

Regional, decentralisation and traditional power in Cameroon

Abstract

This article shows the process of transition from the unitary state to decentralisation, which is the transfer of administrative competences from the central state to the communities (municipalities). This law is derived from the Constitution of 18 January 1996, which was re-enacted by Law No. 2019/024 of 24 December 2019 on the General Code of Decentralised Territorial Authorities, with the creation of regions and elected regional councillors and traditional chiefs appointed as regional councillors by the central government. The particularity of decentralisation in Cameroon is the maintenance of governors, prefects and sub-prefects as representatives of the central state in the missions of the centralised power. Another peculiarity is the weak donation of the sovereignty of the delegations of the various ministers placed under the management of decentralised communities (Mairie). This donation remains weak in all areas. In the new model defined by the law n°2019/024 of 24 December 2019, regionalisation should be presented as a spring of economic and social development.

Key words: Cameroon, Traditional chief, Decentralisation, Municipality.

Introduction

In Cameroon, 25 years after the constitution (1996) on regional elections came into force in 2020, fourteen political parties took part in the election of 6 December 2020 to elect 900 regional councillors, elected for five years, with 90 councillors for each of the ten regions (Essomba, 2020). According to the electoral system, each region has 70 councillors elected by an electoral college composed of delegates elected by the municipal councillors of each department, and 20 councillors elected by the traditional chiefs from among them (Edjogo, 2020).

To participate in the regional council, representatives of traditional leaders are elected by a closed list of 1st, 2nd, and 3rd degree traditional leaders in a first-past-the-post system. Decentralisation, which is currently being implemented, is expected to bring about a significant change in local decision-making and should have a strong structuring effect on local modes of governance. In rural or urban forms of governance, traditional power remains today in a combination of plural power centres, currently in the organisation charts and texts of the Ministry of Decentralisation.

However, several questions arise from the form of regional decentralisation in Cameroon and the involvement of traditional chieftainships. What is the role of traditional leaders in this regionalisation? What state functions will traditional leaders perform in relation to decentralised communities, and how? Will there be good collaboration between the communities and the traditional chieftainships even though the latter are members of the

ruling party? Will they work together to better control space and arbitrate recurrent land conflicts in agricultural production basins? Will they be able to -produce local norms and regulations that are legitimate and recognised in practice by politicians and the population? Will the opposition political class's reproduce-, thanks to decentralisation, the national political culture, by disseminating their project of society without being worried by the traditional chieftainship which already benefits from a tacit deal with the government? What is the new relationship between the deconcentrated agents of the state and the people?

To answer these questions, my methodology consists of exploiting archives, articles and my observations in the field, then evaluating the various indicators of decentralisation and the role of traditional social organisations and decentralised communities for development to benefit the people. Finally, to account for the complexity of the analysis of the role of traditional local authorities in the ongoing decentralisation processes in Cameroon.

Decentralisation context in Cameroon

One of the main innovations of the Constitution of 18 January 1996, and re-acted in Law No. 2019/024 of 24 December 2019 on the General Code of Decentralised Territorial Authorities, is the creation of the Region. Following the very real claims of the inhabitants of the North-West and South-East: part of the civil society of these two English-speaking regions protests against marginalisation in an almost unilaterally French-speaking Cameroon (Mfewou A., 2019). This deep-seated demand, which began with linguistic issues (in matters as fundamental as education or justice), has gradually evolved into demands that have remained unanswered by the central political decision-makers. Thus, the rise in tension spread to the two regions and remained interminably. Violent clashes between the national security forces and separatists in the English-speaking regions of Cameroon, particularly in Bamenda, the capital of the North-West, and Buea, the capital of the South-West, have continued for several years. 1^{er} projects, including those with a "decentralisation" or "local development" component, are part of these global dynamics and seek to meet the ultimate objective of reducing poverty in different regions, according to approaches and methods that may differ, however, depending on the culture of the partners and the trajectory or choices of the beneficiary countries. In October 2017, which marks the anniversary of the country's reunification (voted by referendum on 11 February 1961).

