

Colonial Disruptions and Transformation of the Mbum Indigenous Justice System, 1902-1961

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ABSTRACT

The Mbum of the Bamenda Grassfields developed a coherent indigenous justice system rooted in customary norms and administered through diviners, soothsayers, the Fon, Ngwarong, and other regulatory institutions. While broader studies on colonialism in the Grassfields exist, scholarly attention has rarely focused on how foreign legal intrusion specifically reshaped judicial processes among the Mbum. This study examines the impact of German and British colonial legal policies on the structure, procedures, and authority of the Mbum justice system. It argues that colonial intervention, through the imposition of foreign courts, administrative practices, and new regulatory frameworks, fundamentally destabilized indigenous mechanisms, giving rise to a fractured yet enduring hybrid judicial order. Employing a qualitative historical approach, the research draws on semi-structured interviews with traditional authorities and titleholders, complemented by relevant secondary sources. The findings reveal that colonial rule eroded traditional institutions, marginalized customary adjudicators, and transformed pre-colonial legal procedures. The study concludes that this hybridized system not only disrupted Mbum jurisprudence during the colonial era but also generated legacies that continue to shape contemporary perceptions and practices of justice in Mbumland.

Keywords: Mbum, colonialism, legal transformation, indigenous justice, hybrid judicial systems.

Introduction

Traditional justice systems across Africa are grounded in customary laws that reflect deeply embedded norms and values [1]. These norms form the core of Africa's politico-social fabric and historically promoted cooperation, communitarianism, social obligations, and consensus-based decision-making [2]. Although largely unwritten, these justice systems relied on informal, yet effective institutional structures designed to redress violations and maintain social order. Over the years, scholars have described African traditional justice using different labels (informal, non-formal, non-state, non-official, or indigenous justice), terms whose meanings may differ but whose distinctions often blur in the African context [3]. What remains clear

is that these mechanisms have existed since pre-colonial times as the primary means of resolving disputes and sanctioning offenders.

Evidence from different African societies illustrates the diversity of indigenous adjudication. In pre-colonial Igbo society, arbitration, divination, oath-taking, and spiritual adjudication were used to determine innocence or culpability [4]. In Mozambique, *regulos* served as judges in popular courts and passed judgments based on traditional law [5]. Similarly, in the Oguaa traditional area in Ghana, the paramount chief's court demonstrated its effectiveness in resolving land and natural resource conflicts through community cooperation [6]. In Cameroon, local communities also developed culturally grounded mechanisms for detecting, litigating, and sanctioning offenses. Coastal groups such as the Mamfe and the Bakweri shared similar institutional patterns, though specific procedures varied from one society to another [7]. The Grassfields region differed further because of its acephalous polities and autonomous chiefdoms, which fostered highly localized institutions of justice [8]. Within this context, the Mbum evolved a distinctive system that prioritized community involvement, restorative justice, and the preservation of cultural norms.

While African indigenous justice systems have attracted growing scholarly interest, existing literature has not adequately examined how colonial interventions disrupted and transformed specific systems such as that of the Mbum. This article fills this gap by investigating the nature and extent of colonial intrusion into the Mbum justice system between 1902 and 1961. It argues that German and later British legal impositions generated profound disruptions that reconfigured indigenous judicial institutions, procedures, and authority relationships, thereby producing a hybrid and altered system of justice. The next section, therefore, introduces the **pre-colonial Mbum justice system**, outlining its institutions, mechanisms of conflict resolution, and the cultural and spiritual foundations that shaped its operation.

