Sustainability-Generating Inequity
Sustainable Traditional Management in Maritime Guinea

Pascal Rey
Translation: Laurent Chauvet

Abstract: *The inequalities found in villages of the Guinean coast as regards accessing production space and natural resources are significant. Although the founding families of these villages benefit from privileged access, no one is left out and everyone still has some sort of access. Traditional authorities do not work purely in their own interests. The existence of a strong authority ensures the coherent management of resources on the entire village territory. Whereas sustainable development associates environmental sustainability with social justice, it appears that existing inequities generate greater sustainability.*

Taking resource sustainability into consideration remains an important challenge in the strategies of Coastal Guinean communities[1]. There seems to be a link between the practice of powerful traditional authorities and the resulting inequalities, as well as the capacities of these societies to control the way natural resources are taken from their villages.

It is clear at first that these societies are very unequal. Many statistics show that membership to a lineage has a strong influence on household opportunities and strategies. Indeed, social hierarchy determines the access of households to production factors, capitalisation, cash income and resources, and inequalities in this regard are significant. Where traditional authorities have strict control over the village territory, one could think that traditional authority is a tool used by the founding families of the village seemingly and solely to hold sway over 'their foreigners'.

However, after decrypting all access rules, we can advance that the sustainability of the resources situated on the territory of the village is underlain by efficient and effective consideration. Resource sustainability is a central concern of the traditional authorities. Indeed, the reproducibility of the current exploitation system depends too closely on the evolution of the resources for the communities not to worry about their preservation and sustainability. Thus the traditional authorities ensure that resource sustainability is taken into account when managing the village territory, through access control.

In this light, traditional authority is not used purely in one's interest or that of one's lineage. The existence of a strong authority ensures the coherent management of resources on the entire village territory. This form of 'sustainable' management is reinforced by the limitation of the pressure imposed upon resources, and resulting from access inequalities. Traditional authority is then a guaranty of village territory cohesion, and is legitimated by a capacity of adaptation to the evolution of resources, thanks to the fact that the village territory is taken into account as a whole.

This points to a major paradox: while development is defined as sustainable if economically successful, environmentally perennial and socially equitable, we are in the presence of a system where sustainability, in this case environmental, social and economic sustainability, is based on inequity. In his article on "Rawlsian Universalism Confronted with the Diversity of Reality", published in the issue n°1 of the online journal Justice spatiale / Spatial Justice, Bret explains

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[1] This article is based on research conducted within the framework of the Observatory of Coastal Guinea (CNRS/IRD/Muséum d'histoire naturelle de Paris) between 2003 and 2007. This research-action programme was financed by the Agence française de développement, the World Bank and the World Environment Fund, and was executed for the Guinean Department of Planning. In total, the programme studied around fifty villages spread out in five sub-prefectures, all five situated in the Prefectures of Boffa and Boké, i.e. in the coastal areas of the North of the Republic of Guinea, which consist mainly of mangroves. Selecting the villages was based on a series of social and geographical factors.

that we need a universal theory to understand social organisations and characterise them at the moral level. He shows that Rawl's theory of justice as fairness (2003) can fulfil this need. As such, can the political, social, economic and environmental system of Coastal Guinea be considered as unfair and condemned because it is iniquitous?

