

Until today some of these levies, most of which probably were not truly *ḥurma*, but other types of tribute, are remembered in the region of Achram-Diouk; e.g. the *Lāglāl* are known to have paid the *'amīr* one hundred sheep or goats per year during the time of the French, in order to have him take care

of their affairs. The same amount was paid by the Taġakānet until the death of Abderrahmane in 1982. The Legwātīt in turn gave the 'amīr a share of their harvest, and a number of animals too. Some ḥassān tribes like the Awlād 'Alī Ntūnva paid an annual tribute called gabez.⁵⁶ This levy consisted of one cow, or fifteen sheep or goats (i.e. the equivalent of one cow), paid by the chief, and another goat or sheep paid by every family. Other tribes seem to have had no fixed amount of tributes to pay, but to have sent animals and millet to the 'amīr annually. The ḥarātīn of the Ahel Swayd Aḥmed too paid tribute consisting of one third of their harvest to the 'amīr, and slaves and ḥarātīn owning animals paid tribute in animals too.⁵⁷

The continuation of tribute-paying by a number of tribes did reflect the continuation of a distinct political model, focusing on the recognition of a major bīzān authority in the person of 'amīr of Tagant. To act like an 'amīr, i.e. to keep alive the complementary relations of exchange linked to this office, was a prerequisite to maintain this political structure parallel to the colonial power, and later the independent Mauritanian state. Among the tribes still paying tributes to the 'amīr the ḥassān of the Idaw'īs Abakak confederation were most prominent. These tributes first of all symbolised the cohesion among the constituent tribes through the recognition of a political authority, disregarding the tribes' possible spatial separation. In economic terms, however, these tributes were only of slight interest. The mudārāt, as they were often called, in this respect were the opposite of the ḥurma and ḡaver, which as tributes in return for physical protection had been the basic sources of income for the ḥassān. For this reason they had become the object of abolitionist French colonial policy in the Tagant profiting in the first place the zwāya and znāga.⁵⁸

First the rich and powerful Idaw'Alī zwāya of Tidjikja ceased paying tribute to the Idaw'īs directly after the arrival of the French on the Tagant.⁵⁹ Numerous znāga, who until then had been under the domination of ḥassān tribes, profited from their weakness to change their overlords, and become clients of the zwāya, e.g. the Idaw'Alī. When finally the ḥassān rights to receive tributes were bought up, it were the zwāya who paid in the place of the znāga, thus making them merely change their overlords (cf. Ould Khalifa 1991: 581, 668).⁶⁰ Only a few years later most of the remaining zwāya tribes, and the znāga too, freed themselves from tributes. Different znāga of the Kunta paid 1,626 pieces of guinée to buy up their ḥurma, the Tarkoz zwāya in 1919 paid 1,500 Francs simply to be released from their ḡaver. The Idebus-sāt, like the Taġakānet, had nothing to buy back, as their tributes had occasional character.⁶¹

Today the retrospective view provided by interview data shows that the result of this policy triggered off more profound changes in bīzān society than its authors perhaps would have imagined. The promotion of zwāya status, especially of those groups who once had subjugated themselves to the sovereignty of the ḥassān, has borne remarkable fruits. The Tarkoz, which had not only been perceived as "the zwāya of the Idaw'īs", but had paid them

considerable tributes, in the popular mind today deny ever having done so.⁶² For many, the former times were when the Tarkoz scholars still provided free education for the Ahel Swayd Ahmed (instead of making everybody pay), and thus demonstrated their special attachment with the 'amīr's tribe. The major challenge the ḥassān of the Tagant had to face as a consequence of the end of tributes that was forced upon them by the colonial power, is well put by a chief of an Idawīs Abakak tribe:

After the arrival of the French things changed. There were no more [obligatory] tributes [gaver and magram], and therefore another solution [for the ḥassān tribes] had to be found. (Interview Hamoud Ould Amar, ḥassān, 4.11.1995)

This alternative was looked for and found by the ḥassān. As they were losing both income and labour resources due to the great number of *znāga* who shifted from ḥassān to *zwāya* overlords, they had to appropriate resources for the constitution of a productive base of their own, and again to attract a labour force. Abderrahmane Ould Bakkar seems to have been a highly sensitive and far-sighted politician, who anticipated these future problems, not only to his paramount tribe and confederation, but to his rule too. Knowing that his position as general chief and later 'amīr initially to a very large extent depended on the sympathy the colonial power had for his person, he was completely aware that developing a solution for the ḥassān problem was only possible within the framework of colonial policy. Already on the occasion of the replacement of Houssein Ould Bakkar by Abderrahmane, the French had shown their readiness to gratify political good conduct with the reward of significant land resources. They thus may have laid the initial basis for the development of a more general pattern according to which the Idawīs Abakak were later able to meet the challenge of vanishing political control of space. Territorial hegemony was now produced by the legal appropriation of a narrow web of agricultural sites. The ḥassān, who until then, and unlike the *zwāya*, had not been land owners, obviously easily slipped into this role that so long had been alien to them. The registration of land ownership had become a major means by which they were able to maintain their identity as masters of the (local) territory, and to defend it from intrusion by outsiders. This again is expressed by a statement of the ḥassān chief that framed the one cited above:

In the times we had no land. That was because the Idawīs received tributes. . . . The land was ours [i.e. the Idawīs's], and not the *zwāya*'s. It was us who were the masters of everything, therefore the land belonged to us. (Interview Hamoud Ould Amar, ḥassān, 4.11.1995)

A more analytical statement comes from a prominent member of the emiral family, today owner of one of the most important dams in the region of Achram-Diouk, as well as one other dam, and plots in twelve other sites:

SMOD: Our collectivity [i.e. our tribe, the Ahel Swayd Ahmed] was not the largest one . . . we contented ourselves with our animals, all sorts of animals, we even were overcharged with them to some degree. But at the same time, we were careful to register agricultural sites.

Author: Register them?

SMOD: *Register them before using them* in order to avoid that today there is no place to go. For some time, they [the Ahel Swayd Ahmed, i.e. his tribesmen] now have begun to cultivate. And there they are with several dams that are quite profitable.

Author: And this registration, how was it made, and when did it begin?

SMOD: One went to the préfet, or the chief of the subdivision, and told him he should register that and that site in the name of one's collectivity. By this, the collectivities began to use these sites, these reserves of land. They used them when they wanted to start with cultivation.

Author: When did this begin?

SMOD: I don't know. When I was born [age: 54 years] the people already were cultivating here. (Interview Sid Mohamed Ould Dey, ḥassān, 27.8.1995, emphasis added)

Indeed the territory, i.e. the most fertile and cultivable areas of the southern Tagant, and the bordering stretch of the Aftout soon after colonisation became the object of intense interest from the local tribes, and among these most prominent was the 'amīr's tribe, the Ahel Swayd Ahmed. In 1915 the French approved their wish to move the boundary of the administrative region of Moudjéria about fifteen kilometres southwards, stating that by this measure they wanted to provide the Idawīs Abakak with land they indeed were lacking for cultivation.⁶³ Until then the boundary had been right at the bottom of the hillside, where the Tagant plateau reaches the plains of the Aftout. This delimitation had cut off the many fertile wāds and depressions located close to the Tagant plateau from the Moudjéria district. There, a stretch of about ten to fifteen kilometres depth constitutes an intermittent zone which is characterised by fertile soils and especially dense vegetation, between the plateau and the almost bare plains of the Aftout.⁶⁴ As long as this land had been part of another administrative district, it had been difficult for the Tagant administrators in Tidjikja and Moudjéria to attribute it to the Idawīs Abakak. The original territorial layout of the Moudjéria district had contradicted the aim of bringing into accordance regions of administrative registration destined to represent major areas of residence (and to a lesser degree areas of nomadisation), and administrative boundaries.⁶⁵

According to the land register kept in Moudjéria, the first entitlements in land (apart from the case of Houssein Ould Bakkar), were made as early as 1919 (depression of Aouinet Arr).⁶⁶ In 1920 and 1921 a first comprehensive list of agricultural sites and possessions was established. In this period the Ahel Swayd Ahmed, together with the tribes of the Idawīs Abakak confederation which had remained in the vicinity of the new 'amīr, and a few closely allied zwāya tribes duly registered the great majority of important sites in the

area.⁶⁷ Abderrahmane in several cases succeeded in establishing himself as an intermediary between the administration and the less powerful tribes of the Abakak confederation that had remained in his vicinity. The 'amīr thus again became able to control a part of these tribes' collective resources.⁶⁸ In another case, the 'amīr was able to profit from his political weight.

The dam of Mounhal had been constructed by Tarkoz (*zwāya*) of the Awlād Tīki fraction. It had been registered and used by their chief, but had remained uncultivated for some years after his death. In 1934 the dam was declared public domain by the administration, and the use-rights given to a šarīv from Kiffa, who lived among the Ahel Swayd Aḥmed as a host and close friend of the 'amīr.⁶⁹ Nominally these use-rights were bound to the condition that the land had to be cultivated every year, and hence revocable. This restriction, however, seems never to have been applied. On the contrary, in 1936 the šarīv was exempted from paying the 'ašūr tax, in order to encourage him to clear the land, and some years later (undated), he was reported to have proceeded to the plantation of twenty-two date palm trees, and the construction of a stone-lined well. While the first incident clearly indicates the failure of the šarīv to meet the conditions set by the colonial authorities (there cannot be continuous cultivation without clearing), the second is a remarkable violation of customary law. The construction of a permanent well, and the planting of palm trees by a bīzān are acts of vivification, and thus establish private ownership of land. This clearly is a most direct offence against the former owners, the Tarkoz Awlād Tīki, who, as long as only use-rights had been attributed to the šarīv, could still nourish hopes to get back the land one day. This original ownership of the site through the Tarkoz fraction is also revealed by the fact that in former times it was sūdān of this tribal affiliation who cultivated there.⁷⁰ Unfortunately no entries concerning this case have been made to the register in Moudjéria since 1950, when only the status quo of affairs, and no ongoing quarrels were recorded. Today Oum Nhal, as the location is also called, is definitely in the hands of the family of the šarīv mentioned above. A small village has evolved close to the agricultural site, cultivated mainly by sūdān who joined the šarīv.

In a few cases, this scramble for land had at least temporarily an outcome to the disadvantage of the Idawīš Abakak and the new 'amīr. The depression of Aouinet Arr was first attributed to the Ideybni, a fraction of the Idawīš Abakak that left the Tagant region in 1924. For this reason, the Ideybni had transferred their rights in this location to the Awlād Tallā in 1923. When these left the region too, in 1939, the land was left with members of the tribe who remained in situ. Obviously not willing to be associated with any of the other Idawīš Abakak fractions, the Ideybni (*ḥassān*) families were registered together with the Tarkoz Legwāreb (*zwāya*). This status was recorded, uncontested, in 1950. Today, however, things seem to have reversed to their proper order again. Aouinet Arr, now made more productive by a modern dam, is in the hands of the Legwāniṭ (*ḥassān*), and among these, the chief's

family holds half of the land that now belongs again to a member the Idawīš Abakak confederation.