Pre-colonial Mbum Justice System

The pre-colonial Mbum justice system was a complex, integrated, and culturally grounded legal system emphasizing moral discipline, community harmony, and spiritual legitimacy. Its institutions and processes reflected a holistic worldview in which justice, social cohesion, and cosmology were inseparable. Understanding these internal features is essential for analyzing how colonial and post-colonial interventions disrupted, reshaped, or replaced indigenous frameworks of order, authority, and conflict resolution. A careful reading of the foregoing introduction suggests that although the historical foundations and external pressures shaping the Mbum socio-political order are well articulated, the internal logic, procedures, and normative foundations of the Mbum justice system, the very elements later disrupted by colonial and post-colonial interventions, require fuller elaboration. In its pre-colonial form, Mbum jurisprudence operated through a layered structure of authority that balanced customary norms, spiritual legitimacy, restorative principles, and community participation. Justice was not merely punitive; it was embedded in moral consensus, divinatory procedures, the arbitration of lineage heads, the Fon's adjudicatory authority, and ritual mechanisms aimed at restoring harmony rather than producing winners and losers. These internal features, such as truth-seeking through divination, sanctions enforced through oath-taking, symbolic reparations, and the embeddedness of justice in kinship and spiritual cosmology, are crucial for understanding what colonial intervention later disrupted and why these disruptions continue to influence contemporary Mbum conceptions of order, legitimacy, and authority.

The pre-colonial Mbum justice system constituted a highly structured, culturally grounded, and spiritually anchored framework through which social order, conflict management, and communal harmony were sustained. Rooted in long-standing customs transmitted orally across generations, it reflected a worldview in which law, morality, spirituality, and social responsibility were inseparable. The system existed within a cosmology that recognized powerful deities such as the god of the land (*Nyu-mkfu*), the god of the river (*Nyu-rho*), and the god of the compound (*Nyu-rla*), believed to guide human conduct and influence judicial

outcomes (discussion with Ta-Shey Ndi). Ancestors were similarly regarded as vigilant guardians of morality and justice whose influence extended beyond the physical world. This spiritual presence endowed judicial processes with profound moral weight: all litigants, plaintiffs, adjudicators, and witnesses were aware that their actions carried spiritual consequences that could affect both their earthly existence and their afterlife (discussion with the Fon of Chup). In this context, adherence to customary law was simultaneously a legal obligation and a religious duty.

In this regard, cases were typically initiated through community notification, family involvement, and individual complaints directed to the community elderly. With the aid of the elders, suspects or offenders were summoned for a hearing using the *Nkeng* (peace plant). Arguably, the peace plant was at the beginning, center, and it was also used to cement reconciliation. The leaf of the peace plant from a palace guard or messenger (*Ndogari*) signified an urgent invitation from the village council or from the chiefs (discussion with Ngwang). It was used to invite both victims, offenders, and witnesses. Witnesses were expected to provide truthful testimony, and their participation was seen as a community obligation. Their testimonies were evaluated based on community knowledge, oaths, ordeals, and physical evidence. Physical evidence, such as objects or wounds, was considered, but their evaluation process relied on community norms, values, and traditional knowledge with the sole aim of achieving justice and restoring balance with the community. As part of efforts to assess the veracity of their testimony, divination and oath-taking were employed to determine guilt or innocence. Divination was used to uncover hidden truths, identify perpetrators, and provide solutions to complex problems. Diviners used sacred objects like cowries, shells, kola nuts, and palm wine to receive messages from the spirits, and these Spirits were also invoked through incantations (discussion with Nfor). Divination helped to resolve cases where evidence was lacking or unclear, and its verdicts were usually accepted by the parties involved. While oath-taking served as a means of decision-making and guaranteed the veracity of disputes. Once the truth was established and judgment proclaimed, sanctions were determined based on the nature of the offense, intent and motive, community norms and values. In most instances, offenders were required to provide compensation to the victim's family, pay fines, which were mostly in the form of goods and services, perform community services or tasks that benefit the community, and apologize to make amends to the victim or their family (discussion with Jato).

Central to the system's functioning was the interplay between communal responsibility and spiritual accountability. Community elders (*leeh mbi*) were revered for their wisdom, experience, and spiritual insight, qualities that legitimized their role as adjudicators and custodians of social harmony. Their decisions reflected not only their knowledge of precedents but also their perceived connection to ancestral authority. Truth-seeking in this context could involve ritual consultations, symbolic acts, or the invocation of oaths, all aimed at revealing guilt, restoring equilibrium, and reaffirming communal values. These processes ensured that justice aligned with cultural norms and the community's collective expectations, reinforcing a system in which social cohesion was the goal.