In the first part of this article, we examine the inequalities of the system under study. In the second part, we try to show that the current authorities are taking resource sustainability into consideration in managing the territory. In the last part, we look at the link between iniquity, sustainability and justice. We do not intend to propose a mere criticism of the theory of justice as fairness, but to discuss two aspects noted by Bret (2009): the Rawlsian theory as an interpretation matrix, and the application of the theory of justice as fairness used as a universal justice model at the expense of other justice models. We also discuss the risks generated by the condemnation of traditional social organisations regarded by Bret as unlegitimate.
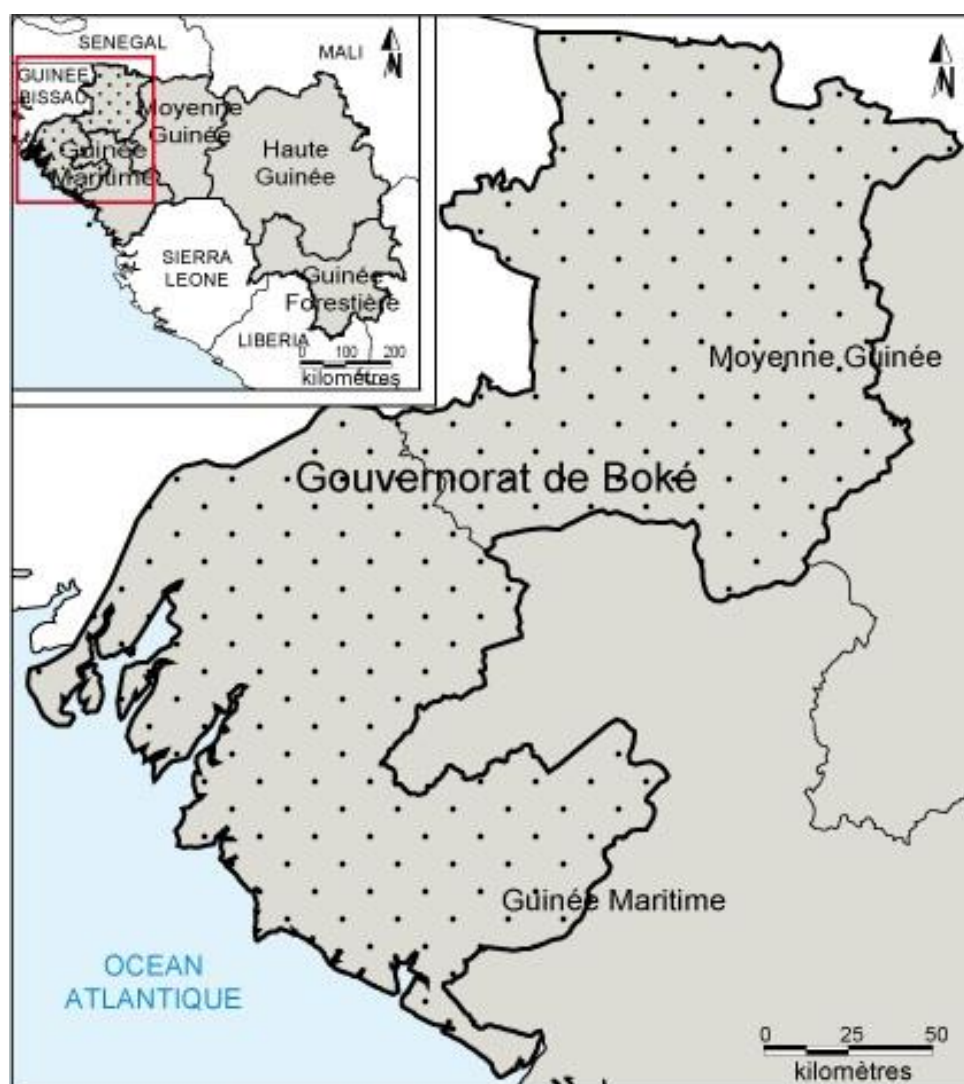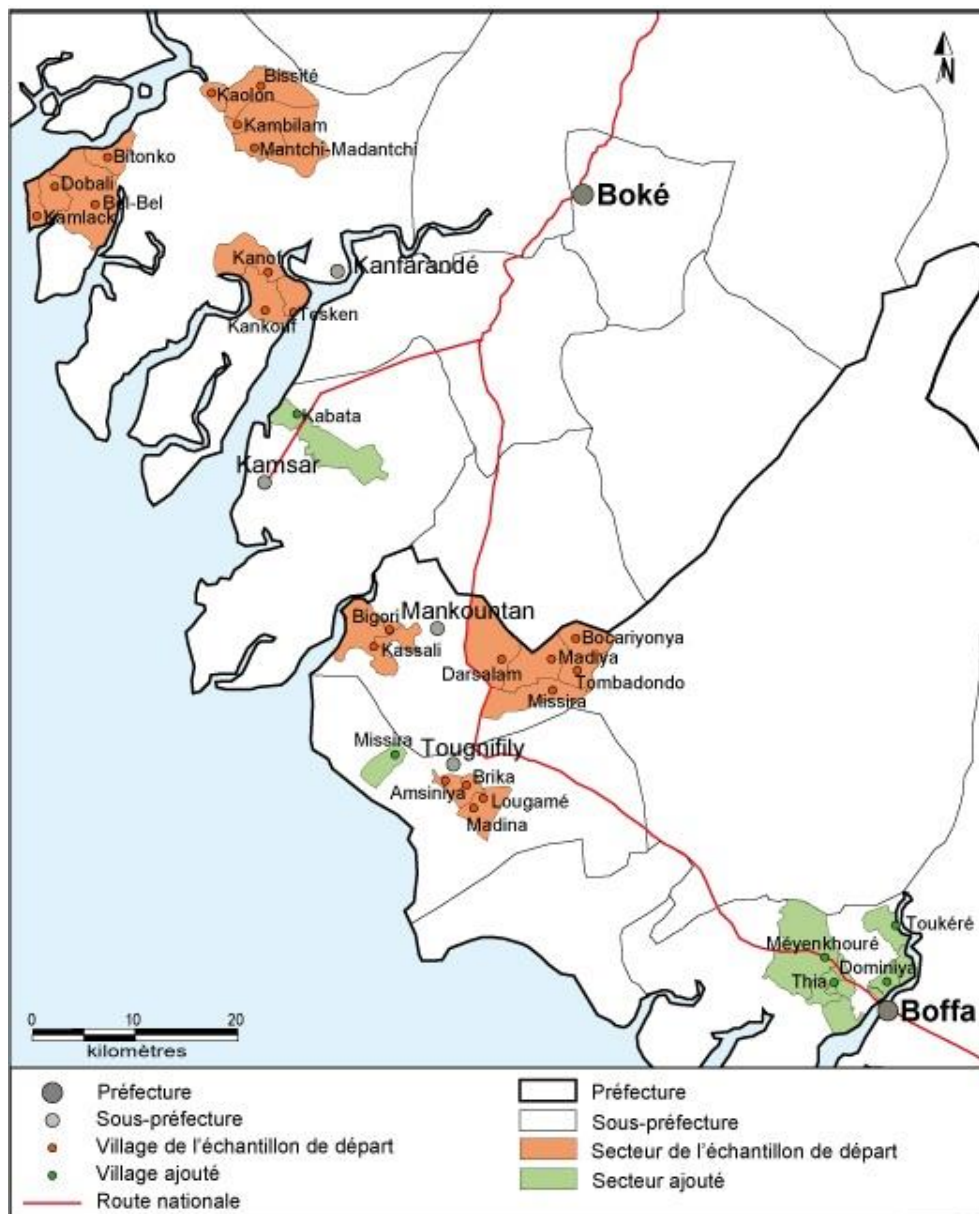

