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**ASSESSING THE ROLE OF CIVIL SOCIETY ORGANIZATIONS
TOWARDS WOMEN'S ACCESS TO LAND PROPERTY RIGHT IN
FAKO DIVISION: THE CASE OF LIMBE SUBDIVISION.**

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To

my daughter, Agonate Joey Ivana SHEY BIMOH.

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SUMMARY

DEDICATION	i
ACKNOWLEDGMENTS	ii
SUMMARY	iii
ABSTRACT.....	iv
RESUMÉ	v
LIST OF ABBREVIATIONS AND ACRONYMS	vi
LIST OF FIGURES	vii
LIST OF TABLES	viii
GENERAL INTRODUCTION.....	1
PART I:CIVIL SOCIETY ORGANIZATIONS: AN OVERVIEW, CONTEXT OF EMERGENCE, AND THEIR CONTRIBUTION TOWARDS WOMEN’S ACCESS TO LAND PROPERTY RIGHTS.....	44
CHAPTER 1:AN OVERVIEW OF CIVIL SOCIETY ORGANIZATIONS AND CONTEXT OF EMERGENCE.....	46
CHAPTER 2: THE CONTRIBUTION OF CIVIL SOCIETY ORGANIZATIONS TOWARDS WOMEN’S ACCESS TO LAND PROPERTY RIGHTS IN FAKO DIVISION	59
PART II: ASSESSING THE ROLE OF CIVIL SOCIETY ORGANIZATIONS TOWARDS WOMEN’S ACCESS TO LAND PROPERTY RIGHTS IN FAKO DIVISION.....	75
CHAPTER 3: PERCEPTION OF SOCIAL GROUPS OF THE CONTRIBUTION OF CIVIL SOCIETY ORGANIZATIONS.....	77
CHAPTER 4: CONSTRAINTS ENCOUNTER BY CIVIL SOCIETY ORGANIZATIONS IN THE FIELD.....	92
GENERAL CONCLUSION	106
BIBLIOGRAPHY	117
ANNEXES.....	ix
TABLE OF CONTENTS.....	xx

ABSTRACT

In Cameroon and Fako in particular, women enjoy very limited rights to land and still struggle to secure their rights to land, owning just about 2% of land. Whereas land remains an important source of livelihood for a majority of women, who produce 70% of the workforce in the agricultural sector and produce 80% of the country's food needs. To address this restriction, some pro-woman organizations through advocacy assist women towards access to land property rights. However, in spite of their contribution, their role is insufficient. By "*Assessing the role of Civil Society Organizations towards women's access to land property rights in Fako division*", this research work seeks to understand why the role of CSOs in assisting women towards access to land property rights is unsatisfactory as majority of women still encounter persistent difficulty to own land. To this effect, two theoretical models permitted the verification of the research hypotheses notably; the Functionalism theory of Robert K. Merton, and the Social Representations Theory of Serge Moscovici. The qualitative research, case study methods, direct observation and life stories amongst others were used to collect useful information from informants.

From our analysis, we found that the insufficiency of the role of CSOs is the result of a dual responsibility. Dual responsibility in the sense that the method and approach of advocacy implemented by these organizations do not reflect the sociocultural context of the local population, and on the other hand, due to the absence of an enabling environment which acts as a major setback to their actions preventing them from carrying out a satisfactory role. With increasing changes in needs and habits experience in the society today, the resonance of the question on women and access to land property rights is becoming an inevitable discourse. This question which is sometimes contested and accepted because of its complexity necessitates the production of new knowledge and approaches from the sociological and other disciplinary perspective so as to contribute to ameliorating the actions implemented by civil society organizations and other actors of land rights towards enhancing women's access to land property right.

Key words: Civil Society Organizations, Land, Land property rights, Woman.

RÉSUMÉ

Au Cameroun et dans le département du Fako en particulier, les femmes ne jouissent que de droits très limités et ont encore du mal à faire valoir leurs droits à la terre, puisqu'elles ne possèdent qu'environ 2% des terres. Alors que la terre reste une source importante de moyens de subsistance pour la majorité des femmes, qui représentent 70% de la main d'œuvre dans le secteur agricole et produisent 80% des besoins alimentaires du pays. Pour porter un regard sur cette situation, un certain nombre d'organisations pro-femmes plaident et accompagnent les femmes vers l'accès aux droits de propriété foncière. Cependant, en dépit de tous ces plaidoyers, leur rôle est insuffisant. En « *évaluant le rôle des Organisations de la Société Civile dans l'accès des femmes à la propriété foncière dans le département du Fako* », ce travail cherche à comprendre les facteurs qui expliquent cette insuffisance du rôle des OSC. Deux modèles théoriques ont permis de vérifier l'hypothèse de recherche notamment ; le Fonctionnalisme de Robert K. Merton, et la théorie des Représentations Sociales de Serge Moscovici. Nous avons également utilisé les méthodes de collecte des données qualitatives qui nous ont permis de recueillir des données utiles auprès des répondants.

De notre analyse nous avons constaté que l'insuffisance du rôle des OSC découle d'une double responsabilité. Double responsabilité dans le sens où la méthode et l'approche de plaidoyer employées par ces OSC ne reflètent pas le contexte socioculturel des populations locale, et en partie due à l'absence d'un environnement favorable nécessaire aux OSC pour remplir un rôle satisfaisant. Vu le changement croissant des besoins et des habitudes dans la société aujourd'hui, la résonance de la question sur les femmes et accès à la propriété foncière devient un discours inévitable. Cette question qui est parfois contestée et acceptée en raison de sa complexité, nécessite la production de nouvelles connaissances et approches à partir de la perspective sociologique et d'autres disciplines. Ceci enquisse de contribuer à l'amélioration des actions mises en œuvre par les organisations de la société civile et d'autres acteurs des droits fonciers concernant l'accès des femmes à la propriété foncière.

Mots clés : Organisations de la Société Civile, Terre, Droits de propriété foncière, Femme

LIST OF ABBREVIATIONS AND ACRONYMS

- CEDAW:** Convention on the Elimination of all forms of discrimination against women
- CEIG:** Confederation Economic Interest Group
- CDC:** Cameroon Development Corporation
- CIG:** Common Initiative Groups
- CSOs:** Civil Society Organizations
- DMF:** The Denis Miki Foundation
- FAO:** Food and Agriculture Organization
- FIDA:** International Federation of Female Lawyers
- IAC:** Inter-African Committee for the fight against harmful traditional practices
- LCB:** Land Consultative Board
- MEVCUDA:** Meveo Cultural Festival
- MINDCAF:** Ministry of State Property, Surveys and Land Tenure
- NGOs:** Nongovernmental Organizations
- OHCHR:** United Nations High Commissioner for Human Rights
- OXFAM GB:** Oxford Committee for Famine Relief, Great Britain
- OSC:** Organisation de la Société Civile
- PAMOCCA :** Projet d'Appui à la Modernisation du Cadastre et au Climat des Affaires
- PRECOFAT :** Projet de Prévention des Conflit Fonciers et Accès sécurise a la Terre
- RDFES:** The Network for the Defense of Women's Rights and Gender Equality
- SRT:** Social Representations Theory
- SSA:** Sub-Sahara Africa
- UNIFEM:** The United Nations Development Fund for Women
- UN WOMEN:** The United Nations Entity for Gender Equality and the Empowerment of Women
- UNDP:** The United Nations Development Programme
- USAID:** United State Agency for International Development
- WHO:** World Health Organization

LIST OF FIGURES

ANNEX 1 RESEARCH AUTHORIZATION..... **x**
ANNEX 2 INFORMED CONSENT OF RESPONDENTS..... **x**
ANNEX 3 INSTRUMENT OF DATA COLLECTION **xii**
ANNEX 4 LIST OF INFORMANT..... **xvii**
ANNEX 5 MINDCAF CIRCULAR..... **xix**

LIST OF TABLES

Table 1: Presentation of some NGOs with head office in Limbe advocating for women's access to land property rights	50
Table 2: Distribution of rural organizations by start-up date before and after the economic crisis	56
Table 3: Association movements by registration period before and after the Law of 1990 on freedom of association	58
Table 4: Number of certificates issued in Fako division (2006-2010).	96

GENERAL INTRODUCTION

I- CONTEXT AND JUSTIFICATION

In most parts of Africa, women play key role in agriculture and household sustenance. But in spite of this role, they enjoy very limited rights to land¹, and still struggle to secure their rights to land². Sunila Singh and Vidya Bhushan Rawat note that these rights are discriminatory against women with the sons having the right to inherit landed property³. This context isn't different in Cameroon. In spite of the fact that women constitute 52% of Cameroon's population⁴, 70% of the workforce in the agricultural sector⁵ and produce 80% of the country's food needs, they own just about 2% of land⁶. Agrawal Bina, Kossoumna Liba'a and other proponents to this opinion convey that this reality demonstrates an existing gender gap in command over access to land property between women and men⁷. Whereas as emphasized by Rosebud Kurwijila, land is an important resource for the majority of women in Africa with 80% of the rural population depending on it to carry out agricultural practices for their sustenance⁸. Meaning that, women who make up the majority of agrarian society⁹ depend on land to carry out agricultural activities in order to ensure

¹ Lorenzo Cotula et al., (2004), *Land Tenure and Administration in Africa: lessons of experience and emerging issues*, London, International Institute for Environment and Development, p.18; Ambe J. Njoh et al., (2016), "Africa Triple Heritage, Land Commodification and Women's Access to Land: Lessons from Cameroon, Kenya and Sierra Leone", in *Journal of Asian and African Studies*, Vol. 52 (6), p. 1-20, p. 17; Romy Santpoort et al., (2021), The land is ours: bottom-up strategies to secure rural women's access, control and rights to land in Kenya, Mozambique, Senegal and Malawi, in *Frontiers Sustainable Food System*, Vol. 5, p.1-16, p.11.

² Leah Mugehera, (2017), Oxfam Programme Officer- Women's Land Rights. Working for Pan Africa Programme based in Nairobi, report on the Kilimanjaro Initiative Highlights the Central Role of Access to Land for WEE, <https://www.empowerwomen.org>

³ Sunila Singh and Vidya Bhushan Rawat, (2019), *Gender Relations in Land Discourse: study of Bangladesh, Cambodia, India, Indonesia & Nepal*, India, Social Development Foundation & Maldhari Rural Action Network, p.20.

⁴ Central Intelligence Agency, (2015), cf. Vitalis N. Pemunta, (2017), "When "Property cannot own property": women's lack of property rights in Cameroon", in *African J. Economic and Sustainable Development*, Vol. 6, No. 1, p.67-85, p. 69.

⁵ Essimi Menye, Cameroon's former Minister of Agriculture, CRTV, 2012, cf. Valery Ngwogeh, (2020), *An Assessment of Small Scale Agriculture in Livelihood enhancement in Balikumbat sub-division North West Region of Cameroon*, dissertation submitted in partial fulfillment of the requirements for the award of a Master's Degree in Geography, University of Yaoundé I, p.7.

⁶ Vitalis N. Pemunta, (2017), *op. cit.*, p. 69; Lawrence Fombe et al., (2013), "Securing Tenure for Sustainable Livelihoods: A Case of Women Land Ownership in Anglophone Cameroon", in *Ethique et Economique/Ethics and Economics*, Vol. 10, No. 2, p. 74-86, p. 74.

⁷ Bina Agrawal, (2002), "Are We Not Peasant Too, Land Rights (and) Women Claims in India", in *SEEDS*, No. 21, p. 2-30, p.2; Kossoumna N. Liba'a, (2018b), « Revue des expériences de reconnaissance et sécurisation foncière des communautés Nord Cameroun », Cameroun, LandCam, Novembre 2018, p.3-46, p. 14.

⁸ Commissioner for Rural Economy and Agriculture, African Union Commission, cf. Julian Quan et al., (2004), *LAND IN AFRICA Market asset or secure livelihood? Proceedings and summary of conclusions from the Land in Africa Conference held in London*, London, 3Endsleigh St., International Institute for Environment and Development, p.15.

⁹ According to the statics of the Third Population and Habitat general census, women represent 50.6% of the population, 50.0% of the women reside in rural zone, cf. Kossoumna N. Liba'a, (2018b), *op. cit.*, p.3-46, p.14.

sustainable livelihood. A number of scholars¹⁰ to this effect uphold that depriving them of land does not only lead to diminishing livelihood, well-being and increasing food insecurity but also leads to her poor empowerment, self-esteem and poor access to credit, since without land there is no agriculture. It is therefore in a bid to address this existing barriers and restrictions encounter by women that a number of pro-woman organizations advocate and accompany women towards access to land property rights¹¹.

My motivation to carry out this research arose when I followed keenly the Pan African debates on the Pan African Tv- Afrique Media¹². Throughout the debate, I observed that much was discussed on the land crisis plaguing the Fako division and on the presence of various platforms and associations working to handle the rampant land grabbing and the arbitrary sales of land by government officials, natives and chiefs¹³. But intriguingly, I noticed that very little was discussed with regards to the role of these associations and platforms to mobilize for the Fako woman to own a piece of land in the midst of this land crisis plaguing the division. Moreover, the worry expressed by one of the female panel members further drew my attention on the observation.

Growing up with our grandmother in Bobende, we were very poor, we looked on our land to feed us... how do we start fighting the chiefs knowing that he has sold three (3) hectares of land, where do you go to, meanwhile they are in connivance or complot with the governor? Will you go to the governor whereas the governor has a hectare of land which the chief gave him? He's not probably going to listen to you. (Recount by Madam Tina Ewane, native of Bakweri and panel member of

¹⁰ Adeoye O. Akinola, (2018), "Women, Culture and Africa's Land Reform Agenda", in *Frontiers in Psychology*, Vol. 9, p. 1-8, p. 2, 6; Lawrence Fombe et al., (2013), *op. cit.*, p. 76; Raihan Selim et al., (2009), "Access to land and other natural resources by the rural poor: the case of Bangladesh", Munich Personal RePEc Archive (MPRA) paper, University Library of Munich, Germany, p. 1-55, p.1; also see Bina Agarwal, (1988), "Who sows? Who reaps? Women and land rights in India", in *Journal Peasant Studies*, Vol. 15, p. 531-581.

¹¹ See academic examples on the role played by advocacy groups in Aili M. Tripp, (2004), "Women's Movements, Customary Law, and Land Rights in Africa: the Case of Uganda", in *African Studies Quarterly* 7 (4), 1-19, p. 3; Camilla Toulmin, (2006), "Securing land and property rights in Sub-Saharan Africa: the role of local institutions, a revised version of Securing Land and Property Rights in Africa: improving the Investment Climate Global Competitiveness Report", World Economic Forum, Switzerland, p. 27-54, p. 20; Romy Santpoort et al., (2021), *op. cit.*, p. 11.

¹² Pan African debate on the Pan African TV, Afrique Media, on the 17/7/2021 and 07/08/2021, 3-5pm, presented by Emmanuela Sadey, under the topic Cameroon- Bakweri Land Issues, Causes and Solutions; and, Cameroon: Bakweri Land Saga, Why all the Scramble for Land and its Complexities More in Fako, with the following as panel members, Mr Nanje Carl native of the Livanda village Mile 3 Limbe, Mola Ngomba Endeley Prince of the royal family of Buea, Lawyer Ewane Tina native of bakweri, Barrister Ikome Ngongi, Mrs Iya Sophie Edimo from Limbe, Colonel Dr Mbako Aloysius, Mola Lyonga Joshua Secretary General of Mulongo village in Buea, Rev. Njaba Joseph (USA) through Zoom, Mola Manga (USA) through Zoom, Mola David Ikome (USA) through Zoom.

¹³ See annex 7 for circular no 1959/y.6/MINDCAF/SG/D2 of 28 April 2020, confirming this assertion. Reasons why ownership of national domain through direct registration or through concession have been suspended in certain subdivision of Fako-Limbe 1, Limbe 2, Limbe 3, Tiko and Buea.

Pan African debate on Afrique Media, 17 July 2021, presented by Emmanuela Sadey, under the topic Cameroon- Bakweri Land Issues, Causes and Solutions, 3-5pm).

From her worry, I realized that the Fako woman is in need of assistance and support to have access to and control over land. Not only because she is caught up in the connivance between the chiefs and State officials, but most importantly because land provides her with food. Furthermore, her quest for land ownership is an essential aspect that must not be undermined considering the fact that she is equally caught up in the constraints imposed on her by new societal dynamics that has brought social mutations¹⁴. These dynamics such as financial constraints brought about by expanding capitalism has huge challenges on households and couples with very high cost of living¹⁵. In addition to the financial constraints, some researchers¹⁶ opine that other dynamics such as the increasing rate of widowhood, older unmarried women and single motherhood, resulting from the demise of husbands, high rate of divorce and male migration, is causing women to becoming *de facto* household heads with children to support. Face with this situation, most women (married, unmarried, widow, divorced) are henceforth oblige to play a double role, that of reproduction and production¹⁷ in order to ensure family sustenance as highlighted by Konings Piet. This fact illustrates the need and importance of enhancing women's access to land property as a means to ensure not only family survival but also the woman's empowerment, and self-esteem¹⁸.

II- RESEARCH PROBLEM

¹⁴ Also see Jean –Marc Ela, (1990), *Quand l'Etat pénètre en brousse. Les ripostes paysannes à la crise*, Paris, Karthala, p. 215.

¹⁵ Also see Jean-Marc Ela, (2006), *L'Afrique a l'ère du savoir: science, société et pouvoir*, Paris, L'Harmattan, p. 207.

¹⁶ See Emmanuel Kasimbazi, (2017), "Land Tenure and Rights for Improved Land Management and Sustainable Development", Global Land Outlook Working Paper, United Nations Convention to Combat Desertification, p.1-27, p. 14; Bina Agrawal, (2002), *op. cit.*, p.3; Joseph Piet Konings, (2012), *Gender and Plantation Labour in Africa: the story of Tea Pluckers' Struggles in Cameroon*, Langaa & African Studies Centre, Leiden, p. 13.

¹⁷ Reproductive roles are usually procreation and maintenance roles without any monetary value attached to them while productive roles are those that generate food and wealth/money.

¹⁸ Odeny M., (2013), "Improving Access to Land and Strengthening Women's Land Rights in Africa", Paper prepared for presentation at the Annual World Bank Conference on Land and Poverty, Washington DC, The World Bank, p.7; Adeoye O. Akinola, (2018), *op. cit.*, p.3; Ruth Meinzen-Dick et al., (2019), "Women's land rights as a pathway to poverty reduction: framework and review of available evidence", in *Agricultural systems*, Vol. 172, p. 72-82, p. 74; Bina Agrawal, (2002), *op. cit.*, p.4.

It is within this framework that a growing body of literatures¹⁹ reckons that, be it at the international, national or grassroots level, actors such as Civil Society Organizations (CSOs) play a vital role in developmental policies by advocating for women's access to land property rights²⁰. They represent broader societal needs and implement activities to assist women towards having access to and control over land. At the international level for instance, funding and awareness is raised by global non-state organizations like the Food and Agriculture Organization (FAO), The World Bank (WB), UN Women. In Cameroon, pro-woman advocacy groups such as the network for the defense of women's rights and gender equality (RDFES) a group of women's NGOs issued a memorandum denouncing the impact of customary law on women's access to land rights²¹.

But the reality observed is that in spite of all these pro-woman discourses and actions, a majority of women still encounter persistent difficulty to have power and control over land as they only have access rights otherwise known as usufructs rights²². Usufructs right is the right to enter a land and use it for a specific period of time without having the right to own the land as their property. From this observation, the question that quickly comes to mind is why is the role of civil society organizations insufficient? What are the factors that explain this insufficiency?

III- PROBLEMATIC

Enhancing the well-being of families and that of the broader community through accessibility to land rights so as to ensure livelihood sustainability in a context where standards of living are becoming increasingly high is today an inevitable discourse. Bijaya Kumar highlights that this situation has caused CSOs to gain public attention in recent times²³ as they assist vulnerable social groups like women with specific needs within the community. Generally

¹⁹ See Julian Quan, (2006), "Land Access in the 21st Century: Issues, Trends, Linkages and Policy, University of Greenwich", University of Greenwich, Natural Resource Institute, p. 52; Romy Santpoort et al., (2021), *op. cit.*, p.11; Andrew Clayton et al., (2000), "Civil Society Organizations and Service Provision", Civil Society Social Movement Programme paper Number 2, United Nations Research Institute for Social Development, p. 1-25, p.11; Jacqueline Asiimwe, (2001), "Making women's land rights a reality in Uganda: advocacy for Co-Ownership by spouses", in *Yale Human Rights and Development Journal*, Vol. 4, Issue 1, Article 8, September 2001, p. 171-187, p. 173; Odeny M., (2013), *op. cit.*; Norman Long, (2001), *Development Sociology: actor perspectives*, London, Routledge, p. 25, 31, 49; Maaiké Matelski et al., (2018), *Civil society engagement with land rights advocacy in Kenya: what roles to play? Literature review*, African Studies Centre Leiden, Radboud University, Leiden, p.6.

²⁰ *Ibid.*

²¹ Aili M. Tripp, (2004), *op. cit.*, p.4; Odeny M., (2013), *op.cit.*, p. 15.

²² Vitalis N. Pemunta, (2017) *op. cit.*, p.75.

²³ Bijaya Kumar, (2006), "The Growing role of Civil Society Organizations in Contemporary India: a case study of the Mazdoor Kisan Shakti Sangathan", paper submitted for partial fulfillment of research training programme (2005-2006), Calcutta, India, Centre for Studies in Social Sciences, p.1-31, pp.13.

speaking, the literature on the role of CSOs in mobilizing for women's access to land property rights is deep and wide with developed and sophisticated literatures from several disciplinary perspectives. This explains the existence of diverse theoretical trends with respect to this subject matter. The first trend is that which evokes the fact that irrespective of the essential role women play in contributing towards development and food security, her rights to own land is restricted. The second highlights the fact that society stands to gain if women were assisted to have access to land property rights, reason why instruments have been put in place to accompany them towards land ownership. To grapple with these trends, this study reviews the scientific works of other scholars within the relevance of the study.

A- OBSTACLES TO WOMEN'S ACCESS TO LAND OWNERSHIP

A-1- Obstacles linked to statutory land laws

Raihan Selim, Adeoye Akinola emphasize that agricultural activities enable women to play a key role in ensuring food security and children's health²⁴, but regardless of this role, most researchers²⁵ claim that access to land property rights by women remains a herculean task because their power and control over land is limited due to the co-existence of formal and customary system of land ownership. This legal pluralism causes a degree of uncertainty about land rights especially for vulnerable groups like women²⁶ as Le Roy Etienne qualifies the co-existence as a "*hybrid land tenure regime*"²⁷ because it mixes informal and legal practices. Camilla Toulmin to this effect notes that the bureaucratic nature of statutory land laws and a lack of adequate protective legislation in most countries of Sub Saharan Africa (SSA) is a real threat to accessing property

²⁴ Selim Raihan et al., (2009), *op. cit.*, p. 1; Adeoye O. Akinola, (2018), *op. cit.*, p.2, 6; Lotsmart Fonjong et al., (2017), *Large-Scale Land Acquisition and its Implications for Women's Land Rights in Cameroon*, Canada, International Development Research Centre, p. 35.

²⁵ See Lawrence Fombe et al., (2013), *op. cit.*; FAO (2011a), "The state of food and agriculture, Women in Agriculture: closing the gender gap for development", Rome, Italy; Julian Quan, (2006), *op. cit.*; United State Agency for International Development (USAID), (2010), "Property Rights and Resource Governance Country Profile:Cameroon", Washington, https://www.land-links.org/wp-content/uploads/2016/09/USAID_Land_Tenure_Cameroon_Profile.pdf; Razavi Shahra, (2003), "Introduction: agrarian change, gender and land rights", in *Journal Agrarian Change*, Vol. 3, p. 2-32; Sandrine Kouba et al., (2020), « sécuriser les droit fonciers au Cameroun : ce qui n'a pas marché et ce qu'il faudrait faire», IIED Briefing, June 2020 ; Ambe J. Njoh, (2103), Equity, Fairness and Justice Implications of Land Tenure Formalization in Cameroon, in *International Journal of Urban and Regional Research*, Vol. 37, Issue 2, p. 750-768, p. 759.

²⁶ Bioye T. Aluko & Abdul-Rasheed Amidu, (2006), "Women and Land Rights Reforms in Nigeria", paper presented at the 5th FIG regional Conference on Promoting Land Administration and Good Governance, Accra, Ghana, 8_11 March, p. 1-13, p.2.

²⁷ Etienne Le Roy, (1987), « La Réforme du Droit de la Terre Dans Certains Pays d'Afrique Francophone», in *Etude Legislative*, Rome, FAO, p. 115.

rights²⁸. What Butegwa Florence calls the “*inherent limit of law as an instrument of social change*”²⁹.

The implied logic to this view as buttressed by Butegwa Florence, Fonjong Lortsmart is that, by instituting Degree No 76/165/76 which institutes the “*ability to pay*” as the only means to own land in the country through the process of land registration³⁰, the woman especially the rural woman is placed in a dire situation as access to land property became complicated³¹. This means that without a land certificate, ownership cannot be guaranteed irrespective of the fact that the individual can show proof of occupation through a long history and ancestry³². Thus, the lengthy, costly and bottleneck administration that surrounds the procedure of acquiring a land certification rather preserve unequal ownership as reckon by Camilla Toulmin, Pemunta Vitalis³³. This complexity according to Yaro J. Awetori, Ambe Njoh favors the accessibility of land ownership to the rich (business people, bureaucrats, politicians), and some urban women. They explain this by the fact that this social group have the financial resources to go through the cumbersome procedure of registration, which permits them in some instances to acquire large parcels of land leaving communities with very little or no available land. Hence this situation of land unavailability or scarcity leaves women with very limited opportunity to own land in such communities³⁴.

From this vantage point, the notion of class formation by Karl Marx correlates this opinion. By class formation the author demonstrates that ownership of private property is enjoyed by the superior class who own the means of production and can afford the cost and procedure that it entails to obtain a land certificate to the detriment of the subordinate class who have no means of production of their own. This explanation brings us to understand that communities are often left with little available land for themselves because rich elites through their financial strength easily

²⁸ Camilla Toulmin, (2006), *op. cit.*, pp.42; Florence Butegwa, (1991), “Women’s Legal Rights of Access to Agricultural Resources in Africa: a Preliminary Inquiry”, in *Third World Legal Studies*, Vol. 10, Article 3, p.45-58, p.55.

²⁹ *Ibid.*

³⁰ Article 1 of the said law stipulates that “land title is unassailable, inviolable and definitive”.

³¹ *Ibid*; Perpetua W. Karanja, (1991), “Women’s Land Ownership Rights in Kenya”, in *Third World Legal Studies*, Vol. 10, Issue 1, p.109–136, p.117, p.109–136, p.122; Jaff Bamenjo et al., (2019), “Land rights: the missing link for food security in Cameroon”, IIED Briefing, July 2019.

³² Florence Butegwa, (1991), *op. cit.*, p. 55 ; Lotsmart Fonjong et al., (2017),*op. cit.*, p. 50-51.

³³ Camilla Toulmin, (2005-06), *op. cit.*, p. 28; Vitalis N. Pemunta, (2017), *op. cit.*, p.78.

³⁴ Yaro J. Awetori, (2010), “Customary Tenure Systems under siege: contemporary access to land in Northern Ghana”, in *GeoJournal*, Vol. 75, Issue 2, p. 199-214, Ambe J. Njoh, (2003), *Planning in contemporary Africa: the state, town planning and society in Cameroon*, Ashgate, Aldershot, p. 11.

acquire large hectares of land. Faced with this situation of limited available land for communities, women are most deprived of the possibility to own land since within the community they possess little or no financial means and occupy the subordinate position with respect to the men who occupy the superior position and detain the right to own land. As such, considering the fact that they lack the means of production to go through the bottleneck land titling procedure, women are obliged to depend on the men to access land as property not only because the men are financially viable, but because they (men) are more literate and can read and understand the land titling requirements than the women.

Kenfack et al., Alden Wily, however pushes further to observe that the issue with statutory law does not only lie in its bottleneck procedure but also with a lack in clarity of Ordinance No.74-1 of 6th July 1974 governing the management of national land³⁵. According to this law, occupants and users may only apply for certificates out of Category 1 and the presumption is that customary interests do not even exist under Category 2 lands which happen to be the very land which represents the major common property assets of rural communities³⁶. This makes the State the custodian of all land in the territory reducing the available land for production in agrarian society which further excludes women from the little available land³⁷. That is as reckoned by Kenfack et al., about 90% of lands under this law fall under national domain³⁸ and as such, it renders these lands *de facto* property of government, confirming that customary land owners are not owners at all but occupants of government or public land where the government recognizes only use rights to hunt, gather, and use natural resources on such land³⁹. However Fonjong Lotsmart points out that even though both men and women in Cameroon suffer from the impact of this land law which stipulate by its Section 14 and 15 of Ordinance No.74-1 Of 6th July 1974 that all lands under customary tenure without land certificate are national lands, no matter the investment and length

³⁵ Ordinance No. 74-1 of 1974, Section 14 (1) , National lands shall as of right comprise lands which at the date on which the present Ordinance enters into force are not classified into the public or private property of the State and other public bodies. We have two classes: land occupied with houses, farms and plantations and grazing lands manifesting human presence and development (Category 1); and lands free from any effective occupation (Category 2), (See Ordinance No.74-1 of 1974; section 15).