Judicial authority operated through a well-organized hierarchy led by the *Nkfu* (fon/chief), who embodied both political leadership and spiritual authority. The *Nkfu* acted as mediator, judge, and custodian of tradition; his judgments were binding and not subject to public contestation (discussion with the Fon of Chup). Offenses that were handled solely by the chief included inter-clan disputes, murder, and cases involving the community's well-being, security, and relations with neighboring communities. He presided over the highest indigenous court and used ritual authority, symbolism, and customary knowledge to regulate disputes. Supporting him was the council of elders (*lee mbi*), who investigated offenses, advised disputants, facilitated reconciliation, and determined sanctions (discussion with Ta-Ngwayi). At the lineage and community levels, *tallar* (family heads) managed intra-family conflicts like inheritance, property, or marital issues, represented families before higher courts, and coordinated community obligations. Their involvement ensured that justice was dispensed as close to the source of conflict as possible, thus preventing minor disputes from escalating and reinforcing social unity.

Though lacking written codification, the Mbum justice system proved remarkably effective in regulating complex social relations. Customary norms, well-known and widely respected, could adjudicate a wide range of offenses, including land and boundary disputes, inheritance conflicts, marriage and divorce cases, theft, property destruction, murder, adultery, and incest (discussion with Ta-Nformi). The system's success was tied not only to its institutional actors but also to the Mbum's strong moral conscience. Honesty and integrity were cultural expectations, reflected in practices such as leaving goods unattended along roadsides without fear of theft, displaying lost items prominently for owners to reclaim, and delivering stray animals to Ngwarong society (discussion with Tantoh Gerald). Regulatory institutions like the *Nwarong*, *Ngiri*, and *Nfuh* acted as enforcement structures, imposing sanctions or penalties on those who violated community norms and protected the community from internal and external threats. A glaring example was in the Mbum-Nso war of 1890, in which the Mbum *Nfuh* rose and stopped the Nso expansionists' ambition [9]. These everyday practices strengthened personal responsibility and internalized discipline, contributing to the moral foundations upon which the justice system rested.

A defining feature of the Mbum system was its restorative orientation. Rather than prioritizing retributive punishment, it emphasized compensation, reconciliation, and the reintegration of offenders into the community. Dispute resolution often involved material compensation, ritual cleansing, public apologies, or communal feasts designed to restore harmony and repair relationships. Incarceration was rare, and punishment individualized, with no evidence of collective penalism (discussion with Nsami Jones). Although culture, religion, and social organization were intertwined, judicial outcomes were not determined by an individual's socio-religious or political status; fairness remained paramount. As Rubin observes, the Mbum developed practical and effective legal concepts that contributed significantly to social cohesion and were consistently applied until the onset of foreign domination in 1884 [10].

Yet, the very strength of this system, its spiritual legitimacy, unwritten norms, communal authority, and restorative orientation, made it particularly vulnerable to external disruption. These foundational elements stood in stark contrast to the bureaucratic, codified, and punitive logic of colonial courts. With the arrival of German administrators and later British officials, new legal procedures, administrative controls, and statutory norms were imposed. These interventions sought not only to regulate but, in many cases, to supplant indigenous mechanisms, thereby challenging the autonomy and coherence of the Mbum justice system. The following section examines the nature and extent of German intervention in Mbumland between 1902 and 1916, and how these early colonial encounters initiated the transformation of Mbum indigenous justice.

German Intervention, and Transformation of Mbum Justice, 1902 - 1916

Before the Germans annexed Cameroon in 1884, British influence along the Cameroon coast had already been established through evangelization, campaigns against the slave trade, efforts to curb human sacrifices, and various exploratory activities [11]. European presence in the region had stretched from the fifteenth to the twentieth century, with coastal communities, particularly Bimbia, Victoria, and Duala, showing a marked preference for British protection [12]. However, Britain's hesitation to annex the territory created a vacuum that was swiftly filled by German traders. Following the Germano-Duala Treaty (GDT) of 12 July 1884, Cameroon fell under German control. Although the treaty initially restricted German activities to the coastal area, the Second Berlin Congress (November 1884-February 1885) radically altered the situation. The endorsement of the hinterland theory, which asserted that control of the coast implied sovereignty over the interior, expanded German authority and legitimized deeper colonial penetration into Cameroon [13].