The early and clearly marked interest the newly imposed 'amīr of Tagant, Abderrahmane Ould Bakkar, developed for the fertile lands of the northernmost Aftout, raise the question why ownership of cultivable land in these times had became a serious issue. Unlike in the years following the big drought of 1969, it was not bitter need that pushed the *bīzān* to cultivate themselves, and to vivify land. Cultivation at the begin of the 20th century still was the almost exclusive occupation of *sūdān*. In the course of the imposition of colonial rule, and the subsequent weakening of their former dominant position, the *hassān* of the Tagant had not only lost many of their tributaries (who had sought protection from new overlords, supposed to be less exacting, such as e.g. the Kunta or the Idawīš Ali),⁷¹ but had also lost a large part of the resources by which they could attract such followers. The heavy loss of income formerly generated by tributes affected the *hassān*'s ability to establish and maintain alliances, which used to be underpinned by generous gifts.⁷² Besides the symbolic value of becoming once again the "masters of the land", if not yet the "masters of everything", the appropriation of cultivable land made the *hassān* of the Idawīš Abakak attractive to *sūdān* seeking new patrons too. The *hassān* of the Ahel Swayd Aḥmed had always integrated numerous *sūdān*, a considerable number of whom had been able to improve their status and become ḥarāṭīn recognised as members of the tribe. They bore arms, took part in warfare, and lived in relations of dependency that came close to those of *znāga* (cf. p. 168-170).⁷³ While today among the *sūdān* of the Ahel Swayd Aḥmed these warrior ḥarāṭīn have slipped from public memory,⁷⁴ it is evident that there was a significant in-migration by *sūdān*, especially from the neighbouring Kunta. The Idawīš of the Abakak branch thus again became what the literal meaning of their name promises: "come here – you can live with them" that illuminated the way for all those who sought better conditions of life.⁷⁵

Until today, the originally distinct modes of access to land practised by *hassān* and *zwāya* can be discerned from the shape of their respective territories, an outline of which for the region of Achram-Diouk is displayed on Map 3. It has to be observed that today, the perception of tribal territories among the *bīzān* has come close to matching modern two-dimensional representations of space, such as e.g. on maps.⁷⁶ The abstract definition of territories by reference to boundaries is a decisive departure from the perception of space prevalent among nomadic peoples such as the *bīzān* had had for most of their history. In these societies, and until today with respect to practical use and appropriation of land among the *bīzān* too, spatial references are made to distinct localities bearing a relevance for human occupation and use. Such localities are wells, springs, salt deposits, locations of dry- or wet-season pastures, agricultural sites, etc. Out of these places in space, numerous paths and corridors linking the locations create what might be called "territory", but more are reminiscent of a web spun around numer-

ous white patches, than of a comprehensive two-dimensional representation of space (cf. Ingold 1986: 130-164; Schlee 1992).⁷⁷

Nowadays these fragmented (tribal) territories have largely condensed to homogeneous entities, of which only some aspects of the proper delimitation of the periphery may be called into question. This is revealed by the local modernist discourse, which aims to replace the notion of “tribe” by that of collectivities, and which no longer takes genealogy and relations of solidarity as reference for cohesion, but joint occupation of one site:

We now no longer accept, we no longer want to speak of the tribe, because this is traditional. We now want to speak of collectivities which fix themselves at a location, like e.g. the *collectivities of Achram*. This means those who fix themselves at Achram, who depend on the administration of Achram. You find collectivities that fix themselves just where they are everywhere. Therefore it is named collectivity . . . a collectivity because you can no longer speak of a tribe, because the tribe has settled at several wells, and close to several, distinct dams. Therefore you remain only with collectivities. (Interview Sid Mohamed Ould Dey, ḥassān, 27.8.1995, emphasis added)

What the discourse tries to mask, is that collectivities, according to the proposed definition, have to be of a tribally homogeneous composition. Thus Achram is not presented as one village, or else collectivity, but as several collectivities, thus anticipating the division into several, largely tribally homogeneous quarters (cf. p. 129-133). Further, Sid Mohamed Ould Dey, as a fine politician, omits to make explicit that the collectivities in general are located on their tribe’s land,⁷⁸ and thus take part in the tribal appropriation and definition of space that is also secured by limiting access to land to members of alien tribes or fractions.

The layout of tribal territories in the northernmost Aftout, among the Ahel Swayd Ahmēd and the Tarkoz, is revealing of how the history of both tribal groups shaped present patterns of land tenure. The Tarkoz, although zwāya with a strong affiliation towards the Ahel Swayd Ahmēd, were the holders of ownership rights in land. As these were not abstract, territorial claims, they applied to distinct places, such as watercourses. When after colonisation, the Ahel Swayd Ahmēd managed to transform their former political hegemony into land entitlements, they were able to appropriate much of the fertile land of the northernmost Aftout, but had to respect the rights pertaining to distinct localities held by the Tarkoz. Thus today, the watercourse fuelling the big dam of Achram is Tarkoz land, while all land besides this small stretch belongs to the Ahel Swayd Ahmēd (cf. Map 3).

Another case revealing of the relationship between political power and access and ownership of land, is that of the L’aweysyāt. They migrated comparatively recently, i.e. within the 19th century, from the Adrar to the Tagant, and became integrated by the Idawīš Abakak. Within this ḥassān confederation, the L’aweysyāt, who like to emphasise their dedication to

warfare,⁷⁹ are considered to be ḥassān of comparatively low regard and prestige.⁸⁰ Later, in the colonial period, they failed to become the closest ally of the 'amīr Abderrahmane Ould Bakkar,⁸¹ and were internally weakened by heavy factionalism.⁸² This, their minor status, is graphically represented in the topography of tribal land that can be discerned from Map 3.

The rather small territory of the L'aweysyāt, owned jointly by the two competing small fractions (cf. "Aoueissiat" in Table 3), and causing much dispute over tenure between them, is centred around the depression of Djouengi. This fertile area, which recently was developed by the construction of a dam, is located in the small strip of the northernmost Aftout that today is bounded on either sides by the tarred road, and the slopes of the Tagant. With their quite marginal emplacement at only one depression in between the Tarkoz, the Tagāt, and the Ahel Swayd Ahmed, the L'aweysyāt are clearly at the margins of the Idawīš Abakak confederation's territory. Unlike older, and much more prestigious and powerful groups like the Awlād 'Alī Ntūnva, they do not possess land on the Tagant, considered to be the symbolic "seat", i.e. the homeland of the emirate. Even during nomadisation, the L'aweysyāt rarely moved onto the Tagant, but stayed – like the ḥarāṭīn of the Ahel Swayd Ahlmed – in the Aftout. Even on the occasion of the annual date cure, the getna, members of the L'aweysyāt did not move on the Tagant, but to Guérou, home area of the Tagakānet zwāya.⁸³

The secondary rank of the L'aweysyāt within the Idawīš Abakak confederation, and the problematic nature of their access to land is revealed by another tradition, stating that the L'aweysyāt had to pay one hundred goats to the 'amīr of Tagant Bakkar Ould Soueid Ahmed to obtain the ownership of Djouengi, and later continued to pay between one and two hundred goats per year (Interview Boueibou Ould Amar, ḥartāni, 1.11.1995).⁸⁴ Additionally, their ownership rights were contested by the neighbouring Tarkoz Ahel Sīdi Reyūg, and it was the French administration which had to intervene in 1942 (a year of drought), and to assist in the demarcation of boundaries between both parties at Djouengi.⁸⁵

Growing Dates and Millet

The evolution of a bīzān interest in agriculture and the appropriation of cultivable land in the wake of colonisation resulted not only from changed configurations of power within bīzān society, and most notably between ḥassān and zwāya, but was fuelled by a determined policy of agricultural development set up by the French. On the Tagant this policy was introduced and forcefully implemented by Capitaine Anselme Dubost, who became "commandant de cercle" in 1919. The aim was to intensify the use of natural resources, especially where pastoral production was considered to exploit these only partially. The most fertile areas, like depressions and wāds, thus had to be transformed into farmland, and the labour resources necessary were to be pulled out of the pastoral sector. Unlike most other colonial policies in areas predominantly populated by nomadic pastoralists, the

Mauritanian administration did not want to limit or draw back pastoral production. It was acknowledged that these “desert” lands in general had little other productive potential. Sedentarisation of the nomadic population never became an explicit objective of colonial policy either. What the administration wanted, was to increase the self-reliance of the Mauritanian population with regard to agricultural production, and thus to reduce the Mauritanian demand for grain on the markets of the south. More local production could also compensate the nomadic pastoralists for the loss of tributes from cultivators in the *šemāma*, and thus reduce the potential for conflict. Finally, the colonial administration hoped that increasing their own agricultural production would strengthen the pastoralists’ bonds to their soils, and make them more stable. If sedentarisation was acknowledged to be a goal much too ambitious to become an objective of colonial policy, the administration never failed to hope that its action could lead the nomads to stick more closely to their supposed home, i.e. their region of registration (cf. Ould Khalifa 1991: 766ff., 781f.; Dubost 1924).⁸⁶

The ambitiousness of this colonial policy for agricultural development was in contrast to the limited means available for this purpose. There were only a few colonial posts, and the number of French administrators was low. Frequently one European commanded a whole district. Money was also scarce. The colony was designed to meet the expenses of administration by its own means, but throughout its history, this goal was rarely achieved. Administrators willing to stimulate agricultural development therefore had little to rely on. They could try to convince their subjects – or make use of coercion. While forced labour was commonly used for specific purposes (e.g. construction of administrative posts, tracks, etc.), there were also risks in exerting too much direct pressure. This was likely to create troubles, and troubles with the *bīzān* not only continued to escalate into armed (and thus costly) confrontation far into the 1930s, but also could become a nuisance to an administrator’s career (cf. De Chassey 1984: 54-60).

Seen in the light of these unfavourable circumstances, the slow, but continued expansion of agriculture under colonial rule appears to a large extent to have developed on the basis of a tacit consent between coloniser and colonised. Most marked was this evolution in the domain of pheniculture. Following colonisation, the number of date palm trees more or less exploded, as numbers from the Moudjéria district in Table 7 demonstrate. Not only did traditional areas of *bīzān* pheniculture, like the Adrar and a few oases on the Tagant, witness a boom, but the cultivation of date palms was extended to areas that until then had not been the locus of oases (e.g. the Assaba region; cf. Table 8). For the colonial authorities, the expansion of the oasis sector was also another means to get control of local production as well as of nomadic pastoralists visiting these places. From the perspective of the *bīzān* the initial labour-input needed for the planting was low in view of an anticipated self-sustaining nature of the later palm tree, and the hope to benefit one day from the dates. Furthermore the planting of palm trees was an act of

Table 7: Evolution of Date Palm Plantations, Moudjéria District, 1905-1984

Year	Number	Species
1905 ^a	300	palm trees
1923	969	palm trees (fully taxed)
1931	9,226	trees and plants in 22 date palm groves
1936	22,452	trees and plants in 43 date palm groves
1984 ^b	31,598	palm trees

a: ANM E2-82, lieutenant Fonde, "les palmiers du Tagant occidental", 1936, document kindly passed on by Roger Botte.

b: FAO (1985: 23).

Table 8: Evolution of Date Palm Plantations, Assaba Region, 1920-1984

Year	Number	Species
1920 ^a	150	palm trees
1948	70,000	palm trees
1951 ^b	120,000	palm trees
1984 ^c	443,036	palm trees

a: Féral (1983: 120f).

b: Villasante-de Beauvais (1992: 47).

c: FAO (1985: 24).

vivification that was easily carried out by individuals, and established rights of ownership on the usually fertile land, even if its exploitation later was only occasional. These characteristics meant that the planting of date palm trees, even when resulting in still well remembered coercion by the administration, which again hit the sedentary population hardest (cf. Ould Khalifa 1991: 766), did not raise universal resistance among the *bīzān*. Rather these developed a stronger interest in the extension of their date palm plantations, which became more profitable due to fewer tributes and raids by enemy tribes.⁸⁷

More complex to evaluate is the question whether millet production expanded during the first decades of colonial rule, a question still controversial among scholars.⁸⁸ This is largely owing to the great variability of agricultural production in a sahelo-saharan climate, marked by high inter-annual and local variability of precipitation (about 50 percent interannual variation of rainfall in Tidjikja during the "wet" period from 1931-68; cf. Toupet 1977: 72). The strongest effects of insufficient or badly distributed rainfall are experienced in rainfed farming. Fields under these conditions may not even be sown for years, thus bearing no sign of use, while others nearby may be exploited, thanks to good local rainfall, and others again are ravaged by locusts, plant diseases, or late drought. In these circumstances there is

hardly a linear correspondence between effort invested in cultivation, and benefit derived from it. An increase in cultivated land, and of harvest in one year, thus may already be reversed in the next year.