³⁶ Liz Wily Alden, (2011), “Whose land is it? The status of Customary Land Tenure in Cameroon”, United Kingdom, CED/FERN/Rainforest Foundation, p. 53. www.cedcameroun.org.

³⁷ Ambe J. Njoh, (2013), *op. cit.*, p. 759; also see Jean-Marc Ela, (1990), *Quand l'Etat pénètre en brousse, les riposte paysannes a la crise*, Paris, Karthala, p. 19-20.

³⁸ Pierre-Etienne Kenfack et al., (2016), *Land investment, accountability and the law: lessons from Cameroon*, London, IIED, p. 5.

³⁹ *Ibid*; Liz Wily Alden, (2011), *op. cit.*, p.53, also see Jean-Marc Ela, (1990), *op. cit.* p. 217.

of time that one might have put on it, women are more likely to suffer most because they are neither protected by legal law nor custom⁴⁰, making them “*de facto squatters*”⁴¹ on customary lands which was previously owned communally.

In a similar manner, other researchers⁴² insist that a lack of an enabling environment where women are often underrepresented in institutions of land governance is an impediment to women’s access to land ownership. The rationale to this view lies in the composition of the Land Consultative Board of Cameroon which is a primary organ put in place by the government to manage national land in all sub-division⁴³. According to Pemunta Vitalis, the composition of this board made up of a Divisional Officer, a representative from the department of land, a representative of the survey department, a representative of the town planning service, traditional rulers, two village notables where the land is situated, concretizes male hegemony over land at the expense of women since very few women are administrative heads, village notables or traditional rulers. This demonstrate the absence or very little participation of women in matters of land governance even if women are the first user of land for agricultural activities and other activities of subsistence⁴⁴. The issue within this context is that the situation tends to encourage corrupt practices as uphold by De Soto Hernando⁴⁵ and a MINDCAF official in the excerpt below.

Registering a land involves multiple visit of the commission made up of the village notables, government officials and land surveyors to confirm that a survey has been undertaken, valuation of property carried out, tax paid on the property transfer and a check made on the absence of rival claims to the land concerned. This process which is usually very lengthy requiring lots of patience, greatly favors corrupt practices where one has to bribe so that his/her document isn’t blocked or found stranded in a particular office for no just reason. (Recount by a government official of land, 29 July 2022, Limbe, 2pm).

From this perspective, we observe that women are caught up in the bureaucracy of a male dominated institution and its corrupt practices. The fact that women who are not only

⁴⁰ Lotsmart Fonjong et al., (2017), *op. cit.*, p.52-53.

⁴¹ Expression used by Alden Wily Liz, (2011), *op. cit.*, p.6.

⁴² See Fombe et al., (2013), *op. cit.*; Sandrine Kouba et al., *op.cit.*; Vitalis Pemunta, (2017), *op.cit.*; Jean-Marc Ela, (2006), *op. cit.*

⁴³ Subsection 14 & 15 of Ordinance No. 74-1 of July 1974.

⁴⁴ Fombe et al., (2013), *op.cit.*, p.83; Vitalis Pemunta, (2017), *op.cit.*, p.78 ; Ann Whitehead and Dzodzi Tsikata, (2003), *op. cit.*, p.92.

⁴⁵ Hernando de Soto, (2000), *The Mystery of Capital: Why Capitalism Triumphs in the West and Fails Everywhere Else*, London, Bantam Press, p. 59; also see Camilla Toulmin, (2005-26), *op. cit.*, p.37.

underrepresented but also financially weak have to bribe to ensure that her land document is treated appropriately and adequately goes to justify the fact that formal laws in Cameroon are gender neutral in law (where everybody have equal rights before the law) but not in practice as argued by Odeny Millicient⁴⁶. Hence, legal land laws according to Sandrine Kouba et al., fails to consider the socio-political disposition of women⁴⁷. The logic to this assertion is based on the fact that the laws on the one hand indirectly discriminate through the process of land titling since underprivileged groups like women who in the majority are illiterate, are unable to fill their land registration forms and as such, they are often misled to providing wrong information⁴⁸. And on the other hand, through its male dominated land institutions that promote corrupt practices. These elements as put forward by the Office of the United Nations High Commissioner for Human Rights (OHCHR), Munge Patience characterizes the law as both *de jure* and *de facto*⁴⁹, “unequal” and “discriminatory” in nature⁵⁰.

Curiously, De Soto has a contradictory view to this literature. He argues that legal land system in most developing countries rather provides too much protection for land owners, as land titling is seen as a viable means of ensuring some degree of equity among different societal groups⁵¹. Within this ideology, it is easy to understand Bigombe and Bikie when he reckons that “*Cameroonian law rather recognizes and protects women’s rights to access land, both as full property and for use. For acquisition as full property with titled land, the owner can sell it to any purchaser of his/her choice*”⁵². To confirm this argument, Pemunta Vitalis quotes the decision of the Supreme Court which went contrary to the decision taken by the Bamenda Court of Appeal in

⁴⁶ Millicient Odeny, (2013), *op.cit.*, p.4-5; Lawrence Fombe et al., (2013), *op. cit.*, p. 81.

⁴⁷ According to Sandrine et al., *op. cit.* women had legitimate rights under customary ownership where land was collectively owned because of one’s belonging to the family, clan or lineage. But with the coming of statutory law, women find it difficult to register their land partly because they do not see any need of doing so since it is family land or because they do not have the means of registering it.

⁴⁸ Lawrence Fombe et al., (2013), *op. cit.*, p. 81-82.

⁴⁹ United Nations Entity for Gender Equality and the Empowerment of Women (UN Women) and the Office of the United Nations High Commissioner for Human Rights (OHCHR), (2020), “Realizing Women’s Rights to Land and Other Productive Resources” Second Edition, New York and Geneva, pp. 11, *de jure* happens when laws, policies and programs intentionally exclude certain people from protection, equal treatment or service provision. *De facto* occurs when laws, policies or practices appear to be gender neutral but in their interpretation or implementation have the effect of being discriminatory.

⁵⁰ Patience S. Munge, (2012), “Conflict over land ownership: the case of farmer and cattle grazers in the Northwest Region of Cameroon”, in *African Centre for Reconstructive Resolution of Disputes (ACCORD), AJCR*, Vol.12, No.1, p. 83-101, p. 89; Bina Agrawal, (2002), *op. cit.*, p.13.

⁵¹ Hernando de Soto, (2000), *op. cit.*, p. 62.

⁵² Bigombe P. Logo and Bikie E., (2003), “Women and land in Cameroon: questioning women’s land status and claims for change”, in *Muthoni Wanyeki L. (eds.), Women and land in Africa: culture, religion and realizing women’s rights*, David Philip Publisher, Cape Town, South Africa. p. 32-66, p. 55.

the case of *Zamcho Florence Lum V Chibikom Peter Fru and Others*, where the Supreme Court ruled that hindering the respondent from inheriting her father's property was a violation of the preamble of the 1996 constitution; and that it was repugnant and antithetical to natural justice, good conscience and equity⁵³.

Similarly, Abby Sabrina-Zziwa, Suresh Dhakal, claim that women's rights to land under formal land laws especially in a patriarchal system of inheritance like Cameroon are protected through co-ownership which entails joint titling with a male relative or spouse⁵⁴. That is, co-ownership guarantees women's security on land. By security we mean the certainty that the land is one's own, one can use it as she wishes and can freely make decision regarding its sale, use and bequeathal⁵⁵. An empirical evidence justifying his opinion reveals that women's ownership to titled land in Uganda for example, had risen from 12.4% to 16% by October 2002 and that this increment was as a result of co-ownership⁵⁶.

Intriguingly, Asiimwe Jacqueline, Camilla Toulmin, Aili Tripp go against this opinion by arguing that co-ownership still remain controversial in most African countries because it does not tackle the hindrances women encounter with respect to land ownership especially when her husband dies⁵⁷. More so, even in the event of marital breakdown, women find it difficult to legally prove and claim their marital share in the courts, given the perception that agricultural land belongs to the male side of the family⁵⁸. This implies that, even when more than one person holds the rights, it does not necessarily mean that the benefit of ownership is equally distributed⁵⁹. Consequently, women still feel betrayed with co-ownership because, even if they participated in the purchase of the land, they are still asked to register the land only in their husband's name⁶⁰.

⁵³*Ibid.*

⁵⁴ Abby Sabrina-Zziwa, report of the FAO/OXFAM GB Workshop on Women's Land rights in Southern and Eastern Africa held in Pretoria South Africa, 17-19 June 2003, compiled October 2003, p.4; Suresh Dhakal et al., (2016), *Barriers to Women's Land and Property Access and Ownership in Nepal*, Nepal, International Organization for Migration, p. 1-64, pp. 13; Vitalis N. Pemunta, (2017), *op. cit.*, p. 81.

⁵⁵ Jacqueline Asiimwe, (2001), *op. cit.*, p. 174.

⁵⁶ Abby Sabrina-Zziwa, *op. cit.*, p. 4.

⁵⁷ Aili M. Tripp, (2004), *op. cit.*, p.6 ; Camilla Toulmin, (2005-06), *op.cit.*, p.34; Jacqueline Asiimwe, (2001), *op.cit.*, p. 172.

⁵⁸ Nitya Rao, (2011), "Women's Access to Land: an Asian Perspective", Paper from Expert Group/Meeting, Enabling Rural Women's Economic Empowerment: institutions, Opportunities and Participations, 20-23 September 2011, Accra, Ghana, p. 1-20, p. 6.

⁵⁹ United Nations, (2019), "Guidelines for producing Statistics on Asset Ownership from Gender Perspective", United Nations, pp. 18; Krista Jacobs & Aslihan Kes, (2015), "The Ambiguity of Joint Asset Ownership: cautionary Tales from Uganda and South Africa," in *Feminist Economics, Taylor & Francis Journals*, Vol. 21(3), p. 23-55.

⁶⁰ Jacqueline Asiimwe, (2001), *op. cit.*, p. 1743; Bina Agrawal, (2002), *op. cit.*, p.10.

This point permits us to understand what Patricia Kameri-Mbote, Njoh Ambe mean when they opine that be it with the Eurocentric land reform measures instituting individualized ownership or with co-ownership, access to land ownership by women is not guaranteed under statutory law. This is because as reckon by Jean-Marc Ela « *en introduisant dans les campagnes des concepts nés d'ailleurs, les nouvelles lois foncières font planer sur les ruraux la menace d'expropriation (...)*»⁶¹. This assertion can be understood from two angles. First, this literature emphasizes on the fact that land titling is a borrowed concept which is not familiar to the rural world, reason why its application to guarantee access to land ownership for all remains partial in the sense that even the very few women who seek to obtain a deed of land ownership, are most often subjected to male arm-twisting confirming the male hegemony over women⁶². And secondly, the literature notes that statutory laws effectively sever the ties to land women and other marginalized members of society enjoyed through their families during pre-colonial era⁶³. During this era, women had legitimate rights under customary ownership where land was collectively owned because of one's belonging to the family, clan or lineage. But Agarwal Bina insists by arguing that hindrances to an equal access to land ownership are due to cultural obstructions and biases that withhold women from claiming their rights to land and not on established legal framework⁶⁴.

A-2- Obstacles linked to Customary Law practices

Supporting the assertion by Agarwal Bina, Ann Whitehead & Tsikata, Yoda Françoise note that barriers to women's access to land property rights should rather be sought in the socio-anthropological environment because of the discriminatory practices within custom and tradition that restrict women from owning a piece of land⁶⁵. They indicate that the strong desire to preserve cultural values in the patriarchal society restrict women from landed property. These cultural

⁶¹ Jean-Marc Ela, (1990), *op. cit.*, p. 216-217.

⁶² Patricia Kameri-Mbote, (2009), "What would it take to realize the promise? Protecting women's rights in the Kenya national land policy", in *Feminist Africa*, 12, 81-94, p. 88.

⁶³ Ambe J. Njoh et al., (2016), *op. cit.*, p.16.

⁶⁴ Bina Agarwal, (1988), *op.cit.*

⁶⁵ Ann Whitehead and Dzodzi Tsikata, (2003), "Policy discourses on Women's Land Rights in Sub-Saharan Africa: the implications of the re-turn to the customary", in *Journal of Agrarian Change*, Vol.3, Issue 1-2, p. 67-112, p.9; Rangan HariPriya and Mary Gilmartin, (2002), "Gender, traditional authority and the politics of rural reform in South Africa", in *Development and Change*, 33 (4), p. 633-658, p. 633; Françoise B. Yoda, (2015), «Les inégalité de genre dans l'accès à la terre au Burkina Faso: état des lieux», troisième atelier du projet FAO-Dimitra, Accès à la terre en milieu rural en Afrique: stratégies de lutte contre les inégalités de genre, p.15-164. <http://www.fao.org/docrep/pdf/011/ak159f32.pdf>.

values and practices within this society make way for customary rules of inheritance and customary division of labor that limit women from acquiring land for themselves⁶⁶. Dahrendorf Ralph's analysis permits a deeper understanding of this argument. According to the author, inheritance rules and division of labor demonstrate the legitimate or socially approved authority which one individual or a group possesses and practices over another. He quotes, "(...) *whereas power is essentially tied to personality of individuals, authority is always associated with social positions or roles*"⁶⁷. From this statement Dahrendorf Ralph seeks to explain that the role or position an individual occupies within the society gives him/her authority where the higher the position of the individual in the society, the more is his authority over those with lesser position (superior-subordinate relationship).

Within the framework of his analysis, we understand that the superior-subordinate relationship that characterizes the patriarchal society is determinate to land ownership. These differential positions of men and women which is the primary organizing order of land rights within this kinship system largely curtail women's rights to land ownership⁶⁸. In other word, within the patriarchal system⁶⁹, men's rights to land is strengthen because they are considered as household heads and superior which gives them the rights to inheritance to the detriment of the women considered as inferior and subordinate⁷⁰. However, Ensiminger Jean, Pemunta Vitalis clarifies that, even though most tribes in Africa are made up of basically two types of property inheritance regimes, that is, the patrilineal regime where male lineage holds power and inherits property, and the matrilineal system where land is devolved to the sister's son, which is through the female lineage, women face obstacles to land ownership under both regimes which often lead

⁶⁶ Perpetua W. Karanja, (1991), *op. cit.*, p.117; Verma Ritu, (2007), *Without land you are nobody: critical dimensions of women's access to land and relations in tenure in East Africa*, Ottawa, IDRC, p.13.

⁶⁷ Ralph Dahrendorf, (1959a), *Class and class conflict in industrial society*, California, Stanford University Press, p. 166; also see Tony Waters and Dagmar Waters (2015), "Politics as Vocation", in *Tony Waters and Dagmar Waters, Weber's rationalism and modern society: new translations for the 21st century*, New York, Palgrave Macmillan, p.129-198, p. 137-138.

⁶⁸ Ann Whitehead and Dzodzi Tsikata, (2003), *op. cit.*, p.77; Vitalis Pemunta, (2017), *op. cit.*, p. 74.

⁶⁹ Bhasin Kamla, (2006), *What is Patriarchy*, New Delhi, Kali for Women, p. 3.

Patriarchy is a concept with wide definition. It refers to male domination, to the power relationship by which men dominate women, and to characterize a system whereby women are kept subordinate in a number of ways.

⁷⁰ Abeda Sultana, (2010-2011), "Patriarchy and Women's Subordination: a Theoretical Analysis", in *The Arts Faculty Journal, Journal 4*, p. 1-18, p.8; Razavi Shahra, (2003), *op. cit.*, p.4; Eniola B. and Akinola A, (2019), "Women's rights and land reform in Africa: Nigeria and South Africa in comparison", in *A.O. Akinola and H. Wissink (eds), The Trajectory of Land Reform in Post-Colonial African States: the quest for sustainable development and utilization*, Cham: springer International Publishing, p. 109-123, p. 120.

to acrimonious battles and even ostracism should the woman win the ensuing legal battle at the death of her husband⁷¹.

An academic finding by Deere et al., upholding this argument reveals that in most African countries for example, a vast majority of agricultural parcels (81%) are owned exclusively by the individual male with only (12%) owned by women because tradition must be preserved⁷². A similar finding by the Organization for Economic Co-operation and Development reveals that out of 180 countries under study, women were limited to claiming and protecting land assets in 62% of countries because of the strong desire to preserve customary and traditional norms⁷³. The point these researchers are attempting to make clear here is that although women's right to land ownership is restricted due to some socio-cultural practices, most women in urban areas tend to enjoy more rights to land than those of the rural areas because cultures and traditional norms tend to be more reserved in rural areas than in cosmopolitan urban milieu⁷⁴.

This demonstrates as noted by Asiimwe Jacqueline, Odeny Millicent that, 70% of the bulk of land in Africa is administered by norms, historical practices and unwritten laws based on tradition and cultural affiliation⁷⁵. And one of those discriminatory practices as put forward by Lorenzo Cotula et al, Kasimbazi Emmanuel, Fonjong Lotsmart lies in the woman's changing status at different stages of her life, for example marriage. Due to marriage, the woman is considered as a non-permanent member in the family which makes her incapable of exercising control over landed property⁷⁶. The implied logic here is that the payment of bride price as argues Pemunta Vitalis, reinforces the woman's difficulty to land ownership⁷⁷. This payment gives her the status of "property" and as property "she cannot own property"⁷⁸. An opinion equally shared by Madam

⁷¹ Jean Enslinger, (1997), "Changing property rights: reconciling formal and informal rights to land in Africa", in J.N. Drobak and J.V.C. Nye, San Diego (eds), *The Frontiers of the New Institutional Economics*, California Academic Press, p. 165-196, p.169; Vitalis N. Pemunta, *op. cit.*, p.75.

⁷² *Ibid*; Diana C. Deere et al., (2012), "Property rights and the gender distribution of wealth in Ecuador, Ghana, and India", Proceedings of the Gender Asset Gap Project Working Paper Series No.13, Centre of Public Policy, Bangalore, Indian Institute of Management Bangalore, p. 1-43, p.29.

⁷³ Organization for Economic Co-operation and Development (OECD), (2019a), cf. UN Women/OHCHR, p.11.

⁷⁴ Diana C. Deere et al., (2013), "Property rights and gender discrimination of wealth in Ecuador, Ghana and India", in *The Journal of Economic Inequality*, 11 (2), p. 249-265, p. 256.

⁷⁵ Jacqueline Asiimwe, (2001), *op. cit.*, p.174; Millicent Odeny, (2013), *op. cit.*, p. 8.

⁷⁶ Lorenzo Cotula et al., (2004), *op. cit.*, p.18; Emmanuel Kasimbazi, (2017), *op. cit.*, p.14; Lotsmart Fonjong et al., (2017), *op. cit.*, p.35.

⁷⁷ Vitalis N. Pemunta, (2017), *op. cit.*, p. 69.

⁷⁸ *Ibid*; Eniola B. and Akinola A, (2019), *op. cit.*, p. 119.

Ndongo Joanna as she highlights that tradition considers that, “*the woman cannot eat on both sides; as a daughter and a wife*”⁷⁹.

But the issue here is that even in marriage and polygamous marriage, women’s right to land isn’t secured. In the former situation, the widow is often threatened to be expelled from landed property when her husband dies especially if she refuses to remarry from within her late husband’s kinship group; and in the latter, even if the woman contributed to buying a land, she may be deprived and denied of her rights over the same land if her husband decides to bequeath⁸⁰ the land to another of his wives⁸¹. Under custom, while men on their part generally gain access to land ownership through inheritance, the women on their part gain access through male relatives; exercising only secondary or subordinate rights which are vulnerable to breakdown in relationships or divorce⁸². This permits us to understand Eniola B. & Adeoye Akinola, and other proponent of this standpoint, when they qualify customary practices as stumbling block and a daily *de facto* tenure type impeding on the woman’s right to land ownership⁸³. Customary norms are a stumbling block because even when a woman is given a piece of plot as a daughter, it may be on land which other male relatives do not want because it is either not very fertile, or it is difficult to work or it is not suitable for animal traction⁸⁴. In this light, Fombe et al., reckons that:

*(...) most Fons prefer to provide education to their daughters and land to sons because if the woman gets married to a man from another tribe, the latter’s village can claim the land. Girl children who are married cannot be given land, while those who are single can be given land to take care over.*⁸⁵

Hence demonstrating that most women enjoy only secondary rights to land in the sense that even when they are given a piece of land it is in the capacity of “caretaker”. These preferences shows the superior role and position of the men who have the authority to influence and take

⁷⁹ Interview with Madam Ndongo Joanna, businesswoman, Newtown Limbe, 25 July 2022.

⁸⁰ To bequeath means to entrust or leave (property) to another person or beneficiary by a will.

⁸¹ Deogratias Acidri, (2014), “Women’s Rights to Land Ownership in Uganda: policy and Practice”, in *Critical Social Thinking*, Vol.6, p.184-203, p.192; Jaqueline Asiimwe, (2001), *op. cit.*, p. 174.

⁸² Julian Quan, (2006), *op. cit.*, p.25.

⁸³ Eniola B. and Akinola A, (2019), *op. cit.*, p. 116; Adeoye O. Akinola, (2018), *op. cit.*, p.5; Bruce W. John (ed.), (1998), “Country Profiles of Land Tenure: Africa 1996 Land Tenure”, Center Research Paper No.130, Madison, WI: Land Tenure Center, *cf.* Assembe-Mvondo S. et al., (2014), “Review of the legal ownership status of national lands in Cameroon: a more nuanced view,” in *Development Studies Research An Open Access Journal*, 1:1, p.148-160, p.154.

⁸⁴ Lorenzo Cotula et al., (2004), *op. cit.*, p.5 ; Kossoumna Liba’a, (2018b), *op. cit.*, p.15.

⁸⁵ Excerpt of Chiefs who attended a one day Symposium IDRC/UB Land Rights Project, 2011, *cf.* Lawrence Fombe et al., (2013), *op. cit.*, p. 81.

whatever decisions over land to the detriment of the woman seen as an individual on “*transit*”⁸⁶ and as “*non-permanent members*” or “*strangers*”⁸⁷ because of marriage. Hence, explaining why women are not entitled to lay claims over land. Curiously, the chiefs justify this opinion by arguing that by custom, since women do not have customary legal capacity to perform customary symbolic ownership rites such as pouring of libation, most male relative are skeptical to allow women to be land owners.

But Ossome Lynn, Njoh Ambe insists that it is incorrect to attribute barriers to women’s access to land ownership to indigenous African culture because, customary law as reckon by Ossome Lyn offers a more promising path to women’s rights to land as it provides relative security to community members at lower cost than State-run structures⁸⁸. According to this literature, problem with regards to custom lies in the fact that African indigenous norms about land are the least understood and receives lots of attacks⁸⁹. They argue that most critics of tradition rather take the patrilineal inheritance clause (which is family centric as opposed to the Eurocentric land law) of African indigenous culture to imply inaccessibility to land for women, whereas the aim of the patrilineal system is to ensure the retention of ancestral lands within the family, as well as the continuity and security of the lineage (upholding the traditional African ethos)⁹⁰. This signifies that within the patrilineal system, allowing daughters or widow to transfer land from one patrilineage to another (through marriage, or remarrying in another clan after the death of her husband or divorce) would threaten a lineage and its progeny. So contrarily to what some scholars put forward as stated above, the African indigenous culture rather serve as facilitator than impediment to women’s access to land rights.

Its land tenure system promotes communal as opposed to individual control of land since under this tenure system, control of land is vested in groups such as families, villages, clans and tribes and not individuals. Meaning that, every woman as a member of a family or clan has right over land as a wife or daughter. This confirms the assertions of Sandrine Kouba et al., who emphasizes that before colonialism, the mode of land management in Cameroon was based on

⁸⁶ Millicien Odeny, (2013), *op. cit.*, p.8.

⁸⁷ Vitalis N. Pemunta, (2017), *op. cit.*, p. 74.

⁸⁸ Lyn Ossome, (2014), “Can the law secure women’s rights to land in Africa? Revisiting tensions between culture and land commercialization,” in *Feminist Economics, Taylor and Francis Journals*, Vol.20, Issue 1, p. 155-177, p. 156, 168.

⁸⁹ Ambe J. Njoh et al., (2016), *op. cit.*, p.14-17.

⁹⁰*Ibid.*

collective customary arrangements. These arrangements were an assembly of rules and procedures generally non-written through which rural communities regulated land relations between members and neighboring communities. And in this mode of land management, women had legitimate rights since land was collectively owned based on one's belonging to the family, clan or lineage. Implying that women's right to land ownership is protected under tradition, so, it is therefore absurd to claim that tradition discriminates against women. Rather, Lipton Michael argues that the weakened women's access to land ownership should be sought in Christianity and colonialism⁹¹.

The rationale to this is that, Christianity while making mention to Adam and Eve in the bible considers that the woman was made out of the man's ribs, so, she remains inferior and subordinate to the man. It is therefore the ideology upheld and transmitted by Christianity that contributes to dampen whatever desires the African woman might have for pursuing land and other property accumulation. Similarly, colonialism also had huge challenges on African culture because, it gave African men an added advantage by instituting the Euro centric land tenure system based on land registration and by reinforcing a gender division of labor⁹². Consequently, the hindrances women in most SSA countries encounter in their bid to access land right are a product of the continent's triple heritage (Africa indigenous culture, European/Christianity and Arabic/Islam) in which there is a supplanting of previously collective land tenure system based on family or clan membership by the ability to pay as the principle determinant of access to land. As highlighted by Obeng-Odoom Franklin, biases against women within the traditional system arise from the misinterpretation of custom and not from any inherent issues with traditional practices⁹³.

A-3- Obstacles linked to the Woman

Intriguingly, Jacqueline Asiimwe & Evelyn Nyakoojo, points out that, barriers to women's access to land property rights aren't only because of the co-existence of land laws, or due to the continent's triple heritage as stated above, but because of the woman herself. This literature elucidates that women themselves are partly responsible of their difficulty related to land

⁹¹ Ambe J. Njoh, et al., (2016), *op. cit.*, p. 13; Michael Lipton, (2009), *Land reform in Developing countries: property rights and property wrongs*, New York, Routledge, Taylor and Francis, p.22.

⁹² *Ibid*; Marjorie Mbilinyi and Gloria Shechambo, (2009), "Struggles over land reform in Tanzania: experiences of Tanzania gender networking programme and feminist activist coalition", in *Feminist Africa*, Issue 12, p.94-104, p.96.

⁹³ Franklin Obeng-Odoom, (2012), "Land reforms in Africa: theory, Practice, and Outcome", in *Habitat International* 36: 161-170, p. 166.

ownership, because some women are of the opinion that women shouldn't be allowed access to land property⁹⁴. They justify their argument in the fact that women are adjuncts to their husbands and consequently, it is the man's role to provide for the woman and his entire family. Proponents to this literature hold the belief that a woman who owns land could be easily deceived to give her land away to the man she falls in love with and may not respect her husband or may leave (divorce) him at the slightest excuse⁹⁵.

An academic example by Fombe et al., reveals that in Anglophone Cameroon 20% of women were against women having access to land ownership reason being that tradition must be protected. This signifies that some women also seek to preserve the establish order so that tradition shouldn't be overthrown, reason why they prefer a status quo. 14% were of the fact that women should not have access to land property rights because men are the natural heads of the family. By men being the natural head of the family implies that supporters of this opinion recognize and accept the role and position of the man in the society. And as such, it is therefore not the place of the woman to assist in family needs, thus, needless for her to seek to own land since the man has the full responsibility to provide for family. 8% argue that women should not own land because they are unstable and can eventually re-marry⁹⁶.

This argument can be understood from two dimensions; firstly it reiterates the importance society attaches to the woman's changing status, and on the other hand, it shows that this changing status greatly reinforces her difficulty to have access to and control over land. A view confirmed in a study carried out in Uganda by Tripp Aili attesting that 33% of women felt that land belonged to men because of the woman's marital status⁹⁷. Reiterating the fact that some women have so accepted the established social order in which the men are the land owners by right. So, men should continue to be the land owners while women remain excluded from matters of land succession or allocation. In other words, for social order and traditional heritage to be preserved, "*women should be satisfied with the males being the providers in their lives and take whatever is given to them with gratitude, and teach their daughters to do same*"⁹⁸.