This geopolitical shift created the conditions for Germany's inland expansion beginning in the late 1880s. Dr. Eugene Zintgraff, one of the earliest German explorers, moved from Kumba in 1886 into the Bamenda

Grassfields, and by his exploration of Bali in January 1889 had effectively initiated German administrative presence in the region. His repeated visits, culminating in agreements such as the 1891 “blood pact” with Fon Galiga I, further opened the Grassfields to German influence [14]. German alliances, particularly their collaboration with Bali, later supported military offensives against resistant polities such as Nso and Bafut, aided respectively by Bamum and Mankon [15]. Although these expeditions initially met stiff resistance, forcing a temporary halt in their inland advance, the Germans returned in 1901 with reinforced military backing.

The establishment of a military station at Mendakwe (Bamenda Up Station) in 1902 symbolized Germany’s renewed determination to consolidate authority in the Grassfields and reinforce Bali’s regional dominance [16]. This context set the stage for Lieutenant von Pavel’s expedition into Mbumland in 1902, marking the formal beginning of German colonial presence in the region. With their arrival, a new system of government was introduced that subjected indigenous institutions to colonial restructuring. Traditional rulers were either incorporated or subordinated, and in both cases became dependent on colonial power for authority [17]. The capture of Fon Tonji of Mbot/Mbwat in 1902 exemplifies this shift. His release was conditioned on fulfilling German demands for food, goats, women, wine, taxes, and labor for colonial projects, demands that were met with fear and reluctance, except for the refusal of women. A similar pattern unfolded in Ndu, where the Germans symbolically replaced the spears of the Fon and his warriors with sticks and coerced the population into supporting German expansion toward Banyo [18]. Such acts eroded Mbum autonomy and profoundly undermined indigenous justice structures.

German administration relied heavily on coercion, as reflected in its punitive and militarized approach to governance. Those who resisted labor requisitions or colonial authority faced severe sanctions. The introduction of the *Schutztruppe* as a colonial paramilitary police force replaced traditional policing systems and became a key instrument of repression [19]. Its violent raids, often resulting in the burning of villages, created widespread terror. Wat, Nkambe, and Binshua were burned in 1903, 1904, and 1905, respectively, while the chief of Mbaah was imprisoned in 1905 for criticizing Tokop’s domination over autonomous Mbum polities. The chief of Binshua, a vocal critic of Tokop, was flogged to death by the *Schutztruppe* in 1906 (Discussion with Jude Samba). The brutal assault and imprisonment of Bas Mang Nfor of Mbipgo on 5 January 1909, without lawful cause, further illustrate the severity of colonial brutality. Sexual violence against Mbum women compounded this climate of fear. Collectively, these actions weakened indigenous institutions such as the *Ngwarong* which served as check and balances to the chiefs and rendered chiefs like Tokop dependent on the colonial police force for legitimacy [20].

Alongside militarized rule, the Germans imposed a new judicial system following their administrative reorganization of 1885, which abolished the courts of equity and justice and replaced them with colonial courts [21]. Two major courts were established for Europeans: The *Bezirksgericht* (court of first instance) presided over by a judge, two assistants, and four lay assessors and the *Obergericht* (court of second instance), headed by a high judge whose judgments were final [22]. These courts were grounded in notions of racial superiority. Europeans were rarely imprisoned and therefore imposed a discriminatory judicial regime that contradicted Mbum notions of fairness and restorative justice.

For the indigenous population, a court of first instance composed of native chiefs adjudicated cases using both German and customary laws. Nevertheless, German colonial law, derived from Germano-Prussian legal traditions, affirmed German dominance and instrumentalized the territory and its people to serve German interests [23]. In practice, the Germans sought to replace traditional justice with a more formalized, European-style legal framework [24]. In Mbumland, however, no formal colonial court was established due to insufficient administrative personnel. Instead, German military officers conducted monthly patrols, during which they investigated cases involving murder, witchcraft, theft, or enslavement. Verdicts were issued according to German colonial codes, including the *Gesetz betreffend die Rechtsverhältnisse der*

deutschen Schutzgebiete, which prescribed execution for a broad spectrum of offenses [25]. These harsh legal measures fundamentally clashed with Mbum jurisprudence and created deep-seated distrust of colonial authority.