Better suited to assess raising or diminishing interest in cultivation is the evolution of recession agriculture. This technique is practised either in natural depressions, or in watercourses of low gradient, flooded with the aid of large dams (*barrages*). In both cases, the effects on production caused by inter-annual variation of rainfall are minimised by the large catchment areas. Additionally, once the earth has been submerged sufficiently long (between four and five weeks seems to be the optimum), no further rainfall is needed for successful cultivation. The humidity stored in the soil allows for the full development of the plant. Although deficient rainfall affects the extension of cultivable land behind dams too, it rarely leads to a complete loss of the harvest.⁸⁹ While before colonisation, cultivation was largely restricted to natural depressions of significant size, like e.g. the Tamourt en-Naaj, the construction of dams became a major means of increasing the cultivable land from the start of this century on. This latter aspect is responsible for the French as well as the *bīzān* interest in promoting this technique. Much like the expansion of date palm groves, the construction and the use of dams were comparatively easy to evaluate, and thus are the most reliable source providing insight into the evolution of *bīzān* interest in agriculture in the first decades of the colonial era.⁹⁰

It is remembered among the Legwāñit, and some neighbouring tribes too, that the construction of the dam Zemmal, which developed a major water-course for cultivation in the northern Aftout close to the village of Leklewa, dates back to the arrival of the French, i.e. the period between 1905-10.⁹¹ A little later, many other dams were constructed in the area. The dam of Achram, until today one of the most important of the whole region, was constructed around 1915 (Interview Mohammed Yahya, zwāya, 21.9.1995),⁹² and the dam Teidouma in 1920 (land register Moudjéria). In quantitative terms, the expansion of agriculture was less impressive, and more limited by physical constraints than that of date palms, but nevertheless was a remarkable exploit. In 1936 a number of 154 agricultural sites, covering a total potential of 3,000 ha (unfortunately confounding all types of plots) were registered alone in the subdivision of Moudjéria. Among these were five dams of more than 200 ha, three of more than 100 ha, six of more than 30 ha, and finally 34 of a size of 2-30 ha. The length of the dams varied between 1,200 metres in the case of Tachott, and about 100 metres.⁹³ Later the construction of new dams continued. In 1945 a report states that Abderrahmane Ould Bakkar had built three new dams, his brother Mohamed Mahmoud Ould Bakkar had built two smaller ones, and the Legwāñit had built a dam of 400 metres in length together with twelve smaller dams. Furthermore quite a lot of older dams were reported as being cultivated.⁹⁴

Even more significant than the early and rapid expansion of dam-driven recession agriculture, is its development parallel to the imposition of colonial

rule. Constructing a dam, like planting date palms or building wells, is an act of sustainable vivification, establishing rights of ownership of the submerged land. In view of the apparently limited range and magnitude of the colonial material incentives for an expansion of agriculture and pheniculture on the Tagant during the first half of this century, these measures are hardly adequate to fully explain the occurrence of major, and in the long run sustainable changes in these two sectors. Although exemptions from agricultural taxes, bonuses and fines are likely to have “convinced” many *bīzān* of the necessity to follow the administrator’s advice to increase the area under cultivation and to plant palm trees,⁹⁵ there needed to be other factors pushing in the same direction to allow for successes of this policy on the Tagant.⁹⁶ Far from blindly following the intentions of French administration (and therefore often being accused of disinterest), the *bīzān*, by increasing agricultural production, responded to a changed political and economic environment which resulted from imperialist colonial rule, and deeply affected and changed the modes of *bīzān* pastoral and agricultural production, as well as patterns of land tenure.⁹⁷

Besides providing a means to obtain, and reproduce political domination, the appropriation of land by vivification had opened to many tribes the avenue to a further diversification of their production.⁹⁸ Extending agriculture and thus developing an extra revenue was possible for those *bīzān* who either had access to land ownership, or managed to achieve this by the virtue of their dominant political role (e.g. the Idaw^cAlī, the Kunta, and the Ahel Swayd Ahmed). Others, however, did not follow this trend, and maintained themselves as highly specialised nomadic pastoralists (e.g. the Tarkoz Ahel Sīdi Reyūg), while again others migrated towards areas where they could escape political and social domination, and establish themselves independently as agro-pastoralists (e.g. the Ahel Swayd and the Awlād Talḥa).

The different interests and options *bīzān* tribes had with regard to the appropriation of land reveal that despite an overall increase of agricultural and phenicultural production there was no unidirectional development towards an increase in these sectors involving all *bīzān*. Neither was the process of land appropriation and sustained cultivation as closely linked as might be presumed. The confluence of two diverging interests in agricultural land, a political and an economic one, serves to explain *bīzān* disinterest in a sustained agricultural use of land, and in investing too much of their own means in its further exploitation. Rather than represent a general disinterest towards agricultural production, these phenomena are significant of a predominance of political and strategic interest in ownership rights in land, which, once they were achieved, needed little further action to be maintained. In addition, the reluctance some *bīzān* showed, according to colonial records, when confronted with the demand of building dams, is less revealing of a general disinterest in these innovations, than of the development of tactics aimed at the perception of additional funding and assistance. Besides this, it was the colonial administrators themselves who had to glorify their own

action when reporting on their work, and thus underlined the salutary effects their action produced vis-à-vis a desperately backward indigenous population.⁹⁹

Old Dams, New Dams

More difficult to assess than the expansion of agricultural activities is the real amount of agricultural production that these were able to provide. However high the French interest in the expansion of agricultural production was, the colonisers hardly had the means to evaluate it. Until today production potential and real gross production in the rural hinterland can only be roughly estimated. In 1938, the resident at Moudjéria estimated the district's production of millet to make up 700 tons. This obviously good year was followed by a poor harvest estimated at 340 tons. In the following years, the various residents most often abstained from direct estimations, and were content to describe the conditions as being good or bad, and to detail these descriptions by information on the availability and the prices of millet on the local markets. This preference for rough estimates was continued when in 1953 a local resident reported that the production of millet in the district of Moudjéria could meet the local demand – provided that climatic conditions were favourable. Ever since, the self-sufficiency of local millet production has continued to resurge until the present, where it has become part of the local rural development strategies. Whether or not the agricultural potential of the district of Moudjéria, or the region of Achram-Diouk, exactly meets the needs of the local population, is of minor interest. More important is, that the agricultural potential was until the present estimated to keep up with the local needs, even when these rose due to a rapidly growing local population and in-migration since 1969.¹⁰⁰

The economic significance of agricultural production on the Tagant can also be discerned from another perspective. As outlined before, over the centuries grain was an important commodity, which bīzān traders bartered in the south for desert salt and other commodities (cf. p. 165f., 188f.). One major route of this grain trade, linking the Adrar with the Senegal valley, passed through the Tagant. Many Adrar small traders, however, preferred to already buy their millet on the Tagant, and thus to economise on the journey, rather than the price. Tagant agriculturalists in turn were able to barter their millet for products from the north or, as was later the case, sell it for cash. This strategy, which persisted until the begin of the drought cycle in 1969, was not without risk (Interview Bâke Mint El Mokhtar, ḥartāniyya, 2.11.1995). In January 1941 people from the Adrar were reported to have bought up almost the whole grain production of the Tagant, bartering it for guinée cloth and sugar, because no millet was available on the markets of the south. When during the rainy season the rainfall was highly unsatisfactory, prices for grain on the Tagant rose quickly. At the same time the administration maintained restrictions on the grain trade forbidding all cultivators in the south to sell their millet to pastoralists from the north. In 1942 rainfall

proved to be even worse than the year before. The situation deteriorated badly and the local harvest failed almost completely. These severe difficulties of the Tagant population were further aggravated by the still persisting administrative regulations, and a general economic crisis hitting the French West African colonies. Almost all commodities crucial to the local trade were out of supply (cloth, sugar, millet). Animals, seriously affected by the drought too, were sold in great numbers to buy grain. The population of Tidjikja alone grew from about 1,000 to 5,000 inhabitants, and many sūdān migrated to the south, thus further minimising the local potential for cultivation (Ould Khalifa 1991: 895f.).¹⁰¹ This both manifest and fragile potential offered by a local agricultural production serving either auto-consumption and barter trade, is but one other reason why bīzān were interested in growing millet locally, and why their interest persisted even during the heyday of bīzān pastoral production in the wet decades before the big drought in 1969.

Following the end of the Second World War, in the course of which the French West African colonies (A.O.F.) had sided with the regime at Vichy,¹⁰² a new policy vis-à-vis the French colonies was developed. Besides a territorial reorganisation, which added the two regions of the Hodh (until then administered by the French Sudan) to the Mauritanian colony, the bestowal of more autonomy on the colonies was placed on the agenda.¹⁰³ In 1946, Mauritania lost the status of a colony, and became a "territoire d'Outre Mer" (T.O.M.) of the 4th French republic, and thus obtained the right to send its own deputy to the national assembly. These first elections held on Mauritanian ground ended in a fiasco for the French administration. Instead of their candidate, the administrator Yvon Razac, it was a bīzān of the Idaw'Alī who won the elections. Horma Ould Babana had prepared his exploit well by developing strong political ties to the influential Senegalese politicians Lamine Guèye and the deputy Léopold Sedar Senghor. The latter in turn supported the candidacy of Horma Ould Babana among the black African ethnic groups within Mauritania, and enabled him thus to gather support both among black Africans in the south, and among the bīzān (cf. Marchesin 1992: 86ff.; Féral 1983: 89ff.;¹⁰⁴ Ould Khalifa 1991: 899, 939ff.).

As a consequence of their failure to promote their own candidate, the French decided to prepare better for later elections. For this reason the clientele structures that indirect rule via the tribal chiefs had helped to create were reinforced. The drastically increased funding of the Mauritanian territory, which for the first time enabled the colony to develop its economy and enhance the living conditions of its population, gave the administrators a powerful means to favour those chiefs, i.e. tribes, who sided with the administration (cf. De Chassey 1984: 168ff.; Abdel Wedoud Ould Cheikh, personal communication).

Part of the plans for the economic development of the Mauritanian territory were considerable funds assigned for the construction of wells, and the reconstruction, or improvement of traditional, i.e. hand-built earthen

dams. These in general were to be improved with a concrete outflow, while the dams received some fortification, or profited from the work of caterpillars.¹⁰⁵ On the Tagant, one of the greatest beneficiaries of these measures was the 'amīr Abderrahmane Ould Bakkar, known to have been opposed to Horma Ould Babana.¹⁰⁶ He was assigned the improvement of the major dams at Daber and Kehmeit. Further beneficiaries were the Kunta 'Āskīra at Bourraga, and the Kunta Awlād Busayy at Tachot. The Tarkoz Legwāreb profited from the reconstruction of their dam at Achram.¹⁰⁷

The Drought, a Development Project, and New Patterns of Land Tenure

The most decisive transformation of land-use in the region of the northern Aftout, but of vast areas of the Tagant too, took place in the years subsequent to the big drought of 1969, that soon transpired to have only been the starting point of a period of increased aridity lasting until the present, and striking the whole Sahel. Deprived of the vast majority, if not all of their animals, both bīzān and sūdān settled close to already established agricultural sites, and started to develop new ones. The vicinity of the track linking the capital Nouakchott with the east of the country made of the northernmost Aftout a prime location for sedentarisation. Here access to the food aid delivered by the government in Nouakchott was good, whereas the situation on the Tagant, which was difficult for the large trucks to access was difficult.

The vicinity of motorised transport facilities also eased migration and later communication between the rural dwellers and urban migrants. The transformation of the already existing earthen west-east dust-track into the tarred "road of hope", reaching the region of Achram-Diouk in 1977, further increased the number of rural-rural migrants settling in its vicinity. As a consequence of this growing population, the pressure on land increased. Tribally homogeneous groups constructed new dams and repaired old ones, thus appropriating land collectively. Additionally, many individual small dams (*diguettes*) were built, allowing for an improved rainfed cultivation, and strongly accentuating the movement towards an appropriation of cultivable land encompassing the whole region. Already by the mid 1980s all land suited to cultivation in the area of Achram-Diouk was considered to be in collective or individual ownership, thus leaving no more land for initial vivification to those migrants who continued to settle in the region (cf. Binneweg 1988).