In its development history, Cameroon, a former German colony, was divided by the League of Nations (SDN, parent of the UN) after the First World War: one part under French

trusteeship and another, close to Nigeria, under a British mandate called Southern Cameroon. In 1960, Cameroon under French trusteeship gained independence (Lepoint, 2017; Mfewou A., 2019). Some of the Anglophones decided by referendum to remain in Cameroon, but retained the British educational and legal systems. The Foumban meeting for the merger of French Cameroon and the southern part of British Cameroon, including those with a 'decentralisation' or 'local development' component, is part of these global dynamics and seeks to respond to the ultimate objective of poverty reduction, according to approaches and methods that may however differ according to the culture of the partners and the trajectory or choices of the beneficiary countries. At the root, the existence of these two Cameroon is also a deep consequence of the First World War (1914-1918).

Federalism was introduced between 1961 and 1972, but President Ahmadou Ahidjo proclaimed a united Republic in 1972. Since then, Anglophony with identity emerged through the Cameroon Action Group in the late 1970s and early 1980s. A social movement based on the eloquence of the dramatization of the condition of Anglophones in opposition to a state deemed to be the replacement of colonial power. This demand was accompanied by a consideration of absorption and above all marginalisation (Lepoint, 2017). This partly explains why the claims have remained in the territories concerned.

Between 1995 and 1996, what was only a social movement took a more political turn with the Southern Cameroons National Council (Lepoint, 2017, Mfewou, 2019). Numerous studies, articles and viewpoints mark out the history of this conflict, which is not new.

After the great national dialogue (2019), Cameroon has set up the decentralisation of 1996. With a special status for the English-speaking regions, despite the criticism it has provoked. This national decentralisation is today presented as an evidence that covers multiple political, administrative and legal realities, which shape projects, of which those including a 'decentralisation' or 'local development' component are part of these global dynamics and seek to respond to the final objective of poverty reduction, according to these approaches and methods that may however differ according to the local culture, trajectory and evolving democratic configurations (Nouazikemkeng, 2018)

From a conceptual point of view, decentralisation is a process of development of the unitary state which consists in transferring administrative competences from the state to local entities (or communities) distinct from it. In other words, it is the transfer of administrative power closer to the people. In Cameroon, the new General Code of Local Authorities, promulgated in December 2019, following the laws of 22 July 2004 (law on the orientation of decentralisation, law on the rules applicable to communes and law on the rules applicable to

the regions) therefore traces the broad outlines of this decentralisation (NouaziKemkeng, 2018). Thus, communes are recognised as decentralised territorial authorities, enjoying administrative and financial autonomy for the management of their interests. It emerges from the analysis that this mode of local governance remains very slow in Cameroon *"projects, including those with a 'decentralisation' or 'local development' component, are part of these global dynamics and seek to meet the ultimate objective of poverty reduction, according to approaches and methods that may however differ according to the culture of the partners and the trajectory or choices of the beneficiary countries"*. "Here, we sell the animal, but hold the rope. But also with a weak transfer of central powers to the local level. As in this meagre process of social order, communities and traditional leaders are called upon to play a decisive role in the management of local affairs, but these two major actors remain antagonistic in a confused management.

These local actors, whether they are leaders of development associations, civil servants, councils, deputies, etc. or traditional leaders (traditional chiefs, notables, etc.), are in many cases mainly involved in the game of interest and not as factors of social change, or the opposite, and prove to be powerful factors in slowing down, or even blocking, the changes expected by the population because of the applicability and interpretation of roles (Ouedraogo, 2006). Thus, democracy and decentralisation appear to be real threats to the survival of traditional chieftainships in the face of elected municipal officials, whose traditional chiefs do not sit on the municipal council and remain the guardians of customs and traditions and are totally excluded from the management of the town hall. However, the objective is to include the decentralisation and local development component, which is part of a global dynamic to reduce poverty in different regions of the country. Bringing the decision-making centres closer together excludes certain traditional chiefs. The latter judge decentralisation as an exclusion of central power in local decision-making, while others go so far as to accuse central power of working to ensure that their subjects no longer trust the customary court and prefer state justice in case of land disputes. Thus, these traditional leaders perceive decentralisation as a process that rather puts up barriers to rapprochement with the population.

But it is also observed that this decentralisation in Cameroon does not take place in a simple perception of total dismemberment of central power towards the regions, as the populations believed. Its implementation is still very slow as planned in 1996. However, the population was thinking of a new territorial contract.

In the Anglophone zone, even with the demands of the historical trajectory and the special status of the great national dialogue, decentralisation is not yet effective.