Punishment under German rule relied heavily on flogging, which became the most common means of enforcing discipline [26]. This punitive practice, public, humiliating, and often excessive, stood in stark contrast to the Mbum's restorative and compensatory approach to justice. The German administration also restricted the jurisdiction of traditional councils to civil and criminal cases with fines not exceeding 100 and 300 marks, respectively [27]. Their imposition of group responsibility, whereby relatives were punished for the actions of accused offenders who escaped, further disrupted Mbum social relations and eroded longstanding principles of individual accountability. These measures deepened resentment against German rule, which, though lasting only fourteen years in Mbumland (1902–1916), left lasting institutional and social scars [28].

The period between Germany's defeat in 1916 and the beginning of effective British administration in 1922 was characterized by instability and political repositioning. Disgruntled princes and chiefs who had been reduced to hamlet heads under German rule travelled to Bamenda and declared themselves independent Fons. This proliferation of Fondoms marked a dramatic realignment of political authority in Mbumland and laid the foundation for the transformations that would accompany the next phase of colonial administration. That is, the cumulative disruptions initiated under German rule, marked by institutional displacement, legal coercion, and the subordination of indigenous judicial authority, had already produced a hybridized and weakened justice landscape by 1916, leaving behind an altered framework upon which the British administration would later impose its own legal philosophies and administrative strategies, thereby further reshaping the contours of the Mbum justice system from 1922 to 1961.

British Colonization and the Alteration of the Mbum Justice System, 1922–1961

The defeat of Germany in the First World War and the subsequent Anglo–French partition of Kamerun fundamentally reshaped the political and judicial terrain of Mbumland. Incorporated into the British sphere of the former Southern Cameroons, Mbumland came under a new colonial authority that immediately confronted the challenge of determining the most suitable administrative framework for the territory. To address this uncertainty, the Governor-General of Nigeria, Lord Frederick Lugard, instructed that, until clearer directives were established, the British-controlled zones of Cameroon were to be governed either according to the residual laws of Kamerun or, where these were unclear or inaccessible, according to the laws of the Nigerian region from which the administering officer had been posted. These provisional measures eventually culminated in the application of Northern or Southern Nigerian laws under the British system of “Indirect Rule.”

Indirect rule, which relied heavily on existing indigenous authority structures, allowed the British to assert political control while preserving an outward semblance of local governance [29]. Using chiefs, native courts, and native treasuries, the British delegated essential public services to the Native Administration, funded primarily through local taxation. This arrangement reflected Britain's broader colonial philosophy of maximizing administrative reach while minimizing direct expenditure. As a result, governance in Mbumland assumed a dual character: while traditional rulers implemented local administration, the territory's overarching political framework remained firmly tethered to the Nigerian colonial administration. This administrative model, however, was less a gesture of respect for indigenous institutions than a pragmatic response to Britain's limited pool of trained colonial personnel. In co-opting and reconfiguring local structures, the British introduced Western legal norms, redefined traditional hierarchies, and embedded their authority within the very institutions meant to sustain indigenous autonomy. Such interventions gradually weakened the foundations of Mbum customary governance and gave rise to a

syncretic justice system that diluted long-established communal values. Chiefs, formerly custodians of spiritual authority and arbiters of restorative justice, were reconstituted as “Native Authorities,” deriving legitimacy not from ancestral tradition but from colonial endorsement.

The tensions produced by British policies became increasingly visible between 1922 and 1924, when the Mbum were incorporated into the Nso Native Authority. This administrative decision disregarded the distinct cultural, linguistic, and historical identities of the two groups and sowed deep resentment. A vivid example of this friction emerged from court protocol: Mbum Fons were required to remove their royal hats (*ntoshi*) during proceedings in the Nso court, while Nso chiefs retained theirs. For the Mbum, this practice represented a profound affront to their dignity and sovereignty. In reaction, Mbum leaders, notably the Chief of Ngarum, boycotted the court sessions. The effects of this protest were evident in the drastically reduced number of cases they handled. Only twenty-eight civil and twenty-one criminal cases, out of two hundred civil and ninety-five criminal cases tried in the Nso court between September and October 1922 [30].