Source : de l'auteur 2007 d'après données OGM

Map 1: *Natural areas of Guinea and Governorate borders of Boké*
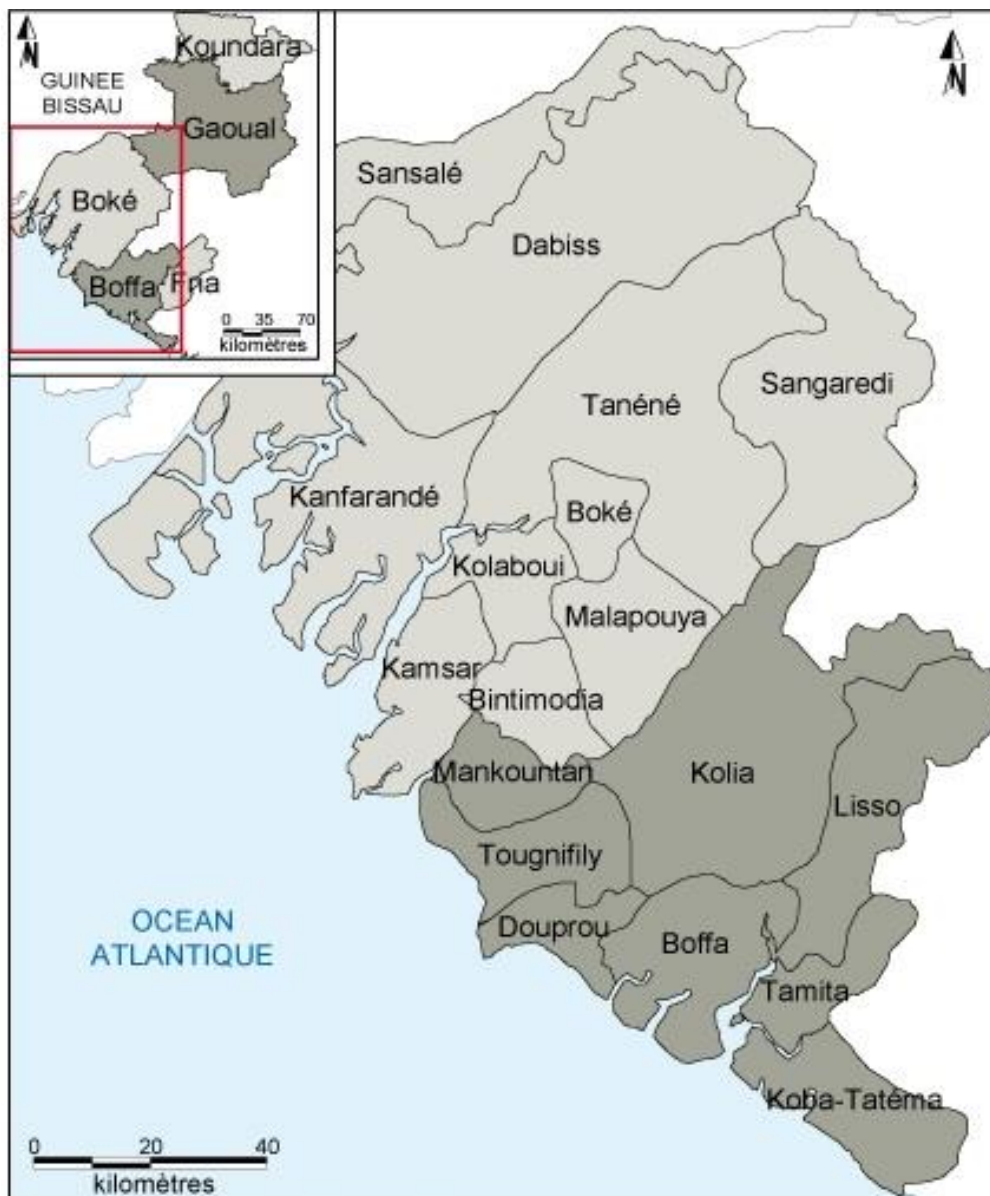
Source : de l'auteur 2007 d'après données OGM

Map 2: Prefectures of the governorate of Boké
and Sub-prefectures of the Prefectures of Boké and Boffa

Map 3: Location of the studied sites

1. An Unequal and Iniquitous System

Powerful and Privileged Authorities

Among the societies of Coastal Guinea, two factors seem to characterise the station of an individual and his family in the social hierarchies of the village: lineage membership and age.

All the lineages of a village know their own migration histories, including the various waves of migration making up the village. This is essential in the relations between village lineages. Every villager knows the order in which a lineage arrived in the village and that of the founding lineage in particular. All those who came after an early or 'guardian' lineage are 'foreigners'.

The founding lineage concluded a contract with the spirit(s) living in the place where it wanted to create a village. This contract which, in other words, is an authorisation granted by the spirit(s) to the settling lineage, confers upon the founding lineage an eminent right over the

area concerned. As such, the first comers and their descendents must see to it that the contract is respected. The eldest of the founding lineage enforces this contract. His authority enables him, in the name of the lineage, to grant or not usage rights over a portion of the territory to other lineages coming to settle in the village. This clearly enables the founding lineage to control newcomers and potentially impose new conditions to its advantage. Were newcomers to refuse these conditions, they would be expelled from the village. Initially, the founders' strategy was concerned with population development in occupying the area, and therefore in ensuring its appropriation as well as guaranteeing some sort of security, particularly at a time when there were many tribal wars between the 15th and the 19th centuries. They had to strike a balance between prohibitions and freedoms with a view to ensuring the sustainable settlement of their foreigners.

Foreign lineages can in turn host other lineages. It is commonplace to hear villagers saying "these are our foreigners and we [my lineage and I] are the foreigners of such and such a lineage". However, in order to do this, they must obtain the approval of the founders. In other words, the foreigners of foreigners cannot deal directly with a lineage with full power over a territory, which can influence their freedom of movement. Three levels can usually be identified in a village (Fribault, 2005). With several levels of dependencies, the more distant one is from the founding lineage, the less likely one is to be involved in the spheres of village decisions, whether as regards land or social life issues.

Lineage membership strongly determines an individual's station in the village community. Within a lineage, mutual aid and the way people are grouped together in managing activities depends on descent. Descent also governs labour force mobilisation and the distribution of areas for cultivation. The order of arrival is preponderant in lineage hierarchy. However, another hierarchy based on temporal criteria also intervenes in an individual's social position: his age. Indeed, the eldest are privileged actors in the decisional spheres of the village. They are by definition the eldest men and for this reason are called 'the Ancient'. When we speak of traditional authorities at the village level, we refer to a group of individuals which is not very formalised, called the Council of the Wise or the Ancient. This Council gathers lineage elders and its decisional power remains mostly in the hands of the elder members of the founding lineage.