Traditional local governance in Cameroon

Governance here is a mode of local government that integrates municipalities, traditional chiefs and civil society (Chatelin, and Trébuq, 2003). In Cameroon, since the great national dialogue and the regional elections, the central power hardly seeks interaction and complementarity between the elected regional councillors and the traditional chiefs, where governance conflicts are perceptible at all levels of regional political decisions, for example at the time of the composition of the regional bureau or during the vote of the regional budget. As decentralisation is part of a wider process of reformulation of the democratic idea, some traditional leaders have been excluded from the political arena where their role is to be a member of the ruling party, where their candidacy for mayor's office has been prohibited in the 1996 constitution; yet, the institutions of local government, whose management bodies are in the hands of local elected officials, are considered by traditional leaders to be their 'subjects'.

This new democratic organisation in Cameroon has come to make the citizens more active, which is emerging in all regions. The involvement of the population in the management of public affairs controlled by the elected officials (subject) pushes some traditional chiefs to block road construction projects for example as soon as their interest is not taken into account. These traditional leaders often hold up placards during land expropriation to indicate that they are custodians of all the land that the people enjoy as a usufructuary, but during land compensation the money is paid to the traditional leader and not to the people. Conflicts are thus visible at all levels of decision-making at the regional level, sometimes because of the difficult cohabitation between elected officials from the opposition party and traditional chiefs who are militants of the party in power. Some chieftaincies are colonial creations, and today they provide pre-colonial legitimacy, developing a good collaboration with the party in power for future elections. However, the educational awakening and the evolution of citizenship are sometimes contradictory in the current landscape when the chief is excluded from municipal decision-making.

In the new democratic order, the orientations of the local project are currently steered by the local elected representatives; here we are talking about a new mode of regulation, first the elected representatives, then the people, in order to deal with a crisis of governability at the local level. The traditional chief remains the guardian of customs and traditions and does

not appreciate his exclusion from decision-making. However, in the case of water management, land ownership or forestry, the traditional chief and civil society are associated with this governance, which often succeeds with the harmonious combination of local elected officials. One example is land management in North Cameroon (Mfewou, 2010), where agricultural development projects have more or less succeeded thanks to the donation of land to migrants by traditional chiefs, and these chiefs are still very powerful even with the new governance practices

But the return of multiparty politics, marked by citizen freedoms, has weakened traditional authority. For example, taking the observations recorded in Noun in West Cameroon, where traditional authority has lost ground since the chief lost the 1996 municipal elections. It is a question of grasping the reconfigurations of the modes of political actions where collective political interests have been placed above family ties; the participation of actors becomes as an important factor in the deconstruction of customary power over the population and the reconstruction of the new deal that contributes deeply to the development and benefit of the community (Bios Nelem, 2018). The same author indicates that *'For a long time, we lived in a situation where the mayor's office was held by the royal dynasty... The former King, notably the father of the current chief, had been mayor of Foumban for a long time. This meant that traditional authority was somewhat confused with municipal authority. In 1996, the Cameroon Democratic Union (UDC) political party came to steal the limelight from the current ruling Cameroon People's Democratic Rally (CPDM) party in the municipal elections. This was traditionally unthinkable. This created a crisis in the sense that it was the kingdom, through the King, that had control over all the land.*

It is clear from this political and social transformation that this part of the country has become a laboratory for experimenting with decentralisation, where the elected representative of the people remains the greatest decision-maker in the municipality, which is the decentralised unit to which the management of natural resources is assigned by the mayor's office for the well-being of the community. However, traditional institutions are not very dominant in the city and no longer hold the reins of land use planning.

In the deep south of Cameroon, the customary chief often discusses the management of communal and community forests with the municipality, the villagers and also with the sub-prefect, especially in relation to the responsibility for marketing and revenue from logging (KounaEloundou, 2012).

However, collaboration sometimes takes place between the four actors: the traditional chief, the elected representative, the population and the sub-prefect for the sharing of forest

exploitation royalties. In this operation, the traditional chief is the direct descendant of the ancestors and guardian of the natural resources and earns more money and the realisation of tracing and road development is often not taken into account in the negotiations with the exploiters. As a visible consequence the area remains landlocked.

Practice of local decentralisation in Cameroon

Onibon, A., et al, (1999) define the term 'local practices' by referring not only to local approaches, methods and techniques of natural resource management, but also to the roles and functions of local institutions and structures - non-governmental organisations (NGOs), smallholder associations, youth movements, local administrative units, traditional and local leaders, decentralised technical and administrative structures, etc. - actively involved in resource management. - These are all actively involved in resource management.