Growing dissatisfaction among the Mbum, reinforced by sustained pressure on colonial officials such as District Officer W.E. Hunt, eventually led to the establishment of a Grade D court at Mbiyeh. This court operated independently of the Nso Native Authority and represented a significant step toward administrative autonomy. In this new arrangement, Native Authority was vested in the three clan heads of Warr, Tang, and Ya, each receiving an annual salary of twelve pounds [31]. Although this development acknowledged the political structure of Mbumland, it simultaneously entrenched the colonial reinterpretation of the chieftaincy institution. Traditional leaders, now salaried agents of the British administration, increasingly carried out secular administrative duties at the expense of their spiritual and cultural functions.

The cumulative impact of these developments proved consequential for the Mbum justice system. Authority that once rested on ancestral legitimacy and communal trust gradually shifted toward a framework defined by colonial appointment and administrative compliance. This transformation eroded indigenous legal principles and fundamentally altered the nature of dispute resolution in Mbumland. Despite the community’s enduring resilience in safeguarding elements of their customary system, British colonization set in motion a profound reconfiguration of justice practices whose effects continue to shape contemporary legal pluralism in the region.

Resilience and Legacy

The post-independence era has illuminated the remarkable resilience and adaptability of the Mbum justice system, which has sought to preserve its core values while engaging with emerging legal frameworks and evolving sociopolitical realities. Rather than experiencing outright displacement, the system adapted through a process of legal hybridization. In this context, the Mbum strategically maintained key elements of their indigenous jurisprudence by integrating certain modern legal norms, sustaining community involvement, promoting cultural preservation, strengthening traditional institutions of litigation, and employing alternative dispute resolution mechanisms.

Alternative dispute resolution, particularly mediation and negotiation, proved especially vital in addressing longstanding land disputes that had their origins in colonial administrative interventions. The roots of these disputes can be traced to the British reorganization of Mbumland in 1934, when colonial authorities restructured the area into clans to streamline administration and taxation. This reorganization was soon followed by an artificial demarcation of territorial boundaries between Fondoms in 1935, a process guided by the Native Land Ordinance of 1926 and the Inter-Tribal Boundary Settlement Ordinances of 1933 [32]. These boundaries, imposed without regard for the natural landmarks (rivers, hills, valleys, and forests) that had long served as culturally recognized markers, forced certain Fondoms to cede parts of their ancestral territories to others. The disregard for indigenous territorial knowledge laid the foundation for numerous inter-Fondom land conflicts.

These colonial boundary distortions generated tensions that persisted across the colonial and post-colonial periods. Notable conflicts emerged between Tabenken and Mbot, Njimkang and Mbipgo, Ntumbaw and Njirong in the Mbaw plains, Talla and Ngarum, and Mbipgo and Njimkang [33]. Their intensity not only strained inter-Fondom relations but also threatened broader communal cohesion in Mbumland. Resolution of these disputes relied heavily on the continued use of alternative dispute resolution mechanisms, through which the Mbum transformed potential flashpoints into opportunities for dialogue, reconciliation, and the restoration of social harmony.

Central to these processes was the involvement of respected elders, community leaders, and other notable figures whose authority derived from deep cultural legitimacy. Their mediation took place within a culturally grounded framework that often-incorporated sacred rituals such as the pouring of libation, an invocation of ancestral and divine witnesses to seal agreements and affirm reconciliation. This ritual act underscored the moral gravity of conflict resolution and reinforced the spiritual dimension that had always characterized indigenous Mbum jurisprudence.

Despite the enduring strength of these traditions, the colonial encounter introduced profound transformations that challenged the philosophical and procedural foundations of the Mbum justice system. The imposition of Western legal norms, most notably through the Southern Cameroons High Court Laws, brought indigenous practices under increased scrutiny and constraint. Section 27 of these laws, which stipulated that “the court shall observe and enforce the observance of every native law and custom which is not repugnant to natural justice, equity and good conscience” [34] subjected customary norms to an external moral standard grounded in foreign judicial philosophies. The effect was a gradual displacement of the restorative principles that had long defined Mbum legal practice and the introduction of a more punitive orientation that was often misaligned with local cultural logic.