It is also important to specify that, in Coastal Guinea, traditional authority prevails at the local level. While village or sector chiefs exist in the country, their decisions have very little weight and their role is mainly representational. We can see in them the remains of mediators between villagers and settlers during the colonial era. At the time, the settlers were persuaded to deal with the chiefs[2] to take certain decisions, when in fact they were often in the presence of individuals appointed as such by the population and the traditional authorities, individuals whose role was only to ensure a link between the village and the outside world. It was a way of concealing the identity of the real chiefs who could still run the show in the background. In rural areas, traditional authority was never undermined during colonisation (Suret-Canale, 1980) or the First Republic, despite a clear will to break away from traditional chiefs. Locally, traditional authority remains the only power.

In Coastal Guinea, a strong traditional authority exercises strict control over natural resources and production areas. While the traditional authorities and particularly the founders have at their disposal an eminent right over the entire village territory, the fact that they use it to their advantage is hardly surprising. Access to resources is therefore highly unequal between

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[2] The ministerial decree (Department of Colonies) of 9 October 1929 invited indigenous populations to choose chiefs while respecting "customs" (Suret-Canale 1964).

founders and foreigners. Statistical data on founders and foreigners are convincing in this regard.

Inequality in Accessing Production Factors

Accessing production areas depends on the rights distributed and granted by the traditional authorities. In this regard, finding disparities between founders and foreigners comes as no surprise. The following tables show the data obtained during a household survey conducted by the "Poverty" section of the Observatory of Coastal Guinea. The data concern between 161 and 375 households, depending on the areas studied.

Type of exploitation area	Founding Lineage				Foreign Lineage			
	Average number of plots held per household	Percentage of holding households	Average number of plots cultivated per household	Percentage of cultivating households	Average number of plots held per household	Percentage of holding households	Average number of plots cultivated per household	Percentage of cultivating households
Plantation	1	60	-	-	0.4	30	-	-
Paddy field	6,2	93	5.4	96	4.8	81	4	87
Hillside cultivation	-	-	2.1	92	-	-	1.7	84

Table 1 – *Distribution of Cultivation Areas between Founders and Foreigners*
Source: the author, 2009, as per OGM 2004 data

The same goes for accessing salt areas in villages with scratching areas in grass covers.

Type of exploitation area	Founding Lineage		Foreign Lineage	
	Percentage of households practicing salt cultivation	Average salt production per household (kg)	Percentage of households practicing salt cultivation	Average salt production per household (kg)
Salt cultivation area	72	1300	56	800

Table 2 – Percentage of Households Practicing Salt Cultivation
and Average Production According to Lineage Membership

The obvious inequalities illustrated by the tables are not limited to these examples and concern many other domains (Rey, 2007). Lineage membership has a strong influence not only on the opportunities households have at their disposal, but also on their strategies. The traditional authorities maintain a protean form of control (Rey, 2009) over access to production areas and natural resources. Moreover, traditional authority cannot be avoided as far as taking decisions on the community or the territory is concerned. Therefore, opportunities differ with an individual's lineage membership, and influence his strategies and choices in terms of activities. Furthermore, economic inequalities are intensified by the inequalities in opportunities.

An Iniquitous System

According to the Rawlsian theories of justice, this is an iniquitous system. The social system described is very remote from the inequality principle set out by Rawls (1987) which recognises "fair inequalities", i.e. inequalities in an individual's duties if these are accessible to all and are prioritised according to an individual's worth. In the coastal societies of Guinea, duties depend essentially on hereditary factors and do not make way for an individual's intrinsic worth. One must be born of the founding lineage to become part of the traditional authority.

Another Rawlsian principle of justice as fairness is lacking altogether: that of equal freedom as a determinant of equal rights for all. Access rights differ according to whether an individual belongs or not to the founding lineage.

Neither the principle of equal freedom nor that of inequality in the Rawlsian theories of justice is observed. The difference in rights between the various members of the community, depending on their lineage membership, influences access type and resource usage in particular. This leads to strong inequalities in the resource exploitation opportunities between individuals. The society described appears to be strongly unequal as far as rights and resulting opportunities are concerned, and therefore does not observe the principles of Rawls' theory (2003). Authority is a tool that seems to be useful only for establishing the founders' domination over foreigners.

2. Considering Resource Sustainability

Controlling the Use of Natural Resources through Magico-Religious Beliefs

The traditional authorities maintain close control over how much natural resources are used and how they are exploited in the village. Yet, many prohibitions are not set out explicitly. They seem obvious to the entire community of villagers since they are part of the household, lineage and village strategies. A study of all these strategies makes it possible to progressively shed light on the various resource management methods used. Indeed, the notion of 'resource management' is peculiar to Western societies and is not automatically understood in the same way by the societies under study. Indigenous management methods are not based on a body of strictly linked principles, but call upon ideology and the sacred and, consequently, "upon a part of rationally unexplainable arbitrariness, prohibitions and concerns" (Aguessy, 1979, p. 185). In this light, the informed opinion of a colonial civil servant concerning traditional law and prohibitions, as referred to by Elias (1961, p. 39), makes a lot of sense: "Africans [...] hesitate [...] to explain to white men [...] the real reasons; they could be laughed at, [...] and not believed; it is the kind of issue that Whites don't understand, and it is just as easy to give them an explanation they can understand".

The most convincing example is that of sacred and haunted forests. Many prohibitions relating to resource usage are imposed upon these sites.