⁹⁴ Jacqueline Asiimwe and Evelyn, Nyakoojo, (2001b), *Included yet Excluded: a Study of Women's Land Rights in the Districts of Pallisa and Kapchorwa*, Kampala, Uganda Land Alliance and Action Aid Uganda, p.24-25, 36.

⁹⁵ *Ibid*; Eniola B. and Akinola A. (2019), *op. cit.*, p. 119.

⁹⁶ Lawrence Fombe et al., (2013), *op. cit.*, p. 80.

⁹⁷ Aili M. Tripp, (2004), *op. cit.*, p.6.

⁹⁸ Uganda women's Network (UWONET) Coordinator in an article in the press, "Our Laws Do Not Help Women on Land," *The Monitor*, 6 May 2003, *cf.* Aili M. Trip, (2004), *op. cit.*, p.12.

But the underlining issue here is that no society even rural society lives as isolated society. Societies today are caught up in a global trend and dynamics imposed on them by industrial economies which is felt right in the hinterlands⁹⁹. What Jean-Marc Ela calls “*une paysannerie capturée*”¹⁰⁰. The author uses this concept to show that due to her exposure to the external world, the rural world has become a place of social mutation with changes in needs and habits brought about by the new culture based on money (capitalism) and individualism¹⁰¹. A view supported by Binet Jean who argues that « (...) *actuellement, les besoins sont devenus plus nombreux. L’argent est nécessaire pour les satisfaire (...)* »¹⁰².

The point we are attempting to bring out here as put forward by these authors is that capitalism has brought about new dynamics that changes old established social order. That is, regardless of the fact that some women uphold the opinion that women should be satisfied with the males being the providers in their lives rather than struggling over land property rights, the reality observed is that capitalism imposes a paradigm shift and new ways of life¹⁰³. This paradigm shift is observed through high costs of living coupled with the drastic fall in the prices of cash crops witnessed since the advent of the economic crises in the 90s, believed to belong to the men as their principal agricultural activity and source of income¹⁰⁴. From this vantage point, Konings Joseph highlights that the old discourse of men being the “*breadwinner*” and women “*dependent housewives*”, is gradually changing as women are becoming obliged to play a double role- that of reproduction and production¹⁰⁵. Hence, we realize that, in addition to the increasing rate of female-headed households, most men find themselves in a difficult situation to single handedly provide for family needs with the situation of dependency being worse in households where some men refuse to make any substantial contribution to the upkeep of their families¹⁰⁶.

⁹⁹ See Jean-Marc Ela (1998), *Innovations sociales et renaissance de l’Afrique noire : Les défis du monde d’en bas*, Paris, L’Harmattan ; Jean-Marc Ela, (1990), *Quand l’Etat pénètre en brousse. Les ripostes paysannes à la crise*, Paris, Karthala, p.28-29.

¹⁰⁰ Jean-Marc Ela, (1998), *op. cit.*, p. 154.

¹⁰¹ *Idem*, p.153, 156.

¹⁰² Jean Binet, (1983), « Condition des femmes dans la Région Cacaoyère du Cameroun », O.R.S.T.O.M, Fonds Documentaire, No 3752, Cote B, p.110.

¹⁰³ See Jean-Marc Ela, (1990), *op. cit.*, p. 215.

¹⁰⁴ Hugues M. Meliki, (2009), *Désengagement de l’Etat et dynamique socio-économique endogène chez les populations d’Avoundi de Nkolguet dans la Mvila et le Nyong et So’o*, Mémoire présenté en vue de l’obtention de Diplôme d’Etudes Approfondie en sociologie (D.E.A), Université de Yaounde I, pp.3 ; Vitalis Pemunta, (2017), *op. cit.*, p. 80.

¹⁰⁵ Joseph P. Konings, (2012), *op. cit.*, p.13; Nitya Rao, (2011), *op. cit.*, p.4.

¹⁰⁶ See Joseph P. Konings, (2012), *op. cit.*, p.15.

Hence it doesn't only suffice for women to be satisfied with the males being the providers in their lives and take whatever is given them with gratitude because they are henceforth obliged to bring in financial contributions in order to meet up with the realities imposed on them by present day dynamics. More so, the increasing number of female headed households cannot be overemphasized as it is a part of societal changes. Interestingly Lotsmart Fonjong draws our attention on the fact that, the new dynamics is not only a household issue as it also influences the nation as a whole. He justifies his opinion in the fact that ensuring food security of her citizens has become a great concern of the government¹⁰⁷. From this perspective, the question that quickly comes to mind is, how well would the woman contribute to household sustainability when she is deprived of owning a piece of land whereas as argued by Agarwal Bina, women's access to land property (without dependency on a male relative) would ensure a more distribution of benefits within the households compared to exclusively male rights to land. Or, how well would the government be able to ensure the availability of food for all her citizens, when women are restricted from having access to and control over land?

The conveyed knowledge here is that be it at the micro (households) or macro level (national), the society as a whole and the woman in particular stand to gain if women had greater access to and control over land. Justifying the need to improving and strengthening women's access to land ownership, especially when we consider that the type of investment carried out on a piece of land, or the quality and quantity of food crop cultivated on a piece of land, is dependent on the type of rights owned¹⁰⁸. This assertion is confirmed in a finding by FAO, who attests that agricultural output especially in developing countries would increase by 2.5%-4%, and the number of hungry people in the world would reduce by 12-17% if women had more access to land ownership¹⁰⁹. Thus, explaining why legal instruments and institutions have been put in place at the international and national levels to enhance women's access to land property, since empowerment is inextricably linked to right language¹¹⁰.

B- INSTRUMENTS PUT IN PLACE TO ACCOMPANY WOMEN TOWARDS ACCESS TO LAND PROPERTY RIGHTS.

¹⁰⁷ Lotsmart Fonjong, (2004), "Challenges and coping strategies of women food crops entrepreneurs in Fako division, Cameroon", in *Journal of International Women's Studies*, Vol.5, Issue 5, p. 1-17, p.1.

¹⁰⁸ Lawrence Fombe et al., (2013), *op. cit.*, p.76.

¹⁰⁹ Food and Agricultural Organization [FAO], (2010-11), "The State of Food and Agriculture, Women in Agriculture: closing the Gender Gap for Development", Rome, Food and Agriculture Organization of the United Nations, p.5-6.

¹¹⁰ Lawrence Fombe et al., (2013), *op. cit.*, p.76.

B-1- Some institutions put in place at the International level

Over the past decades, numerous policies, projects and programs have been put in place to enhance women's access to land property. For instance, International institutions like the World Bank, FAO, Action Aid, Oxfam GB have increased funding towards skills building and strengthening of institutions that work in the arena of women's land and property rights. They have invested in literacy campaigns to increase awareness on women's land rights, carried out a number of projects in many African countries with regards to advocacy and capacity building focusing on women's land rights as means of ensuring food security. UNIFEM launched a Fund for Women's Property and Inheritance Rights aim at assisting grassroots and community-based organizations or networks in Sub-Saharan Africa working to improve women's access to property and inheritance rights¹¹¹.

In a like manner, the Beijing UN Women's Conference held in 1995 heightened awareness regarding land issues and helped foster movements that have been at the forefront to advocate for women's land rights¹¹². Through the Beijing Declaration and Platform for Action, a visionary framework, the situation of women around the world is analyzed, as it also assesses the efforts of States in support of women's empowerment¹¹³. In addition, this platform seeks to address civil, political, social, economic and cultural inequalities, and sets an agenda for governments, international organization, civil society and the private sector to safeguard women's human rights; and to ensure that gender is taken into account in all national, regional and international policies and programs.

B-2- Some Legal instruments put in place at the International level

There are a number of protocols to which Cameroon is a signatory. Countries that are signatories and have ratified these protocols are obliged to abide by it to protect women's rights including her rights to landed property. Here we talk of the Convention on the Elimination of all forms of Discrimination against Women (CEDAW), adopted in 1979 by the United Nations Assembly. CEDAW is a human rights treaty which targets culture and tradition as influential forces shaping gender roles and family relations and ensures that States guard against provision of law that discriminates against women. The Convention defines what constitutes discrimination

¹¹¹ Millicent Odeny, (2013), *op. cit.*, p.5-6.

¹¹² Aili M. Tripp, (2004), *op. cit.*, p.3.

¹¹³ See <https://beijing20.unwomen.org/en/about>.

against women and sets up an agenda for national action to end such discrimination. According to CEDAW, discrimination against women is any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field.

And by accepting to be a signatory to this Convention, States commit themselves to undertake a series of measures to end discrimination against women in all its forms including; to incorporate the principle of equality of men and women in their legal system, abolish all discriminatory laws and adopt appropriate ones prohibiting discrimination against women. To establish tribunals and other public institutions in order to ensure the effective protection of women against discrimination; to ensure the elimination of all acts of discrimination against women by persons, organization or enterprises.

We also have the Protocol of the African Charter on Human and People's Rights on the Rights of Women in Africa (Maputo Protocol) created July 2003 in Maputo Mozambique. This is a progressive legal instrument that provides a comprehensive set of human rights for African women. Since its adoption in 2003, this protocol has contributed in the promotion and protection of women human rights in Africa. And as a result of this protocol, some countries have adopted laws that guarantee women protection and benefits of the law¹¹⁴.

B-3- Instruments put in place in Cameroon

Cameroon has established legal instruments and institutions that support women in this light. This legal framework regulated by Law No. 74-1 of 1974 and Law No. 74-2 of 1974 guarantees equal rights of both men and women in acquiring land. The Ministry of State Property, Surveys and Land Tenure is responsible for developing and implementing government's policy on lands. In addition, the Constitution of the country which is the supreme law provides citizens with equal right to own property as seen in its preamble below.

¹¹⁴ Report given as part of a presentation on the State of Ratification of the Maputo Protocol during the African Union Ministerial Consultation Meeting held on 18 March 2016, on the margins of the 60th session of the United Nations Commission on the Status of Women (CSW), in New York, USA, <http://www.peaceau.org/uploads/special-rapporteur-on-rights-of-women-in-africa-presentation-for-csw-implementation.pdf>

*We, the people of Cameroon, declare that the human person, without distinction as to race, religion, sex or belief, possesses inalienable and sacred rights; all persons shall have equal rights and obligations; ownership shall mean the right guaranteed to every person by law to use, enjoy and dispose of property. No person shall be deprived thereof, save for public purposes and subject to the payment of compensation under conditions determined by law.*¹¹⁵

Furthermore, in 2014, Cameroon adopted and elaborated a National Gender Policy for the promotion of equality of sexes. Based in the Ministry of Women's Empowerment and the Family, this policy ensures a more effective strategy and action plan that addresses the plight of women such as stepping up the fight for a zero discrimination against women's right. Similarly, the National Assembly through her parliamentarians has equally been vocal and active in raising awareness and drawing attention on the insufficiency of a legislative framework and viable regulation on this issue. They have pointed out the difficulties vulnerable social groups like women go through with regards to access to and ownership of land¹¹⁶. By authorizing and legalizing the creation of association through the law on freedom of association, Cameroon encourages the growth of NGOs that advocate for women's access to land property rights, for example LandCam.

However, while some literatures uphold the contribution of civil society organizations as active social entities with ability to act¹¹⁷, other critical views supported by Eade Deborah argue that advocacy groups may not actually promote the common good or represent the independent voices of the people¹¹⁸, explaining why they are qualified as a "too much of a good thing"¹¹⁹. They are a too much of a good thing in the sense that they are a mere extension of the political interest of more developed countries¹²⁰ since they seek to rather promote neocolonial paradigm and the

¹¹⁵ Preamble Law No 96-06 of 18 January 1996 to amend the Constitution of 2 June 1972.

¹¹⁶ Cameroon Tribune Newspaper of Tuesday July 06, 2021 No 12382/8581-48th year , p.6-7; L'info a chaud, No 265 Jeudi 02 Juin 2022, p.3.

¹¹⁷ Norman Long, (2001), *op cit.*, p. 25, 31, 49; also see Jeannette Leumako Nongni, (2016), *Exploitation des ressources naturelles et développement local: le cas de l'exploitation des terres dans le département du Moungo (Littoral-Cameroun)*, Thèse présentée en vue de l'obtention du Doctorat PHD en Sociologie, Université de Yaoundé I, p. 232.

¹¹⁸ See Deborah Eade, (ed.), (2000), *Development, NGOs and Civil Society*, Oxford, Oxfam Great Britain, p.12; Dorothea Hilhorst, (2003), *The real world of NGO: Discourses, Diversity and Development*, London, Zed Books, p.7; Nederveen J. Pieterse, (2001), *Development theory: deconstruction/reconstruction*, London, Sage publication, p.84-85.

¹¹⁹ Eric Werker and Faisal Z. Ahmed, (2007), "What Do Nongovernmental Organizations Do?" in *Journal of Economic Perspectives*, 22 (2): 1-38, p.22.

¹²⁰ Jarvinen Tomi, (2007), *Empowerment: a challenge of Non-Governmental Organizations in Development Cooperation Partnerships*, Academic dissertation presented with the permission of the Faculty of Education of the University of Tampere for public discussion in the Auditorium of Research Centre for Vocational Education, Korkeakoulunkatu 6, Hameenlinna, University of Tampere, Finland, p.13.

continuity of imperial relationship. According to this opinion, advocacy groups can be viewed from two critical angles. Firstly, as reinforcers of gendered division of labor where women are attributed roles based on their vulnerability, and on the other hand, as western and individualistic in nature since they elevate the woman over and above family or society¹²¹. Whereas within the traditional African societies, the individual is not autonomous, nor does he/she possess rights above and beyond the rest of the society¹²². This means that the individual's place in the society whether at the family, clan, tribe, or community level, is fixed by a defined role or status in a greater whole, where emphasis is on duty and not rights, mutual obligations rather than individual advancement/promotion¹²³. But, how well can mutual obligations and duty be met when at present, needs have become more numerous and money needed to satisfy them?

The underlining point here is that, in spite of the existing divergent opinions on the role of CSOs in which some consider it as a way of enhancing and protecting the rights of vulnerable, and others as being individualistic and western, a growing body of research nevertheless demonstrates that, civil society through their advocacy contribute to assisting women towards access to land property rights¹²⁴. But in as much as there have been some achievements through their input, overall gains remain limited with their assistance role insufficient and seeming to bring very little feasible results with regards to women and access to land property. Why? This is therefore the focus of this research work. By assessing the role of CSOs, we seek to gather knowledge to permit us understand why the role of CSOs in accompanying women towards access land ownership is unsatisfactory.

IV- RESEARCH QUESTIONS

This work is structured around a central research question divided into three secondary questions.

¹²¹ Issa G. Shivji, (2007), *Silence in NGO Discourse: the role and future of NGOs in Africa*, Oxford, UK Fahamu, pp. 84; Richard Pithouse, (2006), "Rethinking Public Participation from below", in *Critical Dialogue*, 2(2), p.24-30; FAO/OXFAM, (2003), p.5; Jacqueline Asimwe, (2002), *The Women's Movement in Uganda: History, Challenges and Prospects*, A. Tripp and J. Kwesiga, Kampala, Fountain Publishers, cf. Aili Tripp, (2004), *op. cit.*, p.11.

¹²² *Ibid.*

¹²³ *Ibidem.*

¹²⁴ See Aili Tripp, (2004), *op. cit.*; Millicent Odeny, (2013), *op. cit.*; Julian Quan (2006), *op. cit.*; Andrew Clayton, (2000), *op. cit.*; USAID, (2010), *op. cit.*, p.2.

IV-1- CENTRAL QUESTION

How do civil society organizations assist women towards access to land property rights in Fako division?

IV-2- SECONDARY QUESTIONS

SQ1 What strategies do they implement to assist women towards access to land ownership in Fako?

SQ2 How are these strategies perceived by various social groups?

SQ3 What constraints do CSOs encounter in the field?

V- RESEARCH HYPOTHESIS

Hypothesis is a tentative answer to the research questions formulated¹²⁵ and a non-gratuitous presumption about the behavior of the real objects studied¹²⁶. That is, hypothesis constitutes a guarantee of rigor in every scientific research as well as a theoretical reflection a priori. To this effect, this study elaborated some tentative answers to the research questions stated above.

V -1- CENTRAL RESEARCH HYPOTHESIS

Access to land ownership is limited for the Fako woman. However, CSOs through advocacy and lobbying accompany women towards access to land property rights.

V-2- SECONDARY HYPOTHESIS

SH1 CSOs carry out sensitization campaigns to raise awareness and empower women to have access to land ownership.

SH2 Notwithstanding, women and other social groups perceive their contribution as insufficient.

SH3 CSOs in carrying out their action, encounter material and financial constraints.

VI- RESEARCH OBJECTIVES

¹²⁵ Madeleine Grawitz, (1996), *Méthodes des sciences sociales*, Paris, Dalloz, 10^e éd., pp.360-361.

¹²⁶ Raymond Quivy et Van Campenhoudt, (1995), *Manuel de recherche en sciences sociales*, Paris, Dunod, p.117-118.

This work seeks to understand why the role of CSOs in assisting women towards access to land property rights is unsatisfactory as women still encounter persistent difficulty to own land. Concretely, this work attempts to:

VI -1- PRINCIPAL OBJECTIVE

- Comprehend how CSOs assist women in their quest for land ownership.

VI-2- SPECIFIC OBJECTIVES

- **SO1:** demonstrate the strategies they implement.
- **SO2:** show the perception of social groups *vis à vis* the role of CSOs.
- **SO3:** examine the constraints encounter by CSOs in the field.

VII- METHODOLOGY

Emile Durkheim in his book entitled *Rules of Sociological Method* notes that the construction of reasoning in any scientific work necessitates a rational and analytic procedure in order to be able to comprehend complex human phenomenon. In other words, it entails that justification be made of the research design used in the study; referring to the choices one make about cases to study; procedure of gathering, analyzing and interpreting data¹²⁷. This rigorous procedure is necessary for the validity and reliability of a research work. The technique of investigation employed to comprehend the social fact under study from the respondents' experiences and interpretation of reality is the qualitative method. Although this method is not submitted to quantitative treatment, it however has its own rules and rigorous methodology.

VII-1- THEORETICAL FRAMEWORK

Facts are conquered through rupture with prenotions, constructed with theories to give reasoning, and observed through empirical studies. This means that facts cannot be observed without a priori constructing them. So if "*observation presupposes a theory*"¹²⁸, then it is therefore important to outline a specific theoretical framework to give direction to the observation. Theoretical contribution is essential to every scientific work because it differentiates scientific

¹²⁷ David Silverman, (2005), *Doing Qualitative Research: a Practical Handbook*, London, SAGE Publications Ltd, p.99.

¹²⁸ Claude Mouchot, (2003), *Méthodologie économique*, Paris, Seuil, p. 29.

work from that of laypersons¹²⁹ since it conveys the deepest values of the research providing a clearly articulated signpost or lens of how the study processes new knowledge¹³⁰. Hence, although there are several theories that go in line with our topic, two theories were used to serve as guide to the empirical observation of this study.

VII-1-1- THE FUNCTIONALISM THEORY

Functionalism is a school of thought in anthropology attributed to Radcliffe Brown (1881-1955) and Bronislaw Malinowski (1884-1942) that emerged in the early twentieth century¹³¹. Malinowski uses organic analogy to describe how society functions. According to the author, society functions in the same manner as the organ of a living organism where each organ of the organism is unique and performs specific function that cannot be performed by any other organ. Implying that, the eye whose function is to see cannot perform the function of hearing or the legs is used to eat since the function of eating is performed by the mouth. However, his organic comparison or his biological perspectives to describing the functioning of society has been greatly criticized. Robert K. Merton in this light insists on the careful use of the notion of “function” because social institutions in the society possess many “functions”¹³².

It is therefore from this perspective that we choose to rather focus on the moderate functionalism of Robert K. Merton. Merton’s view on functionalism achieved greatest popularity in the 1940s and 1950s¹³³ with Robert Merton having a significant influence on the field of modern sociology. Merton underlines that social institutions have manifest and latent functions; manifest functions are intentional and obvious, and latent functions are unintentional and dysfunctional¹³⁴. This implies that, a social practice can be functional on one hand and dysfunctional on the other hand.

Merton’s view on functionalism was useful to this study in the sense that it demonstrates the fact that CSOs in performing their manifest function of assisting women towards access to land

¹²⁹ Gabriel Abend, (2008), “The Meaning of Theory”, in *Sociological Theory*, 26 (2), p.173-199, p. 174.

¹³⁰ Christopher S. Collins and Carrie M. Stockton, (2018), “The Central Role of Theory in Qualitative Research”, in *International Journal of Qualitative Methods*, SAGE, Vol. 17:1-10, p. 2.

¹³¹ Jean-Francois Dortier, (2013), *op.cit.* p.143.

¹³² *Idem*, p. 144.

¹³³ <https://www.thoughtco.com/functionalist-perspective-3026625#:~:text=Functionalism%20posits%20that%20society%20is,but%20can't%20function%20alone.>

¹³⁴ <https://study.com/academy/lesson/robert-k-merton-theories-and-functionalism.html#:~:text=Robert%20Merton%3A%20The%20Functionalist&text=Merton%20and%20other%20functionalists%20viewed,some%20functions%20actually%20disrupted%20society.>

property rights for instance, in order to ensure an increasing access to land ownership and the empowerment of this social group, may unintentionally disrupt the established social order of communities (latent or dysfunctional function). In other words, this theory allowed us to comprehend that, CSOs in performing their role of assisting women have power and control over land, influence individuals' behaviors positively and/or negatively.

VII-1-2- SOCIAL REPRESENTATIONS THEORY (SRT)

The SRT was first introduced in 1898 by the French Sociologist Emile Durkheim using the notion of “*Collective representations*” as opposed to “*individual representations*”, to specify collective thought in relation to individual thought. Later, in 1961, the French psychologist Moscovici Serges introduced the notion of social representations which will be referred to as the Social Representations Theory.

In our everyday life, we do often hear remarks like “politicians are corrupt”, “journalists are the voice of the voiceless” and so on. These representations are so recurrent to the extent that they become a “cliché” that reduces a complex reality to a few salient elements (which may not necessarily be false) used as a guide to reading the world¹³⁵. This shows that opinions and perceptions are the base of this theory as highlighted by Serges Moscovici «*les représentations sociales sont bâties autour d'un noyau (certains acteurs parlent de «schémas cognitifs de base» ou de «système central»), qui correspond à quelques principes directeurs*»¹³⁶. This implies that social representations which are rooted in a group intended for the interpretation and functioning of reality, determine the values or ideas present in the vision shared by the group regulating desirable or accepted behaviors¹³⁷.

As such, the SRT permitted the verification of our secondary research hypotheses. We employed it to comprehend the manner with which various social groups perceive and interpret the accompaniment role of civil society organizations. To this effect, participants were given the latitude to express their opinions and experiences with regards to the subject matter.

¹³⁵ Jean-Francois Dortier, (2013), *op. cit.*, p. 310-311.

¹³⁶ Serge Moscovici, (1961), *la psychanalyse, son image, et son public*, Paris, PUF, p.48.

¹³⁷ *Ibid*; also see Ivana Markova, (2008), “The Epistemological significance of the Theory of Social Representation”, in *Journal for the Theory of Social Behaviour*, Vol. 38, Issue 4, p.461-487, p.483; Denis Jodelet, (2003), « Représentation sociales: un domaine en expansion, » pp.45-78, p.53, in *Denis Jodelet, Les représentations sociales*, Presses Universitaire de France, «Sociologie d'aujourd'hui », 7^e éd.

VII-2- DATA COLLECTION

Data collection according to Quivy Raymond et Van Campenhoudt Luc refers to « *la mise en œuvre de l'instrument d'observation. Cette opération consiste à recueillir ou rassembler concrètement les informations prescrites auprès des personnes ou unité d'observation* »¹³⁸. Thus in this section, we focus on the procedures and techniques employed to gather useful information susceptible to enable us find answer to our research questions, test our hypotheses and interpret data.

VII-2-1- Area of the Study

Fako division is one of the five divisions (Meme, Manyu, Ndian, Koupe Manengouba) that make up the South West Region of Cameroon. Known for her rich and fertile volcanic soil, Fako has a long history of relationship with land that dates as far back as pre-colonial era where land was owned by community¹³⁹. However, with the coming of the Germans in 1884, most of Fako land was exploited for large agricultural practices leading to the creation of the Cameroon Development Corporation (CDC) in 1947¹⁴⁰. Land has an important representation to the Fako people and Fako woman in particular. In addition to connecting them with their ancestors through the performance of traditional rites and practices such as the maale and nyanga dance, land is a source of livelihood to the Fako woman who depends on the asset to carryout agricultural activities such as the cultivation of food crops (cocoyam, plantains, tomatoes and cassava) and cash crops (cocoa, palms). She also depends on land to carryout petit businesses such as tailoring, shop and trading. This permits her to ensure food security, contribute to the wellbeing of the family and ensure her empowerment. Thus, this demonstrates a close relationship between the Fako woman and land, with land perceived as a deity and mother.

VII-2-2- Population and Sampling

Social science research requires a circumscription of the field of study (in geographical and social space) in order to prevent the study from being too broad and leading the researcher

¹³⁸ Raymond QUIVY et VAN CAMPENHOUDT Luc, op.cit., p.167.

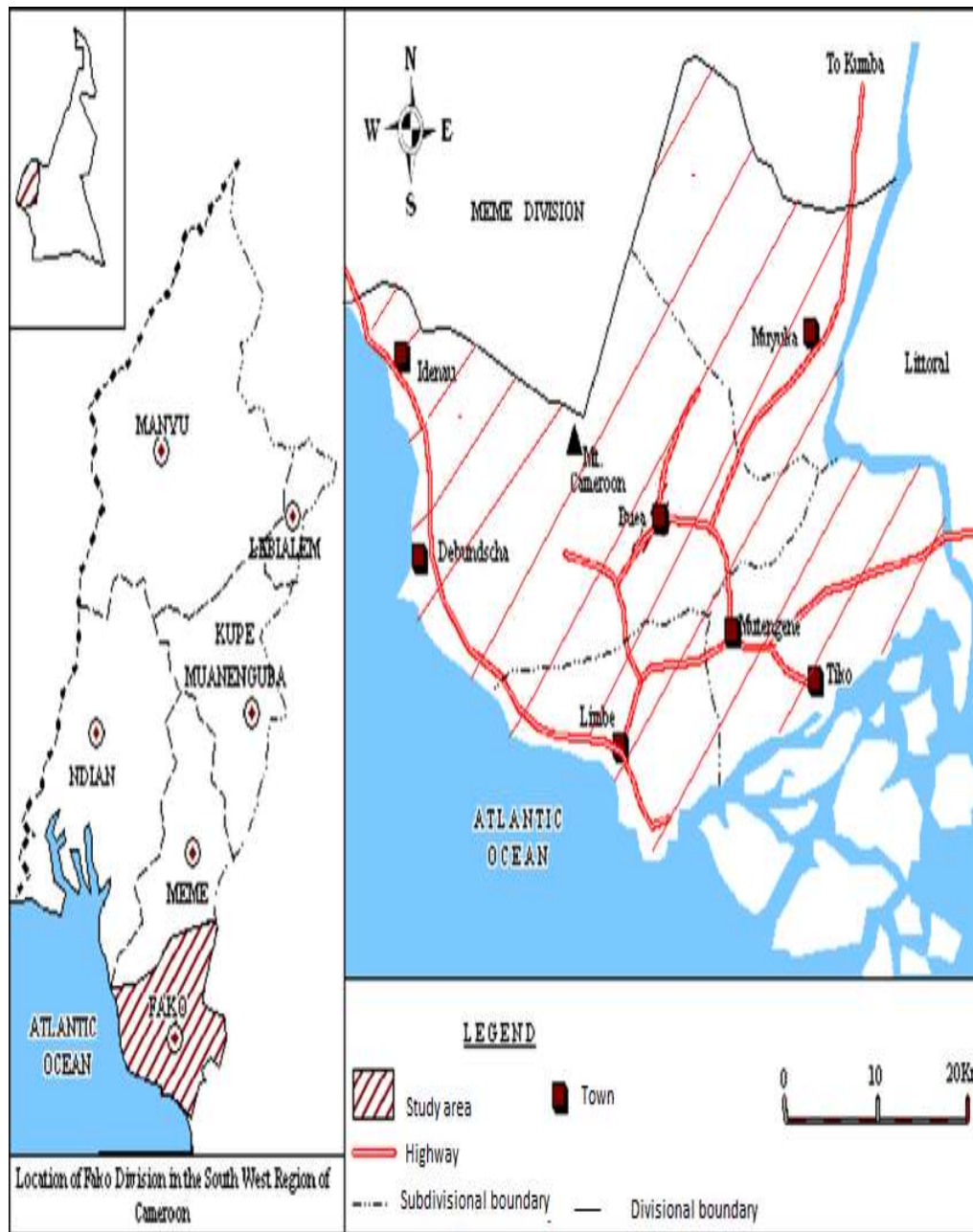
¹³⁹ Recount by Barrister Ngongi, (2021), native of Bakweri and panel member of the Pan African debate on Pan African TV, Afrique Media.