In Cameroon, the practice of local decentralisation becomes complex when the mayor of a locality comes from the opposition party, the State slowly transfers local management to the elected representatives of the people in order to respond to their aspirations. The ongoing decentralisation process is not identical in the same country, although the texts exist. For example, land management in the peri-urban areas of the city of Yaoundé has led to tensions between elected officials and village chiefs; the latter refuse to transfer land to decentralised administrative units.

The applicability of decentralisation in Cameroon was not driven by the state, but as a condition of aid imposed by international agencies (FAO, 1997), the reality on the ground still remains difficult when it comes to natural resource management.

The authorities refuse to lose all their power over the land. For example, in North Cameroon, the lamido (chief) remains the manager of the land patrimony; he gives the land as a right of use with a verbal agreement because his power is marked in space (Mfewou, 2010). In all cases, the population, and therefore the citizen, is at the centre of the current decentralisation process with the rise of civil society. A purely legal and administrative decentralisation approach cannot claim to produce local development because the chiefdom is not totally excluded from major local development projects.

Analyses in different urbanised areas, particularly in Africa, have shown that the progress of institutional processes may not have a sufficient impact on local dynamics, pointing to a necessary 'readjustment' of the content of policies, their mode of application and their effective appropriation (Mfewou, 1990; Ouedraogo, 2006). Some of these leaders

occupy the most privileged institutional positions in the nation's sphere: president of the national assembly, vice-president of the senate and secretary general in the ministries (Zelao, 2017).

Indeed, given the ethnic diversity in Cameroon in both rural and urban areas, traditional authorities are feudal bodies and are often the only local authorities on which the elites rely to be better placed in the highest administrative sphere. However, in the 2020 regional elections, while hoping to gain positions of power in the state apparatus through the regionals, only 20 chiefs were elected under traditional leadership and the rest are excluded from the decision-making process, which has led to disappointment and frustration among some chiefs.

However, on the ground the influence of customary authority is very weak in decision-making, and there is latent tension between the chiefs themselves and the customary chiefs against the decentralised administrative units. In reality, the antagonism observed between these actors expresses the desire to maintain the role of the state in accompanying the transfer of competence. For example, the transfer of land or forest resource management is not a simple matter because traditional chiefs had previously conquered these lands by force of arms through major conquests and will never accept losing their power over natural resources.

However, the management of renewable energy, access to drinking water, sanitation or waste treatment projects do not interest traditional leaders except for the project related to the management of natural heritage. Although the legitimacy of some local institutions may be contested, their power is still evident.

New relationship between the deconcentrated agents of the State and the people

In Cameroon, different ministries have deconcentrated services at the geographical level and placed under the authority of the governor at the regional level, prefects at the departmental level and sub-prefects at the district level. Decentralisation currently ensures the relay at local level of decisions taken by the central authority, of local decisions taken by regional elected representatives for local development, for the benefit of the population that voted for them. The representatives of the state (head of the local state) have a supervisory role in the realisation of development projects and the state no longer intervenes in budgetary decision-making, although some representatives of the state still have the connotations of the former centralised power. These state representatives are weakened in the decentralisation towards their new function also in the new relationship with the decentralised communities. For example, the tension recorded between the prefect of the department of Mounjo (Douala) and the elected mayor of the opposition over the management of a pozzolan quarry triggered clashes between the local population and the forces of order. Another example, the prefect of Noun and the mayor of the town of Fouban were at loggerheads over the establishment of a municipal police unit. In this decentralisation, the representative of the state notes that his powers are very limited in this new administrative role.

Clearly, public services are free of charge; state agents are paid with taxpayers' money and are obliged to provide services to citizens when they request them. Today, there is a transitive relationship between central and local power (Miossec, 2008). In the municipalities, there is a slight transfer of competence from state agents, and regularly with capacity-building training for municipal staff. The latter remain at the service of the population and work in collaboration with local elected officials on the one hand.