Concerning sacred forests, prohibitions involve delimited groves inhabited by village or lineage spirits or even specialised spirits[3], the latter being rarer. As a general rule, only the elders can

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[3] Spirits are good or bad entities cohabiting with humans and with whom the latter must try to establish relationships based on harmony. There are different types of spirits. There is the village spirit, as found on site by the founding lineage, who is a spirit the lineage chose for its efficiency. Only the eldest of the founding lineage can communicate with that spirit. There is the lineage spirit who was chosen by the lineage for its efficiency and who follows the lineage during every migration. This spirit protects all the members of the lineage, wherever they are. The chief of that lineage communicates with that spirit (unless specified otherwise). Specialised spirits were found on site and are conjured up for various purposes such as cultivation (e.g. to protect villagers against field predators), fishing, the future etc. Each spirit has his/her own role to play (e.g. the bird spirit, the field spirit etc.). Within a village, each

enter these sites, except during major ceremonies when other members of the community are invited (i.e. once a year). Traditionally, since entering a sacred site with a weapon is forbidden, hunting there is banned. Taking resources from sacred sites is very limited and varies (from being completely forbidden to partly authorised) as far as gathering deadwood, picking wild fruits and palm bunches are concerned. When resource taking is authorised, it is usually carried out at the edge of the forest. The traditional authorities very scrupulously see to it that all prohibitions are observed, and are assisted in this task by the villagers' general fear of such sites. In Dobali, for instance, in the sacred forest of Dofandé, gathering medicinal plants requires gatherers to obtain an authorisation from the elders.

Haunted forests as to them can have several origins. They can refer to forests hosting wandering or free spirits[4] with whom human beings have not found an agreement, or they can refer to ancient sacred forests that were abandoned under the pressure of Islamic chiefs, and into which the villagers do not dare enter. The traditional authorities have not defined clear prohibitions for haunted forests. The lack of human presence in such forests is usually enough to keep most villagers at bay, and often nothing is taken from them. The only people likely to enter haunted forests are the healers who go there to gather medicinal plants, an activity which is carried out without any prior authorisation since no agreement was concluded between the resident spirits and the villagers.

On examining sacred and haunted sites further, we see that they are recognised as reserves of many vegetal varieties not found anywhere else on the village territory. The conservation of plant varieties thanks to the lack of agricultural practices turns out to be valuable in a region where traditional pharmacopoeia is in great demand. In this regard, it would be unrealistic to believe that the populations concerned are unaware of the conservation agenda of such a strategy, and that the current customary system does not deliberately protect specific areas. There are many such forests, around 3 or 4 per district (all the districts under study have them). Finally, Despite the strong emergence of Islam for over half a century, these areas kept their status of non-exploitable sites thanks to the syncretism of beliefs, which shows that the system was able to adapt.

A Flexible System of Natural Resource Management

On the other hand, a set of methods to manage the territory emerges and reflects the fact that village authorities are concerned about the sustainability of the territory's natural resources. Hillside lands where mostly groundnut and rain-fed rice are cultivated by the whole village community, are selected by the traditional authorities according to fallow periods and available surface areas, so as to ensure the grouping of cultivated plots as far as possible. The objective is to facilitate not only the accomplishment of collective tasks and the surveillance of cultivated lands against predators, but also the control of fires and practices. As such, the elders keep a very close watch on the production potential of the territory, by continuously monitoring the vegetation covers which help them read the fertility level of cultivation areas. It would be naïve to believe that the choice of lands cultivated on a yearly basis is not based on meeting specific community needs or on envisaging future availability. The selection of these lands by the

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lineage has its own specialised spirits that cannot be shared by different lineages. Communication between spirits and their lineage is performed by the lineage chiefs, unless communicates involves women's groups, in which case communication takes place through the eldest woman.

[4] Wandering or free spirits do not have agreements with lineages. These are the types of spirits that are conjured up by fetish-priests and sorcerers. But some of them are good spirits. They can be distinguished by their outrageous demands which human beings cannot accept, resulting in their keeping their freedom. Sometimes they are not chosen because human beings already have spirits with similar services, which helps villagers reduce their offerings. Wandering or free spirits are therefore simply conjured up at times by individuals for specific purposes.

traditional authorities is carried out on the basis of human and ecological criteria, and no one can question this selection.

As to vegetation cutting, it is not authorised in certain areas of the village territory, such as lands that have been left to lie fallow, natural barriers of mangroves intended to protect paddy fields from flooding as well as buffer areas between grass covers and emerged lands. A whole system of vegetation cutting management exists for flooded paddy fields, which enables villagers to deal with water flowing and ebbing. In order to minimise the risks to their families, the holders of the eminent right rely on two elements: the control of mangrove vegetation cutting and the position of their paddy fields. Concerning the former, the entire community actually benefits from the way cutting is managed, resulting in the protection of all paddy fields.

The most important interventions of the traditional authorities which reflect their consideration for resource sustainability, concern the evolution of the exploitation right in relation to the amount of natural resources found on the village territory. The local authorities monitor resources and can order bans when these become rare. Traditionally, areas of the village territory not clearly exploited by anyone or not occupied by spirits, are open to all as far as exploiting resources is concerned, whether these result from hunting, fishing or gathering. Irrespective of the type of right an individual has over a piece of land, the individual who exploits that land has a right over the trees and anything that grows on it for as long as his contract is valid. At the end of it, in the case of a fixed-term exploitation right, ownership of the trees on that piece of land will go back to the village community and all the villagers will be able to use the trees and all other resources. This applies to the village community in particular and not to non-residents who generally need to apply and obtain authorisations from the elders, depending on the availability of the resources being sought. However, the rules concerning free access to any non-exploited area can change, depending on the availability of a specific resource. As such, free access can become limited and even disappear altogether.

The important marketing of mangrove wood and its high monetarisation, due to the presence of important urban centres in the area, provoked the intensification of mangrove cutting. With an increase in the number of cutters and a decrease in the dense populations of mangroves, the traditional authorities of Kanof prohibited foreigners from cutting mangroves. While initially anyone could cut them, after following the progress of the way these resources were being exploited, customary law adapted to the situation to mitigate the impact of cutting on the village resources. It is clear that the traditional authorities react as soon as a resource becomes rare.