¹⁴⁰ Recount by Prince Ngomba Endeley, (2021), native of Bakweri and panel member of the Pan African debate on Pan African TV, Afrique Media.

astray¹⁴¹. In geographical space, this study was carried out in Fako division made up five subdivisions (Limbe, Buea, Muyuka, Tiko and Idenau) with an estimated population of about 470,000¹⁴².

¹⁴¹ Raymond Quivy and Luc Van Campenhoudt, (1995), *op.cit.* p. 147.

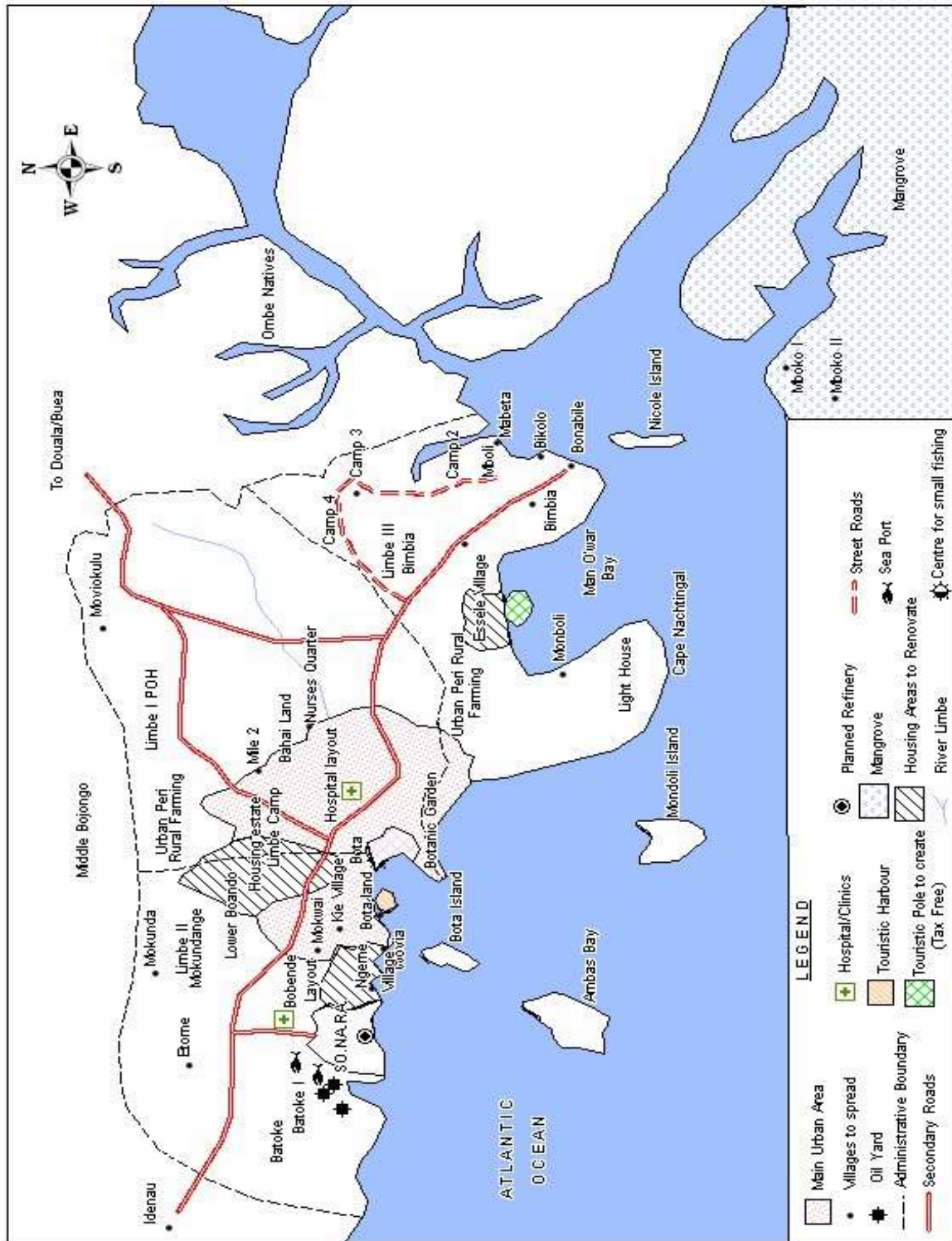
¹⁴² GeoHive, (2014), Cameroon Population Statistics, cf. Emmanuel N. Nojang, (2015), “The Context and Concept of Individual and Household Preparedness: the case of Fako Division in Cameroon”, A dissertation submitted to the Graduate Faculty of the North Dakota State University of Agriculture and Applied Science, p.35.



Source: Map of Fako, Eno and Fombe 2016.¹⁴³

¹⁴³ Emile Miegoue et al, (2019), Snail production system in Fako division, South West Region-Cameroon, in, International Journal of Recent Innovations in Academic Research, Vol-3, Issue-1, pp.1-14, pp.3.

Considering this population size, it was difficult to get everybody participate in the study. So, for the purpose of validity and reliability, our research was narrowed to Limbe subdivision made up of three municipalities Limbe I, II, and III as seen on the map below.



Source: Balgah Sounders Nguh, March 2013.¹⁴⁴

VII-2-3- Purposive Sampling

Sampling permitted us to circumscribe our social space. To this effect, the purposive sampling technique was used to select participants to the study. Participants were intentionally selected because they have experiences or knowledge relevant to the research questions, and to ensure that key area relevant to the subject matter was covered to permit the collection of rich information within each key social group in relation to our research objectives, hypotheses and theories¹⁴⁵.

To identify and select CSOs in Limbe subdivision advocating for women's access to land property rights, we made use of the Directory of Service Providers 3rd Edition provided us by the Divisional Delegation of Women's Empowerment and the Family Fako. With the help of this directory, we selected two NGOs (the International Federation of Female Lawyers-FIDA and The Denis Miki Foundation) whose headquarters is in Limbe. Furthermore, the Divisional Delegation of Women's Empowerment and the Family, and the Divisional Delegation of MINDCAF Fako were purposively selected because they are a key public administration with regards to our subject matter. Some local chiefs and NGOs facilitated the selection of some women informants. The purposive selection of traditional rulers and men who are equally key actors to matters pertaining to land rights was done with the assistance of a guide based in Limbe. Being key actors to land rights gives them the position to speak about the situation of women and land property rights as well as of the perception they have of the role of CSOs. This dual perspective made them ideal participants to the study.

VII-2-4- Snowball or Referral Sampling

During the study period, we observed that certain areas were not easily accessible and participants from those areas were unwilling to get involved in any interview that needed they express their opinion. The rationale to this behavior is related to the relative insecurity experienced in these areas as a result of the ongoing crisis. Taking this situation into consideration, we

¹⁴⁴ Balgah Sounders Nguh, (2013), "Land Tenure and Land Use Dynamics in Limbe City, South West Region of Cameroon", in *Agriculture Science Development*, 2(3), pp.14-24, pp.15.

¹⁴⁵ Jane Ritchie and Jane Lewis, (2003), *Qualitative research practice: a guide for social science students and researchers (Reprinted ed.)*, London, England, Sage, p.113, 114.

proceeded to employing the snowball sampling technique as a complementary methodology to the purposive sampling¹⁴⁶. According to Lochmiller Chad, complementary research methods refer to the application of multiple methodologies and method in a study¹⁴⁷. In this light, the snowball sampling technique permitted the recruitment of future respondents based on referrals from pre-selected respondent who knew other members of the population having experiences or knowledge about our subject matter¹⁴⁸. Consequently, at the end of each interview, the researcher asked the interviewee for referrals in order to gain contact with more participants useful to the study because those who already participated in the interviews understood the purpose of the study. As a result, this process facilitated the recruitment of new informants.

VII-2-5- Techniques and Tools of Data Collection

To collect our data, we went ahead to use techniques specific to qualitative research method that would permit us test our hypotheses, treat and interpret our data. To this effect, the documentary research, direct observation, semi-structured interview methods were employed to collect our data and the content analysis was used to analyze and interpret our data.

VII-2-5-1- Documentary Research

Documentary research which is the consultation of different documents permitted us to be gain knowledge of the works of other researchers within the relevance of our problematic. Henriette Danet opines to this effect that «*tout travail de recherche doit s'appuyer sur les travaux des prédécesseurs*»¹⁴⁹ which constitute sources of information capable of directing the researcher in a progressive manner towards his own problematic. This procedure is practically obligatory since, according to Raymond Quivy & Luc Van Campenhoudt, «*lorsqu'un chercheur entame un travail, il est peu probable que le sujet traité n'ait jamias été abordé par quelqu'un d'autre auparavant, au moins en partie indirectement*»¹⁵⁰. Going by these assertions, we consulted general and specialized publications available in the University and faculty libraries that treat our

¹⁴⁶ Chad R. Lochmiller, (2018), "Complementary Research Methods: an introduction and overview", School of Education, Indiana University, Bloomington, Indiana, USA, Palgrave Macmillan, p. 1-15, in *Chad R. Lochmiller, (2018), Complementary Research Methods for Educational Leadership and Policy Studies, School of Education, Indiana University, Bloomington, Palgrave Macmillan.*

¹⁴⁷ *Ibid.*

¹⁴⁸ Ronet D. Bachman and Russell K. Schutt, (2013), *The practice of research in criminology and criminal justice, Thousand Oaks, California, Sage, p. 131.*

¹⁴⁹ Henriette Danet, (2006), *Le travail scientifique : Repères méthodologiques*, Paris, Dunod, p. 12.

¹⁵⁰ Raymond Quivy and Luc Van Campenhoudt,(1995), *op. cit.*, p.42.

problematic. We equally made use of electronic scientific documentation on the internet through specialized online websites such as Academia, Google books, Open Access. Other scientific documentation included laws, reports and workshops. As earlier mentioned, we also consulted the directory of service providers 3rd Edition put at our disposal by the divisional delegation of women's empowerment and the family Fako containing the names of NGOs and their domain of activities operating in Fako. This directory enabled us to select NGOs that advocate for women's land property rights in Limbe subdivision precisely.

VII-2-5-2- Direct Observation

Generally, according to Grawitz Madeleine, research in Sociology is interested in attitudes, motivations, opinion and aptitudes of the individual through interviews address to him. But it is also important to complete what is learnt from the individuals with what they express in words, not only by observing a few, but most importantly by watching them live¹⁵¹. Direct observation is so to speak as reveal by Raymond Quivy and Van Campenhoudt «*les seules méthodes de recherche sociale qui captent les comportements au moment où ils se produisent sans l'intermédiaire d'un document ou d'un témoignage*»¹⁵². With this method, the researcher ensures the reality of the facts stated by the actors during interviews and proceeds directly to the collection of information, without addressing the subjects¹⁵³. Hence, we used the direct observation to gather the facts from within the communities of Limbe subdivision useful to draw up a relative inventory on the level of the accompaniment of CSOs towards women's access to land property rights. As such, the observation grid was constructed through the analysis of the relationship between social groups and CSOs, and the state of visibility of CSOs in the field.

VII-2-5-3- Semi-Structure Interview

Interviews are a very important technique in qualitative research because they permit a close interaction with participants enabling the researcher to collect informed data about how people conceptualize their reality¹⁵⁴. For this research work, we used the semi-structure interview technique to collect our data. This technique permitted us to prepare a limited number of questions

¹⁵¹ Madeleine Grawitz, (1996), *op. cit.*, p. 500.

¹⁵² *Idem*, pp.117.

¹⁵³ Raymond Quivy et Luc Van Campenhoudt, (1995), *op. cit.*, p.151.

¹⁵⁴ See Emmanuel N. Nojang, (2015), *op. cit.*, p.43.

in advance and plan to ask follow up questions around a specific topic to learn about¹⁵⁵. The tool used to operationalize this technique was the interview guide consisting of specific topic made up of open-ended questions which gave informants the latitude to provide useful information as it allowed them to freely express themselves around the topic¹⁵⁶.

It is important to highlight that during this data collection phase, the respect of ethics was observed. As a matter of fact, prior to our interview sessions as per the code of ethics of any social science research, our formulated informed consent binding the researcher and participants was presented to each respondent¹⁵⁷. With this informed consent, participants to the research received detailed information about the research giving them the latitude to make voluntary, informed and rational decision regarding whether or not to participate in the research¹⁵⁸. They were informed on the nature and objectives of the research, and of the strict use of the data collected solely for scientific purposes¹⁵⁹.

After presenting our research authorization and informed consent to respondents, we proceeded to carrying out our interviews which was recorded using a digital recorder (android phone). Each respondent's permission for recording was sought at the beginning of every interview session informing them that their name and information provided would be used solely for the purpose of the research. Basically to verify our hypothesis 6 interview guides were designed with each having specific open-ended questions to each category of respondent. That is, an interview guide was designed for CSOs, women, men, public administration (public administration 1-divisional delegation of MINCAF, and public administration 2-divisional delegation of women's empowerment and the family) and traditional rulers¹⁶⁰. It is important to precise that on our interview days with traditional rulers in their palaces, we were accompanied by a male relative and took along some gifts as per the tradition warrants that no one enters the palace empty handed.

¹⁵⁵ Hubert J. Rubin and Irene S. Rubin, (2012), *Qualitative interviewing: the art of hearing data*, (3rd ed.), Thousand Oaks, California, Sage, p.31.

¹⁵⁶ See annex 3 for interview guide.

¹⁵⁷ Carlos M. Ferreira and Sandro Serpa, (2018), "Informed Consent in Social Sciences Research: ethical challenges", in *International Journal of Social Science Studies*, Vol.6 No.5. p. 13-23, p.18.

¹⁵⁸ *Ibid.*

¹⁵⁹ *Ibidem*; see annex 2 for informed consent of respondents.

¹⁶⁰ See annex 4 for list of informant.

VII-2-5-4- Theoretical Saturation

Although we estimated that approximately 20 interviews could be conducted to collect data, only 14 interviews were actually completed; 10 through purposive sampling and 4 through snowball sampling. Strauss Anselm and Corbin Juliet highlight that:

*theoretical saturation is achieved when no new or relevant data seem to emerge regarding a category; the category development is dense, insofar as all of the paradigm elements are accounted for, along with variation and process; and the relationships between categories are well established and validated.*¹⁶¹

Signifying that theoretical saturation is achieved when the researcher collects data to the point where nothing new emerges by continuing data collection. As such, after conducting the fourteenth interviews and reviewing notes after each interview was completed, we came to the conclusion that the ninth interview rendered as much useful information as the fourteenth interview and that no new data emerged between interviews ninth and fourteenth. Thus, we concluded that theoretical saturation had been reached and ended the interview process. It should be noted that, because this study seeks to evaluate the role of CSOs by comprehending the role and the perception of social groups towards the role, we sought to have participants from the entire Limbe subdivision. But even though most of the respondent ended up coming from Limbe I municipality, we attempted to contact some participants in Limbe II and III municipalities but due the reason mentioned earlier, we succeeded in making contact and interviewing only 4; 1 chief in Limbe III, 2 women in Limbe II and Limbe III and 1 man in Limbe II.

VII-3- Data Analysis

The data collected in this research was interpreted using the content analysis method. According to Depelteau Francois, content analysis method is a method of classifying or codifying the elements of the documents to be analyzed into diverse categories in order to bring up the different characteristics in view to better understand the exact and precise sense¹⁶². That is, it is a technique of coding or classification which targets to discover in a rigorous and objective manner the meaning of a message. It consists of breaking down the texts in units able to be quantified and offering the possibility to treat in methodological manner, information and experiences which

¹⁶¹ Anselm Strauss and Juliet Corbin, (1998), *Basics of qualitative research: techniques and procedures for developing grounded theory*, (2nd ed.), Thousand Oaks, California, Sage, p.188.

¹⁶² François Depelteau, (2010), *La démarche d'une recherche en science humaines. De la question de départ à la communication des résultats*, Bruxelles, De Boek, p. 23.

present a certain degree of complexity and depth¹⁶³. Hence, the content of our data was analyzed in three phases;

First, the collected data was transcribed from audio recorder to text. At this stage, we did a full and accurate word-for-word written transcription of the questions and answers of interviewees¹⁶⁴, including names of the interviewees, time and location of the interview¹⁶⁵. Identifiers such as numbers were attributed to each transcribed data and memos containing the researcher's thoughts and references to potential emerging themes and concepts were written down during the transcription. These transcriptions and identifiers were kept confidential for subsequent research referrals.

Next, we proceeded to codification. We grouped our interview questions into distinct sets and attributed specific theoretical labels/themes to each set which served as codes. These codes were generated in relation to our research hypotheses. And lastly, our data was analyzed by interpreting its content and taking sets of related themes that confirmed our research hypothesis while providing detailed descriptions and explanations about the findings. With regards to the contribution of CSOs we generated the following themes; the implementer role of CSOs; the catalyst role of CSOs; and the partnership role of CSOs. As concerns the perception of social groups towards this role, we generated; CSOs as a factor of reducing land discrimination; CSOs as discriminating against rural and peri-urban women; CSOs as a challenge to local culture and source of conflict; and CSOs as pretext of personal enrichment.

VIII- CONCEPTUAL FRAMEWORK

It is worth noting to mention that the definition of concepts is a very important part of every scientific research because it permits the researcher to practice an epistemological rupture with common sense which is a fundamental aspect according to Emile Durkheim. To the author, « *Toute investigation scientifique porte sur un groupe déterminé de phénomènes qui répondent à une même définition. La première démarche du sociologue doit donc être de définir les choses dont il traite afin que l'on sache bien de quoi il est question. C'est la première et la plus indispensable condition de toute preuve et de toute vérification* »¹⁶⁶. In the same logic as Durkheim, VAN

¹⁶³ Raymond Quivy et Van Campenhoudt, *op. cit.*, p. 202.

¹⁶⁴ Hubert J. Rubin and Irene S. Rubin, *op. cit.*, p.190.

¹⁶⁵ *Idem*, p.192.

¹⁶⁶ Emile DURKHEIM, *Les Règles de La Méthode Sociologique*, Paris PUF, 1987,23e, p.34.

CAMPENHOUDHT Luc pushes further to highlight that « *la conceptualisation est plus qu'une définition ou convention terminologie. Elle constitue une construction abstraite qui vise à rendre compte du réel* ». This fundamental scientific requirement could not be ignored in this work since it permitted us to construct and understand the concepts operationalized which are: Woman, Land, Land Property Rights, Civil Society Organizations.

VIII-1- WOMAN

An understanding of this concept begins with understanding the concept of gender. Gender is one of those concept with vary definitions and understandings. According to Konings Joseph, gender refers to the social and historical construction of masculine and feminine roles, and their relative position in society¹⁶⁷. For example, paid labour outside the home is describe as being masculine which defines a man (breadwinner) and labour within the home is described as feminine which defines a woman (dependent housewives and mother)¹⁶⁸.

Bigombe Logo & Bikie E. pushes further in a similar manner to expatiate that the definition of a woman is dominated by two tendencies; the naturalist tendency based on biological definition, and the socio-anthropological tendency that focus on their social role and status¹⁶⁹. While the biological tendency uses sexual difference to define a woman, the socio-anthropological approach on its part defines a woman through the role and social status she occupies within the society. From the definition by Bigombe Logo & Bikie E. we denote that the notion of a woman is a social construct. Social construct is the sense that, she is someone irrespective of her professional status (productive role) considered by the society as the one who bears children (reproductive role), cook and takes care of her children, family and, remains under the authority of the man/husband who is the head of the house and breadwinner of the family. This definition is relevant to our subject matter because the woman's status with regards to land property right is fundamentally defined by the social role and position attributed to her within the society.

VIII-2- LAND

Land is the natural resources that constitute the base of this study. Often considered as a good, space, instrument of production, what Elisabeth C. Gianola calls «*un objet, principal support*

¹⁶⁷ Joseph Piet Konings, (2012), *op. cit.*, p.2, 7.

¹⁶⁸ *Ibid.*

¹⁶⁹ Bigombe Logo and Bikie E. (2003), *op. cit.*, p. 3.

*des activités de production*¹⁷⁰», land has different meanings according to peoples and cultures. To Paul Bohannan, land is a social construction whose definition depends on two visions¹⁷¹ of the world (liberalism and communitarianism), thus, belonging to two types of societies: the modern society and traditional society.

In the modern society dominated by capitalism and liberalism, Bohannan Paul highlights that land is among other things, a measurable entity that can be divided in portions as a result of the application of a mathematical survey and cartography process¹⁷². In other words, this refers to a geometry vision of land measurable and which can be divided into identifiable parcels on a geographical map, to be distributed to individuals. From this perspective, we talk of “land tenure”. On the other hand, in the traditional society dominated by communitarianism, the representation of land is “topo centric”¹⁷³. Here, land is a community good managed by the group, who decides to give out a portion to an individual of the group or to a stranger living within the group, for a temporal management. Land within these communities goes beyond “(...) *the traditional and/or customary seat from which most family decisions and consequently developmental issues take root*¹⁷⁴” because it is considered as “*mother and divinity*”¹⁷⁵. Mother because it provides food and shelter to its occupant and divinity because it connects the people to their ancestors, serving as spiritual link between the people and their god through the practice of traditional rites. These qualities assign to land explains its coveting by different social groups since it is not only a source of riches but most importantly a source of life¹⁷⁶.

It is worth noting to mention that these two visions of land can be found in a society, notable in the African society which combines traditional structures and modern structures. From where

¹⁷⁰ Elisabeth C. Gianola, (2000), *La sécurisation foncière, le développement socio-économique et la force du droit : le cas des économies ouest-africains de plantation (la Côte d'Ivoire, le Ghana et le Mali)*, Paris, L'Harmattan, p. 39 ; also see Ambe J. Njoh, (2006), *Tradition, Culture, and Development in Africa: historical lessons for modern development planning*, Burlington, Ashgate Publishing cf. Vitalis N. Pemunta, (2017), *op. cit.*, p.76.

¹⁷¹ Paul Bohannan, (1963), “Land, Tenure and Land-Tenure”, in *Daniel Biebuych (ed), African Agrarian systems*, Oxford, Oxford University press, p. 101-115.

¹⁷² *Idem*, p. 31.

¹⁷³ In this representation, land is a concrete-abstract, uncountable, unbounded social space according to Le Roy, (2011), *La terre de l'autre: Une anthropologie des régimes d'appropriation foncière*, Paris, LGDJ, Lextenso Edition, p.21.

¹⁷⁴ Emmanuel N. Ngwa, (2012), “Introduction to land and rural women in Cameroon”, pp. 1-17, p.17, in *Lotsmart Fonjong, (ED.): Issues on Women Land Rights in Cameroon*, Bamenda, Langaa Research and Publishing.

¹⁷⁵ Ernest Menyomo, « La question foncière et ethnique », in *Robison Tchagmeni, La problématique de la propriété foncière au Cameroun*, Conférence sur le foncière, 18 novembre 2005 à Balmayo, p.18, URL : www.icrei.org/; also see Adjete Kouassigan, (1996), *L'homme et la terre*, Paris, ORSTOM, p.10 ; Vitalis N. Pemunta, (2017), *op. cit.*, p.76.

¹⁷⁶ Adjete Kouassigan, (1996), *op. cit.*, p. 11.

comes the contradiction witness in Africa as a result of the co-existence between modern tenure of colonial heritage and customary tenure of African traditional values. Hence, as Komba Gaston, Quan Julian observes, land is a resource that lies at the heart of social, economic, and political life and it is a fundamental source of human, economic, social and cultural development¹⁷⁷.

VIII -3- Land Property Rights

When we talk of right two things immediately comes to mind; objective rights and subjective rights¹⁷⁸. Objectives rights being the rules that define social order and the dispositions put in place to make these rules applicable (laws and judicial institutions), while subjective rights on the other hand are the prerogatives that an individual derive from objective law. That is “the right to” own a property for example¹⁷⁹. So, when we talk about land as property it goes beyond possessing the land as an object to signify the relationship between the individual and the object (land)¹⁸⁰.

And this relationship according to Meinzen-Dick Ruth et al. is attached to five types of rights¹⁸¹. That is, access right which is the right to enter a property; withdrawal rights which refer to the right to remove things from the property such as gathering, harvesting, picking; management rights is the right to change the property by planting crops or cutting trees; exclusion rights is the right to keep others off the property and alienation rights refers to the right to transfer the property rights to others, through sale, bequest or gift¹⁸². Lavigne Delville emphasizes that it is these five rights that give an individual the control and power over a parcel of land¹⁸³. Consequently, by women’s access to land property rights we mean her right to hold the property (land), and enjoy all the rights (access, withdrawal, management, exclusion and alienation) attached to it¹⁸⁴. In other words we mean her ability to independently enjoy all the prerogatives attached to land as property

¹⁷⁷ Julian Quan et al., (2004), “LAND IN AFRICA Market asset or secure livelihood?” Proceedings and summary of conclusions from the Land in Africa Conference held in London, International Institute for Environment and Development, 3 Endsleigh St. London, pp. 1; Gaston Komba, (2013), “Cadre conceptuel”, Communication présentée au dialogue Parlement/Gouvernement, pour la réforme foncière, URL : www.gfbcam.com.

¹⁷⁸ Jean-François, (2013), *op. cit.*, p. 101.

¹⁷⁹ *Ibid.*

¹⁸⁰ FAO, (2010), “Land and Property Rights”, Viale de lle Terme di Caracalla, Rome, Italy, p.12.

¹⁸¹ Ruth Meinzen-Dick et al., (2019), *op. cit.*, p.73.

¹⁸² *Ibid.*

¹⁸³ Philip Lavigne, (1998), « Les enjeux politiques et économiques du foncière », in *Philippe Lavigne Delville, op.cit.*, p.260.

¹⁸⁴ Jérémie Gilbert, (2013), “Land Rights as Human Rights: the case for a specific Right to land”, in *International Journal on Human Rights*, Vol. 10, n. 18, p.115-135.

that give her a degree of assurance that she will not be arbitrarily deprived of a particular land, as her rights will be respected and recognized by legal and social institutions.

VIII-4- Civil Society Organizations¹⁸⁵

Although civil society is an ancient concept that can be traced as far back as Hobbes in the 18th century¹⁸⁶, most literature however elucidates that it is a broad concept with endless debate among scholars due to the existence of diverse views¹⁸⁷. While Ferguson A., defines civil society as «*l'autre face de la société, cette part variable des activités humaines qui sait et qui peut s'organiser sans aide de l'Etat, comme deux faces d'une même monnaie*»¹⁸⁸, Chandhoke N. has a contradictory view as he argues that this definition gives a picture of civil society that seems to be supremely uncontaminated by either the power of the States or that of markets, whereas they do collaborate with the State through genuine dialogue¹⁸⁹. This contradiction affirms as insisted by Edwards Michael that context is the key to civil society and key to any analysis and understanding¹⁹⁰. Consequently, this means that it is therefore important to understand civil society by their objectives and actions carried out in the field. It is within this framework that this study focuses on the definition provided by the World Bank because it stands within the relevance of this research work. Going by the definition, this study refers to non-governmental organizations (NGOs) as civil society organizations. Thus, according to the World Bank, civil society organizations are:

*the wide array of non-governmental and non-for-profit organizations that have a presence in public life, expressing the interest and values of their members or others, based on ethical, cultural, political, scientific, religious or philanthropic considerations. CSOs are therefore organizations such as NGOs, community groups, charitable groups, faith-based organizations, professional associations and foundations.*¹⁹¹

¹⁸⁵ The first chapter of this work provides a detail presentation of CSOs, this is why this section does not elaborate the concept in details.

¹⁸⁶ Jean-Francois Dortier, (2013), *op.cit.* p. 331.

¹⁸⁷ Anis Chakib, (2014), "Civil society organizations' roles in land-use planning and community land rights issues in Kapuas Hulu regency, West Kalimantan, Indonesia", Working Paper 147, Bogor, Indonesia, CIFOR, p. 5.

¹⁸⁸ Jean-Francois Dortier, (2013), *op.cit.* p. 332.

¹⁸⁹ Neera Chandhoke, (2002), "The limits of global civil society", in *Marlies Glasius et al., (2002), (eds.), Global civil society*, Oxford, Oxford University Press, p. 35–53.

¹⁹⁰ Anis Chakib, (2014), *op. cit.*, p. 12; Michael Edwards, (2011), "Introduction: civil society and the geometry of human relations", in *M. Edwards, (2011), (ed.), The Oxford Handbook of Civil Society*, Oxford, Oxford University Press, p. 4-13.

¹⁹¹ World Bank, (2020), *Defining Civil Society*, World Bank, Washington, DC, <https://www.worldbank.org/en/about/partners/civil-society/overview>.