Subsequent to the start of the drought cycle, the living conditions deteriorated in the region of Achram-Diouk – as in many other areas of Mauritania and the Sahel. Most prominent in this respect was the desperate state of the local water supply which caused numerous diseases and was quite inadequate. The concentration of both population and problems in this part of the northern Aftout, which until then had been notorious for its lack of permanent wells, led to the activity of several donors and NGOs, and the installation of an integrated rural development project in 1982.¹⁰⁸ In order to increase and render more sustainable local agricultural production, and thus enhance

the local populations' living conditions, large investments were made to increase the number of dams and to improve their technical design (cf. Seiler 1992; Justen 1991).

Today dams of modern design are considered to allow for cultivation already with only 120–150 mm of rainfall during the rainy season. 29 dams, allowing for the flooding and subsequent cultivation of close to 3,000 ha were constructed or reconstructed between 1987 and 1995 with modern techniques in the region of Achram-Diouk. Additionally a far greater number of smaller dams were strengthened with the support of a caterpillar. This machine, together with qualified staff, could be hired by the local population in order to overcome the labour shortage occurring shortly before the rainy season, when dams damaged by floods or water run-off had to be rebuilt, or new dams were constructed. Support was also given for a time to the construction of small individual dams (*diguettes*), by the subsidisation of construction material. Besides this material support, know-how about cultivation, and in particular plant diseases and remedies, was also disseminated.

The increased pressure on land fuelled the further rigidification of tribal territorial boundaries (cf. p. 219f.), and led to a number of conflicts in the region of Achram-Diouk. Among tribes, these occurred in areas where the marginal state of land had led to only vague definitions of territorial boundaries. Besides these conflicts located at the periphery, the increasing number of dams created another source of conflict involving the heartland of agricultural exploitation. Large watercourses had been exploited, at least since colonial times, not by a single, but by several consecutive dams. These often were in the ownership of different tribes, for tribal territories used to cross-cut the watercourses rectangularly. In order to achieve the maximum potential of the dams lying at the lower end of the watercourse (i.e. to fill them up completely, and allow for the optimum period of flooding), those at the upper end have to be distant enough to allow the lower end dams to have a proper catchment zone. Additionally, upper end dams have to be emptied early enough not to affect the interests of lower end cultivators. Tensions arise whenever new dams are built in such a setting on an "upriver" territory, because they may withhold water from the lower ones. This distribution of natural resources makes inter-tribal cooperation a crucial prerequisite for an effective exploitation of the given resources. Further, it adds another facet to land tenure. The construction of dams not only legitimises the appropriation of the land flooded by this undertaking, but establishes rights to the watercourses feeding it, even if these lie beyond the tribal territory.

Inter-tribal conflict over land and surface water resources has gained prominence in some cases (cf. Ould Al-Barra/Ould Cheikh 1996: 171ff.), but contrary to what might be anticipated, it is not the most frequent configuration of such discord. Among fourteen cases of conflict over land that were delegated to the local authorities between 1977 and 1991, all of which involved the Ahel Sīdi Maḥmūd of the Assaba region, only five cases fell into the category of "inter-tribal" conflicts. The remaining majority of cases

involved members of the same tribe. Either different factions were unable to solve their divergent interpretation of land ownership (five cases), or the conflict arose among *bīzān* and *sūdān* (three cases). Segmentation processes (three cases), familial disputes (one case) and intervention by notables (one case) too led to conflict over land (cf. Villasante-de Beauvais 1995: 1093).

This rather detailed classification of the nature of conflicts, major aspects of which are still subject to controversy among scholars,¹⁰⁹ is valuable insofar as it is able to shed light on the multitude of levels on which conflict over access to land can develop within the tribe. This is due to the heterogeneous composition of these highly flexible social entities. *Sūdān* oppose *bīzān*, influential *bīzān* families conquer for power, as do political factions, to name only a few configurations. Tribal cohesion may thus be articulated on a scale ranging from only one small group, up to large entities encompassing a number of almost autonomous fractions.¹¹⁰ While the tribes' territorial boundaries in most cases have become quite well-defined during this century, the collective control of the resources thus assembled, and the mode of their exploitation are less consistent. Still-ongoing processes of internal factionalism, splitting up formerly homogeneous authorities and tribal groups,¹¹¹ find a major field for articulation in land tenure. The control of the most fertile land is an issue the local elites need to manage and exploit for the sake of their political hegemony.

Inner-tribal configurations of conflict become evident in cases where resources that are owned collectively by various factions have to be subjected to new modes of exploitation. Enhancing agricultural productivity, e.g. by the construction of dams, frequently necessitates a redistribution of land among the contributors to the building. Difficulties arise whenever only a part of the tribe is concerned with the undertaking, or when different factions of the same tribe have to negotiate their respective share of land. These constellations are revelations of the actual balance of power within the tribe. While most frequently *bīzān* oppose *bīzān* and the authority of a chief becomes contested, recently new patterns of conflict evolved in which *sūdān* actively take part. This was the case with the dam of Dharagouadir, built by about thirty *sūdān* and *bīzān* subsequent to the droughts of the early 1970s near Leklewa. The chief of the Legwātiṭ at the time claimed a sort of primary control over all lands exploited on the tribe's territory, and translated this into a right to get a share in every new dam constructed, without even contributing to the work.¹¹² The conflict escalated at various stages, and was settled only by a decision from the regional court in Kaédi. The *bīzān* and *sūdān* families got the right to appropriate the land, but had to transfer the new dam farther upriver, and hence more distant to the tribe's most important, rather old dam at Zemmal.¹¹³ This outcome of inner-tribal conflict meant different things to either *bīzān* and *sūdān*. The *bīzān*, who had been landless so far, had provoked and experienced the break up of many of their relations with the tribe's elite, who was a source of patronage and security for dependents of all kinds, in order to gain some rights in land instead. The *sūdān* on

the other hand exchanged precarious use-rights at the tribe's major dam Zemmal, burdened with high contributions to the *bīzān* land owners, for real entitlements in land. Besides this most obvious dividing line, the case is spectacular, because it provoked an alliance between parts of deprived *bīzān* (they had been by the majority pastoralists, and therefore prior to the drought had no, or very few individual rights to agricultural land) and a group of *sūdān* largely independent of their former masters.¹¹⁴ The *bīzān*, among whom only four families owned a plot at Zemmal, at the time were split over the issue whether to coalesce with the *sūdān* or to accept the demands of their chief for the sake of tribal integrity. The conflict was resolved by some *bīzān* remaining with the chief's fraction, and another group moving off with the *sūdān*.

In numerous cases, however, *bīzān* factionalism continues to rule patterns of conflict and land tenure. At El Gharga *sūdān* from two fractions of the Tmoddek had begun to cultivate land in a depression subsequent to the drought, and had hindered *sūdān* from other tribes from establishing themselves in the area. The *sūdān* had thus marked not only their own appropriation of the site, but had also made their tribe's and their respective fraction's claims manifest.¹¹⁵ In order to receive aid from the local development project for the construction of a new dam on this site, the two factions of the Tmoddek present on the spot had to develop a consensus on how to share both the costs and the land behind the dam. This was such a controversial issue among the *bīzān* factions (who alone were in the position to arbitrate on the land, for it is they who hold the proofs of legitimate ownership),¹¹⁶ that compromises that had already been made were called into question several times. The development project, following a policy to intervene only on sites free of conflicting claims in order to avoid taking the role of an arbiter, therefore twice stopped all construction activities. This pressure on both *bīzān* parties finally led to the conclusion of a sustainable arrangement, according to which the dam (and its costs) was divided into two equal halves, each of which was shared among the members of the respective fractions (Interview Amadou Bâ, project leader SO.NA.DE.R Achram, 30.1.1996; Walid Ould Mbarek, ḥāfiẓāni, 7.2.1996).

Why consent is difficult to achieve between two, or sometimes even more factions, is illuminated by the opposition of two distinct principles of equality underlying this kind of negotiation of access to land. Either all members of one tribe have equal rights to land regardless of their factional affiliation, or access to land is mediated by the factions, whose leaders want to assert their political role, and thus are unlikely to accept any unfavourable agreement. In the case of El Gharga, the factions, i.e. their elites, were successful in this strategy, and negotiated access to land for their affiliates. The "equality" thus achieved between the two parties, however, caused difference on another level: the 55 members of the first fraction contributing to the dam share the same surface as the 93 members of the second one.

Getting Land, Losing Land: Sūdān Land Ownership

Disputes over land such as outlined in the preceding section, could hardly develop without sūdān contribution. Sūdān not only continue to be more intensely involved in agriculture (although many bīzān now depend strongly on agriculture too), but are directly affected by the recent increase of bīzān interest in cultivable land. In former times, few bīzān cultivated themselves. They were the owners of the land, but the majority of the work was done either by their slaves or by ḥarāṭīn. When the pastoral sector was struck by the drought crisis, and agriculture became a low capital activity to fall back on for many bīzān, pressure on the sūdān grew. Old claims were reactivated, and ḥarāṭīn had to pay increasing shares of their harvest for the right to cultivate bīzān land (cf. Bonte 1987b: 211; and above p. 203f.).

Confronted with these worsening conditions, many sūdān sought to appropriate their own land by vivification, and thus to escape from the obligation to share their harvests with bīzān landowners.¹¹⁷ However, the land still free for appropriation by this time was by and large marginal land. Most fertile land, such as depressions and watercourses, has been under tight bīzān control for generations. In 1988, a study for the development project for the region of Achram-Diouk calculated that a bīzān family in the area of Leklewa and Syassa had access to a mean of 1.8 ha of land behind large dams (*barrages*), and 1.0 ha behind small dams (*diguelettes*), while a ḥarāṭīn family had access to only 1.2 ha behind large dams, and 3.5 ha behind small dams (cf. Binneweg 1988: 36).¹¹⁸

Sūdān difficulties in becoming owners of most fertile land are revealed by the case of the second large dam intersecting the wād Achram. It was constructed in 1977 after local notables had proposed to reinforce the substructure of the “road of hope” and to turn it into a dam equipped with an adjustable outflow. Conflict arose over the issue of how to distribute this land, which none of the zwāya of the Tarkoz Legwāreb owning the wād had to pay for. While the sūdān wanted to become participants with equal standing to the bīzān and to get parcels like them, the bīzān concluded that this land was exclusively to benefit themselves. The sūdān should not be taken into account during the allotment of parcels. Consequently the whole dam came under the ownership of the bīzān. Whenever they wanted to cultivate on plots behind the new dam, the sūdān had to submit to the well-known sharecropping conditions, obliging them to pay half or one third of their harvest to the bīzān landowner.¹¹⁹

For many sūdān of the Tarkoz Legwāreb, this major disappointment of their aspirations to be treated as equal members of the tribe marked a turning point in their relations with the bīzān. Many today report that they boycotted cultivation of the new dam totally, or at least no longer accepted the classical, disadvantageous sharecropping arrangements. Although the land behind the dam remained a most important resource, and is (together with the other dams controlled by the bīzān) almost the only resort in years of bad rainfall, the strategy of the sūdān, who in the meantime had raised many

individual and a few collective dams in order to become less dependent on the *bīzān* land, had some effect. Many parcels belonging to *bīzān* who did not want to soften the terms for sharecropping by *sūdān* remained uncultivated. Landowners who preferred to make a small profit rather than none, therefore began to offer better conditions to the *sūdān*, leaving them most often with two thirds, and in a few cases with up to 90 percent of the harvest.¹²⁰ All of these achievements, however, attenuated but did not profoundly alter existing relations of dependency.