Furthermore, spurred on by a strong exogenous demand for coal, coal mining increased around Boffa and was further encouraged by the existence of a major road linking Boffa to Conakry. Indeed, many truck drivers pick up coal on the side of the road, bag it and sell it at the market in large towns. Considering the scale of the exploitation of forested areas and the many intrusions of inhabitants from neighbouring sectors practicing coal mining on their lands, the founders of Toukéré, a sector in the district of Dominiya, ordered a ban on wood cutting and coal mining activities on the territory of their village. In this case, exploitation rights have undergone a change in that there has never been a restriction on wood cutting before. While the founders enjoy eminent rights (which remain unquestioned), they could however find it difficult to go back on agreements which have already been established and which generate consolidated exploitation rights. What prevails, in the end, is the protection of the resources found on the village territory. The new situation prevails over the traditional codes of customary law, a development that shows how important resource management is in the eyes of the traditional authorities.

Exploitation bans can also concern other resources in case of increase scarcity. Many examples have been supplied in this regard (Rey, 2009). Resource sustainability is central to the

preoccupations of the traditional authorities. Indeed, the reproducibility of the current exploitation system depends too closely on the evolution of the resources for the villagers not to be concerned with their protection and sustainability. The existence of a strong authority ensures the coherent management of resources on the entire village territory. This form of 'sustainable' management is reinforced by the limitation of the pressure imposed upon resources, and resulting from access inequalities and pluriactive strategies exploiting the various agro-ecological facets of the village territory.

3. Sustainability-Generating Iniquity

A Local Justice Model?

At this stage, it is important to specify that the existence of a local traditional authority does not mean a return to former idealised cultures. As mentioned previously, the presence of traditional authorities did not wane in the last century, the reason why the values conveyed by colonisation did not break through in rural Guinea. While these values have a strong influence on local institutions, this is not a case of returning to forgotten cultural roots, as described by Bret (2009).

The traditional authorities exert power over the entire village. Yet, one cannot truly understand resource access limits and local regulations if one fails to examine the means implemented by those who control them to their advantage. All banning, controlling and limiting methods are closely watched by the traditional authorities. Customary law is not dissociated from customs, morals, beliefs or religion. "Religious or metaphysical rules mix with legal rules with a clear predominance for the prescriptive principles to which all the members of the community gladly submit, and the conservation of which is entrusted to the wisdom of the elders, the "dignitaries"" (M'Baye, 1979, p. 159).

Inequalities are important. However, power is not expressed solely for one's personal interests or that of one's lineage. According to Balandier (1967), it requires consent and reciprocity, i.e. a counterpart that can be manifested with legitimising obligations and responsibilities. The existence of a strong authority guarantees the cohesion of the village territory, and is justified by a capacity to adapt to the evolution of natural resources and that of the socio-economic context of the region, in order to facilitate the evolution and development of the village community. Traditional authority should not be perceived as being inflexible and archaic: the rules are not set in stone and the traditional authorities know how to adapt to the evolutions of agro-ecological as well as economic and social environments.

Contrary to what the term "tradition" could infer, customary law knows how to continually adapt to endogenous and exogenous evolutions. In this light, convention is a very flexible entity that contributes to the survival of the community. It is subjected to an empirical evolution and therefore presents a sure rationality, particularly in the society/nature or society/space relations. It seems to us that viewing tradition as arbitrary (Bret, 2009) does not match the local realities of the coastal societies of Guinea. There are many examples of adaptation of empirical practices concerning the rational management of space, production and environment. The efficiency of these practices which are often encoded into a magico-religious belief system cannot be denied (Rossi, 1998). Even if we cannot define the actions and practices of the villagers scientifically, it does not mean that these are not carried out deliberately and rationally.

A form of territory management concerned with community and natural resource sustainability can be achieved through a strong authority and its hold over the territory of an entire village – a hold that enables that authority to view the village as a coherent entity. Using the example of Middle Age France, Di Méo (1991) explains that the intervention of a strong authority is

determinant in organising and regulating a territory. While economic necessity and geographical constraints contribute greatly to the creation of a local territory, so do political factors which Di Méo describes as elements required almost concurrently with the economic instance, to ensure territorial creation.

A territory exists through the modes of appropriation and recognition of an authority which is certainly legitimised by its territorial base, but which is also a constituent element of that territory. "Power forges the substance of a territory; it contributes to its foundation and shape" (Di Méo, 1998). It is the "decisions that engender the flow of products, money, men and energy between places structured by the networks created in the territory" (Le Berre, 1992, p. 632). Territorial configurations stem from society-space relations. The territory "is not a given, but a construction resulting from the projection on the ground of an ideology forging social, economic, legal and political practices" (François, 2004, p. 77). Structured authorities give meaning to a territory that exists thanks to that recognition. The projection of the authority's logics over space is what shapes and defines territoriality. The relationships between actors who evolve in this territory, constitute a multitude of power struggles – also components of that territory.

The existence of a strong authority is then a determining element of territory management coherence, to the advantage of the community as a whole. However, while the subsistence of the community as a whole is taken into account by the traditional authorities, this does not mean that individuals are held in low esteem. The idea of individuals being sacrificed to the benefit of the community in African communities has been widely contested (Bastide, 1993), as has been the highly spread idea that Africa is "naturally community-based" (Olivier de Sardan, 2001). Categorising the coastal societies of Guinea into a Platonic model (which advocates putting individuals aside to the benefit of the common good) or an Aristotelian model (which perceives a community as a collection of autonomous individuals), cannot translate the complexity of local realities. Individuals are not excluded since all households have at their disposal an inalienable right to use natural resources and exploitation areas in the village territory. Although access is unequal, no one is left out: in Coastal Guinea, all farmers have access to land.

As it is, iniquity is accepted by everyone, as long as it is worth their while. For Bourdieu (2001), in order to understand the nature of an authority, it is crucial to understand that it leads to "active complicity" on the part of those who are subjected to it. The legitimacy of an authority relies on its being accepted by those who are subjected to it, and on its being recognised by those who hold it. Augé (1977) explains that political order depends on an initial choice, i.e. a social consensus or contract, that cannot be located in time "and that cannot be ignored without at the same time ignoring the coherence of an ideological whole which is not insignificant" (Augé, 1977, p. 398). According to Duval (1986), imposing one's authority can be carried out through force or consensus. In this light, it seems to us that the legitimacy of the traditional authorities and their regard for all households are underlain by consensus, not coercion, a consensus based also on the fear of seeing the established order fail, since it would also mean the fall of the society concerned.