IX- PLAN OF WORK

This research work is structured in two main parts subdivided in four chapters. The first part entitle Civil Society Organizations: An overview, context of emergence and their contribution towards women's access to land property rights examines an overview of civil society organizations and context of emergence (**Chapter 1**), and handles in a more specific manner the contribution of CSOs towards women's access to land property rights in Fako division (**Chapter 2**). Furthermore, the second part of our work grapples with assessing the role of civil society organizations towards women's access to land property rights in Fako division. This part also subdivided in two chapters handles the perception of social groups towards the role of civil society organizations (**Chapter 3**), and the constraints encountered by civil society organizations in the field (**Chapter 4**).

PART I

**CIVIL SOCIETY ORGANIZATIONS: AN OVERVIEW, CONTEXT OF
EMERGENCE, AND THEIR CONTRIBUTION TOWARDS WOMEN'S
ACCESS TO LAND PROPERTY RIGHTS.**

As stated earlier, civil society organizations is not just a broad concept with endless debate among scholars but is one of the most enduring, contested and confusing concept in social science, because, so many different definitions and understandings exist¹⁹². This confusion according to Edwards Michael is due to the elastic nature of the concept seen by many as part of the society (the world of voluntary associations), by some as a kind of society (marked out by certain social norms) and by others as a space for citizen action and engagement (described as the public square or sphere. However, since context is key to understanding and analyzing civil society as highlighted by Michael Edwards, it is therefore important to have an insight of the understanding of CSOs and how they emerged especially in the context of Cameroon. To this effect, PART I handles two major aspects; that is, an overview of civil society organizations and context of emergence (Chapter I), and Chapter II examines the contribution of civil society organizations towards women's access to land property rights in Fako division.

¹⁹² Michael Edwards, (2011), *op. cit.*, p. 3-14, p. 3.

CHAPTER 1

AN OVERVIEW OF CIVIL SOCIETY ORGANIZATIONS AND CONTEXT OF EMERGENCE.

Although the field of action of CSOs is multiple, Kenmogne Basile however points out that, the concept is rather well understood in Western societies than in developing countries because, the population has very little experience of their actions unlike those of Western society where CSOs have a century long tradition¹⁹³. Notwithstanding, it is important to throw more light on what the concept is all about.

1-1- 1- CIVIL SOCIETY ORGANIZATIONS: UNDERSTANDING THE CONCEPT

Considered as a broad concept with multiple meanings, which covers the political, social, economy, developmental and cultural spheres, civil society provides frames and spaces in which key issues of the day are addressed. According Walzer Michael, CSOs is the sphere of uncoerced human association between the individual and the State, in which people undertake collective action for normative and substantive purposes, relatively independent of government and the market¹⁹⁴. But the question that arises from this definition is knowing the levels of “coercion” that actually exist in practice, how “independent” civil society can be from the government and market (especially when we consider that civil society collaborate with the State through genuine dialogue in order to enhance inclusive development)¹⁹⁵, which “norms” are reproduced and represented and what “purposes” are pursued to what effect.

This questioning leads Jain B. Randhir, Lewis David to propose a different approach to defining the concept. They use some set of narrower concepts that are easier operationalize such as the “third sector,” the “nonprofit sector,” and the “social economy”¹⁹⁶ to permit the understanding of the concept. This third sector is conceived on the one hand in relation to the first sector- that of public authorities and government institutions, that defines the priorities of the population in terms of development, set the objectives to be attained and coordinate the activities of those involved for the harmonious development as a whole. And on the other hand, it is conceived in relation to the second sector, that of private companies or the market, whose objective

¹⁹³ Basile Kenmogne, (2003), *Les Organisations Non Gouvernementales et le Développement Participatif: l'Engagement des Volontaires du Progrès au Cameroun*, Paris, L'Harmattan, p. 20.

¹⁹⁴ Michael Walzer, (1991), “The Idea of Civil Society: a Path to Social Reconstruction”, in *Dissent 39 (spring)*, p.293-304, p. 300-303.

¹⁹⁵ See Benjamin E. Ntoko, (2020), *Civil society organizations in Cameroon: assessing the role of CSOs in development*, Thesis submitted for a Degree, Masters in Peace and Development Studies, Linnaeus University, p.17.

¹⁹⁶ Jain B. Randhir, (1995), *NGOs in Development Perspective*, New Delhi, Vivek Prakashan, pp.1; David Lewis, (2003), “Theorizing the organization and management of Non -governmental development organization: towards a composite approach,” in *Public Management Review*, Taylor and Francis Ltd, Vol. 5, Issue 3, p.325-344, p.327; Michael Edwards, (2011), *op. cit.*, p.5.

is the pursuit of profit, and not the promotion of development process¹⁹⁷. Going by this definition, we realize that civil society organizations are at the intersection between the State and private enterprises in the sense that they include all non-market and non-State organizations such as informal organizations, community or grassroots associations, social movement, cooperatives, labor unions, professional groups, advocacy, networks and citizens groups from traditional forms of civic association such as faith based organizations and village heads in which people organize themselves to pursue shared interest in the public domain¹⁹⁸.

We would hardly exhaust the different meanings of CSOs but within the relevance of this study, we focus on the definition provided by the World Bank. According to the World Bank, the term civil society refers to:

*the wide array of nongovernmental and not-for-profit organizations that have a presence in public life, expressing the interests and values of their members or other, based on ethical, cultural, political, scientific, religious or philanthropic considerations. Civil Society Organizations (CSOs) therefore refer to a wide of array of organizations: community groups, nongovernmental organizations (NGOs), labor unions, indigenous groups, charitable organizations, faith-based organizations, professional associations, and foundations.*¹⁹⁹

The definition by the World Bank is of pertinence to the study because it brings to light the definition and objective of CSOs with respect to our subject matter. For a better understanding of how CSOs express the interest and values of others, Lewis David summarizes their role under three elements constituting their set of activities. That is, the implementer role, the catalyst role and partnership role. By the implementer role, Lewis David argues that CSOs mobilize resources through their activities and programs to produce goods and services in order to respond to specific needs. By catalyst role, CSOs inspire, facilitate and contribute to developmental change; this includes grassroots organizing and empower-based approaches. As partnership role, they work

¹⁹⁷ Basile Kenmogne, (2003), *op. cit.*, p.10.

¹⁹⁸ Michael Edwards, (2011), *op. cit.*, p.8; Anna Maria Porsti, (2013), *Strengthening CSO: studying mechanism of CSO Empowerment*, Thesis Submitted for the Degree, Master in Development Studies, Faculty of Social Sciences, University of Helsinki, pp. 3; also see Open Forum for CSO Development Effectiveness, (2011), “The Siem Reap CSO consensus on the International Framework for CSO Development Effectiveness”, Siem Reap, Cambodia, June 28-30, 2011, p. 9. Hakkarainen O. et al., (2003), “Voices from Southern Civil Society; the Interplay of National and Global Context in the Performance of Civil Society in the South”, Main report, Volumes 5-2003 of Policy Papers, Institute of Development Studies, University of Helsinki, vii; Jonas Ewald, (2011), *Challenges for the Democratization Process in Tanzania: moving towards consolidation 50 years after Independence?* Gothenburg, Ineko AB, p. 195.

¹⁹⁹ World Bank, (2020), *Defining Civil Society*, World Bank, Washington, DC, <https://www.worldbank.org/en/about/partners/civil-society/overview>.

with government, other NGOs, private sector, donors to meet their objectives²⁰⁰. The works of Lewis David gives us a fundamental idea on the role CSOs within the relevance of our study. Before we get to gain a detailed knowledge of their role, it is essential to know the classification and types of civil society organizations.

1-1-1-1- TYPOLOGY OF CIVIL SOCIETY ORGANIZATIONS

CSOs are classified in many ways according to multiple criteria among which are legal framework and the domain of activities. In Cameroon for instance, the legal framework differs according to the origin of the organization. To this effect we can distinguish CSOs of the accreditation regime and those of the declaration regime as put forward by Djoumessi Jean-Baptiste²⁰¹. International associations and NGOs are of the accreditation regime having a different registration procedure as they need authorization from both the Ministry of Territorial Administration and the Ministry of External Relations. While local associations, NGOs, of Cameroon origin are of the declaration regime needing approval from the Ministry of Territorial Administration in accordance with the December 1999 Law. Civil society organizations in Cameroon are govern by Law No.92/006 of 1992, Law No. 99/014 of 1999 and Law No. 90/053 of 1990, on Freedom of Association which sets out procedures for their establishment, operation, governance and dissolution. In addition, it is worth mentioning that CSOs are exempt from custom duties, value added tax, and benefit from tax deductions on income from grants and subsidies²⁰².

Generally speaking, these non-for-profit organizations carry out actions in various domains with the aim of assisting local population especially the underprivileged and disenfranchised in the society. In the area of politics, they seek to cement democracy and ensure transparency; in the social domain, they provide basic facilities like schools, health and water. As concern Human Rights they promote gender equality and promote the respect of individual's right; in the area of development, they seek to improve living condition by mobilizing resources to alleviate poverty. Furthermore, some CSOs work towards enhancing women's rights to land property. Although Fako and Limbe subdivision in particular harbors a good number of civil society organizations,

²⁰⁰ David Lewis, (2003), *op. cit.*, p. 333.

²⁰¹ Jean-Baptiste Djoumessi, (2011), *Société Civile : l'Autre Voie du Développement de l'Afrique*, Cameroun, L'Harmattan, p.110.

²⁰² Also see USAID, (2020), *op. cit.*, p.53.

only a few of them advocate towards women’s access to land property rights as seen in the table below.

Table 1: Presentation of some NGOs with head office in Limbe working to assist women towards access to land property rights

No	Organizations	Leader	Head Office
1	The International Federation of Female Lawyers (FIDA)	Barrister Mbuya Gladys	Lumpsum quarter, Limbe
2	Community Action Scheme Africa (CASAF)	Mr Mbonyam Adolf Okorn	Adamou street Newtown Limbe
3	Ngore Africa Center for Women Empowerment and Development	Madam Abunaw Olive	Crystal Gardens Bota, Limbe
4	Denis Miki Foundation (DMF)	Madam Emilia Miki	Opposite SS club junction Botaland , Limbe
5	Cameroon Humanitarian Educational Leadership for Peace (CAMHELP)	Madam Mfembe Irene Ekema	Mawoh Community, Newtown, Limbe

Source: Me

It is worth noting to mention that some of these NGOs stated above cover the whole of Fako and even the national territory but the particularity about them is that their head office is found in Limbe subdivision.

1-1-1-2- HISTORICAL EVOLUTION OF CIVIL SOCIETY ORGANIZATIONS

The concept of civil society can be trace as far back as from Hobbes in the 18th century to Alexis de Tocqueville in the mid-nineteenth century²⁰³. These political theorists long recognized that through participation in associations, citizens receive education in public affairs and create centers of political power independent of the State. Essential to participation in an association is participation in a civic forum, a communication space that allows for many to many communications in which citizens can “treat of public affairs in public”. In this perspective, CSOs is what Tocqueville believed to be associations operating outside the sphere of government and economic life.

²⁰³Also see Jean-Francois Dortier, (2013), *op.cit.* p. 331.

But according to Edwards Michael, the concept gain in prominence after the fall of the Berlin Wall in 1989²⁰⁴. The collapse of communism in Europe and the former Soviet Union led many countries to embracing democratic change and political liberalization. Attributed to Tocqueville A., Locke John, Montesquieu, political liberalism is an ideology that fights against monarchical absolutism and religious authorities²⁰⁵. Its first principle in political life is the defense of political rights of the individual: the right to expression, association, property. That is, it creates a social order which gives the individual rights to ownership (property), political expression and rights of conscience²⁰⁶. This new agenda as put forward by Clayton Andrew, mounted pressures on State for more democratic accountability by respecting the rule of law, respect human rights, and focus on political and administrative reforms²⁰⁷. But according to Burnell et al., the “*expression civil society metamorphosed during the 1990s (...)*”²⁰⁸.

1-1-1-2-1- EMERGENCE OF CIVIL SOCIETY ORGANIZATIONS IN SUB SAHARA AFRICA

In spite of the fact that the concept of CSOs is century old in the Western society, Djoumessi Jean-Baptiste elucidates that CSOs is relatively young in the developing world where only 11% started their activities between 1981 and 1990 and 79% within the period of 1991-2000; that is, only about 4 to 5% of rural organizations emerged before 1980²⁰⁹. Clayton Andrew et al., supports this view by arguing that the growth of CSOs in developing countries like SSA was motivated by the convergence of three interlinked factors²¹⁰.

The author to this effect notes that the period of 1980s and 90s witness the growth of civil society organizations because it was driven by neoliberal policies on privatization. These policies gave rise to the New Public Management (NPM) policy aimed at reducing high levels public expenditures of the State and increase the efficiency of public service provision²¹¹. All of this gave rise to the good governance agenda which mounted financial pressure on States. This is because

²⁰⁴ Michael Edwards, (2011), *op. cit.*, p.4-5.

²⁰⁵ Jean-Francois Dortier, (2013), *op.cit.*, p.201.

²⁰⁶ *Ibid.*

²⁰⁷ See Andrew Clayton et al., (2000), *op cit.*, p.2-3.

²⁰⁸ Peter Burnell et al., (2017), *Politics in the Developing World, 5th ed*, Oxford, Oxford University Press, p.149.

²⁰⁹ Jean-Baptiste Djoumessi, (2011), *op. cit.*, p. 94; also see Maaiki Matelski et al., (2018), *op. cit.*, p.6.

²¹⁰ Andrew Clayton et al., (2000), *op. cit.*, p.5.

²¹¹ *Idem*, p3-4; Mark Turner and Hulme David, (1997), “The International Environment: external influences and governance”, in *Turner Mark and Hulme David, (1997), Governance, administration and development: making the State work*, London, Red Globe Press, p.220-237.

State bureaucracies were increasingly perceived as having become too large and inefficient. So, governments were under pressure both from donors and citizens to cut expenditure on services and improve the quality of services.

Also, the decline of the State in many SSA countries led to the increase in the number of CSOs. The period of expansion and optimism of the 1960s and 1970s, where the State was seen by nationalists and donors alike as the central mechanism for economic and social development, gave way to a period of decline and withdrawal in the 1980s and 1990s. By the mid-1990s, 30 years after the wave of independence across Sub-Saharan Africa, most African States had suffered a period of crisis in both capacity and legitimacy. Even though the reason for this crisis is complex and multifaceted, including both internal and external pressures, the Structural Adjustment Programme (SAF) promoted by donors since the early 1980s have undoubtedly had a major impact throughout Africa. Structural adjustment, especially as promoted by the International Monetary Fund and World Bank, made future loans conditional on NPM reforms of the public sector, notably governments reducing the levels of both public expenditure and their intervention in the economy. The issue is that these reforms came at a time of economic crisis during which many countries were faced with stagnant economies and increasing national debt. Structural adjustment has had profound effects on the ability of the State to deliver basic services. Government expenditure has been severely cut and the poor have been hit hardest, with government health care, education, agricultural and water supply programmes unable to supply adequate levels of provision. Thus as a result of this vacuum created, CSOs emerged as major service providers in Africa²¹².

To summarize this opinion, Kenmogne Basile reiterates that in seeking to provide these services, CSOs in Africa emerge as heirs to the double failure²¹³. That is failure of the State to guarantee the well-being of all and satisfy all the needs of her population; and the inability of the private commercial sector to ensure, by virtues of the market alone, an equitable redistribution of goods and services²¹⁴. As such, as reckon by Douglas James, CSOs emerge to meet particular needs of the population that have remained on the edge of government plans and not as alternative forces, nor substitute or relay organizations in the face of the anonymous and impersonal power of

²¹² Also see Hakkarainen O. et al., (2003), *op. cit.*

²¹³ Basile Kenmogne, (2003), *op. cit.*, p. 11.

²¹⁴ *Ibid.*

the State²¹⁵. This demonstrates that the inability of governments to implement sound policies to adequately respond to the multiple and diversified conflicting needs of the people promoted the growth of CSOs. Thus, in such a context, CSOs emerge not only to provide goods and services but to equally do “*policy advocacy*” by lobbying for a change in such policies²¹⁶.

1-1-1-2-2- EMERGENCE OF CIVIL SOCIETY ORGANIZATIONS IN CAMEROON

In the context of Cameroon, endogenous and exogenous factors motivated the emergence of civil society organizations. By endogenous and exogenous factors, we mean cultural habit tailored by the weight of tradition, and colonial heritage which symbolizes modernity. To grasp the emergence of CSOs in the context of Cameroon, it is important to look at it from two periods, that is, the period before 1990 and the period after 1990.

1-1-1-2-2-1- The Period Before 1990

Before 1990, although there existed a law on freedom of association govern by Law No 67/LF/19 of 12 June 1967, Swartzendruber J.F. and Bernard Berka Njovens argue that the indigenous NGO sector in Cameroon played little role in national development²¹⁷. This is because of the country’s long history of government centralism, leaving little room for NGO initiatives. The government maintained stifling restrictions on associations, including NGOs, which tended to discourage the full development of civil society. This reflected in part the colonial legacy, and also served the purpose of protecting the government from perceived challenges to its authority. Consequently, political considerations dominated the relationship between government and non-governmental organizations during most of the period since Independence²¹⁸.

As a result, the very few associations that existed according to Djoumessi Jean-Baptiste (4 to 5% before 1980 and about 11% between 1981 and 1990)²¹⁹, was rooted in village humanitarian solidarity that survived the introduction of market exchanges between individuals brought about by colonialism, what Emile Durkheim calls mechanical solidarity in this book entitled “*Division*

²¹⁵ James Douglas, (1991), “Political theories of nonprofit organizations”, in *Samuel Paul and Arturo Israel, (1991), (ed.), Non-governmental organizations and the World Bank: cooperation for development*, Washington D.C., The World bank, p. 43-54, p. 47.

²¹⁶ Basile Kenmogne, (2003), *op. cit.*, p. 18.

²¹⁷ Frederick J. Swartzendruber and Bernard B. Njovens, (1993), *NGOs, Environmental Awareness, and Policy Advocacy in Cameroon*, Washington, DC, World Resources Institute, p.6.

²¹⁸ *Ibid.*

²¹⁹ Jean-Baptiste Djoumessi, (2011), *op. cit.*, p. 88.

of *Labor in Society*”²²⁰. This mechanical or village solidarity entails connection, cohesion and integration born from homogeneity or similar lifestyle which constitutes a collective conscience enabling the individuals to cooperate. In most communities, traditional authorities had the principal function to organize the society, that is “to structure the social and religious life of the community”²²¹ so as to maintain a certain social order; to play the referee role in social conflicts; to defend the community against external threat; to organize the repartition of land and other natural resources according to lineage, because “traditional rulers are the distributors of lands”²²². Djoumessi Jean-Baptiste observes that this organization and regrouping of individuals under diversified structure based on customs demonstrated an embryo of CSOs within these traditional societies²²³. For example, secret societies found within the traditional chiefdoms handled very important problems of the village. In the situation of poor harvest for instance, the secret societies ensured that sales were moderated in order to ensure the availability of more important family stock before the beginning of next harvest²²⁴.

In the same vein, there existed permanent associations of women and a periodic regrouping of women whose objective was to carry out work in certain villages. For example “Ma’a-sou”²²⁵ in the village of Bandjoun West region which is still operational till date. Ma’a-sou is a women association in Bandjoun created since the 18th century. “Ma’a” signifies Mother and “sou” signifies hoe, a tool used for agriculture produced by local metal workers. The objective of this association is to supervise its members and ensure food production in great quantity²²⁶. However, Djoumessi Jean-Baptiste going in the same observation of Clayton Andrew et al., and Burnell et al., insist that in spite of the fact that CSOs existed before 1990, the amplification of these organizations was witnessed after 1990s.

²²⁰ Emile Durkheim, (1991), *De la Division du Travail Social*, Quadrige, Presses Universitaire de France.

²²¹ George Lutz et Wolf Linder, (2004), *Structure traditionnelles dans la gouvernance locale pour le développement local*, Université de Berne, Suisse Institut des Sciences Politique, p. 45.

²²² Jean- Claude Barbier, (1987), «Mais qui est chef ? Esquisse de la chefferie coutumière », in *Journal of legal pluralism*, No 25-26, pp. 327-339, p.328.

²²³ Jean-Baptiste Djoumessi, (2011), *op. cit.*, p. 78.

²²⁴ *Idem*, p. 79.

²²⁵ *Ibid.*

²²⁶ *Ibidem*, p. 80.

1-1-1-2-2-2- The Period After 1990

The main factor that led to the growth and amplification of civil society organizations in Cameroon from the period of 1990 is exogenous; that is, the economic crisis experienced by most SSA countries. To have an insight of the economic crisis, it is essential to go back to the situation of Cameroon's economy before the 90s. According to Cameroon Assistance Evaluation (CAE)²²⁷ the economy of Cameroon since independence experienced many changes in its growth process with the first period running from 1960 to 1986. While the phase of 1960 to 1980 was characterized by real economic growth, that of 1980-1986 was marked by increased production and exportation of petroleum products. But this economic growth and bloom was ephemeral because the period from 1986-1994 according to Mbu Daniel Tambi²²⁸ was marked by serious economic crisis brought about by democratic changes and political liberalization that hit the world as explained above. This period was characterized by negative growth rates of 3% to 4%, combined with the application of a number of measures taken within the context of economic and financial reform program imposed by donors²²⁹. This had a profound impact on the living conditions of Cameroonians.

The government as a result of this situation was under double pressure; from its citizens as consumers to improve the quality of services, and pressure from donors (IMF, WB) to reduce high levels of public expenditures and increase efficiency of public service provision. This forced the government to adopt stringent budgetary measures which brought about drastic cuts in public spending in the social sectors, staff layoffs linked to the closure of restructured public, semi public and private enterprises, there was a public service recruitment freeze due to increase in the number of unemployed persons during the transition period and a 50 percent devaluation of the CFA franc²³⁰.

Intriguingly, despite the negative impact of the crisis on almost all the sectors of the country, Djoumessi Jean-Baptiste notes that the crisis rather favored the expansion of non-for profit organizations considered well placed to provide services adapted to the basic needs of the population; and sound the alarm so that government management can improve the quality and

²²⁷ Country Assistance Evaluation, (2001), Cameroon, Country Assistance Evaluation, Washington DC, The World Bank.

²²⁸ Daniel Mbu Tambi, (2015), "Economic Growth, Crisis, and Recovery in Cameroon: a Literature Review", in *International Journal of Industrial Distribution & Business*, 6-1, p. 5-15.

²²⁹ *Idem*, p.7.

²³⁰ *Ibid.*

quantity of their services²³¹. This argument explains why, in such a hostile environment, there was a proliferation of civil society organizations particularly in the socio-economic sector. By providing socio-economic assistance to the needy population, CSOs rapidly gained grounds and imposed their presence since the government was in a lesser capacity to do so because of limited means caused by the crisis.

Table 2: Distribution of rural organizations by start-up date before and after the economic crisis

Period	Cooperatives	Common Initiative Group (CIG)	Association and women group	Total
2000				1
91-99	32	584	19	635
81-90	5	83	3	91
71-80	7	14	2	23
61-70	1	2	-	3
Before 60	10	-	-	10
No response	6	36	3	45
Total	61	719	27	806

(-): Data not available.

Source: MINAGRI/BIT/CRETES, Diagnostics studies of rural organizations in Cameroon, April 2000.

The table above illustrates the creation of some organizations before and after the economic crisis in Cameroon. Before the 60s, only 10 organizations existed, but between the 80s-90s the number increased to 91. But with the advent of the economic crisis, there was a great increase with an emergence of 723 organizations. When we subtract the latter figure from the former figure, we realize an exponential increase of 624 organizations that emerged as a result of the negative consequences of the economic crisis.

Interestingly, the negative impact of the economic crisis equally mounted high pressure on the government to lessen the stifling restrictions on associations in order to promote and facilitate the growth of civil society organizations. This situation according to Djoumessi Jean-Baptiste, Swartzendruber J. F and Bernard Berka Njovens led to the elaboration of a more flexible law on

²³¹ Jean-Baptiste Djoumessi, (2011), *op. cit.*, p. 107.

associations²³² which gave freedom on the creation and functioning of associations and community organizations in Cameroon. This flexible December 1990 law as compared to the stifling June 1967 law based on a more centralized government was on the other hand partly considered as the driving force for the rapid increase in the number of NGOs at the grassroots and national level²³³. Articles 6 of the said Law No 90/053 of 19 December 1990 stipulates that « (...) *les associations se créent librement (...)*», Article 9 adds that « *Les associations s'administrent librement dans le respect de leurs statuts et de la législation en vigueur* », and Article 10 says that « *Toute association déclarée dans les conditions prévues par la présente loi peut librement ester en justice, gérer et disposer des sommes provenant des cotisations(...)*». Thus, after many years of very few existing organizations in Cameroon, these legal facilities on the freedom of associations promoted the expansion of Cameroon's civil society sector as expressed by Tanjong Enoh et al., in a 1991 paper:

*ten years ago only a handful of international NGOs operated in Cameroon. Today, there are between 12 and 15 international NGOs, about 8 voluntary organizations, 10 indigenous NGOs and 10 rural associations and over 400 village organizations involved in natural resources management and integrated rural development.*²³⁴

²³² No 90/053 of 19 December 1990 on freedom of Association which sets out the procedure for the establishment, operation, governance and dissolution; Law No 99/014 of 1999 governing NGOs; Law No 92/006 of 1992 governing cooperatives and CIGs.

²³³ Frederick J. Swartzendruber and Bernard B. Njovens, (1993), *op. cit.*, p.6.

²³⁴ Enoh Tanjong et al., (1991), "USAID/PYO-NGO/NRMS Natural Resources Management Assessment", A Final Report on PVO-NGO Institutional Assessment of Cameroon Natural Resources Management to USAID/Cameroon, of September 1991.

Table 3: Association movements by registration period before and after the Law of 1990 on freedom of association

Period	Number of associations	Text in force
Before 1990	1 125	June 1967
1990-2000	30 843	Law of 1990, the Laws of 1992 and the Law of 1999
Total	31 968	

Source: Light Field Survey conducted by UNDP consultants, 2000²³⁵.

From the table above, we note an amplification of associations from the period of 1990-2000 as a result of the elaboration of a more flexible law on the creation and functioning of associations. While only 1125 organizations existed before 1990 under the stifling June 1967 law, 30843 associations were created under the Law on the freedom of associations; giving a difference of 29738 associations created as a result of the said Law.

To recall, throughout this chapter, we grappled with acquiring general knowledge about the concept of CSOs which we began by understanding the concept and presenting its historical evolution. From this angle we demonstrated that even though the concept gained grounds in Cameroon after the 90s due to some exogenous factors such as the economic crisis and the law on the freedom of associations, the concept nevertheless existed in Cameroon before the 90s. From our different definitions and discussions on CSOs, we realized that irrespective of the period, the essence of civil society organizations remains non-for-profit and assisting under-privileged population with specific needs. With this knowledge in mind, our focus henceforth is centered on narrowing this assistance role of CSOs to a more specific domain towards women's access to land property rights.

²³⁵ Jean-Baptiste Djoumessi, (2011), *op. cit.*, p. 107.

CHAPTER 2

THE CONTRIBUTION OF CIVIL SOCIETY ORGANIZATIONS TOWARDS WOMEN'S ACCESS TO LAND PROPERTY RIGHTS IN FAKO DIVISION

Civil society organizations are social institutions in the society with intentional functions or “conscious motivations”²³⁶ intended to influence behaviors. They facilitate and accompany women towards access to land ownership through their set objectives and actions they implement. Consequently, the focus of this chapter is center on understanding their role translated through their objectives and the strategies they implement to assist women.

1-2-1- BRIEF HISTORY AND PRIMARY PURPOSE OF SOME NGOs AND PUBLIC ADMINISTRATION

1-2-1-1- THE INTERNATIONAL FEDERATION OF FEMALE LAWYERS (FIDA)

Known in Spanish as Federacion Internacional de Abogadas, FIDA was founded in August 1944 in Mexico City, Mexico by Rosalind G. Bates from the United States of America and Esther Talamantes from Mexico. The organization which is made up of female lawyers is present in about 72 countries all over the world. In Cameroon, FIDA was created in 1993 by Barrister Mrs. Marian Weledji and at present the organization is headed by Barrister Mbuya Gladys. FIDA covers the national territory of Cameroon with its headquarters in Lumpsum quarter-Limbe.

The primary purpose of FIDA is to promote the rights of women and girls so as to enhance their social status and welfare. Enhancing the status of women and girls is ensuring their land and property rights. Thus, FIDA advocates for equality, social change and promote women’s empowerment through right language. The organization considers that subtracting women from inheritance is wrong, and discrimination made against women is socially and economically wrong.