On the other hand, local elected officials, voted by universal suffrage by the population, are accountable to it. Mayors and deputies are accountable for local affairs to the people who have entrusted them. From now on, this is a strong sign that Cameroonian citizens, even at the village level, are beginning to translate their local needs (boreholes, solar energy, schools, etc.) for their development into reality, even though state funding is often slow to arrive. As a voter, the citizen is regularly informed of the missions entrusted to the municipalities. Each village has a rural councillor who is an elected municipal official to bring out the grievances of the population. The philosophy of the participatory approach of the population is currently strengthening the links in the new relationship between the deconcentrated agents of the state and the elected representatives of the people, although it is not very antagonistic.

Decentralisation: conflicting relationship between local head of state, mayor and traditional authority

In Cameroon, since the return of multiparty politics, which was reflected politically in the modification of the constitution in 1996 and the application of decentralisation in 2020, the government has been able to make a significant contribution to the development of the country. The process of decentralisation began with the elections for regional councils. This is a major democratic step forward, so much so that the entire political class of the opposition is claiming it. The State has always hesitated to set up the scheme, the structure, for fear of losing its centralized power or the partition of certain regions. It was necessary to wait for the Anglophone crisis to apply decentralisation.

In the analysis of the form of collaboration between local elected representatives, traditional authorities and the representative of the state (local head of state), who is already a member of the party in power, the traditional authorities have always fought against opposition parties since the return of the multi-party system. However, the tension of the traditional authority becomes less when the local governing party is a member of the party in power; one then speaks of the relationship of collaboration between the elected representatives, the traditional authority and the representative of the state, but not for the realisation of construction projects, rather for their shared interest, but the relationship becomes antagonistic to exclude the presence of the local elected representatives and the population in the field of development. However, before the return of multiparty politics, for fear of opposing the governance of traditional chieftainships, citizens had a great deal of respect for the customary authorities. Democracy and decentralisation have now challenged the social role of the traditional chief in the management of local activities. In case of conflict in a locality, the citizen rather solicits the jurisdictions of the State and currently, less the function of the judge of the traditional authorities is solicited which sometimes in the same traditional authority is spiritual or religious chief.

The conflictual relationship becomes intense in an area when the local elected officials are from the opposition party. In this case, the administrative authorities side with their fellow traditional chiefs to undermine local development. For example, tensions have become recurrent between traditional authorities and local elected officials in the Noun region in the West of the country; for example, the reconstruction of the monument at the entrance to the town of Fouban was consumed by a fire. The rebuilding work pits the two parties against each other; the question is who should do it? However, in the text of decentralisation, the city belongs to the local elected representatives. This tension has led to the concern of religious

leaders who are calling for calm and the population is always on the side of the elected representatives of the people for the general community.

Another example in Southern Cameroon is the difficult management of the covid-19 crisis and the anticipated risk of a pandemic, where a traditional chief refused the 'gift' of the President of the Republic on the grounds that the mason bucket 'does not interest him' in a highly isolated area and the prefect threatened to dismiss him.

The decentralisation recorded shows that the elected representatives have become the central actors in the local development process and thus the facilitator with the support of business projects for the population and the stimulators encouraging the population to multiply income-generating activities.

Conclusion

The reforms of the territorial organisation in Cameroon constitute an important dimension in the institutionalisation of the regional spaces so much claimed by the population since 1996.

In Cameroon's democratisation, the phenomenon of the 'traditional chief-mayor' or 'king-councillor' no longer exists, except for the 20 reserved positions in the council of each region.

The policy of decentralisation and deconcentration remains in a territorial dynamic. The local elected officials have today a strong relationship of direct proximity with the population, their good knowledge of the territory, their cultural norms, their capacity to attract the diaspora to invest in the country of origin, and their capacity to create cooperative relationships with other municipalities.

At present, there is little transfer of competence from central government to the regions and the financial insufficiency of the communes. Competition reigns with the development of tension between local elected representatives, the representative of the state (head of the local state), the administrative and traditional authorities and even associations. In this decentralisation, the local elected representatives have become the popular advocates with the right and freedom to act on the ground. The population is now active and responsible for its own development; they submit their local needs and specific expectations (school, borehole, renewable energy, dispensary, etc.).

In this transfer of central power to locally elected officials, the traditional chief remains today only the guardian of traditional values; as attribution, customary chiefs have lost much of their power over the population, few subjects continue to submit to the

injunctions of traditional power. The chief still cooperates in the enforcement of laws and the maintenance of order when it suits him. Finally, the ordinance specifies the benefits that a traditional chief receives per month according to the category of chieftaincy 1^e , 2^e , 3^e degree.

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