And so there is consensus: inequalities are acceptable because all community individuals are taken into account. The sustainability of the system depends closely on maintaining a strong authority: we are in the presence of a model that does not meet justice-as-fairness criteria, but that seem to indicate sustainability.

Inputs of Rawlsian Reading Matrix

The questions asked by Bret in his introduction, invites us to think about Rawlsian theories as a referential to analyse and understand "the diversity of reality". Indeed, it seems to us that the

works of Rawls bring us to wonder about the determining aspects of the conception of justice, and help define the foundations of that conception.

Since the purpose of this article is not to develop or give a general idea of the Rawlsian conceptions of justice, but to "examine the capacity of his theory to speak about the various situations found in the real world" (Bret, 2009, p.6), some of the major Rawlsian principles deserve more attention. The principle of equal liberty determines equal rights for all. The principle of inequality recognises "fair inequalities": social and economic inequalities are tolerable if they are linked to functions and positions that are accessible by all, under equal conditions as far as chances are concerned, and if they are to the greatest advantage of society's greatest disadvantaged. Thus, inequalities are acceptable ("difference principle" if they meet two principles: that concerning the "equality of chances" and that concerning the "maximin principle". Rawls (1987) prioritised these principles. The first or "principle of equal liberty" wins over the second or "principle of equality of chances" which prevails over the third or "maximin principle". As mentioned previously, in Coastal Guinea, recognising inequalities in everyday life is based on a form of social hierarchy that does not refer in any way to the intrinsic skills of individuals, but to their lineage membership, i.e. their history. Therefore, there is no equality of chances in accessing top village functions. We also saw that the principle of equal liberty is not observed in that country, since access rights follow social hierarchy.

By the same token, while some inequalities are legitimised by sustainable access to natural resources for all, can we speak of a model that meets the maximin principle? Inequalities first serve the interests of the authorities, and it is to maintain this situation that they must also fulfil their duties, i.e. ensure in the long term that the entire community will have access to the natural resources of the village, with a view to guaranteeing the reproducibility of the system. The authorities must find the right balance between ensuring the survival of the group (and therefore consider sustainability) and maintaining their authority and the advantages pertaining to it. While we showed that the authorities take natural resource sustainability seriously, the consideration of social sustainability – through conflict management methods (Rey, 2010b), adapting individuals' rights to market opportunities (Rey, 2010c) and guaranteeing access for all to natural resources (Rey, 2010d), is also found in the strategies implemented by these authorities.

Thus, thanks to Rawlsian theories, through a comparative principle, we can put forward the particularities of the society under study. This principle represents a referential for comparing systems and, as such, represents an indispensable tool to discuss the conceptions of justice.

Risks Related to the Implementation of the Rawlsian Model

It seems to us that the issue of the universality of the values conveyed by the theory of justice as fairness is problematic. Indeed, beyond the "apparent incompatibility" noted by Bret (2009) in the first part of his publication, and without examining Bourdon's (2009) criticism of the universality of Rawlsian theories, we should point out the risks of imposing the fairness principles. The dispossession of indigenous communities, the destabilisation of local authorities and the unbalance of endogenous resource management methods, beyond the conflicts generated, can provoke important breakdowns in practices and therefore in the environment, as demonstrated by Guha (1991) concerning Himalayan Forests.

The system we have just described takes all community individuals into consideration, since no one is left out. On re-examining the above tables, we notice that 88% of households, across all lineages, have cultivated at least one hillside plot. The remaining 12% either cultivated flooded paddy fields or did not cultivate at all due to lack of working hands or seeds. In fact, close to 98% of households were able to practice annual cultivations. All households can therefore claim to have exploited areas dedicated to annual cultivations.

Questioning the local conceptions of justice could only alter the current system and create an imbalance which, in the end, would increase inequalities. The responsibilities of the traditional authorities, which consist mainly in ensuring that village households are able to ensure their survival, would then become null and void and all the dominant group would have to do is look after its own interests. Public policies advocating the individualisation of real estate with the aim of allowing equal access for all, has already been spreading slowly in the rural areas of Guinea. But, when they are implemented, mainly in peri-urban areas, the consequences are unequivocal: the traditional authorities sell the land for their own benefit, leaving many farmers who did not share in the profits landless. The case of the Boffa area (Rey, 2010d) is a good case in point in this regard. The rise in real estate prices led to the reckless sale of lands, plunging many households into serious precariousness. The traditional authorities lost their hold on the village territory, and there weren't enough lands for them to fulfil their role of land supplier for the whole community. Furthermore, only the elders benefited from the sales. The values conveyed by State policies seeking to establish equality in accessing production space, in the end only served the interests of the dominant group, and left the dominated group in serious precariousness. Ironically, imposing Rawlsian values in the Guinean context, i.e. the same right for all, seems to have had the opposite effect to that expected.

Conclusion

Considering the sustainability of resources is an essential element of the decisional process of Coastal Guinean societies, and is clearly taken on by the traditional authorities. While the current balance of power creates important inequalities, no one is excluded from accessing natural resources and production areas of the village territory. Inequalities then seem to be compensated by the coherent management of the entire village territory, made possible by the existence of a strong authority.

In addition to resource sustainability consideration, there is also a concern for the socio-economic development of the village community (Rey, 2010). The adaptability of the rules to access exploitation areas according to exogenous evolutions as well as changes internal to society, reflects such a development. The traditional authorities see to it that the village community can ensure its own survival and meet economic opportunities as they come.