1-2-1-2- THE DENIS MIKI FOUNDATION (DMF)

DMF is headed by Emilia MIKI who is the Founder and Chief Executive Officer. Even though the Foundation existed before 2015, it is only in December 2015 that the Foundation began its activities officially. DMF covers the national territory with main focus on South West and North West Regions, but particularly South-West, with its headquarters in Botaland Limbe.

The purpose of this foundation is to enhance and secure the rights of vulnerable groups (women) through empowerment and advocacies. They believe that in empowering women by securing their rights including their rights to land property, communities are empowered more. In

²³⁶ See Jean-Francois Dortier, (2013), *op.cit.* p.144.

addition to this, DMF also focuses on humanitarian assistance, peace building and carry out sustainable development initiatives.

1-2-1-3- PUBLIC ADMINISTRATIONS

i) The Ministry of State Property, Surveys and Land Tenure

Headed by Minister Henri Eyebe Ayissi, the Ministry has witnessed some denomination changes over time. The activities of State Property, Surveys and Land Tenure were formally managed by the Ministry of Urban Development and Housing. It is from December 2004 that its activities were for the first time placed under its own Ministry. From 2004-2009, the Ministry was called Ministry of State Property and Land Tenure, but from 2011 till date, it became known as the Ministry of State Property, Surveys and Land Tenure²³⁷.

This Ministry is responsible for the elaboration and implementation of government's policy in the area of lands. It drafts legislative and regulatory texts relating to State Property, Surveys and Land Tenure; the management of public and private State-Owned land, the management of national land and proposes for its allocation; the protection of public and private State-Owned land from infringement. Present in all the ten (10) regions of Cameroon and headed by regional delegates, the Ministry also covers the 58 divisions of the country with Mr. Mbua Samuel Ndumbe as divisional delegate for Fako. And within the divisional delegation, the service in charge of land tenure is headed by Madam Namondo Mbua Solange who is the divisional chief of service for land tenure-Fako.

ii) The Ministry of Women's Empowerment and the Family

Known as the Ministry of Social Affairs in 1975, its name changed to *Ministère de Condition Feminine* in 1984, then to *Ministère des Affaires Sociales et Condition Feminine* in 1988, and back to *Condition Feminine* in 1997. From 2004 till date it became the Ministry of Women's Empowerment and the Family²³⁸. Headed at present by Minister Abena Ondoa nee OBAMA Marie Therese, the Ministry is responsible for the preparation and implementation of government's measures related to the promotion and respect of women's rights and the protection of the family. To this effect, its primary purpose is;

²³⁷ Information provided by an official of MINDCAF Yaoundé, August 2022.

²³⁸ Information provided by an official of the women's empowerment and the Family, July, 2022.

To ensure the elimination of all discrimination against women and ensuring increased guarantees of gender equality in all fields of activity. The Ministry serves as the link between the government and the United Nations Development Fund for Women (UNIFEM) and is in liaison with all national and international political organizations of women's empowerment. The Ministry supervises women's empowerment structures with the exceptions of institutions under the Ministries in charge of education. The Ministry is equally present in all the ten (10) regions of the country and covers the 58 subdivisions with Madam Limunga Luma as the divisional delegate for Fako.

1-2-2- STRATEGIES IMPLEMENTED BY CIVIL SOCIETY ORGANIZATIONS TO ACCOMPANY WOMEN TOWARDS ACCESS TO LAND PROPERTY RIGHT

To support women towards having control and power over land, CSOs operationalize and transform their objectives into varied strategies. Borrowing from Lewis David's literature on the role of CSOs, the strategies implemented by civil society organizations will be discussed under three elements; that is, the implementer role, catalyst role and partnership role.

1-2-2-1- THE IMPLEMENTER ROLE OF CSOs

The implementer role of civil society organizations refers to the activities and programs they put in place to provide services necessary to respond to specific needs²³⁹. From this perspective, CSOs carry out;

1-2-2-1-1- Sensitization Campaigns

Understanding globally defined human rights and applying them to local context is fundamental. Visnja Kisic and Goran Tomka note that in every society, everyone stand for certain ideas and values and uses resources to support, preserve and promote them²⁴⁰. And one of the ways of promoting these ideas is through sensitization campaigns. Sensitization campaigns are meant to raise awareness and educate communities on the situation of women and access to land property²⁴¹. The awareness raising activities put in place by FIDA and DMF- workshops, seminars,

²³⁹ David Lewis, (2003), *op. cit.*, pp. 333-334.

²⁴⁰ Visnja Kisic and Goran Tomka, (2018), *Awareness raising and advocacy: learning kit for heritage civil society organizations*, The Hage, Europa Npstra, pp. 7.

²⁴¹ Visnja Kisic and Goran Tomka, (2018), *op. cit.*, p. 8 ; Eric Boa et al., (2016), « Campaign de vulgarisation », Note 24 du Global Forum for Rural Advisory Service (GFRAS) sur les bonnes pratiques de services de vulgarization et de conseil rural, Lausanne, Suisse, pp1-4, pp1 ; USAID, (2020), *op. cit.*, p. 55.

conferences, match pass and exchanges are directed to educate not only the women on their rights to land, but the community as a whole (men, traditional rulers and other actors) on the need to enhance women's rights to land by allowing them own land²⁴². NGOs have come to realize that education is the base and a powerful tool of change as it contributes to development and social progress since a majority of the population is still ignorant and reluctant to allow women have access to land ownership.

As Ela Jean-Marc notes, educating is a fundamental element of a strategy which targets the transformation of the society and prepares them towards addressing and overcoming the challenges they encounter²⁴³. This is because «*le développement scientifique et intellectuel est le moyen le plus sur de faire cesser le chantage, les brimades, les humiliations*» as it reduces dependency, assures self-esteem, independency and assures social and economic development²⁴⁴. As such, FIDA and DMF are actively involved in educating communities on the need to consider women in the sharing and distribution of landed property; addressing certain traditional beliefs such as the myth²⁴⁵ surrounding the writing of a Will, especially when we consider the fact that the Will is the only instrument that protects the woman under custom as highlighted by Chief Moki Monono²⁴⁶; and also educating women on their rights as per the law.

The Constitution which is the highest law stipulates that everybody is equal and have equal rights to ownership irrespective of one's gender. CSOs believe that it is of great importance to bring communities understand the law because it implies according to Barrister Mbuya Gladys that, "*if a father has a parcel of land, all his children are entitled to an equal share of it. If its 500m2, the woman takes 250m2 and the man takes 250m2*". Hence, NGOs use awareness raising events to give adequate information as participants freely share and exchange their personal experiences, raise their worries and ask questions concerning the obstacles they encounter. For instance, Barrister Mbuya Gladys in this light recounts one of the worries and question raised by a woman victim of land discrimination.

²⁴² Barrister Gladys Mbuya, National President of FIDA, 23 July 2022.

²⁴³ Jean-Marc Ela, (2006), *op.cit.*, p. 185.

²⁴⁴ *Idem*, p. 186.

²⁴⁵ In the society especially the patriarchal society, the writing of a Will is considered as a way of predicting and precipitating one's death, reason why the writing of a Will is still considered by many as a taboo.

²⁴⁶ According to Chief Moki Monono, the Will is the only instrument that protects women from land exclusion and discrimination under customary tenure.

What can I do to have my land? We are 9 girls and 7 boys, but my brothers have taken all the land my late father left to us. They say we are girls so we are supposed to go and get married and own our husband's property and not our father's property. Reasons why they have built on the large hectare of land my father left and they have gone as far as hiding the land title from us the girls. I felt so frustrated about the situation and personally went and built a fence over a 900m² of the land as my own share of the land. I told them that if they have 900m² of land, I must also have 900m² because their father is also my father and not only their father. But my worry now is, how do I get access to the land certificate since they have hidden it from us the girls? How to I make the land my property legally. That is my problem that is my dilemma. (Barrister Gladys Mbuya, President of FIDA, 23 July 2022, Muntengene, at 11am).

When questions like these are raised, FIDA educates the women on how to handle such cases through adequate legal procedures rather than getting involved in the demonstration of physical force since ownership can only be proven through a land certificate. However, Barrister Elizabeth Atemnkeng highlights that this difficulty is not only encountered by daughters but wives too. As such, one of the goals of sensitization campaign is meant at educating on the importance of a marriage certificate in a union because it is the only legal document that gives the woman (wife) right over land property should the man pre-deceased. Married women in a legal union are strongly encouraged to initiate conversations about joint properties (co-ownership) with their husbands and avoid being skeptical of what may happen in case of a divorce or separation because by law, *“any property that is jointly acquired cannot be disposed of without the knowledge and consent of the other partner in case of separation or divorce”*²⁴⁷. Educating the women on the importance of a marriage certificate is a means of discouraging them from the attitude of *“come we stay”*²⁴⁸, since there is no right to ownership under such union.

Similarly, MINDCAF within the framework of the *«Projet de Prevention des Conflit Fonciers et Accès sécurise a la Terre (PRECOFAT)»* has put in place a structure called *«Clinique Juridiques»* aim at raising awareness²⁴⁹. The *Clinique Juridiques* is a structure made up of experts in handling land issues. They organize workshops and exchanges where they educate communities on the global procedure to secure land and educate them on the different competent judiciary concern with handling land disputes. The objective of this structure is to contribute to the

²⁴⁷ Barrister Elizabeth Atemnkeng, Vice-President of FIDA, 23 July, 2022.

²⁴⁸ Come we stay is the situation where a woman thinks she can just go and install herself in a man's house without being married to him legally, explanation given by Barrister Elizabeth Atemnkeng.

²⁴⁹ Presentation of the Minister of State Property, Surveys and Land Tenure during the opening ceremony of the Land Tenure week co-organized by the Ministry and LandCam under the theme “Land Governance in Cameroon: innovations and perspectives”, 14 -18 November 2022, Yaoundé.

prevention and resolution of land disputes affecting vulnerable social group (women, youth) of the community by encouraging a maximum initiation or completion of land registration process. Madam Kamgang goes ahead to highlight that the Ministry has increasingly involved gender in land governance by creating gender focal points within the Ministry and delegations²⁵⁰. The gender focal point is made up of 16 persons in charge of managing land issues concerning women and as at now, there is a gender focal point based in Yaoundé and Douala. The elaboration of these focal points have enabled the Ministry to directly accompany women in their land titling projects and land problems by educating them on the procedure required to start the registration of a land. They have in this light together with the Ministry of Women's Empowerment and the Family organized exchanges with some 120 women of Akono in the Lekie division of the Centre region.

At the Divisional Delegation of MINDCAF Fako, the delegation also organizes conferences, talks and workshops to sensitize the population on the importance, the procedure and the need of a land certificate²⁵¹. The delegation uses cultural events like the Meveo Cultural Festival (MEVCUDA) to distribute brochures as a means of raising awareness. The interesting observation made by Madam Namondo who is the divisional chief of service for land tenure Fako is that, during such workshops and conferences women and girls are always in highest attendance as compare to the men who claim to be very busy. These women use these workshops to get clarification on the procedure to acquiring a land title and on how to verify the authenticity of the land they wish to buy. This enthusiasm demonstrated by women shows that,

sensitization campaigns coupled with the mouth to ear dissemination is helping women to know their rights rather than remain ignorant as they are becoming active and not just passive actors. It is also helping to change mentalities as communities are beginning to see the need for women to have access to land ownership. (Madam Limunga Luma, Divisional Delegate of Women's Empowerment and the Family, 29 July 2022, Mile 1 Limbe, 11am).

In a nutshell, awareness raising events are an important strategy to influencing and changing mentalities with regards to women and access to land property. It permits communities and women in particular to gain consciousness and become more alert as reckon by the divisional delegate of women's empowerment and the family in the excerpt above.

²⁵⁰ Madam Kamgang, Director of the Division des Etudes des Programmes et de la Cooperation (DEPC) in the Ministry of State Property, Surveys and Land Tenure, during the workshop on 16 November 2022, under the topic "Genre et foncier: l'impact des pesanteurs coutumieres et culturelles sur l'accès de la femme a la propriété foncière", co-organized by MINDCAF and LandCam during the Land Tenure week, 14-18 of November 2022, Yaoundé.

²⁵¹ Madam Namondo, Divisional Chief of Service for Land Tenure, Fako, 29 July 2022.

1-2-2-1-2- Legal Assistance

According to Butegwa Florence, the role of the judiciary in protecting women's rights to effective access to land ownership cannot be overemphasized²⁵². It is within this perspective that some NGOs in Fako like FIDA provides legal aid and legal counsel through the services of pro bono lawyers²⁵³ to women victims of land discrimination as means of accompanying them towards land ownership. This service as argued by Njupouen R. Bolivar permits the access to justice for the vulnerable in the community²⁵⁴. In Durkheim's words as quoted by Abel Richard:

*professions play a significant role within the system of stratification, which unites the extremes of society. Professions ensure that expertise is deployed in the general interest. Professions exemplify a form of community that was undermined by the industrial revolution. And professions regulate themselves, thereby offering a counterweight to an increasingly imperial State.*²⁵⁵

This signifies that the services of a legal professional with legal expertise contribute in accompanying women who often lack knowledge on the legal procedures to adopt and lack financial means to handle matters of land discrimination in court which are usually long and costly. FIDA being an organization of female lawyers accompanies women victim of land discrimination and exclusion by providing them with legal aid and counsel in court through the services of her pro bono lawyers as seen below in some cases they have had to handle.

CASE I

This case which was handled by Barrister Ajong and Barrister Mbuya Gladys concerns two girls whose father died. The mother of these girls had one child (a boy) from a previous marriage. But when she remarried, she gave birth to two children (girls) without any boy child. At the death of her husband, the woman decided to exclude the two biological daughters of her late husband from inheritance. She argued that daughters had no right to inherit under tradition. As such, she decided to bring in the male child she had from her previous marriage to inherit the property of her deceased husband. The two daughters were not satisfied with the decision of their mother to

²⁵² See Florence Butegwa, (1991), op. cit., p. 56.

²⁵³ The term Pro bono comes from the Latin phrase *pro bono publico*, which means "for public good". It usually describes legal services performed free of charge or at reduced fees for those who need it; also see Julien Moriceau and Bruno Langhendries, (2018), "Legal aid service providers and the community they serve", in *Rule of Law Issue Brief*, No 3, August 2018, pp.1-29, p.15.

²⁵⁴ Bolivar Rene Njupouen, (2005), *Access to Justice for the poor: what role for bar associations? The case of Cameroon*, A dissertation submitted in partial fulfillment of the requirement for the award of the Master of Science in Governance and Development Management, University of Birmingham, p. 19-20.

²⁵⁵ Richard L. Abel, (1988), *The legal profession in England and Wales*, Oxford, Basil Blackwell, p. 25-26.

hand the ownership of their late father's landed property to their half-brother. So, they contacted FIDA and the organization came in and took the case to court going through the long court sessions. In the end, the court gave judgment in favor of the girls. But the girls decided to sell the house and leave the community. They did so because they received serious death threat and rejection from their half-brother and mother²⁵⁶.

CASE II

The case concerns a widow who after the death of her husband, her in-laws passing through a nephew tried to evict her out of the estate. The widow in question contacted FIDA and the organization came in and defended her in court. They struggled with the long case and finally succeeded in revoking the letters of administration that had been obtained by her in-law. And today, the widow lives in the estate with her children²⁵⁷.

CASE III

Case III concerns the case of a widow whose brother in-law came to marry her after the death of her husband or she leaves the family compound she was living in. The widow contacted FIDA with the problem and the case went to court. The case however died a natural death because the complainers were nowhere to be found from the moment they heard that FIDA had taken interest in the case and was defending the woman. FIDA went to court about two (2) times but the complainers never showed up. That's how the family in-law left the woman to stay in the house in peace and did not trouble her any longer²⁵⁸.

Assisting women towards access to land property rights does not only require educating. It also requires that knowledge gained be matched with other actions such as providing legal aid especially when it concerns land. The Cases presented demonstrate two major elements; on the one hand it confirms the long proceedings involve in handling matters of land discrimination in court, and on the other hand it affirms the important role played by legal profession in defending undermined groups in the sense that, they enable women to gain access to land property and discourages perpetrators of land discrimination as seen in Case 3. Notwithstanding, it doesn't only

²⁵⁶ Recounted by Barrister Mbuya Gladys, National President of FIDA, 23 July, 2022.

²⁵⁷ Recounted by Barrister Atemnkeng Elizabeth, Vice-President of FIDA, 23 July, 2022.

²⁵⁸ *Ibid.*

suffice to assist women by providing legal aid, it also entails finding appropriate vehicles to strengthen the skills of women.

1-2-2-2- THE CATALYST ROLE OF CSOs

As catalyst, CSOs according to Lewis David, inspire, facilitate and contribute to change by seeking to influence wider policy processes. To operationalize this, they carry out lobbying and capacity building activities necessary to support women.

1-2-2-2-1- Lobbying

As highlighted by Kenmogne Basile, civil society organizations do policy advocacy by lobbying for change in policies²⁵⁹. Worou D. Rosalie quoting Attarca M., notes that the literal meaning of the verb “to lobby” refers to the action which entails “*soliciting parliamentarians with the intention of influencing legislation*”²⁶⁰. But Farnel Frank’s book entitled *Le Lobbying: stratégies et techniques d’intervention* gives a more explicit definition of lobby as « *l’activité qui consiste à influencer directement ou indirectement toute intervention ou décision des pouvoirs publics (processus d’élaboration, d’application, d’interprétation des mesures législatives, normes, règlements)* »²⁶¹. This signifies that lobbying actions are not only directed towards law makers but also towards public and traditional authorities in order to solicit policies reform and practices by exposing and checking gender biases inherent in formal laws, institutions and customary tenure practices. In other words, lobbying advances and/or rejects specific policies or legislation²⁶². More so, lobbying activities are equally directed towards donors to solicit funding and resources necessary to provide and organize certain advocacy activities such as workshops, seminars and legal assistance²⁶³. From this vantage point we realize that lobbying plays an important role in contributing towards women’s access to land property rights.

So, NGOs that advocate for women’s access to land property seek to influence norms and contribute to write the law in order to enhance women’s rights to land property. It is from this

²⁵⁹ Basile Kenmogne, (2003), *op.cit.*

²⁶⁰ Rosalie Dado Worou, (2020), « Efficacité des pratiques de lobbying des ONG d’environnement, » in *Revue Africaine de Gestion (RAG)*, Volume 3, Numéro 3, Décembre 2020, p.30-54, p.32.

²⁶¹ Frank J. Farnel, (1994), *Le Lobbying : stratégies et techniques d’intervention*, Paris, Les Éditions d’Organisation, p. 16.

²⁶² Annelore Hofman and Manuel B. Aalbers, (2017), “Spaces in lobbying,” in *Geography Compass in press*, p. 1-18, p.2; Olivier Debouzy, (2004), “Lobbying: the French way”, in Olivier Debouzy et al., (2004), *Enterprises et politique étrangère: le lobbying a paris, Wahington et Bruxelles*, Notes de l’IFRI n° 54, p. 6-23, p.6.

²⁶³ Julian Quan, (2006), *op. cit.*, p. 52-53; Rosalie Dado Worou, (2020), *op. cit.*, p.32.

perspective that FIDA carries out a number of lobbying activities to influence the elaboration and application of laws by denouncing and pointing out some discriminatory procedures of the 1974 land laws which is old, outdated and do no longer reflect or meet present day realities especially with the increasing pressures on land²⁶⁴. One of those lobbying has been the holding of a meeting with the Minister of Justice Keeper of the Seal and the holding of a conversation meeting with about one hundred (100) parliamentarians with the female parliamentarians in highest attendance. During the conversation meeting with the law makers, FIDA selected and shared certain aspects of the law that are discriminatory against women. For instance, the application of the long procedure of land titling which is costly and not affordable by most rural women, and the absence of a Family code in Cameroon.

Furthermore, NGOs also lobby to denounce the notion of “public purpose” as shared by Brendan Schwartz et al., which is one of those aspects in the law that discriminates against women’s right to property. Civil societies note that government uses the notion of public purpose as justification for property expropriation in the name of carrying out investment of public interest such as schools and hospitals. The issue is that because the law does not clearly define “public purpose”, authorities are left with significant discretionary powers in their hands. The lack of a clear parameter or redress mechanism makes land ownership more difficult for women since it makes way for rampant and arbitrarily land grabbing, and increasing connivance between public authorities and traditional rulers. Faced with this situation, lobbying for good laws becomes primordial as Barrister Mbuya Gladys elucidates that “*good laws create the political will that gets things done and create a legal mandate for the judiciary to act against discrimination made against women*”.

More so, FIDA also drew the attention of the Head of State of Cameroon not to sign the draft Family code into law. This is because in its Section 919 on succession, spouses are ranked fourth in order of priority to apply for letters of administration over the estate they both toiled to build. According to the FIDA, if the said draft family code is signed without some changes in some of its clauses, it would not only take things backward but would equally go against the spirit of all

²⁶⁴ See Sandrine Kouba et al., (2020), *op. cit.*; opinion equally shared by MINDCAF officials during the land tenure week held from the 14-18 November 2022, Yaoundé; also see LandCam, (2019), “Civil Society proposals for land reform in Cameroon: assessment of the existing legislation”, in *Centre for Environment and Development*, of June 2019, Cameroon, Yaounde; Kossoumna Liba’a, (2018b), *op. cit.*, p. 34-37.

international conventions such as CEDAW and Maputo Protocol to which the State of Cameroon is a signatory.

In a similar manner, FIDA has also held meetings and exchanges at the local level with traditional authorities to expose some practices within custom that restrict women from owning land. For instance, women are not allowed to own land because of marriage or because they are not family heads. So by lobbying, NGOs aim at seeking ways to increase the possibility of women to exploit land in a durable manner and seek possibilities for women to buy land without making reference to a male relative. However, these organizations claim that their actions receive huge setbacks due to the persistence of traditional practices against women's access to land through purchase, inheritance and gift within families, and also due to the persistence buying of land by women in hiding for fear of being repressed by their spouses. To address these setbacks CSOs promote an appropriate empowerment of women and seek to build skills of land actors by organizing capacity building seminars.

1-2-2-2- Capacity Building

Capacity building is a top-down approach design to strengthen the skills and knowledge of individuals²⁶⁵. The skills and knowledge acquired as put forward by Eade Deborah and William Suzanne, are necessary to address and overcome obstacles linked to land discrimination and exclusion because, it enables the population/group concern to determine their own values and priorities, and organize themselves to act²⁶⁶. Thus as Ela Jean-Marc notes, “*renforcer les capacities (...) c'est leur donner les moyens de devenir plus autonomes en limitant leur dependence (...)*”²⁶⁷. Drawing from this explanation, one of the ways civil society organizations strengthen the capacities of women to overcome land discrimination is by training and educating them to put themselves in groups/cooperatives.

According to MINDCAF, organizing women in groups/cooperatives facilitate them to obtain large parcels of land from the State for agricultural practices through temporal or permanent

²⁶⁵ Also see Deborah Eade, (1997), *Capacity Building: an approach to people-centered development*, Oxfam Development Guidelines, p. 24.

²⁶⁶ Deborah Eade and Williams Suzanne, (1995), *The Oxfam Handbook of Development and Relief*, Oxford, Oxfam, p. 64; also see Kossoumna Liba'a, (2018b), *op. cit.*, p.28.

²⁶⁷ Jean-Marc Ela, (2006), *op. cit.*, p.185.

concessions²⁶⁸. That is as groups/cooperatives, application for land through concession/grants from the State on a temporary or absolute basis is facilitated. So when these groups/cooperatives are created, the Ministry comes in to accompany them by defending and militating that title parcels of land are given to the women. This strategy has worked in some villages like Tchomba where women who have put themselves in groups/cooperatives have obtained large parcels of land for agricultural activities²⁶⁹. More so, within the framework of the “*Projet d’Appui a la Modernisation du Cadastre et au Climat des Affaires (PAMOCCA)*” funded by the African Development Bank, the Ministry has been able to increase the question and study on women’s access to land property rights. This project seeks to ensure a secured and reliable access to land titles by increasing the number of authentic land titles delivered per year, particularly title land attributed to women²⁷⁰. As a result of this project, there has been an increase in land owned by women from 0.6% in 2012 to 27% in 2019.

Similarly, within the context of Fako, the Denis Miki Foundation mobilizes women into Task forces to serve as mutual support. Through these task forces, women particularly widows meet regularly to freely share their stories, experiences and method they use to handle cases of land discrimination and exclusion. As supported by Charlier Sophie et al., belonging to groups or to certain solidarity, permits an individual to socially position herself, develop increasing self-confidence and empowerment²⁷¹. FIDA equally organizes capacity building seminars and an example is the seminar organized in Limbe to drill customary court judges on how to use promotional human rights laws in handling harmful practices that are discriminatory against women. It is worth noting to mention that building the skills and knowledge of the local population also requires a strong collaboration between NGOs and public institutions. This collaboration also contributes to the acquisition of skills and knowledge necessary to change certain weaknesses and increase strengths.

²⁶⁸ Madam Kamgang, DEPC/MINDCAF, 16 November 2022, Yaoundé; Concession is the procedure through which the State authorizes or grant a parcel of land to every person or group wishing to realize a developmental project, and this could be temporal (specific period) or permanent (ownership with a land certificate) concession; also Liz A. Wily, (2011), *op.cit.*, p. 54.

²⁶⁹ Recount by one of the Queen mother of Tchoma present at the Land Tenure week, 16 November 2022, Yaoundé.

²⁷⁰ See Banque Africane de Developpemnt, « Projet d’Appui à la Modernisation du Cadastre et au Climat des Affaires », OSGE/GECL, November 2013, Cameroun.

²⁷¹ Sophie Charlier et al., (2014), « Gouvernance foncier au prisme du genre : cas du Niger, du Sénégal et de la Bolivie», in *Guetat-Bernard H. (ed.), Féminin-Masculin : genre et agricultures familiales*, Versailles, Quae, p.39-54, p.50.

1-2-2-3- THE PARTNERSHIP ROLE OF CSOs

Partnership is the growing trend of NGOs to work with other NGOs, government, donors on joint activities. Annan Nancy et al., reckon that CSOs have far reaching impact in networking and coalition building than if they operate isolated²⁷². Networking is done through the creation of coalition of like-minded organizations in order to influence policies and decision- making²⁷³. As highlighted by Marleen Dekker et al, coalitions are often vehicles of powerful social change²⁷⁴. But Lewis David however argues that the real challenge remain for NGOs to build a meaningful partnership and coalition to avoid dependency, co-optation and goal displacement. That is engaging in equitable and efficient partnerships with the State and donors without being constrain to deliver programs that do not respond to the needs of the women and risk deepening inequalities in land access²⁷⁵. But Annan Nancy et al., insists that building alliances and collaborating with peers ensures the exchange of information and coordinate responses to repression.

1-2-2-3-1- Collaboration

Martinez-Moyano notes that by collaborating, civil society organizations come or work together to share knowledge, build consensus in order to complete their actions²⁷⁶. FIDA as well as DMF are all part of a chain of formal and informal network with other organizations and some public administration that share the same vision and objectives²⁷⁷ because they have come to realize that a single organization cannot achieve far reaching impact in communities. For instance, FIDA works in close collaboration with The Martin Luther King Jr. Memorial Foundation (LUKMEF Cameroon), REACH OUT Cameroon and the Divisional Delegation of Women's Empowerment and the Family. The Denis Miki Foundation on her part is a member of the South

²⁷² Nancy Annan et al., (2021), "Civil society, peace building from below and shrinking civic space: the case of Cameroon's 'Anglophone' conflict," in *Conflict, Security & Development*, 21 (6). p. 697-725, p. 681.

²⁷³ *Ibid*, pp. 682.

²⁷⁴ Maaike Matelski et al., (2018), *op. cit.*, p. 29.

²⁷⁵ Also see Julian Quan, (2006), *op. cit.*, p. 55.

²⁷⁶ Martinez-Moyano Ignacio, (2006)," Exploring the dynamics of collaboration in inter-organizational settings," in *Creating a culture of collaboration: the international association of facilitators handbook*, San Francisco, California, Jossey-Bass, p.69-85, p.83; also see Margit Van Wessel et al., (2021), "Complementarities in CSO collaboration: how working with diversity produces advantages", in *International Journal of Voluntary and Nonprofit Organizations*, Vol. 32, p.717-730, p.718.

²⁷⁷ Also see Biggs S. and Neame A., (1995), "Negotiating room for manoeuvre: reflection concerning NGO autonomy and accountability within the New Policy Agenda," in *M. Edwards and David Hulme (eds.), Beyond the magic bullet: NGO performance and accountability in the post-cold war world*, London, Earthscan, p. 39.

West and North West Women Task Force where they are the actual regional coordinators for the South West region.

Through collaboration, NGOs are able to do referrals. This signifies that, NGOs refer cases of women with particular needs to adequate offices and institutions. For example, LUKMEF, the divisional delegation of women's empowerment and the family refers cases of women victims of land exclusion and needing legal assistance to FIDA who have the professional expertise to handle such cases. This referral action testifies the team work existing among NGOs that serve as entry point to access services because by collaborating, organizations are able to connect to each other in order to meet shared objective and have far reaching impact.