Even in the face of such pressures, the Mbum demonstrated notable adaptability. Their continued engagement with the complexities of legal pluralism reflects both a pragmatic response to changing political contexts and a profound commitment to preserving the integrity of their judicial heritage. Over time, this resilience contributed to the reassertion of customary law within post-independence legal frameworks and

encouraged the reintegration of restorative ideals into contemporary forms of dispute resolution. In this way, the Mbum justice system remains a vital cornerstone of communal governance, ensuring that traditional values endure even as the community navigates evolving legal and societal landscapes.

Conclusion

This study has demonstrated that the indigenous justice system of the Mbum people has served as a foundational mechanism for social order across the pre-colonial, colonial, and contemporary eras. In the pre-colonial period, elders adjudicated disputes through community-generated norms, while practices such as oath-taking, swearing on the Fon's stools, and the pouring of libation provided culturally grounded procedures for establishing truth and restoring social harmony. Institutions like the *Nkfu* further reinforced this system by delivering authoritative decisions that were respected as final and binding.

As colonial rule expanded, however, these long-standing mechanisms came under significant strain. The imposition of formal courts, bureaucratic procedures, and monetized justice disrupted indigenous institutions, delegitimized local authorities, and introduced competing legal norms. These interventions did not replace the indigenous system but instead produced a fractured legal landscape in which statutory law and customary law coexisted uneasily. Consequently, the colonial encounter generated a form of legal pluralism that continues to shape the administration of justice in Mbum society today.

Despite these disruptions, indigenous mechanisms have remained remarkably resilient. Their continued relevance in contemporary dispute resolution demonstrates not only the community's trust in customary procedures but also the limitations of imported legal models in addressing local needs. This resilience invites further scholarly reflection on how indigenous institutions can contribute to a more inclusive, culturally grounded, and context-responsive justice system in Cameroon. Ultimately, the Mbum case underscores the importance of re-examining colonial legal legacies and recognizing indigenous jurisprudence as a vital component of present-day legal pluralism.

Conflict of interest

The authors declare no conflict of interest

References

- [1]. Karuiki, F. “Community, Customary and Traditional Justice Systems in Kenya: Reflecting on and Exploring the Appropriate Terminologies”. *University of Nairobi Law Journal* 8, no 1 (2017):9.
- [2]. (Sherry & Myers. “Traditional Environmental Knowledge in Practice 2020”. Cambridge. University Press (2002): 346-355.
- [3]. **Ndeh, M. S.** “Traditional justice system and conflict resolution: Exploring the pre-colonial institutional frameworks in Mamfe and Bakweri lands of Cameroon”. *Global Journal of Politics and Law Research* 5 no,5 (2017): 34.
- [4]. **Ifeanyichukwu, F.** “Traditional legal system: A paradigm in Nigeria”. *Igbo Scholar International Journal*, 4 no.1 (2017): 43-46.
- [5]. **Meneses, P.** “*Traditional authorities in Mozambique: Between legitimization and legitimacy*”. Alpha Books. (2006):2-5.
- [6]. **Obang, M., and Appiah, C.** “Indigenous justice system in land conflict resolution: The case of the Paramount Chief’s Court in the Oguaa Traditional Area, Ghana”. *Journal on Social Sciences and Humanities*, 3 no1. (2020):37–49.
- [7]. **Ndeh, M. S.** “Traditional justice system and conflict resolution: Exploring the pre-colonial institutional frameworks in Mamfe and Bakweri lands of Cameroon”. *Global Journal of Politics and Law Research* 5 no,5 (2017):35.
- [8]. **Njoh, A. J.** “The Meta indigenous politico-administrative system, good governance, and the modern republican state in Cameroon”. *Journal of Asian and African Studies*, (2014):1–20.
- [9]. **Nforba, S. Y.** “*The Nfuh Society and the defense of Mbumland: A study of the Mbum–Nso War, c. 1890–1900*”. Long essay:University of Buea, (2000):45.
- [10]. Rubin, N. “Cameroon: An African Federation”. Pall Mall Press (1971):178-180.
- [11]. **Fanso, V. G.** “*Cameroon history for secondary schools and colleges: From prehistoric times to the twenty-first century*”. Team Work Press, (2017):115-116.
- [12]. **Ze Edo’o, J. R.** “The borders of Cameroon from the origins to the present day: Stakes and challenges”. *Scholars Journal of Arts, Humanities and Social Sciences*, (2017):816–822.
- [13]. **Ntantang, H. T.** “*Colonial transport policies and development in Cameroon: A historical synthesis, 1884–1961*”. University of Yaoundé. PhD dissertation (2020):45-50.
- [14]. **Titalanga, G. B.** “*The traditional judicial system of Bali Nyonga, 1864–1961*”. University of Buea: Master’s dissertation (2020):46-50.
- [15]. **Fomin, E. S. D.** “The German colonialists and lingering ethnic conflicts in Cameroon, 1890–1990”. *Afro Asian Journal of Social Sciences*, 8 no 2 (2017):1–22.