Quite a different principle of access to land was practised at those sites where new dams were constructed with assistance by the local development project. Here all members of a collectivity (the current euphemism for members of a tribe residing in one location), *sūdān* and *bīzān* alike, were considered to be able to become landowners on equal terms. The single condition was that everybody had to participate, i.e. to pay for his share. Large plots thus could be obtained by paying a correspondingly higher share.¹²¹ In order to facilitate payment calculated in cash, this could also be replaced by an equivalent amount of work. The preference of *sūdān* for work, and of *bīzān* for cash, gives another glimpse of the difference between both groups, and also reveals the impact of the development project's policy on the establishment of new patterns of land tenure. Coinciding closely with the impetus of Mauritanian land reform, the project's action effectively underscored the abolitionist impetus inherent to the new legislation. While already before the intervention of the project cooperation between *sūdān* and *bīzān* on an equal footing had begun on some occasions, the intervention of the development project set new standards on how equal rights were to be applied. Besides being a clever policy, this was made possible through the project's outstanding economic resources, which made it renowned in the capital Nouakchott 450 km away as the true master of the region, outclassing the region's state officials and tribal elites (Meskerem Brhane, personal communication). Drawing on these resources, both the interests of the poorest and of the local elite could be met. This balance, although favouring not only the most needy, but to some extent also the old and new notability, however was – as the case of the second dam at Achram had shown – crucial to achieve a sustainable use of the local resources and hence to promote local development.

Getting Social Hierarchy Back In

Besides equality, the need for consent as a prerequisite for development aid also allowed for modes of tenure reintroducing the notion of inequality among different groups of land owners, above all among *sūdān* and *bīzān*. Most prominent in this respect is the dam at Leklewa, built jointly by *bīzān* and *sūdān* of the nearby village of the same name and prominent in that it became something of a model promoting this kind of assistance for development (cf. Wüst 1989; Justen 1991). Obviously unnoticed by the development experts, the *bīzān* and *sūdān* (the vast majority of whom had not been

involved in relations of dependency towards each other), developed a model of how to transform their conflictual relationship into a consensus on land tenure.

Initial quarrelling at Leklewa was about the question whether the sūdān should become owners of the dam like the bīzān, or if sharecropping arrangements should be pursued, as was the rule on most other dams owned by bīzān. After the bīzān had split into two factions over this question it was decided by a part of the bīzān and a part of the sūdān to divide the dam into two equal halves, one for the bīzān, and one for the sūdān. As there were fewer contributors for the bīzān half than for the sūdān half, the bīzān plots were designed with a width of 25 metres, whereas the sūdān ones attained only 15 metres (all plots have nominally the same length).¹²² Although the reason for this arrangement clearly is to be seen in the dissimilar number of bīzān and sūdān cultivators, a rather different justification was given by one of the sūdān concerned. According to him the sūdān community accepted the arrangement, because the larger bīzān plots were conceived as “family plots”, while the sūdān ones were seen as “individual plots”. While among the sūdān, several brothers (even unmarried ones) could, and did, engage independently in the construction of the dam and the appropriation of plots, among the bīzān this was only supposed to be done by household chiefs. While sūdān were conceived as having to sustain themselves above all, the bīzān were regarded as responsible for families – and in some regards responsible for dependents.¹²³ Here again, as in the case of bīzān factionalism at El Gharga, it was important for both groups to establish themselves as distinct communities with equal rights, even though the sūdān had to accept much smaller parcels of land than the neighbouring bīzān as a result (Interview Sidi Ould Salim, ḥarāṭīn, 27.7.1995).

Elements of traditional hierarchy will be likely to resurge even more strongly after the withdrawal of the development project, which became definite in 1996. Besides the maintenance of the new facilities,¹²⁴ the raising of new funds for local development will continue to be on the agenda.¹²⁵ Local elites, both old and new ones, will gain in importance whenever they prove to be successful in this domain. This is highlighted by those cases where individual bīzān have succeeded in developing their sites.¹²⁶ A zwāya notable owning a large part of a recently enhanced dam employs a number of sūdān for cultivation and harvest. These, however, do not originate from the owner's tribe, but have migrated into the Aftout, to leave their former masters and relations of dependency behind. Now they have established new relations of clientage free of the burden of a slave past, but also void of the material benefits and the security these relations sometimes continued to provide. Despite this tendency towards the evolution of a rural proletariat, ready to move to wherever there is work (cf. Bonte 1987b: 212), the still most widespread arrangement between bīzān landowners, both ḥassān and zwāya, and sūdān cultivators in the region of Achram-Diouk continues to be sharecropping – but its conditions become increasingly diverse. Landowners

may receive one half, one third, and sometimes much less of the harvest for granting the use-rights of their land. Sūdān cultivators on the other hand may be found working behind one and the same dam on their own as well as on bīzān plots.

Honourable Sūdān: the ḥassān Mode of Land Tenure

Quite a different kind of arrangement is made among sūdān and bīzān in the ḥassān milieu of the emiral tribe of the Ahel Swayd Ahmēd and among other ḥassān tribes of the Idawīs Abakak confederation. Among these the great individual landowners grant plots without fixing any compensation, and indeed evince deep disdain for the sharecropping arrangements common among the neighbouring zwāya by answering to the question whether they rent land for a share of the harvest as do the neighbouring Tarkoz Legwāreb zwāya: "We don't do that [like the Tarkoz Legwāreb], we only give." (cf. the narrative of Youba, p. 72)

Suspicious of what appeared to be too much generosity to be true, I had to await a quite distinct situation to unravel the nature of these ḥassān-sūdān relations. In the meantime the matter proved not easily accessible via interviews, for both parties, ḥassān and sūdān alike, continued to deny giving or demanding any kind of compensation for the right to cultivate. A new light was shed on the case at the end of 1995, when my driver, Nanna Ould El Vaida, asked permission to be freed from work for one day. There was some urgent work awaiting him on his millet field, which I knew he had been granted by one of the great Ahel Swayd Ahmēd landowners. Admittedly I was annoyed by demands from my employees to be freed from work, for these seemed "to make children",¹²⁷ rather than that the spare time granted resolved the problems it had been designed for. To make the conversation at least a little bit more productive I decided to turn it into a conversation on the different aspects of millet cultivation. Wanting to increase my knowledge on this topic, I started reasoning about when and where which kind of work had already been done on this field, and why the current business could not be delayed until Sunday. The dilemma of my ḥartāni driver soon surfaced. Originally, the work now in question had been scheduled by him for the week before, but then the sūdān cultivating on the plots granted by the ḥassān notable had all decided to work on the site of the latter instead of their own plots. Profiting like all other sūdān from the land of the notable, Nanna Ould El Vaida had to submit to this decision, and postponed work on his own field.

The decision of the sūdān to work the fields of the notable was remarkable for another reason too. The notable was on a journey at this time, and therefore was unable to manage his fields personally. The sūdān therefore – as a matter of honour – released him from this responsibility. Leaving the region without explicitly demanding that sūdān care for his fields, the notable had made proof of his trust towards the reliability of the sūdān and their ability to decide on the right thing to do. The sūdān had got the unspoken

message very well,¹²⁸ and done what they were expected to do (it goes without saying that there is an unspoken threat of sanctions too, and notables also ask for distinct services).¹²⁹ Rather than further fixing the sūdān's subordinate status, this kind of arrangement enabled them to behave not like dependents, but like free men. It shows how both sides agreed to respect each other, and thus further increase each other's prestige. Finally, the case illustrates quite well how the Ahel Swayd Ahmēd could attract many sūdān by providing not only a homestead and land to work on, but a chance to be treated like a full member of the tribe.¹³⁰ Even when ḥassān directly demand assistance from those ḥarāṭīn benefiting from their land, as is also the case, this honourable relation is not destroyed, for asking for help does not mean fixing a direct remuneration, but only underscoring the relations of mutual assistance.¹³¹

This "ḥassān mode of land tenure" is practised not only by some leading members of the Ahel Swayd Ahmēd, but to a lesser extent by other ḥassān too.¹³² The limits to the extension of this practice result from the strong centralisation of land among only a few people. Dispersed, small-scale individual owners, who indeed lend plots to assist fellows in need, are rarely able to do so on a larger scale involving more than one or two plots without confirming what the revenue might be. Large landowners, granting plots to many individual cultivators, face little risk to their revenue in both symbolic and economic terms, even if some beneficiaries fail to fulfil the exigencies they are submitted to.

The Politics of ḥarāṭīn Generosity

The centralised control of much land by a few bīzān, which is closely intertwined with traditional tribal hierarchy, means that use-rights on these sites continue to be revocable even after decades of continued cultivation by distinct groups of sūdān. Several dams on the Ahel Swayd Ahmēd territory are reported to have been constructed by the ḥarāṭīn of the Ahel Swayd Ahmēd,¹³³ or jointly by these and the 'amīr, and other leading members of the emiral family. Most of these former ḥarāṭīn plots were given up by their supposed possessors, and donated to the 'amīr when the emiral camp of the Ahel Swayd Ahmēd, the ḥella, settled near Achram. The aim of this allegedly deliberate action of the ḥarāṭīn was to provide the 'amīr with land for cultivation which he could distribute (on the same revocable conditions) among the needy population of the former ḥella, now settled in the village of the same name. This miraculous and most unselfish ḥarāṭīn withdrawal took place at several dams they had cultivated for years, but most of which were (and still are) registered at the préfecture in Moudjéria under the name of the former 'amīr of Tagant, Abderrahmane Ould Bakkar, the official representative of the Ahel Swayd Ahmēd.¹³⁴

One dam affected by this redistribution of use-rights is Brik. It was constructed as early as 1948 both by a group of ḥassān and of ḥarāṭīn who now say to have lent their land to the 'amīr in order to help the poor (bīzān)

people of Hella. Elimba too is an old dam, which originally was entirely exploited by the *ħarāṭīn*. All families but eight who used to cultivate there left and donated their land to the 'amīr.¹³⁵ Bla Tama'a was left completely by the *ħarāṭīn*, and now is occupied by an influential *ħarāṭīn* with close ties to the emiral family, the Ahel Sneibe, and six other *sūdān* families. In other cases, the *ħarāṭīn* were able to continue cultivation on plots side by side with those of members of the emiral family, but had to endure the tutelage of the notables. The dam of Legned was reconstructed and enlarged in 1969. The 'amīr and his seven *ħassān* co-owners decided to make their parcels, which were already much larger than those of the fifteen *ħarāṭīn* families, even larger on this occasion. Today the *ħassān* plots are of 200 metres width, measuring a length of 1,500 metres, while those of the *ħarāṭīn* are of only 50 metres width and the same length. According to one *ħarāṭīn* informant these dissimilar sizes of the plots resulted from a corresponding, uneven contribution of *ħarāṭīn*, and *ħassān* notables to the construction of the dam. This view, however, was contested by another *ħarāṭīn* informant, who stressed the role of the pressure the *ħarāṭīn* were subjected to at the time to make them accept this redistribution. Similar cases of uneven plot sizes, all involving the same *ħassān* families found in Legned, occur at the dam of Zmeimil and Amriche El Beidha.

Quite controversial too are the views concerning the important dam at Toueidima. This dam was rebuilt in 1983, directly after the death of the old 'amīr of Tagant, Abderrahmane Ould Bakkar, and the year of the settling of the *ħella*, the emiral camp. Seeing the numerous participants, and considering the plots fixed by a preliminary distribution too small to be worth cultivating, the *ħarāṭīn* left their share of land for the people of Hella. According to another account, the rebuilding of the dam was effected already in 1977 by using a caterpillar borrowed from the company constructing the tarred "road of hope". The later redistribution of parcels resulted from the old 'amīr's sons' decision to let Toueidima with only three of them, while the ownership rights on other dams were distributed among the remaining brothers. Ever since there has been a fixed delimitation of the parcels at Toueidima, because the experience of several years is said to have demonstrated that there was no need to calculate plots sizes in relation to the surface flooded.