In a like manner, MINDCAF works in collaboration with female chiefs on how to facilitate access to land ownership for women in their various villages. The Ministry works hand in glove with other Ministries like Ministry of women's empowerment and the family, Ministry of fisheries and livestock and the Ministry of agriculture and rural development to brainstorm on advocacy strategies to accompany women. Also, the close collaboration between MINDCAF and LandCam which is a coalition of NGOs advocating for women's access to land property cannot be over emphasized. For example, for the past four years, the two institutions have put in place and co-organized a land tenure week in Cameroon. This event brings together actors of land governance (traditional rulers, public administrations, civil society organizations, researchers, law makers and indigenous communities) to brainstorm on land governance issues in Cameroon. The most recent was the 2022 Edition that took place in Yaoundé from the 14-18 November 2022.

Summarily, all along this chapter, we handled the role of civil society organizations in mobilizing for women's access to land ownership. But before we got to that, we first and foremost presented a brief history and primary purpose of some selected organizations and key public administrations. Thereafter, we saw how these organizations and public administration join forces to develop policies and legal framework to secure women's access to and control over land. The strategies they implement were examined under three key elements, which is the implementer role, the catalyst role and the partnership role. From our investigation, we realize that NGOs carry out sensitization campaign to raise awareness; they lobby for laws and policy reforms; give legal assistance to women who are victims of land discrimination and exclusion, build capacities and work in a chain of network in order to have far reaching impact for the women. With this

contribution in mind, the next question that arouses our curiosity would be to understand why in spite of these contributions, their role is insufficient as a majority of women still encounter difficulty to have access to land property rights in Fako. Hence, assessing the role of CSOs is the pathway that opens the next part of this work.

PART II

**ASSESSING THE ROLE OF CIVIL SOCIETY ORGANIZATIONS
TOWARDS WOMEN'S ACCESS TO LAND PROPERTY RIGHTS IN
FAKO DIVISION.**

We have so far gained knowledge of the diverse strategies implemented by CSOs to accompany women towards access to land property rights. But intriguingly, the reality observe is that, regardless of these strategies put in place, the role of CSOs is insufficient as a majority of Fako women still encounter difficulty to own land. Faced with this reality, it would be absurd not to seek to understand why their role is unsatisfactory. It is from this perspective that we attempt to bring an answer to this question by grappling with an assessment of the role of CSOs. This is done by taking interest of the perception of women and other key actors of land rights, and on the obstacles encounter by civil society organizations in the field. So, PART II of this study is comprised of two chapters; Chapter III handles the perception of social groups of the contribution of CSOs, and Chapter IV examines the constraints encounter by CSOs.

CHAPTER 3

PERCEPTION OF SOCIAL GROUPS OF THE CONTRIBUTION OF CIVIL SOCIETY ORGANIZATIONS.

ing at the manifest function of CSOs to assist women towards access to land property rights, the expected outcome would have been that women freely own land without any restrictions or barriers. Unfortunately, this seems not to be the case as most women in Fako still encounter restrictions to have power and control over land translating an insufficiency in the role of CSOs as shared by Ntoko B. Esone²⁷⁸. Generally speaking, social groups develop representations which justify the interpretations they have of social reality. These representations are based on beliefs and collectively shared knowledge which determines the manner with which these social groups perceive and interpret precise social situations. Hence, this chapter presents and discusses the perception of social groups of the role of CSOs.

2-3-1- CIVIL SOCIETY ORGANIZATIONS AS FACTOR OF REDUCING LAND DISCRIMINATION

Jean-Baptiste Djoumessi supports that civil society organizations play a prominent role in the recognition of women as social partners in Cameroon²⁷⁹. The initiatives elaborated by civil society produce changes and reduces a number of discrimination *vis a vis* women. Our field investigation confirms this point of view as the actors concern with the study highlighted that as a result of the strategies put in place by NGOs, land discrimination perpetrated against women is reduced. Due to their poor bargaining power and capacity (lack of resources, time, skills), women rely on the action of NGOs to obtain and secure rights to land. According to Quan Julian, Tripp Aili, these NGOs guard against inequalities and discriminatory practices by seeking reform of both formal and customary tenure institutions and practices to guarantee equal and sufficient access to and control over land²⁸⁰.

Madam Ndong Joana and Chief Moki Monono in this sense note that while lobbying contributes to mounting pressure on government and traditional rulers to reform current land laws and some harmful traditional practices, sensitization campaigns on the other hand is educating the

²⁷⁸ Benjamin E. Ntoko, (2020), "Civil society organizations in Cameroon: assessing the role of CSOs in development", Thesis submitted for a Master's degree in Peace and Development Studies, Linnaeus University.

²⁷⁹ Jean-Baptiste Djoumessi, (2011), *op. cit.*, p.141.

²⁸⁰ See Julian Quan, (2006), *op. cit.*, p. 45,51, 54; Aili Tripp, (2004), *op. cit.*, p.3.

woman as she is becoming conscious and beginning to assert her rights to land²⁸¹. What Karl Marx calls class-consciousness referring to awareness on the individual's part which is an important element for class formation as it is the base of ownership of private property and means of production²⁸². Thus, the input of civil society organizations according to Madam Ndongo Joanna is serving as an "eye opener" not only for women but also for the general population as some male relatives are beginning to see the need of considering their female children in the sharing of landed property. She justifies her argument in the fact that some male relatives have come to realize that women are best managers and bring development more than the men who end up selling the land they inherit and squandering the money as seen in the excerpt.

The sensitization campaigns carried out by NGOs is helping. My father decided to give me a piece of land upon my graduation from the university. But his decision received fierce resistance from my brothers who reminded our father of the fact that I have to get married and go to my husband's house. This situation brought a lot of quarrels in the house and I told my father for the sake of peace to give the land to my brothers who till date are unable to develop the land in a concrete manner. Just a small tattered structure can be seen of that land. Some few years after that incident, that is in 2019, my father had another plot of land and again decided to give it to me irrespective of the fact that I was now married. But this time around, to avoid any future quarrels and discord with my brothers, I decided to accept the land but on the condition that I was not taking it for free. What I did is that, I met my father and decided to buy the land from him. I and my husband gave him the money and all necessary documents were made with my brothers signing as witnesses to the sales transaction. So I actually bought the land I own from my father. Today, I have started developing the land by building a house on it. My father is very proud of me and he has concluded that unlike the sons, daughters are better off when it comes to development. (Madam Ndongo Joanna, Business woman, 25 July 2022, Newtown, at 3pm).

This assertion testifies and demonstrates the importance of educating communities through awareness raising campaigns in the sense that, education is bringing more male relatives to recognize the advantage of considering women in the sharing of family heritage. More so, women themselves are also beginning to initiate other means of counteracting discrimination made against them. For example, in the case of Madam Ndongo, to overcome the resistance of her brothers, she decided to pay for the piece of land given her by her father. Even though not all rural women in

²⁸¹ Madam Joanna Ndongo, respondents interviewed on the 25th July 2022 in Newtown; Chief Moki Monono, 25 July 2022, member of the quarter heads council of Limbe and quarter head of New Town East and former Secretary General of the former Paramount Chief of Limbe-Chief Ferguson.

²⁸² Also see Foster J., (2010), "The Aristocracy of labour and working-class consciousness revisited", in *Labour History Review*, 75 (3), p.245-262, p.245.

particular can afford paying for a piece of land, even though there is still persistent resistance from sons who enjoy inheritance rights, parents are however becoming conscious and are beginning to recognize the capacity of women to valorize the parcel of land they receive from inheritance. This view is equally confirmed by Agarwal Bina who argues that lands which are owned by women are efficiently developed²⁸³. Beyond this awareness raising activity, the capacity building mechanism put in place by NGOs is also perceived as a strategy that reduces land discrimination as affirm by another respondent.

As a result of the seminars I attended, I together with some women of our village Wovia decided to go to our chief to point out the need for women to be represented in the council of leaders where all decisions concerning the village are being discussed. This was to ensure that women could also have a say when issues of land sharing or distribution comes up. The chief accepted our request basing his acceptance on the fact that he himself have realize that most of the development brought in the village is thanks to the women because the plots that are given to women are the ones that are most exploited while the ones given to sons or men are the ones that are sold to strangers, reason why there are so many strangers in the village. As a matter of fact, the chief has included some women in the council of leaders, who talk for the women. There are various categories of women, the old, medium age and the youth. This is helping the women because they serve as intermediary between the women of the village and the chief. They carry the worries of the other women of the village to the chief during council meetings. (Anonymous respondent, catering service, 27 July 2022, Bota, 11am).

According to this opinion, capacity building seminar reinforces the capacities of women as they are able to solicit their participation and implication in decision making structures of the village such as the council of leaders and support any point of view which differs from those of men by standing as representatives and spokesperson of the women in the village. This permits them to present before the chief and leaders of the village the difficulties and obstacles women encounter with regards to accessing land property. By so doing, the plight of the woman could be given consideration so that ways to curb some practices that are discriminatory could be sought and discussed. Interestingly, the actions carried out by civil society is equally bringing traditional rulers who are the custodians of tradition to appreciate the role played by women not only in development but also in the preservation of local land heritage. That is, by developing the piece of land they obtained as inheritance (rather than selling them to strangers), women preserve the cultural values and social cohesion of the village. This new capacities adding to the prominent role played by women in development has been the driving force of some men who repress

²⁸³ Bina Agarwal, (1988), *op. cit.*

discrimination against women to come out of their usual silence and engage in concrete actions in favor of women victims. A man whose daughter was victim of abusive expropriation after the death of her husband testifies:

I remember when my daughter's husband died and she went through a lot of problems with her in-laws concerning the piece of plot her husband left which she was farming on. Her in-laws decided to seize this land from her irrespective of the fact that she was legally married to her late husband. I had to intervene because the situation was becoming unbearable for my daughter. What I did is that, since I had heard about FIDA during a seminar I attended, I decided to contact the organization because they have lawyers whose services are free. FIDA gave us legal assistance by taking the case to court and my daughter won the case since she had a marriage certificate. Thanks to the action of the NGO, she is today the owner of that land on which she is carries out her farming activities. (Pa Mbella, retired teacher, 02 August 2022, Bota, 1pm).

Consequently, we note that the contribution of NGOs through awareness raising, legal assistance and capacity building is not only imparting women but is also influencing the men in a considerably manner as they are getting involve in taking actions that seek to relieve women who are victims. More so, women themselves are becoming active to seek ways of reducing acts of land injustices as they are more conscious of the necessity to secure the land they exploit as affirms the Divisional Chief of Service for Land Tenure Fako.

We have realized that women are becoming more conscious and pushful especially when it comes to obtaining a land certificate. They have become more aware because most often we see more of the women than the men coming to our office to inquire on what it entails to register a piece of land. (Madam Namondo Solange, Divisional Chief of Service for Land Tenure, Fako, 29 July 2022, Bota, 2:30pm)

Form the words of the Divisional Chief of Service we observe that as a result of the various activities carried out, women are gaining knowledge on the importance of obtaining a land title, since it is the only means and document that gives them access to land as property. Without which they cannot be considered as owners. In a nutshell, the strategies implemented by NGOs are increasingly permitting women in communities and communities as a whole to gain consciousness on the importance of getting a land certificate and on the need of allowing women gain access to land ownership. Although this view upholds the actions of CSOs as factor of reducing land discrimination made against women, a majority of the local population have a contradictory view to this opinion. To the latter, the actions of these organizations are perceived as discriminatory against rural and peri-urban women.

2-3-2- CSOS AS DISCRIMINATORY AGAINST RURAL AND PERI URBAN WOMEN

In as much as some informants were of the opinion that the contribution of CSOs reduces land discrimination made against women, a majority of others deplored the fact that the actions of civil society organizations are more beneficial to urban women than rural women. They perceive their actions as discriminatory. Their argument is justified in the fact that a majority of rural and peri-urban women are yet to be exposed to the actions and services offered by CSOs due to their poor accessibility and visibility in the field. The implied logic conveyed here is on the trend among NGOs in choosing their target population and location. Rather than working with rural communities that still encounter obstacles and receive minimum assistance, they often choose to work in big cities where the urban women can better afford land ownership due to their financial strength. This opinion is shared by USAID who buttress that due to the low visibility of CSOs in the field, information about their activities do not reach the targeted population explaining why their role isn't well understood; and as such, majority of this target population remains unaware and ignorant of their rights²⁸⁴. Within this context, it is easy to understand Madam Akwi Marylyn when she opines that:

only the township women are aware and relate with these organizations because women of rural communities like me are yet to be exposed to their activities. Even with the little idea of the existence of these organizations, most women in the rural community don't know how to contact them because their visibility in the field remains very poor. How do we contact them? Where do we meet them? They are always very busy and sometimes choose whom to assist. (Madam Akwi Marylyn, buyam sellam, 03 August 2022, Kie village, 5pm).

Going by her argument, CSOs choose whom to assist and focus on urban women for reasons ignored by the rural women. Their opinion permits us to understand the situation as described by Ela Jean-Marc where, African peasants are “*victims of urban preferences*”²⁸⁵. That is, according to the author, the rural world has been victim of marginalization since colonial era, and this situation seem to persist even with the postcolonial government. The future of the rural world seems impeded as the actions of CSOs on the other hand favor the “*reproduction of social inequalities*”²⁸⁶. These social inequalities can be observed in the manner with which and the milieu where these organizations focus their activities. The urban women have all sort of means at their disposal including proximity, accessibility and the support of CSOs to overcome land

²⁸⁴ USAID, (2020), “2019 Civil Society Organizations Sustainability Index for Sub-Saharan Africa”, 11th Edition, p. 1-311, p.57; Florence Butegwa, (1991), *op. cit.*, p. 55.

²⁸⁵ Jean-Marc Ela, (1982), *L'Afrique des villages*, Paris, Karthala, p.45 ; also see Romy Santpoort et al., *op. cit.*, p. 3.

²⁸⁶ Jean-Marc Ela, (1982), *op.cit.*, p. 46.

discrimination perpetrated against them, while the rural women rarely enjoy the privilege of meeting these organizations. This is verified in the words of Madam Akwi Marylyn.

At the end of the day, one can only have the opportunity of meeting them or interacting with them in the rare instances they visit the community. They came to my community one time and later I couldn't reach out to them when my elder sister had some land issues in which she was excluded from the sharing of a land in the village. That's the reality some women like me face, that's why a majority of us in rural communities are still very ignorant of land property rights. The NGOs do most of their awareness raising campaigns and activities in cities. That is why the women of the city have more knowledge on land rights and relate better with the organizations. (Madam Akwi Marylyn, buyam sellam, 03 August 2022, Kie village, 5pm).

In addition to the opinion expressed, the presentation made by Madam Kamgang during the 22nd Edition of the land tenure week equally goes to support this perception. She supports that some services put in place by MINDCAF such as the *Clinique juridique* and the gender focal point is at present only operational in urban areas of Yaoundé and Douala. This implies that majority of the rural women at the other regional, divisional and sub-divisional levels have no knowledge of the existence of these services, and as such, cannot benefit from the advantages and support these services offer. Thus, in spite of the fact that civil society organizations carry out actions aim at supporting women gain more access to land ownership their actions are more helpful and beneficial to urban women. And this preference contributes to improving the access to land ownership for urban women to the detriment of the rural women. Hence, justifying the view of Ela Jean-Marc as he notes that « *des nombreux paysans sont dépourvus de la formation (...) à laquelle ils ont droit pour résoudre les problèmes fondamentaux de la vie quotidienne* »²⁸⁷.

However, in response to these claims, CSOs defend themselves by pointing to a number of challenges they face in carrying out their activities. They argue that, insufficient finances on one hand and a lack of an adequate logistic on the one hand, are partly responsible of their inability to reach the rural milieu. Furthermore, they claim that rural women have more difficulties going through the procedure of land ownership than urban women as they often seek assistance from NGOs but later feel discourage and abandon mid-way due to the pressure they encounter in their communities. Notwithstanding, the fact remain that rural women in Fako division are still convinced of not being part of the priorities of these CSOs, confirming the opinion of most

²⁸⁷ Jean-Marc Ela, (1982), *op.cit.*, p. 55.

researchers²⁸⁸. These researchers argue that advocacy groups do not actually promote the common good or represent the independent voices of the people, as they are a mere extension of the political interest of more developed countries since they seek to rather promote neocolonial paradigm and the continuity of imperial relationship.

2-3-3- CSOS AS CHALLENGE TO LOCAL CULTURE AND SOURCE SOCIAL CONFLICT

As posits Robert K. Merton, in assisting women towards access to land property rights, these organizations unintentionally disrupt the established social order of communities. This implies that their actions have dysfunctional influences in a society where it is believed that women are not allowed to lay claims over land ownership. It is therefore within this context that some respondents opine that the role of CSOs is a challenge to local culture and thus, a source of social conflict in communities. A source of social conflict in the sense that, since most women are beginning to gain consciousness of their rights to own land, they tend to challenge their husbands and brothers over landed property. This is observed in the increasing number of court cases, quarrels and divorce in homes, families and even conflicting situations between communities. It is worth noting to mention that advocating and mobilizing for an equal access to land ownership in a male dominated context where the custodians of tradition have as obligation to ensure and preserve the transmission and continuity of traditional values is a major difficulty.

For instance, Chief Eyole of Southern Motowoh village and Chief Molindo Ekoka of Mondoli village in this light insist that advocating for an equal access to land ownership within their cultural context is imposing a borrowed concept on their culture which does not reflect their traditional values²⁸⁹. This is because within their societies, women are not equal to men and are considered as adjunct to their husbands. Consequently, they are not expected to lay claims over property since they (women) are part of the property that would be inherited²⁹⁰. This signifies that the woman is submitted to the discipline imposed by her husband who is entitled to take whatever decision he wants without any worry. This position of the man and the consequences of what it implies are accepted by all, thus, contributing to maintaining a certain social order. This implies

²⁸⁸ See Tomi Jarvinen, *op. cit.*; Shivji Issa, *op. cit.*; Pithouse Richard, *op. cit.*; Eade Deborah, *op. cit.*; Eric Werker and Faisal Z. Ahme, *op. cit.*

²⁸⁹ Chief George Eyole Haddison, 25 July 2022, 3rd class chief of southern Motowoh village, Limbe; Chief Andrew Ekoka Molindo, 28 July 2022, Chief of Mondoli village and Secretary General of the South West Chiefs Conference.

²⁹⁰ Also see Eniola and Akinola, (2019), *op.cit.*; Vitalis Pemunta, (2017), *op. cit.*

in other words that, by reinforcing the capacity of women and supporting them in their quest towards access to land property rights, CSOs get involved in a process of overthrowing the established social order, and the destruction of local culture. Hence, according to the local population, the objective of CSOs promotes individuality rather than communal values, making way for social conflicts in these societies.

It is in this logic that some participants to the study assert that the actions of NGOs contradict and challenge the cultural values and norms of communities because these organizations seek to elevate and promote particular members of the community above the others. A view supported by Madam Chia Felicia as she asserts that:

the 50/50 equal right language to land property propagated by these NGOs greatly disfavours women's access to land ownership since such a language is not easily accepted in patriarchal societies like ours. In our communities, the position and status of women remains that of subordinate and property. Hence, promoting 50/50 equal rights rather than using a language that fits our cultural value renders their advocacy deficient. As such, most male authorities continue to build a fence of resistance to prevent women from owning land because they consider the role of CSOs as instigating women to revolting against the men whom they consider as being the owners of land. (Madam Chia Felicia, Housewife, Mabeta village, 31 July 2022, 6pm).

We therefore observe from the opinion of Madam Chia Felicia that the position of the woman as subordinate constitutes the base of the patriarchal society and as such, promoting women's access to land ownership on the same basis as men is considered a detractor to the values and norms uphold by this society. This means that seeking to put women at an equal level and position to the men is a way of ruining the foundation and social order of the society. An opinion equally shared among the men as seen in the recount of Mr. Elangwe.

Women were made out of the man's rib and for that reason, the woman remains under the man and must not seek to be empowered or fight over owning land which is inexistent in our culture. This is the value and knowledge we acquired from our forefathers but NGOs fail to understand this and as a result, many families are in constant dispute because women are becoming more and more impolite, disrespectful, less understanding and less cooperative towards their father, husband or male relative, since they have their priority centered on owning land in the same capacity like the male relative. Empowering and educating women to stand for their rights in the sense that they are equal to the men is conflicting because land is an asset that cannot be shared equally under custom and tradition. This shows that the objectives and strategies of the NGOs have no imprint of tradition. (Mr. Elangwe, CDC staff, 27 July 2022, Kie village, 4pm).

By making mention of the woman being made from the man's ribs, Mr. Elangwe seeks to reiterate the inferior and subordinate positions of the woman accentuated by Christianity²⁹¹. He reiterates this aspect to demonstrate the fact that there is an established social order in the traditional society. And once this social order isn't respected or is defiled, social conflict becomes inevitable. This means that defying the established social order by empowering women to demand for land at equal level to men threatens social cohesion and community stability because empowerment elevates the woman above the other members of the society²⁹². Whereas in the traditional society, collective rights to land ownership is sovereign over individual rights²⁹³.

Chief Molindo corroborates this opinion by insisting that unlike the government that has equal rights to ownership as policy, tradition does not hold equal rights to ownership as a value because, accent is on communal and not individual values or promotion. Hence, the failure by CSOs to integrate these socio-anthropological realities in the conception and elaboration of their advocacy projects gives rise to conflicting situations in communities. But Karl Marx argues that the cause of social conflicts should also be sought in the complexity of a society and not only in the empowerment of women. This is because according to the author, the more complex a society is, the more fragmented it is. This implies that conflict is most likely to occur in a complex society because, when the less empowered class (women) gain class-consciousness, they may eventually demand a share of resources that is been enjoyed in abundance by the superior class. In other words, Karl Marx seeks to demonstrate that complexity which is the foundation of inequality of power and authority in the social organization of the society is also partly responsible of conflict; that is, "*conflict of interest or of one's interest*"²⁹⁴.

However, Chief Molindo insists that although the traditional society is complex, assisting women towards access to land property entails that the complexity be well understood by initiating a close and concrete collaboration with the custodians of land who are the key actors of land rights in communities. The implied logic to this opinion is that CSOs fail to adopt an appropriate approach of advocacy that reflects the socio-cultural value of the people, reason why their role is qualified by Chief Molindo as:

²⁹¹ Also see Michael Lipton, (2009), *op. cit.*, p. 22; Marjorie Mbilinyi and Gloria Shechambo, (2009), *op. cit.*, 96.

²⁹² Also see Jean-Marc Ela, (2001), *Guide pédagogique de formation à la recherche pour le développement en Afrique*, Paris, l'Harmattan, p. 35-42.

²⁹³ Also see Adjete Kouassigan, (1996), *op. cit.*, p. 10-11.

²⁹⁴ Ralph Dahrendorf, (1959a), *op. cit.*, p.64, 125.

Climbing the palm tree without cleaning the ground. This is because they just come and merely invite us (traditional rulers) to attend seminars. We go and sit there, listen to them do the talking and at the end collect our money for pediem and leave with no impact felt in the field, because there is no close and concrete collaboration between us. By tradition, women and access to land ownership is a complex situation since only the sons are the “chop chair”²⁹⁵ or are the ones with rights to inherent any property. Women may sometimes inherit if the deceased father or husband left a Will which is the instrument that protects the woman under customary law (...) (Chief Andrew Ekoka Molindo, Chief of Mondoli village and Secretary General of the South West Chiefs conference, Mondoli village, 28 July 2022, 3pm).

These affirmations convey concern link to the participation of traditional rulers in the conception, elaboration and implementation of projects by CSOs with regards to women and land ownership. Going by this viewpoint, Chief Molindo seeks to highlight the fact that the advocacy projects of CSOs do not satisfactorily influence the environment or bring desired changes because the custodians of land and tradition do not take active participation in the conception and implementation of the project²⁹⁶. The projects are conceived and executed without priori participation of traditional rulers who are in close and direct contact with the grassroots. And even when their point of view is solicited and obtained, it is considered in a passive manner. This gives the impression that advocacy groups are superior to traditional rulers since they (traditional rulers) are invited to seminars and awareness raising campaigns as mere participants. Whereas they are the key actors of land allocation in the sense that *“they organize the social life of the community so as to maintain social order, play the role of referee in social conflicts, defend the community against external threat, organize the sharing of land and natural resources (...)”*²⁹⁷.

On the other hand, this viewpoint demonstrates that a close and concrete collaboration between CSOs and traditional rulers could facilitate the acceptance of new values that CSOs seek to integrate in the society since the latter exercise authority that gives them a persuasive power in the community. Hence, not involving the custodians of tradition does not only constitute a sign of rejection of local culture, but also act as obstacle to the implementation of the project. This element explains why Chief Molindo emphasizes that:

(...) some traditional practices can only be adequately and appropriately handled and addressed if traditional rulers are actively involved in the advocacy and not just invited as mere passive actors. This is because culture is deep. Just going straight to giving land to women won't work

²⁹⁵ Chop chair is a pigin expression used to qualify someone who is entitled to inherit property.

²⁹⁶ For example, collaborating and implicating the executive of the chief conference who are in an adequate position to talk to their peers.

²⁹⁷ See Jeanette Leumako, (2016), *op. cit.* p.325.

because the situation is more than what eyes can see, and CSOs need to redress and start having formal conversation with the custodians of tradition before talking about women and land ownership. All of this demonstrates that these NGOs are yet to implement a “ground-up strategy” which is a method of influencing decisions and practices that begins with a formal conversation with the custodians of land and tradition. It is this failure to integrate these socio-anthropological realities that tends to give rise to conflicting situations within communities and between families. (Chief Andrew Ekoka Molindo, Chief of Mondoli village and Secretary General of the South West Chiefs conference, Mondoli village, 28 July 2022, 3pm).

More so, while these respondents attribute the factor mentioned above as partly responsible of the insufficiency in supporting women towards land ownership, others attribute this insufficiency to the fact that CSOs rather use advocacy to enrich themselves rather than assisting women in a satisfactory manner.

2-3-4- CIVIL SOCIETY ORGANIZATIONS AS PRETEXT OF PERSONAL ENRICHMENT

Implementing a ground to up approach and all what it requires entails mobilizing huge financial resources which most CSOs can't afford especially when we consider the fact that they depend on financial aid from both internal and external donors. This financial dependency has brought most researchers²⁹⁸ to claim that civil society organizations operating in Africa have drifted from their initial purpose of community driven socio-economic and political development to that of Western driven influence on African States and acting as agents of destabilization. Hearn Julie acknowledges that the socio-economic dilemma of some African States in the 80s and 90s, contributed in transforming the civil society sector into profitmaking, wealth accumulation and rent seeking institutions, thus earning them the name of “*briefcase or comprador NGOs*”²⁹⁹. The work of these authors enriched this study from a critical standpoint to understand the viewpoint of Chief Moki Monono when he notes that:

non-governmental organizations in theory work for the community but in practice they work more for their own welfare and use their seminars and workshops as means to lobby for funding from donors for their personal interest and not for the purpose of mobilizing and initiating concrete actions for the women (...) (Chief Moki Monono, member of the quarter heads council of Limbe and quarter head of New Town East and former Secretary General of the former Paramount Chief of Limbe-Chief Ferguson, Newtown East, 25 July 2022, 5pm).

²⁹⁸ See Jeannette Leumako, *op. cit.*; Séverin Cécile Abéga, (1999), *Société civile et réduction de la pauvreté*, Yaoundé, CLE; Julie Hearn, (2007), “African NGOs: The New Compradors?” in *Development and change*, Vol., 38, Issue 6, p. 1095-1110; Fowler A. (1995), “NGOs and the Globalization of Welfare: Perspectives from East Africa”, in *J. Semboja and O. Therkildsen (eds) Service Provision under Stress in East Africa*, London, James Currey, p. 51-69.

²⁹⁹ Julie Hearn, (2007), *op. cit.*, p.1105-1106.

The implied knowledge here is that the activities carried out by CSOs are far from having development as objective. Their real objective according to the respondent is the personal enrichment of the project promoters. Séverin Cécile Abéga³⁰⁰ share the same point of view by arguing that NGOs have a “*hybrid status*”³⁰¹, in the sense that they claim to assist the vulnerable whereas their hidden objective is acquiring huge financial profits. They claim that workshops and seminars are organized to meet their objectives whereas, the “real objective” behind the event is to accumulate finances for the project promoters rather than meeting the need of their targeted population. Whereas Ela Jean-Marc emphasizes that “*pour atteindre l’objectif, il s’agit, bien évidemment d’éviter de faire une science au rabais. Une telle science ne peut servir à personne en l’Afrique*”³⁰². This assertion by Ela Jean-Marc permits us to have an insight to the opinion of Chief Moki Monono.