- [16]. **Nkwi, P. N.** “*The German presence in the Western Grassfields, 1891–1913: A German colonial account*”. African Studies Center (1989):16.
- [17]. **Ali, W. N.** “*The Wimbun of the Western Grassfields of Cameroon: A case study of the impact of colonial rule, 1902–1961*”. University of Yaoundé. Maitrise dissertation (1991):30.
- [18]. **Mangoh, J. T.** “*The Wimbun of the North West Province of Cameroon, 1700–1961*”. University of Illorin. BA long essay (1986):100-105.
- [19]. **Talla, N.** “*The Wimbun people of Donga and Mantung before the coming of the Europeans*” A junior history. Starlink Communication (1998):57.
- [20]. **Ali, W. N.** “*The Wimbun of the Western Grassfields of Cameroon: A case study of the impact of colonial rule, 1902–1961*”. University of Yaoundé. Maitrise dissertation (1991):25-30.
- [21]. **Victor, T. L.** “*The Cameroons from mandate to independence*”. University of California Press (1964):25.
- [22]. **Ngoh, V. J.** “*The political evolution of Cameroon, 1884–1961*”. University of Portland. Master of Arts thesis (1979):15.
- [23]. **Victor, T. L.** “*The Cameroons from mandate to independence*”. University of California Press (1964):26-27.
- [24]. **Ristikivi, M.** “Mirror of the European legal traditions: Latin terminology in the Estonian law journals *Oigus and Juridica*”. *Juridica International*, (2010):90–101.
- [25]. **Zollmann, J.** “German colonial law and comparative law, 1884–1919. In T. Duve (Ed.), *Entanglements in legal history*”. Max Planck Institute, (2014):251-159.
- [26]. **Fanso, V. G.** “*Cameroon history for secondary schools and colleges: From prehistoric times to the twenty-first century*”. Team Work Press, (2017):180.
- [27]. **Fanso, V. G.** “*Cameroon history for secondary schools and colleges: From prehistoric times to the twenty-first century*”. Team Work Press, (2017):182-183.
- [28]. **Mvogo, E. M., & Beine, Z.** “Cameroon in the First World War: From the dominant geostrategic challenges to environmental impact ignored”. *Global Journal of Arts, Humanities, and Social Sciences* 10 no 7(2022):1–14.
- [29]. **Hailey, L.** “*An African survey: A study of problems arising in Africa south of the Sahara*”. Oxford University Press, (1938):433.
- [30]. **Budi, R. N.** “*Politics of ethnic disintegration and integration in Nigeria among the Mbum of the Bamenda Grassland, Cameroon, 1916–1961*”. University of Bamenda. PhD thesis (2020):132.
- [31]. **Tanya, C. M.** “*The evolution of the Wimbun Native Authority Area, 1924–1961*”. University of Buea. Master’s dissertation (2002):65-70.

[32]. **Nforba, S. Y.** “*Inter-fondom relations among the Wimbun of the Nkambe Plateau, 1902–2002*”. University of Yaoundé. Master’s dissertation (2016):42.

[33]. **Ndzi, G. N.** “*The evolution of the clan system and development in Mbumland, 1902–2010*”. Postgraduate diploma dissertation. Higher Teacher Training College, University of Bamenda (2017):22.

[34]. **Kiye, M. E.** “Customary law in Anglophone Cameroon and the repugnancy doctrine: An insufficient complement to human rights. *Ufhamu*”. *A Journal of African Studies* 42 no 2 (2012):14-20.