The fragile character many *sūdān* claims to land still have, is also revealed by a case of conflicting claims to land among *sūdān* affiliated to the Ahel Swayd Ahmed that happened in 1995. The long *wād* of Achram, which is an affluent to the Gorgol Blanc, is exploited by a series of dams among which are the two dams owned by the Tarkoz Legwāreb at Achram, and a series of dams owned by two important members of the emiral family. In between these large dams on land of the Ahel Swayd Ahmed are located two smaller ones built and owned by *sūdān* the Oued Moud, and the Oued Haratin. The history of the ownership of these sites is quite a troubled one, and marked by the succession of different owners: the Oued Moud was constructed by ten

sūdān families who later gave up the site, which in 1986 became reoccupied and reconstructed by the ḥārānī Moud and six other families.

More complex is the case of the Oued Haratin. The first construction of a dam on this site was initiated by four sūdān families but finally a total of eleven families contributed to the building of the dam, which later was enhanced by a small concrete outflow funded by the development project.¹³⁶ Since then the number of sūdān cultivators has grown to about twenty, because revocable grants, which do not have to be paid for, were made by the initial collectivity of users.¹³⁷ Troubles started when a member of the Ahel Sneibe, a ḥārātīn family with strong ties to the 'amīr of Tagant, raised claims on this and surrounding sites prior to the start of the cultivation season 1995. The claimant had found out that once his family owned small dams in the area, and was able to provide three witnesses for his cause, his claim for the ownership of the land was well founded on legal grounds. Alarmed by the threat that their dam might be declared illicit, and hence might have been destroyed, the sūdān asked the (unofficial) 'amīr Ethman Ould Abderrahmane for assistance. His mediation achieved a compromise: the Ahel Sneibe were given a share of the land, and the dam remained in place (Interview ḥārānī, 23.1.1996). Below the surface, the legal issues were far more complicated. The land reclaimed had been cultivated for quite a long time by two sūdān families without raising opposition from members of the Ahel Sneibe who had remained in the area. Despite these ambiguities the quarrelsome and scheming brother continued to raise ever more far-reaching claims, almost leading to a violent clash when members of the Ahel Sneibe intended to build a new dam flooding a large area including the dam of Oued Haratin.

According to the local qādī the strict application of the šarī'a legitimised all the claims of the Ahel Sneibe, but nevertheless the qādī considered this option to do justice neither to the diverging interests leading to the conflict in question, nor to any other conflict over land in the area. He therefore saw his role, like that of other notables, in resolving problems, an aim that was not to achieve by definitive arbitration to either side's advantage, but by introducing an agreement (Interview Ahmed Ould Aly, qādī, 24.12.1995).

This statement of the local jurist is revealing about the relationship between the application of the šarī'a, and of legal tradition ('urf). While elements of the former enter the latter, there is hardly any dogmatic application. The major goal is to develop consent and a kind of legal legitimacy allowing both parties to save their faces. Both parties win in some respects, and on the other hand are able to present what they conceded as a generous offer to their counterpart. This arrangement is thus very reminiscent of the agreements made between conflicting bīzān parties. However, there is a major difference. While both sūdān parties appealed to bīzān notables in order to get assistance in their struggle, the latter played a much less decisive role in the case of the two bīzān parties' struggling over the partition of the dam at El Gharga. Additionally, there the two bīzān factions were equal to each other and were much less inclined to respect the authority of some notables than the sūdān.

In the case of the Oued Haratine, right from the beginning a moral and juridical authority was involved. The quick settlement, again, was largely due to the intervention of several *bīzān* authorities. Further, it seems likely that – although this cannot be proved – the case would not have arisen, if the claims had been made by *sūdān* other than the Ahel Sneibe. This old *ḥarāṭīn* family not only has old and close ties of affinity to the emiral family, but had even been attributed ownership rights in land fixed in the colonial register at Moudjéria. Against such a plaintiff, the *sūdān* cultivating the Oued Haratin had only a limited means to defend their position. Rejecting the arrangement proposed by the notables would have meant for the *sūdān* to offend among others the (unofficial) 'amīr of Tagant, a man who still owns quite a considerable amount of land, and like a number of other notables, was recently able to extend his property. Despite his power being challenged by the action of the regional development project and at the beginning of the 1990s by the democratisation process,¹³⁸ the 'amīr of Tagant continues to be a major instance managing access to land among the Ahel Swayd Ahmed, as will be shown in the following.

The Power and the Glory¹³⁹

For several years, the region of Achram-Diouk has been the homestead of a small group of Idebussāt. In 1987 two of the wealthiest members of this group diversified their economic activities from camel pastoralism, livestock trading and marketing of fresh camel's milk¹⁴⁰ to running a large shop in Achram. Funded with an initial capital of 1.2 million UM, this shop soon became one of the most important in the village. As the revenues from the shop rose ever more, and as many of the pastoralist activities were delegated to hired herders, the wish to settle in a village of their own grew among the Idebussāt. An appeal to the (unofficial) 'amīr of Tagant was made, and was successful. The 'amīr granted the Idebussāt a piece of land on which they were allowed to drill a well and build their own village.¹⁴¹ For the Idebussāt it went without saying that they would meet this emiral generosity with some return service, funded by contributions from all beneficiaries. Their future *ḥarāṭīn* neighbours too, were destined to profit, but unlike the 'amīr, their benefit was considered to arise from job opportunities supposed to develop as a consequence of the Idebussāt presence (Interview Mohamed Sid'Ahmed, zwāya, 13.9.1995).¹⁴²

The site determined for the installation of the new village was unsuited for cultivation,¹⁴³ and thus until then had not been the object of direct appropriation, nor was it likely to ever have become so. Nevertheless the decision to let the Idebussāt build a village raised opposition. The site concerned was in direct proximity to the village of Legned amidst the fields of its almost exclusively *ḥarāṭīn* inhabitants. One immediate concern was the probable devastation, the continuous coming and going of the numerous Idebussāt camels, which would be watered at the new well, would create in the *ḥarāṭīn* millet fields.¹⁴⁴ Another concern was that the settlement of the Idebussāt

constituted an intrusion upon the integrity of what might be anticipated as the territory of the ḥarāṭīn of Legned.¹⁴⁵ This is not a justiciable category, neither with regard to traditional, nor to modern land tenure, but rather expresses a sentiment of territorial hegemony and privacy that extends from the village to its vicinity. The dense web of agricultural sites around Legned (which the ḥarāṭīn either own or exploit on the basis of granted use-rights) also marks off this area of joint appropriation that integrates the unused gaps and patches between the spots of direct appropriation. The very existence of this ḥarāṭīn sphere of territorial authority is reflected by the Idebussāṭ attitude, acknowledging the grant of land to result from a generous attitude of the ḥarāṭīn, considered worth being compensated.

Besides this dimension of expropriation, the settling of the Idebussāṭ near Legned is a serious issue because it breaks up the tribal homogeneity which the settlements on land belonging to the Ahel Swayd Aḥmed had until then. Violating this integrity of tribal land was only possible at its periphery, both in territorial and social terms. Only vis-à-vis the ḥarāṭīn was the 'amīr able to carry this project through without raising direct opposition, or risking further strengthening of bīzān political factionalism detrimental to his own power base. Nevertheless, in the words of an influential ḥarṭāni from Legned, who is a close ally of the 'amīr too, everything was fine with the Idebussāṭ settlement, for the 'amīr made an appeal to the ḥarāṭīn, and these were glad to help their friend solve his problem:

This site is for a zwāya family, the Ahel Limam from the Idebussāṭ.¹⁴⁶

This is a family that has good relations with the 'amīr, and they asked him to get land [for the construction of a village]. Consequently the 'amīr asked the ḥarāṭīn to find a site in their vicinity. We directly declared ourselves ready to do so, and attributed them this site. (Interview ḥarṭāni, 5.2.1996)

The account diplomatically tries to frame the event, and thus to downplay its significance. Harmony determines the fraternal relations of the ḥarāṭīn with the 'amīr, who are portrayed as able to help their powerful friend from their own resources. Nevertheless ambiguities are expressed as well. The ḥarāṭīn were not asked for advice, but to approve a preconceived solution. The only room for manoeuvre left to the ḥarāṭīn, and allowing them in some respects to keep their face, was to determine the site for the construction. The at best formal character the consultation of ḥarāṭīn by the 'amīr had, is illuminated by the composition of the delegation from Legned. According to the Legned ḥarāṭīn leader cited above, it was about ten men who visited the 'amīr and then agreed to his proposition. Asked to enumerate these men the interviewee, who, it should be pointed out, was speaking in the presence of several bīzān on that occasion, expressed a great uneasiness. In fact only a few ḥarāṭīn renowned for their loyalty to the 'amīr were convoked by the latter, and then had to inform their compatriots of the decision taken.

Well, I took part [i.e. in this delegation; pause]. It is difficult to count these people. There was myself, and then [person a, who according to his own words is a follower of the 'amīr], all the others I just can't recall. This is a problem. I wasn't prepared for this [delegation], [laughing] there was also ... [person b], as well as ... [person c], ... [the brother of person c], and ... [person d]. Well, I only found a few men to tell that this family [the Idebussāt] will live beside us. (Interview ḥarāṭāni, 5.2.1996)

Even less room for ambiguities and speculations about a ḥarāṭīn autonomy is left by the account of Mohamed A. Ould Khalil, a leading zwāya at Achram, and thus an external observer of the affair (Interview 5.9.1995). According to him, the Idebussāt failed to get the consent of the ḥarāṭīn at Legned for their plans to drill a well and settle in their vicinity. It then probably was the 'amīr who called the ḥarāṭīn back to order, and arranged consent on the matter, for the land concerned was of the Ahel Swayd Ahmed, and the issue thus subject to his authority.¹⁴⁷ While the Idebussāt so far had failed to get cultivable land from the Ahel Swayd Ahmed, they had already profited from some grants from the neighbouring Tarkoz Leḡwāreb.

Poor Sūdān

The ongoing involvement of bīzān in questions of sūdān access to land, and the persisting dependency the sūdān experience in this regard vis-à-vis the bīzān, is revealed by another case, that of the L'aweyṣyāt sūdān at Téjal. The occupation and cultivation at this site, however, has a long history, and needs to be detailed for a proper understanding of the present issues. Conflict over land was endemic between the Tarkoz and the Tāḡāt, and one area thus disputed at least since the 1930s, largely corresponds to the area of Téjal.¹⁴⁸ When the conflict grew in intensity and both parties started attacking each other, the French administration intervened. Because any act of arbitration on the validity of either side's claims would have been followed by the most bitter hostility on the part of the disfavoured party towards the administration, the French simply withdrew from this task – as they did in many major conflicts over land, and as the Mauritanian administration still continues to do.¹⁴⁹ Instead of attributing the land to one party, or drawing a boundary, both tribes were prohibited from cultivating the land, or from undertaking any other act liable to symbolise appropriation. This procedure of suspending all arbitration made it possible to handle the conflict, for no definitive decision on legal ownership was made (thus leaving both parties with some hope for the future), while the occasion on which conflict developed was suppressed. The whole affair, however, took a new turn, when – probably without the formal consent of the colonial administration – the 'amīr of Tagant, Abderrahmane Ould Bakkar, interfered. Taking advantage of the dismissal of the Tāḡāt and the Tarkoz, he sent out some of "his ḥarāṭīn" to Téjal (in total about fifty families), to build up a buffer zone with a potential for threat between the conflicting parties, and of course, to cultivate there.¹⁵⁰

The occupation of the area by sūdān of the Ahel Swayd Ahmēd was limited to the cultivation period. The water supply from the distant wells and springs was a great problem, and often the amount of water carried to Téjal by a daily trek of donkeys lasting almost half of the day, did not meet the needs. The thirst thus experienced is still vividly remembered today. In 1969, the year of the great drought, the sūdān of the Ahel Swayd Ahmēd therefore left Téjal, and moved back to the northernmost Aftout, an area with much better access to water, and better conditions for cultivation, which became the new centre of their tribe's agricultural activities. Ever since then the area around what is today the small village of Téjal has been occupied and cultivated by a growing number of sūdān of the L'aweysyāt, who thus succeeded to the sūdān of the Ahel Swayd Ahmēd. The legitimacy of L'aweysyāt land ownership in Téjal – with the exception of a few sūdān who have been cultivating in the area for a long time¹⁵¹ – is therefore essentially based on the vivification of land either uncultivated, or left only recently by former users. To underscore their claim the sūdān now stay at Téjal all year round, and no longer leave the place during the hot dry season, as former generations of sūdān did. Nevertheless, these most recent references to ownership of land leave room for contestation, once the focus is turned to the issue of whether the land had been appropriated unjustly, i.e. overriding pre-existing rights. Conflict is continuous, as much of the area is still subject to claims by the neighbouring Tāgāt. Sūdān from two conflicting fractions of this tribe continue to cultivate in the area, and only the Tarkoz retreated from the conflict (Interview Boueibou Ould Amar, ḥartāni, 1.11.1995; Mahmoude Mint Benjik, ḥartāniyya, 8.8.1995, Nanna Ould El Vaida, ḥartāni, 27.12.1995).