The use of Rawlsian theories as reading matrix sheds much light on the local conceptions of justice, on the way the society under study functions, and on what a sustainability policy consists of. However, we do not think that non-conformity to Rawlsian theories should make us unanimous in our condemnation of the local conceptions of justice. Indeed, in the context that concerns us, attempts at importing models based on equity can paradoxically create even more inequity.

We do not think that reducing Rawlsian theories of justice to a reading matrix seems limited. On the contrary, the level of abstraction proposed by Rawls (1987) is an asset in analysing "the diversity of reality". However, that very level of abstraction is what can prevent us from rejecting whole systems failing to respect the theoretical principles, without running the risk of disintegrating them and, paradoxically, creating more iniquity and precariousness.

About the author: Pascal REY, UMR 5185 ADES

References

AGUESSY D.H., « L'ace et le su chez les fon », In 4ᵉᵐᵉ colloque du centre d'études juridiques comparatives, *Sacralité, pouvoir et droit en Afrique*, Paris, Editions du CNRS, p. 181-191, 1979.

AUGE M., *Pouvoirs de vie, pouvoirs de mort. Introduction à une anthropologie de la répression*, Paris, Flammarion, 1977.

BALANDIER G., *Anthropologie politique*, Paris, PUF, 1967.

BASTIDE R., « Le principe d'individuation (contribution à une philosophie africaine) », In

DIETERLEN G . *La notion de personne en Afrique noire*, Paris, L'Harmattan, p. 33-43, 1993.

BOUDON R.,, *Effets pervers et ordre social*, Paris, Presses Universitaires de France, (3ᵉ édition), 2009.

BOURDIEU P., *Langage et pouvoir symbolique*, Paris, Editions Fayard, 2001.

BRET B.,, «L'universalisme rawlsien confronté à la diversité du réel», *justice spatiale/spatial justice*, n° 1, (http://www.jssj.org), 2009.

DI MEO G.,, *L'Homme, la Société, l'Espace*, Paris, Ed. Economica, 1991.

Di Meo G.,, *Géographie sociale et territoires*, Paris, Nathan université, 1998.

DUVAL M., *Un totalitarisme sans Etat. Essai d'anthropologie politique à partir d'un village burkinabé*, Paris, L'Harmattan, 1986.

ELIAS T. O., *La nature du droit coutumier africain*, Paris, Editions Présence Africaine, 1961.

FRANÇOIS A., « Aux frontières du territoire. Idéologie territoriale et dynamiques foncières au Busoga », *Autrepart*, n° 30, p. 77-95, 2004.

FRIBAULT M., *Fonctionnement du foncier traditionnel en Guinée Maritime : Identification et description des modes de relations entre des entités spatiales et sociales*, Conakry, OGM, 2005.

GADGIL M., GUHA R., *Ecology and equity : The use and abuse of nature in contemporary India*, Londres, Routledge, 1995.

GUHA R., *The unquiet woods: ecological change and peasant resistance in the Himalaya*, New Delhi, Oxford University Press, 1991.

LE BERRE M., « Territoires », In BAILLY A., FERRAS R., PUMAIN D. (dirs), *Encyclopédie de géographie*, Paris, Economica, p. 617-638, 1992.

M'BAYE K., « Sacralité, croyances, pouvoir et droit en Afrique », In 4ᵉᵐᵉ colloque du centre d'études juridiques comparatives, *Sacralité, pouvoir et droit en Afrique*, Paris, Editions du CNRS, p. 143-160, 1979.

OLIVIER DE SARDAN J-P, « Le « développement participatif » : ni solution miracle, ni complot néolibéral », *Afrique contemporaine*, n. spé., troisième trimestre, p. 148-156, 2001.

RAWLS J., *Théorie de la justice*, Paris, Le Seuil, 1987.

RAWLS J., *La justice comme équité. Une reformulation de la justice*, Paris, Editions la découverte, 2003.

REY P., *Le Sage et l'Etat. Pouvoir, territoire et développement en Guinée Maritime*, Université Michel de Montaigne-Bordeaux 3, Thèse de doctorat, (http://tel.archives-ouvertes.fr/tel-00172775/fr/) 2007.

REY P., « Quelle « base » pour les approches ascendantes. Une redéfinition de l'approche participative dans la construction des politiques de gestion des ressources naturelles en Guinée Maritime », *Vertigo-La revue en sciences de l'environnement*, vol. 9, n°1, (http://vertigo.revues.org/index8264.html), 2009.

REY P., 2010, « La considération locale de la durabilité en Guinée Maritime », *Mondes en développement*, vol. 37/4, n° 148, p. 85-98, 2010.

REY P., « Droit positif vs droit « légal ». Étude des modalités de gestion des conflits en Guinée Maritime », In CHAUVAUD F., JEAN Y., WILLEMEZ L. (coords), *Justice et sociétés rurales*, Poitiers, Presses Universitaires de Rennes (à paraître), 2010b.

Rey P., « Des volontés communes. Mise en perspective des stratégies paysannes et des politiques publiques en Guinée », In THIBAUD B., FRANCOIS A. (dirs), *Systèmes de production et durabilité dans les pays du Sud*, Paris, Karthala, p. 213-228, 2010c.

Rey P., « Une iniquité consensuelle. Le cas des droits fonciers et de la gestion des conflits en Guinée Maritime », In BRET B., GERVAIS-LAMBONY P., HANCOCK C.,

Landy F., (dirs), *Espace et Justice*, Paris, Presse de Paris Ouest, (sous presse), 2010.

Rossi G., « Nous et les autres, points de vue sur la dialectique environnement/développement », In ROSSI G., LAVIGNE DELVILLE P., NARBEBURU D., *Sociétés rurales et environnement. Gestion des ressources et dynamiques locales au Sud*, Paris/Talence, Karthala/REGARDS/GRET, p. 11-20, 1998.

Suret-Canale J., *Afrique noire. L'ère coloniale, 1900-1945*, Paris, Editions sociales, 1964.

Suret-Canale J., *Essais d'histoire africaine. De la traite des Noirs au néocolonialisme*, Paris, Editions Sociales, 1980.