While disputing land ownership with the Tāgāt, the sūdān of the L'aweysyāt are subject to yet another threat. Settling at Téjal was a means for sūdān to escape the obligations arising in the context of co-residence and heavy dependency on land resources controlled by the bīzān masters and patrons at Djouengi. These try hard to discourage the sūdān and focus on the lack of legitimacy of a L'aweysyāt presence at Téjal:

SOL: There are two tribes thinking this land is theirs. . . . These are the Tāgāt, the one is the fraction of the Ideyneb, and the others of the Idewāš. . . . We here are of the L'aweysyāt.

Author: Is it the bīzān or the sūdān who want to get the land here?

SOL: The decision, that comes always from the bīzān, but they send only the sūdān. . . . The bīzān of the L'aweysyāt told us not to go here, but to remain at Djouengi. But the sūdān didn't accept going back there, and remained here. The bīzān then said that the L'aweysyāt didn't own land here, this was only said by the bīzān, but the sūdān said that they owned these fields, and therefore they stayed. In Djouengi now remain only bīzān [Author's note: This is largely exaggerated, since about as many sūdān of the L'aweysyāt still live and cultivate in Djouengi, as do in Téjal]. We now want to watch this land here. This is because of the two Tāgāt fractions. Each time there is the préfet who comes here, he comes and tells

each fraction to take its fields, and to stay there. . . . These decisions were made by several people. There was the chef d'arondissement from Djonâba who came here, and the Hakem of Magta'lahjar, and several other men from Aleg too. These made the boundaries here between the three fractions. . . . Now the boundaries are strictly defined. The problems began in 1982, and persisted until this year. Meanwhile that side [boundary] over there has been well defined. But we don't believe in it. There are always people who start talking, and you never know. Three years ago, the Hakem from Djonâba made a written contract concerning the boundaries. But problems continue on that side, with the Ideyneb. They first had agreed to the arrangement, but later they regretted [this decision]. (Interview Salem Ould Laghdaf, ḥaṛṭāni, 24.10.1995)

State authorities recognise both sides' claims as being of equal value, i.e. equally recent, and only manifested by definitive signs of land-use such as the building of small earthen dams or large dams. Their attempts to define boundaries try to respect both sides' interests by granting both sides land, and thus separating both communities. The authority of these decisions, however, is low. Compromises once found are called into question again soon after, not only in word, but by constructing, or else destroying new dams.

With regard to their opponents from the Tāgāt, the L'aweysyāt sūdān locate the causes for these ongoing troubles with the bīzān. The Tāgāt sūdān, who effectively operate the aggressions, are considered to be only their willing executors. Indeed there is nothing like a solidarity among these sūdān living in the same place, but only concurrence articulated in terms of defence and expansion of tribal territories.¹⁵² On this issue, only the bīzān, holding as they do the monopoly of written accounts of the past (cf. Ould al-Barra/ Ould Cheikh 1996: 168; Brhane 1997a: 111), are able to develop those arguments capable of increasing the weight of today's claims. As the L'aweysyāt sūdān in this respect can expect little support from their bīzān patrons, unwilling but also unable to support the sūdān (cf. p. 220f.), they have to rely on their own forces: first of all they rely on the application of the state laws, legitimising their acts of vivification. Additionally they produce an ideology adding historical depth to their presence at Téjal, and try to contract new alliances with bīzān notables, who although alien to their tribe, might be able to support their ambitions.¹⁵³

Processes of segregation between bīzān and sūdān of one tribe also occur within the boundaries of the shared tribal territory. In Labde, and earlier in Wassa'a, sūdān of the Tarkoz settled in independent villages close to their fields. Of these cases the one of Labde, constituted by sūdān from Achram, is most recent and is revealing of a number of particular problems such attempts at reducing sūdān dependence on bīzān and increasing internal group cohesion have to face.

In the early 1990s a number of sūdān took the initiative of increasing their distance from the bīzān in Achram by building houses in Labde. As with the

other settlements in the plain of the Aftout, the main problem of establishing a permanent settlement here was to ensure permanent and reliable access to water – a task that, because the groundwater is located at 40 metres depth in stony ground, could only be carried out with assistance from the local development project. Initial difficulties in obtaining this service are attributed by the sūdān to influences of Tarkoz Legwāreb bīzān eager to prevent them from getting a well of their own.¹⁵⁴ However, this was by far not the only difficulty to be overcome. All sūdān wishing to benefit later from the well, or to build houses in Labde, were supposed to contribute either financially or by work to the construction of the well – but by no means all did so.¹⁵⁵ Neither did many sūdān move from Achram, where they already had houses and access to many facilities, to Labde. Conflict arose between those sūdān who had moved to Labde and paid for the well and sūdān who had not, when the latter started to install themselves in Labde, and consequently also made permanent use of the well. The quarrel was finally settled by granting everybody access to the water. This decision, however, reflects more the need to attract further settlers and hence the sūdān activists' vulnerability to pressure than it underscores group-solidarity among sūdān. With regard to the next project, the establishment of a school in Labde, the result therefore is likely to be the same despite the sūdān leaders' announcement that this time the benefit of the new investment will be restricted to those who participated in the construction of the schooling facilities.¹⁵⁶

Does the Past Persist?

Land tenure in the region of Achram-Diouk, on which the focus of the present analysis has been, is not representative of land tenure in Mauritania. Land tenure, though submitted to the same legal traditions in all of the country, takes different shapes in different settings. Partly this differentiation reflects different modes of land-use in different systems of production, such as the predominance of flood recession agriculture and rainfed farming in the Senegal valley, date palm cultivation and gardening in the oases versus the predominance of various forms of pastoralism and agro-pastoralism in the rest of Mauritania. However, as could be established from documents on the early colonial period, i.e. the first decades of this century, the actual patterns of land tenure responded not only to ecological conditions but to political and social change too. Although there was no pressing economic need for land in the first decades of this century (unlike the one that developed as a consequence of the breakdown of the pastoral economy in the early 1970s), the bīzān elites renegotiated their rights over land in this period. Two major parties were involved in this scramble for land: the formerly politically dominant ḥassān, and the economically dominant zwāya. They struggled for the transfer of their opposing concepts of control over land into one single system of land tenure. The status quo of both inner bīzān and inter-tribal hierarchies thus achieved became cemented by its transfer into the nucleus of

a new legal framework, provided by the colonial authorities, and based on collective and private ownership.

This reconfiguration of land tenure encompassed all of the *bīzān*-dominated territory, and allowed that the prevailing distribution of power and powerlessness was largely maintained (cf. Bonte 1987b; Villasante-de Beauvais 1991, Ould al-Barra/Ould Cheikh 1996). The only thing that seems to have differed is the time at which this process became effective in the various regions. The order of implementation, from the south-west to the north and the east, however, is strongly reminiscent of the course of colonial expansion.

None of these changes in land tenure was a fundamental challenge to the legal framework prevalent in precolonial times, which was largely based on local legal tradition ('urf), with occasional references to the *šarī'a*. Rather it brought about a rigidification and a growing uniformity of the formerly highly diverse land tenure patterns (cf. Ould Cheikh 1985b). Nevertheless, most authors so far have attributed little practical significance to the introduction of new legal patterns of land tenure under colonial rule and in independent Mauritania (cf. Villasante-de Beauvais 1991) or have regarded it as being limited to the few locations of modern intensive agriculture (cf. Leservoisier 1994a).

The present analysis both confirms and questions these statements. The structures of the past seem strong whenever the focus is placed on the tribal fragmentation of land. It is indeed the "tribe" that continues to pervade the territorial organisation of Mauritania. Land in most parts of Mauritania is not the object of market transactions following the liberal paradigm of free trade, the application of which would mean moving beyond the tribal framework.¹⁵⁷ However, it is this very observation that needs critical attention. Witnessing also the dramatic social turmoil of the few last decades, the question has to be raised whether the tribe can properly be equated with the perpetuation of the past, or with regard to the focus of this analysis, with traditional patterns of land tenure.

Both the historical and contemporary lines of analysis presented here argue for a perception of the tribe as a dynamic social entity, able not only to adapt to new economic and political circumstances, but to exploit these and model them to suit its own interests. Both *ḥassān* and *zwāya* tribes developed a new, and this time uniform, model of "tribal territory", putting aside former concepts of a political hegemony over territory, and of an appropriation limited to sites and locations. This new mode of tribal territoriality first began to take shape as a consequence of colonial rule. Later these first rudiments proved to have been the basis for a real boost, triggered off by the economic and social crisis resulting from the drought cycle.¹⁵⁸ Tribal units in this context condensed into territorial units. Tribes, fractions and factions developed their own sites and areas, their boundaries became ever more clearly circumscribed in what was a true scramble for land.

Local political elites not only disseminate apologetics, whenever they refuse to speak of tribes, and instead prefer speaking of "collectivities"; the many

villages in the rural world today already have created new tribo-territorial units, and thus have added a new, localised element to the tribal framework. Factionalism, which once could easily articulate itself in the shape of spatial segregation, and on the occasion of sedentarisation by the emergence of numerous homogeneous villages and quarters, now operates within much more limited areas, and on a limited number of scarce resources. Sheer need raises pressure for cooperation on a communal level. Here the tribe comes back in. The individual collectivities are far too small to persist in an environment depending more or less continuously on external resources. Both practical solidarity and political organisation are needed to improve individual and collective welfare. On this field, which needs as much the purveyance of goods and services as it permits to control these resources, both old and new tribal elites are able to regain the scene. They fill the gap left by the nation-state's disengagement from the local arena, a process which is largely due to conditions formulated by the successive structural adjustment programmes (SAP) and reinforced by the process of globalisation (cf. Ould Mey 1996).

This persistence, or else resurgence of "tradition" paradoxically even benefits those who continue to experience social discrimination, notably the *sūdān*. The tribal grip on land allows for the concentration of land only among members of the tribe. Unlike strangers, the elites profiting from this constellation are bound to a tribal morality. They are obliged to maintain their prestige, they have to help the needy, and they are not able to increase their own benefit without contributing at least a little to the welfare of their tribe and collectivity. Maintaining the tribal control of land thus for a great many means securing relations of exchange for both the *sūdān* and the *bīzān*, and barring the road to an infiltration by market relations void of this social impetus.

These beneficial effects profit only those whose tribes control a satisfactory amount of land. However, this is by far not true for all tribes. Wherever the tribal framework, for whatever reasons, is unable to provide and secure desperately needed resources, it becomes weakened and loses authority vis-à-vis other elites or institutions of the state (e.g. the case of the L'aweyṣyāt; cf. p. 220f., 242f.). It is the future of such underprivileged groups, deliberately placing themselves at the margins of their past affiliation, that will be decisive of a move towards a stronger segregation of the rural world, or the maintenance of strong territorial and political units. Either powerful tribes will be able to integrate new groups and territories, as well as to maintain the status quo, or distinct groups will become able to live a life of their own by appropriating land at the margins, and thus adding new facets to the social and territorial topography.

Both options, however, are constrained by the limited resources of land still available. Powerful tribes, like e.g. the Ahel Swayd Aḥmed, are no longer able to assign some of the best cultivable land to strangers they want to support (cf. the case of the dam at Mounhal, p. 218), but at best can offer small pieces

of land worthless in productive terms (cf. the case of the Idebussāt, p. 239-241). On the other hand, sūdān struggles for land lead them in some cases to rely more on their own power than wait for assistance from bīzān overlords (cf. the case of the L'aweyṣyāt sūdān; p. 241-243). Sūdān struggling for increased autonomy may also form the nuclei of a further fragmentation of tribal land, as the case of a number of sūdān of the Tarkoz Legwāreb, who built their own village on the periphery of their tribe's territory at Labde shows (cf. p. 243f.). While these trends open up different outcomes for the nature of territorial organisation, they have a common outcome too: focusing on the few still existing interstitial zones left over by the web of tribal territories, they are part of the elimination of these remainders of past, more flexible land tenure arrangements.

LAND TENURE, GENDER AND RELATIONS OF DOMINATION

The discrimination against the subordinate strata resulting from bīzān land tenure has been clearly shown by numerous authors (cf. Bonte 1987b; Lesservoisier 1994a,b; Ould al-Barra/Ould Cheikh 1996; Villasante-de Beauvais 1992), and is confirmed by this study as well. Some local conflicts arising from the deprivation of sūdān of access to land have gained significance on a national level (e.g. the famous case of the dam at Magta'lahjar; cf. Bonte 1987b: 211ff.; Brhane 1997a: 255ff.; Mercer 1982: 55-62). These experiences in the domain of land tenure were only some of the many discriminations against sūdān, the latter had to suffer from. One result of these was that a national, political organisation fighting for the rights of the ḥarāṭīn, the movement El Hor, began a campaign of public action in 1978.

Today, many sūdān continue to cultivate land that was once vivified by their ancestors, but they do not own this land. Instead, as a consequence of the slave estate of the sūdān forefathers these sites have become the property of bīzān, who thus continue to profit from the labour their forefathers exacted from their slaves. Bitterness about this status quo, which continues to remind the present generation of their past, is expressed by many sūdān, and becomes diverted into a very special reconstruction of the past: the sūdān, now considering themselves free and able to appropriate land by vivification, like to subsume the past to the present, and obstinately declare themselves to be the only owners of this land with any moral integrity.

Zemmal, that was for the Legwāṭīt, the sūdān, and . . . [pause] We made that together, and when the work was over, the masters [arabi] sent the sūdān away. Now it [the dam] is for the bīzān, but it was all [people] that had made it together. This was at the time of my father, but it all remained with the bīzān. They said it was their dam. . . . In 1983 it was finished at Zemmal. In this year we started work here, to get a dam for the sūdān,

where the sūdān have full access to the land. Before we always had to ask the bīzān to get land rented at Zemmal. And this while it was our fathers who had built that dam! In these times the sūdān only worked for their masters. (Interview Ahmed Ould Aimar, ḥartāni, 29.3.1995)

Meanwhile these lands nevertheless continue to be cultivated by sūdān under conditions reminiscent of sharecropping. These arrangements, already referred to several times in the preceding chapters, reflect many of the changes that have occurred in the relations of domination. Slaves in former times had no right to a fixed share of their harvest. Nevertheless the practice of dividing the harvest into two equal halves, symbolising a master's and a slave's share, seems to have been common even in these cases, but for different reasons. Masters, as freemen, had the obligation to pay the zakāt to the poor and needy. Obviously devious bīzān who wanted to save themselves from paying the full amount of zakāt divided the harvest of their slaves, and found that they had to pay only for their share, thus considerably minimising the zakāt.¹⁵⁹ Once this obligation was settled, all of the harvest was put together again, and there was no more discussion of a slave's share, apart from giving him a daily ration of food (Interview Boueibou Ould Amar, ḥartāni, 1.11.1995).

All arrangements by which slaves entered fixed arrangements with their masters, defining what kind of services either side had to supply, meant a considerable amelioration of the slave's condition (cf. Meillassoux 1986: 118). This the French colonisers anticipated. They made the expansion of more formalised sharecropping arrangements one of their most powerful weapons in their fight against slavery. This strategy had the decisive advantage that it was both able to demonstrate the administration's abolitionist efforts, and to maintain exchanges between the different social strata, and thus to change little on the ground (cf. Leservoisier 1994a: 89ff.). However, as could be shown by the preceding analysis, not all relations between bīzān and sūdān developing on the basis of granting access to land stick to the pattern of sharecropping. Some ḥassān big men, who individually own a lot of land, refuse to rent out land for a fixed share of the harvest, and instead prefer more flexible arrangements. These unspoken rules provide them with a wide range of "voluntary" services from the sūdān beneficiaries, and thus secure the bīzān overlords a large number of clients.

Despite these persisting structures benefiting the continuation of discriminatory practices of the bīzān vis-à-vis the sūdān, the present analysis takes an optimistic attitude. The rural world in Mauritania is changing rapidly. This change has brought about a major shift in the perception of space, and has led to a redefinition of tribal territories. Within this process the actions of sūdān have gained weight. Filling up the interstices of cultivable land left unoccupied by the bīzān, the sūdān take part in shaping the tribal territories and contribute to its representation. In several cases where new dams were constructed, they participated in the construction and became legal owners of land. To the extent that land has become the last, and almost sole local

resource after the decline of pastoralism, its symbolic value for the representation of the tribe and as a means of identification has risen. Here again, the sūdān enter a new role. While some bīzān converted to cultivation, and now are able to make a large share of their living out of it, many others have failed to do so. Pressing debts, as well as other reasons today drive them to sell their most valuable land: the plots behind large dams. Buyers are wealthy bīzān living in the big cities, and rural sūdān. These latter invest cash earned in the course of wage labour migration in land for cultivation.¹⁶⁰ This new redistribution of parts of the tribes' heartland allows sūdān to move from the periphery to the centre. Together with the new, money-made bīzān patrons, they protect the tribal land from intrusion by outsiders. Maintaining the occupation of the rural hinterland, which becomes more and more emptied of bīzān,¹⁶¹ the sūdān reveal themselves to be among the most dedicated protectors of tribal inheritance, i.e. the most fervent protagonists of tradition (Interview Sidi Ould Salim, ḥarāṭīn, 27.7.1995; Abdel Wedoud Ould Mamma, ḥassān, 31.10.1995; cf. note 122, this chapter).¹⁶²

Land tenure in bīzān society so far has been presented in gender-neutral terms, raising doubts whether either men and women, or only men are being considered. Women, although in many cases cultivating like, and among the men, and quite often even replacing them in the fields, do not show up as actors in those discourses focusing on access to land and conflict over land. The same applies to the academic discourse on land tenure in bīzān society. While the women's contribution to agricultural production – a most visible and obvious fact – is at least documented, little is known about land tenure and women in this context.¹⁶³ Although in theory women can legally own land, and in quite a number of cases do so, it is by the majority the men who exercise the effective control of land, by managing access to it.¹⁶⁴ This is most obvious when men migrate and their families' fields are watched not by their wives, but their brothers (Interview Ahmed Ould Breik ḥarṭāni, 11.4.1995; cf. note 62, chapter 6).

Already in precolonial bīzān society, women were often excluded from receiving their share of inheritance by practices of pre-inheritance or the constitution of land and animals as hubs (i.e. as an indivisible entity, the use-rights of which remained with the family but could not be alienated; cf. De Chassey 1977: 79; Féral 1983: 185). Nevertheless women owned animals, and continue to do so until now (cf. Tauzin 1984a: 88; see also the narrative of Valha, p. 69-72).¹⁶⁵ In certain conditions, however, women preferred ownership of less bulky goods such as jewellery. A dowry of this kind was easily taken along and unlikely to be reclaimed by the husband in the case of divorce (cf. Cleaveland 1995: 41).

Women are also actively engaged in their own businesses, and their significant number, as well as the economic success they have and the respect they gain (cf. Simard 1996), prove that there is no restriction to female property and female economic activity in bīzān society. This is confirmed by the success new economic activities of women have in the rural area. There

numbers of shops, as well as the production of various items, are run by, and to the direct profit of, the women involved. The limited importance of women in the traditional scheme of land tenure therefore results from the very specifics that make land in this context a commodity very distinct from others, and different too from the plots in the new irrigation schemes. These have become the object of speculation by members of the urban business class and local elites, and were often registered in the name of women, who were merely a front (cf. Blanchard de la Brosse 1986: 201).

A wide range of arrangements is practised in order to lend and share land among owners and non-owners, among friends, or within the family. These many means of access to land not only allow for the maintenance of relations of dependency, but also meet the need to continually adapt access to land to changing requirements. Families grow or shrink, strangers come and go, and thus a surplus of land arises in one place, while the need for land increases in another one. Too much individualisation of property rights, further downscaling the amounts of land controlled by single parties, would be detrimental to this flexibility. On the other hand, the joint and flexible management of land, as is the case for family patrimonies, often discriminates against women.

Providing a family with basic food, which today has come to mean grain, is one of the men's most important obligations. In order to be able to do so, the men also have to have access to the necessary land. Women, while maintaining their option on a part of their own families' land, when marrying do not longer need to make use of it. They may claim it under certain conditions,¹⁶⁶ but in general giving their husband land would mean to relieve him unnecessarily of one of his most urgent obligations, and this to the disadvantage of the women's own families, who are in need of land as well. Maintaining the women's land under the control of their own families is also crucial, as these are the place women go to and seek support in case of divorce. Within the families the distinction between women's and men's property is preserved. It is the mothers who are entrusted with the management of the women's property in land (Mahmoude Mint Ali, ḥarāṭin, 26.7.1995), and in the case of inheritance have to defend it from becoming usurped by the women's brothers. This threat of dispossession is extended to the women's new families. Women's claims upon the estate of husbands who die early quite regularly face strong opposition from the men's family, unwilling to give up a part of its patrimony.¹⁶⁷

Increasing pressure on land is likely to further weaken women's access to land whenever these are unable to take part in the competition for ownership rights. This tendency is reinforced by recent changes in land tenure practices. Among the sūdān the ownership rights in land, which the majority could only establish recently, are highly individualised.¹⁶⁸ As in most cases the dams are built by the men, their women, although contributing to the work in one way or another as well, frequently fail to obtain direct rights pertaining to this land. By strengthening the principle of individual appropriation and ownership with regard to new or enhanced dams, the dam-building activities

of the regional development project at Achram have contributed to solidifying this patriarchal tendency inherent to *bīzān* land tenure. Although women in some cases took part in decision-making concerning dams, the issue, though professed to apply to households quite “naturally” became above all a men’s affair. Project activities designed to promote the women’s situation did not change this state of affairs. Such activities had the objective of developing new opportunities of generating income for women and of providing basic education,¹⁶⁹ but were not aimed at interfering directly with gender relations or their manifestation in such domains as land tenure. The delegation of major elements of decision making and administration of the land behind new dams to the local communities thus had ambiguous results. While it was possible to achieve local participation, and in the case of collectively owned dams *sūdān* were no longer discriminated against as regards access to land, the men were favoured with regard to the appropriation of the newly developed land.¹⁷⁰ This present increase in male control of land, however, is likely to change in the course of subsequent generations. Once the land becomes part of family patrimonies, a space for the redefinition of the gendered imbalance in individual land ownership will open up. This will be the locale where *sūdān* women, who proved to be sensitive towards the issue, will be able to articulate their interests.