(...) practically, we don’t have NGOs that are really interested in the welfare of the people; it is the welfare of the NGOs operators. The issue lies on how serious these organizations do what they say they do in the field, which is partly the reason why their role isn’t well understood. So, how well can they accompany women? This entire advocacy is more of a theory than practice because CSOs are often vehicles of personal enrichment. For instance, I was invited to attend a seminar organized by one NGO here in Bimbia, but when I went there all the presentations and discussions were out of context and had little or nothing to do with the raison être of the seminar. They had just used a convenient catch phrase to talk about various female related issues and obviously they had a grant from somebody to do all that. (Chief Moki Monono, member of the quarter heads council of Limbe and quarter head of New Town East and former Secretary General of the former Paramount Chief of Limbe-Chief Ferguson, Newtown East, 25 July 2022, 5pm).

From this empirical evidence we observe as affirm by Severin Cecile Abega that a majority of these NGOs emerged in an opportunist context³⁰³, rather than with the vision they claim to be working for. To the local population, NGOs use the situation of women to establish legitimacy and credibility for themselves as they seek to rather promote the vision of donors without addressing the real need of the targeted communities. These elements explain why their advocacy projects are likely to have unsatisfactory outcomes because they have “*little room for maneuver*”³⁰⁴ in the sense that finances are obtained if the projects satisfies the objectives of donors. This makes it

³⁰⁰ Séverin Cécile Abéga, (1999), *op. cit.*

³⁰¹ *Ibid.*, p. 181.

³⁰² See Jean-Marc Ela, (2006), *op. cit.*, p.189.

³⁰³ Séverin Cécile Abéga, (1999), *op. cit.*, p. 182.

³⁰⁴ Séverin Cécile Abéga, (2007), *Le retour de la société civile en Afrique*, Yaoundé, Presses de l’UCAC, p.154.

difficult for NGOs to “*bite the hand that feeds them*”³⁰⁵. And this is where the problem lies because, by seeking to implement objectives that satisfy the agenda of donors, civil society organizations find themselves in the continuity of what Ela Jean-Marc calls “*l’empire de l’empirism*”³⁰⁶ which is the reproduction of actions of colonial heritage.

Furthermore, beyond this action also lies the question link to the sustainability of the project. By sustainability we refer to the evolution of the project which is likely to experience regression since civil society organizations are motivated by a spirit of financial opportunist meant to accumulate funds at a maximum rate, leaving the population without any support at the end of the financing. However, even though the actions carried out by CSOs seem to relief the local population, the limit of their actions reside in the fact that “*these actions do not go as far as resolving in details the target problem... (and) leaves the local populations in total disillusion*”³⁰⁷. This assertion by Jeannette Leumako confirms the opinion of a majority of the local population who question the seriousness of advocacy by indicating that their role is more of a theory than practice. More of theory in the sense that it is an easiest means for them to lobby for funding from donors and accumulate riches, especially when we consider the fact that non-for-profits organizations in Cameroon are exempted from custom duties, value-added tax, and benefit from tax deductions on incomes from grants and subsidies³⁰⁸. In all, the fact that NGOs lack the ability to avoid financial dependency constrains them to deliver programs that do not respond to the needs of the women, implying that the problem link to land discrimination and inequality is far from being addressed and narrowed³⁰⁹.

From the above analysis, we can conclude by pointing out that civil society organizations are one of those social actors who seek to address the interest of others through the services they provide. One of those interests lies in enhancing women’s access to land property. To ensure this, they elaborate different strategies to accompany women towards a greater access to land property. However, our investigation permitted us to note that their actions are perceived as unsatisfactory by the local population (Chapter III). While some perceive the role of CSOs as a factor of reducing land discrimination made against women because it leads to class consciousness, a majority

³⁰⁵ Maaïke Matelski et al., (2018), *op. cit.* p.23.

³⁰⁶ Jean-Marc Ela, (2006), *op.cit.*, p. 264.

³⁰⁷ Jeannette Leumako, (2016), *op. cit.*, p. 340.

³⁰⁸ See USAID, (2020), *op. cit.*, p. 53.

³⁰⁹ Also see Julian Quan, *op. cit.*, p. 54-55; David Lewis, (2003), *op. cit.*

however pointed out that these actions are discriminatory against rural and peri-urban women as they are yet to be exposed to these actions. Similarly, others went ahead to highlight that the advocacy role of CSOs is a detractor to local culture and a source of conflict between families and communities. Some on the other hand insisted that civil society organizations are pretext of personal enrichment as they have become briefcases and compradors seeking more of wealth accumulation than development. By relying only on the perception of actors to understanding the insufficiency of the role of CSOs in assisting women towards access to land ownership may derail us to making faulty inferences. Hence, it is therefore important to examine the constraints civil society organizations encounter in the field (Chapter IV) in order to attempt an answer to the problematic of this study.

CHAPTER 4

CONSTRAINTS ENCOUNTER BY CIVIL SOCIETY ORGANIZATIONS IN THE FIELD.

The various perception of social groups examined above demonstrates that, in performing their manifest function, the actions of CSOs on the other hand have dysfunctional influences which generate some obstacles that contribute to rendering their actions unsatisfactory. It should be noted that an enabling environment from both the local population and the organizations is necessary to render the various strategies undertaking meaningful. But most often than not, this enabling environment is absent as civil society organizations encounter obstacles that hinder them from carrying out their role in a satisfactory manner. Thus Chapter IV grapples with understanding some of these constraints that act as barrier to the actions CSOs.

2-4-1- MATERIAL CONSTRAINTS AS HINDRANCE TO THE ASSISTANCE ROLE OF CSOs

The actions of CSOs far from reducing land discrimination made against women on one hand have dysfunctional influences which generate some obstacles on the other hand. The absence of an enabling environment is a major setback to the role of civil society organizations. These constraints are material and financial. By material constraints we refer to endogenous and exogenous factors that hinder the satisfactory execution of the actions of CSOs.

2-4-1-1- Exogenous and Endogenous factors as obstacle to the role of CSOs

By exogenous and endogenous, we mean the debate between modernity and tradition. As mentioned earlier, in as much as the cohabitation between modern and traditional land laws hinder women's access to land property, it is important to note that these norms and practices as well slow down and prevent CSOs from sufficiently carrying out their advocacy role in the field. The works of Chindji Kouleu³¹⁰ is relevant to understanding this assertion from a critical standpoint. The author uses the theory of underdevelopment to affirm that inside (endogenous), outside (exogenous) and mixed dynamics (both) are factors that hinder developmental projects. These obstacles according to civil society organizations stems up from the cohabitation of legal land laws and customary practices. They note as shared by Kouleu Chindji, Douglas James that, the inability

³¹⁰ See Kouleu F. Chindji, (2005), *Initiation à la Sociologie Rurale*, Yaoundé, Editions SAAGRAPH, p. 147-151.

of the State to implement sound policies to adequately respond to the need of women renders their contribution insufficient. For instance, the old and outdated gender insensitive 1974 land laws, couple with the absence of a Family Code to clearly spell out the rank of spouses with respect to succession prevents CSOs from providing adequate legal assistance. This is particular when it comes to revoking a letter of administration acquired by the widow's in-law challenging the widow's rights over ownership. An affirmation corroborated in Case 2 above³¹¹.

Even though FIDA claims that the law is neutral because it stipulates that everybody has equal right to possession, Emilia Miki of the Denis Miki Foundation as well as the Divisional Delegate of Women's Empowerment and the Family contradicts this claim by insisting that the actions of civil society receive major setbacks due to the gender insensitivity and neutrality of the 1974 land law. They argue that it does not only suffice to say everybody is equal and have equal right to property before the law when the socio-anthropological position and status of women and men which is the foundation of the society is not the same. While the latter is considered as superior and financially viable, the former's status and position is that of "property", subordinate and financially weak³¹². The neutrality of the law has brought some NGOs to question the justice in equality of the law.

How well can we advocate and accompany women to land ownership when a priori we have in front of us laws that are resistant to gender since they do not sufficiently take into consideration the socio-anthropological reality of women? The gender-equitable legal framework is not resulting to desired and expected gendered outcomes. (Madam Limunga Luma, Divisional Delegate of Women's Empowerment and the Family, Fako, 29 July 2022, Mile 1,11am).

This questioning is better understood in the works Njoh Ambe when he reveals that land tenure formalization in Cameroon violates three major principles which are inextricably interconnected to land governance. That is, the principle of Equity, Fairness and Justice (EFJ)³¹³. According to the author, in the domain of land management, equity is manifested in the extent to which different societal groups are afforded equal access to land. Affording different societal groups equitable access to land often requires the unequal treatment of these groups. This implies the necessity to initiate policies specific to the socio-economic status of each group necessary to

³¹¹ See Case 2 above.

³¹² Also see Harold R. Kerbo, (2003), *Social Stratification and Inequality: Class Conflict in Historical and Global Perspective*, New York, McGraw-Hill, p. 11.

³¹³ Ambe J. Njoh, (2013), *op. cit.*, p. 751-755.

facilitate access to land to disenfranchised groups and move towards the same outcomes. Such policies are equitable although strictly speaking, they discriminate against the privileged members of the society. That is, equity is in contrast with equality because with equality everyone is offered the same tools to move towards the same outcome whereas with equity individuals are given tools specific to their needs and socio-economic status in order to have the same results. As such, things that are equal are not necessarily equitable.

The concept of Fairness can be appreciated at two but overlapping levels. The first is the “common sense” level which is in conformity with reason and conscience against what is “not fair”³¹⁴. At the second level, fairness connotes “rightness” not only in the legal but also in the ethical terms. Here, fairness connotes rationalized programs designed to benefit exclusively members of disenfranchised groups. That is, actions taken to reverse discriminatory laws, what Paul Davidoff calls advocating for the “*voiceless members of the society*”³¹⁵. Such advocacy according to Davidoff ensures that planned actions have fair outcomes for all societal groups. And lastly, the principle of Justice draws directly from jurisprudence which is the impartial resolution of conflicting claims and/or the assignment of punishment to transgressors. Here, justice doesn’t always imply equal treatment to everyone because the law typically takes into account context, and strives to evaluate circumstances in interpreting the relevant facts with the view of improving living conditions. This takes us to the social justice theory of John Rawls. Social justice is a philosophical theory that focuses on the concept of fairness in relations between individuals in society and equal access to opportunities, property, wealth and social privileges in the society. This implies that the application of social justice in the conception and elaboration of land laws would reduce discrimination made against marginalized groups like women with regards to land ownership.

Within the framework of this argument, CSOs claim that irrespective of all the actions they implement to accompany women, their role is skewed by these land laws which a priori violate the EFJ principles. By not applying this principle and failing to make provision for a special clause to protect the woman in a definite manner render their advocacy strategies insufficient. In other words, no matter the sensitization campaigns, capacity building seminars and legal assistance they

³¹⁴ By this we mean, for example, when a particular group is subjected to procedures that are more difficult than another group.

³¹⁵ Ambe J. Njoh, (2013), *op. cit.*, p. 752.

provide to women victims of land discrimination in communities, their input is faced with laws that rather facilitate access to land ownership for preferred social groups³¹⁶. This implies that, the law in itself discourages women who have been sensitized and are willing to register their land to push through the end due to its bottleneck procedures. Thus greatly hindering the role of CSOs because, the existence of a special clause in favor of women as supported by Madam Limunga Luma, would have been a supportive factor to the assistance role of civil society organizations. As she argues that “*it doesn’t only suffice to stipulate that everybody has equal rights to property, without a priori considering the social status of women in the society*”³¹⁷.

The assertion brings to light the notion of social stratification of Karl Marx. According to this notion, social groups or individuals do not hold the same positions, status and power in the society and as such, they ought to be treated differently. By this we mean that, since men occupy and exercise superior position detaining power over the women who occupy a subordinate position, the law ought to consider this reality and apply the EFJ principle in order to facilitate access to land property for women. According to NGOs, how land is owned among these different social groups is greatly determined by the process involved in acquiring a land certificate. An opinion corroborated in the academic study carried out in Fako division by Fombe Lawrence et al.

Table 4: Number of certificates issued in Fako division between 2006-2010 ³¹⁸

Period	Fako Division	
	Women	Men
2006	97	211
2007	103	298
2008	90	451
2009	103	367
2010	45	142
Total	438	1469
%	23.0	77.0

Source: Regional Delegation for State Property and Land Tenure, South-West, 2010.

³¹⁶ *Idem*, pp. 761; also see Jean-Marc Ela, (1990), *op. cit.*, p.216.

³¹⁷ Madam Limunga Luma, divisional delegate of women’s empowerment and the family, Fako.

³¹⁸ Lawrence Fombe et al., (2013), *op. cit.*, p. 81-82.

This table glaringly reveals that formal land laws act as a stumbling block to the role of advocacy groups in the sense that in spite of their support, only 23% of women are able to show proof of land ownership through a land certificate against 77% men. This further confirms the fact that the assistance of CSOs is hindered by unequal, unfair and unjust land laws which widens the gap of land ownership between the superior social group and the subordinate social group. As a result, even though some women through sensitization are able to obtain land from their fathers and deceased husbands, they cannot show proof of ownership since they are unable to go through the cumbersome land titling procedure which is the only document that attests property ownership³¹⁹. As such, they get discouraged and end up abandoning midway into the process. Faced with this situation, CSOs argue that they are not in any position to oblige women to continue with the process when they abandon.

Furthermore, Emilia Miki CEO of the Denis Miki Foundation opines as shared by Kouba Sandrine et al., Nguiffo Serge that, in addition to the gender insensitive land law, the increasing pressures on land brought about by industrial and economic development³²⁰ equally hinder the role of civil society organizations. By industrial and economic development we mean the exploitation of land for public utility and other investments such as the construction of schools, hospitals, roads, bridges, agro-industries such as plantations carried out by both the government and elites. This pressure on land is an obstacle in the sense that it increases in a significant manner the value of land which prevents these organizations from acquiring appropriate information on land rights from the traditional rulers of Fako. A majority of these traditional rulers use this opportunity to withhold land, double sell land, get involved in rampant land grabbing and are in connivance with public authorities. Hence they get involved in an attitude qualified by Jeannette Leumako as “*le role trouble des chefs traditionels*”³²¹.

This trouble role of traditional rulers is the result of their double role as custodians of land and tradition on the one hand, and as auxiliaries to public administration on the other hand where, they are expected to implement administrative decisions with respect to land distribution. This double position of traditional rulers according to Kouba Sandrine et al. is problematic in the sense that it increases the absence of transparency and accountability in land transaction. Thus worsens

³¹⁹ Also see Jean-Marc Ela, (1990), *op. cit.*

³²⁰ Also see Jean-Marc Ela, (1998), *op. cit.*, p.153, 156.

³²¹ See Jeannette Leumako Nongni, *op. cit.*, p. 324-325.

land insecurity and increases the greed of traditional rulers who indulge in rampant land grabbing³²² and arbitrary sales of land in Fako for their personal enrichment. This argument is justified in the words Madam Emilia Miki.

We face a lot of difficulty with local chiefs who for their selfish interest take advantage of their role to play a dirty game of double selling land and withholding the right and useful information we need for our advocacy. This makes it very difficult for us to do verifications on a piece of land. When we solicit them for verifications in order to ensure a sufficient assistance, we are not given the right information. That is even when we have the opportunity to be received. They hide information from us in order to carry out a sought of dirty game of selling and reselling land to more than one persons including forcefully seized land. This is the reality we face in the field. It is not an easy task at all. (Madam Emilia Miki, CEO Denis Miki Foundation, Botoland Limbe, 27 July 2022, 2pm).

The claim by Emilia Miki is equally justified in the circular signed by the Minister of State Property, Surveys and Land Tenure, Mr. Henry Eyebe Ayissi suspending all sales transactions of land in Fako³²³. The gains related to land brought as a result of this pressure, explain why most traditional rulers do not deem it necessary to share useful information about ownership rights over land. However traditional rulers argue that their reticent behavior to share adequate information with advocacy groups is justified in the logic that tradition (endogenous) mustn't be mixed up with human rights (exogenous) because as pointed out by Chief Moki Monono, *"if women are given power, they will usurp, abuse of it and seek to swap tradition with human rights"*³²⁴. Thus, withholding information useful to guide and direct the actions of CSOs translates the obligation traditional rulers have to preserve and protect traditional values.

CSOs go ahead to argue that another endogenous obstacle lies in their struggle to demystify the myth embedded in the writing and challenge of a Will. A Will is a legal document that expresses a person's wishes as to how their property is to be distributed after their death. NGOs insist that regardless of their activities aimed at educating communities on the importance of writing a Will, most men are still very reluctant to writing the document. According to Barrister

³²² Land-grabbing can occur in various contexts, including in urban areas through, for example, investments and speculations in land as part of inner-city redevelopment or gentrification (UN Human Rights Council 2017, para. 37) or as a form of violence against minority groups (UN Human Rights Council 2017, para.11 (b)). For girls and women, "land (or property)-grabbing" can also occur in the contexts of inheritance or divorce (UN CEDAW 2017a, para. 34), in United Nations Entity for Gender Equality and the Empowerment of Women (UN Women) and the Office of the United Nations High Commissioner for Human Rights (OHCHR), (2020), *Realizing Women's Rights to Land and Other Productive Resources*, Second Edition, New York and Geneva, p.12.

³²³ See annex 7 for Minister's circular.

³²⁴ Opinion by Chief Moki Monono; also see Diana C. Deere et al., *op. cit.*, p. 29.

Atemnkeng Elizabeth as supported by Chief Molindo, writing of a Will is perceived not only as a taboo, but as a way of predicting and precipitating one's death. Even though Chief Moki Monono confirms that the Will is the only instrument that protects women from land exclusion and discrimination under custom and tradition, Barrister Atemnkeng Elizabeth however observes that, “(...) even when a Will is available, lawyers themselves on the other hand are reluctant to challenging the Will of a deceased in court especially when the Will disinherits or excludes an individual from property ownership”. Such behaviors make it difficult for organizations like FIDA to satisfactorily assist women in court especially as some female lawyers shy away from challenging a Will that disinherits an individual in court. These female lawyers base their argument on the fact that challenging a Will in court may lead to the bewitchment or death of the legal expert. This behavior according to Barrister Atemnkeng Elizabeth strongly impeded on the actions of CSOs especially when we consider the importance and power of a Will within both tradition and law.

2-4-1-2- Reticent behavior of women as constraint to the role of Civil Society Organizations

In addition to the constraint regarding the writing and challenge of a Will in court, civil society organizations affirm that one of the reasons a majority of women are still unable to own land is partly due to their reticent behavior. These women shy away from denouncing acts of land discrimination and exclusion. The sociological works of Emile Durkheim and other researchers enriched the understanding of this argument. In his book *The Rules of Sociological Method*, Emile Durkheim explains that social facts are things external to an individual and exercising coercive powers on the individual because, the facts are created from collective forces and do not emanate from the individual. These things in sociology are norms, values that transcend the individual and exercises control over him. By indicating that social facts are created from collective forces implies that each society have well established social norms and values. This means that to belong and be accepted as a member of a society, an individual must respect and reproduce these norms and values. We use the ideology of Durkheim to show that patriarchal societies like is the case of Fako, have established social norms and values that valorize male domination over land ownership and as such, members who do not respect or reproduce these established norms are likely to be sanctioned.

From this explanation we understand that for fear of being sanctioned, beneficiary group/population may refrain from accepting and adopting the ideas transmitted by promoters of

developmental projects. It is within this framework that NGOs argue that a majority of Fako women have so accepted the established traditional norms and practices to the extent that they shy away from speaking up against land discrimination. While some women go as far as refusing and even excluding their own female children from land property³²⁵ since they believe that land must be inherited by the sons only, others respect these discriminatory norms and practices for fear of being cursed, rejected, bewitched or receive life threatening actions³²⁶. The fear to be sanctioned or rejected causes most women to shy away from speaking up and denouncing acts of land discrimination and exclusion as recounts Barrister Atemnkeng Elizabeth.

Women come and complain and midway into their case they disappear making it difficult to push through with the case. They forget that they are the ones to speak up because they are the victims of land discrimination and exclusion. Civil society organizations can only find the resources for the women but if they (women) are not able to stand or share their story and experiences, it becomes difficult to address their situation in an inclusive and sustainable manner. This is where the problem lies. Majority of the women don't speak up, nobody is writing a complaint and even when they write or come to us, when the process is started, the women become so reluctant along the way. (Barrister Atemnkeng Elizabeth, Vice-president of FIDA, 23 July 2022, Mutengene, 11am).

The implied knowledge to this view lies in the fact that in spite of the strategies implemented by civil society organizations, women who are the main target group (beneficiary) are more afraid to be cursed or bewitched than pushing through with actions that guarantee land ownership. This reticent behavior equally demonstrates that most women are ignorant of the fact that NGOs also need their support and collaboration to carry out a satisfactory role. This view point is corroborated by Ela Jean-Marc who supports that, for knowledge to be produced; there must be an involvement of all human capital with non-excluded³²⁷. Meaning that, to efficiently accompany women, the women themselves must support the actions of CSOs through their active involvement and participation in the developmental project by speaking up and denouncing acts of land discrimination. According to Madam Emilia Miki, this reticent behavior is a major obstacle to the contribution of CSOs who, do not have the capacity to oblige victims of land discrimination to speak up against their own will as she explains in the recount below.

Our organization assisted a woman who came to us with her situation. She was legally married to her husband and during their marriage life together; she took a loan and

³²⁵ As seen in Case I above.

³²⁶ Also see Vitalis Pemunta, (2017), *op. cit.*, p. 75.

³²⁷ Jean-Marc Ela, (2001), *op. cit.*, p.21-33.

bought a piece of land with her money which her husband was aware of it. Some years later, their marriage wasn't working and the woman decided to file in for divorce. But when it came to the landed property which was bought with the woman's money, her husband swore that he was the owner of the land and not the woman; that he bought that land with his money. This brought serious battle because with no proof showing that the lady was the one that bought the land, the man had to own that land. After some time, the lady came to us seeking for assistance to file for a case and follow it up. But midway into the process, the lady was nowhere to be found. She abandoned the case. And when we asked her why, she said "my pikin leave am, I don just forget me about that land. Than sey mak my head go beta mak the land go"³²⁸, and that's how it ended. This is the reality we face every day in the field. CSOs cannot be the ones to stand in front for the women since we are not the owners of the land. It is a difficult and a major obstacle for our organizations. (Madam Emilia Miki, CEO Denis Miki Foundation, Botoland Limbe, 27 July 2022, 2pm).

Her recount confirms the ideology of Emile Durkheim as expatiated earlier. It demonstrates how norms and values transcend the individual exercising coercive powers on her. Implying that, the social cost women fear to bear if they go against these cultural norms- from social ridicule to the prospect of losing what social benefits women in patriarchal communities enjoy, partly explain the reticent behavior portrait by a majority of them³²⁹. Hence, in as much as civil society organizations seek to enhance and improve women's access to land property, the responsibility of ensuring that this role is satisfactory also lie in the hands of women who are the main victim of land discrimination. And this responsibility entails that women go beyond the fear to be sanctioned by speaking up and denouncing acts of land discrimination.

2-4-1-3- Constraint linked to Collaboration and Policy Advocacy

Moreover, civil society organizations push ahead to argue that in as much as collaboration with donors and other NGOs facilitate women's access to land ownership, it equally act as hindrance to supporting more women own land. This is explained by the fact that collaboration and lobbying actions encounter resistant bureaucracy at different levels. This bureaucracy stems up from various key actors involved in policy advocacy. For example, some NGOs, government, and donors often disapprove, discredit or obstruct the goal of CSOs by subjecting their advocacy actions to multiple procedures, evaluation and accountabilities where they must meet the demands of government, donors and allies within their network (coalition). These procedures and

³²⁸ Expression recounted in pigin English which is commonly used as the day to day language of communication by the inhabitants.

³²⁹ Also see Lastarris-Cornhiel and Zoraida, (2005), *Gender and land rights: findings and lessons from country studies*, Food and Agricultural Organization, FAO.

requirements is time consuming, giving little room for them to satisfactorily meet the need of the beneficiary population or communities.

Maaïke Matelski et al, support this opinion by asserting that upward accountability and inward accountability (towards other NGOs of the coalition network) is a major challenge to civil society organizations³³⁰. The author notes that the excessive and intensive reporting requirements to lobby for policies reform on one hand, and lobby for funding from donors on the other hand, often result in an emphasis on upward (towards government, donors) over downward accountability (towards communities and beneficiaries). Due to the pressure resulting from upward accountability, the programs and projects of NGOs are often readjusted irrespective of if beneficiary needs are met or not. Hence these elements do not only reduce the space/visibility of these organizations in the field but also result to “*mission drift*”. Mission drift in the sense that since NGOs finds it difficult to “bite the hand that feeds them” as earlier mentioned, respecting the norms of these partners becomes imperative³³¹.

It is from this perspective that Madam Emilia Miki of the Denis Miki Foundation points out that these bureaucracies partly account for the reason why a majority of women still do not own land. For example, she highlights that it takes long for lawmakers and public authorities to grant them audiences for meetings and exchanges. More to this, since most traditional rulers are not yet disposed to accept changes that may contradict their selfish interest of personal gains; they pay very little attention to granting them audiences. This demonstrates the connivance experienced between traditional rulers and some public authority. However, most traditional rulers refute this claim by arguing that the resistance encountered by these organizations is partly linked to the fact that traditional rulers see themselves as “strangers” to the advocacy project of civil society and as such, they do not see the need to facilitate the achievement of their objective. An opinion strongly shared by the divisional delegate of women’s empowerment and the family for Fako.

Traditional rulers are the foundation to overcoming land discrimination and facilitating land ownership by women in the sense that, they are the custodians of land and tradition. CSOs find it difficult to achieve their mission because they do not sufficiently involve traditional rulers who are the ones on the ground in the conception and implementation of their advocacy project. This is why the actions of CSOs meet serious resistance. They may lobby and advocate but unfortunately, no significant changes will be felt in the field because at the end of the day when it comes to who

³³⁰ Maaïke Matelski et al., (2018), *op. cit.* p.11.

³³¹ *Idem*, p. 14, 23, 27, 28.

should own this land or not, traditional rulers have the final say. (Madam Limunga Luma, Divisional Delegate of Women's Empowerment and the Family, Fako, 29 July 2022, Mile one, 11am; opinion equally shared by Chief Moki Monono, Chief Molindo, Chief Eyole).

The opinion upheld by this respondent acknowledges the vital position of grassroots actors in advocacy programs. Meaning that, any advocacy action implemented outside of this framework where grassroots are left out of the conception and implementation of advocacy projects is susceptible to meet persistent resistance when it comes to collaboration and doing policy advocacy. But Madam Emilia Miki pushes further to stress the fact that:

policy advocacy is a very difficult task. Be it at the grassroots or national level, it requires a lot of patience to make our ideas go through. You know that to lobby means having exchanges with public administrations, house of senate, parliamentarians, and local chiefs. Even when we succeed to have this discussion with them, it takes a lot of time to put them into practice. In spite of all our actions to expose certain discriminatory laws of the 1974 land laws, nothing has been done till date. The same laws are still in use 40 years later. I bet you policy advocacy demands a lot of patience, time and resources. Resources are needed to do meet lawmakers, government officials, donors and carry out research, but we (CSOs) don't have enough financial resources to push on with this. That's the reality. (Madam Emilia Miki, CEO The Denis Miki Foundation, Botoland Limbe, 27 July 2022, 2pm).

Her recount denotes the frustration of NGOs when it comes to doing policy advocacy which partly explains the reason why most NGOs often fall into co-optation because the pressure from accountability and collaboration often increases the risk of powerful partners to influence or absorb the program of CSOs. This decreases the opportunities for CSOs to ensure downward accountability. Thus, deepening inequalities related to women and land ownership. Furthermore, the National President of FIDA elucidates that advocacy requires the mobilization of huge financial resources which unfortunately most NGOs can't afford these resources.

2-4-2- FINANCIAL CONSTRAINTS AS HINDRANCE TO THE ASSISTANCE ROLE OF CSOs

As noted in the statement by the National President of FIDA, assisting women towards access to land property necessitates huge and available financial resources. Despite of the fact that civil society organizations are exempted from custom duties, value added tax and benefit from tax deduction on income from grants and subsidies, their weak financial sustainability causes them to depend on funding from their members and external donors. Hearn Julie, Jeannette Leumako supports this view as they acknowledge that a lack of an independent source of funding is a

constraint to the role of CSOs³³². Their excessive dependency on donors for financial aid hinder them from efficiently elaborating and implementing advocacy events like seminars, workshops and legal assistance. This explains why a majority of the local population is still not exposed to the activities of civil society organizations due to their poor visibility in the field.

The CEO of the Denis Miki Foundation highlights within this framework as supported by Romy Santpoort et al. that advocating for women's access to land property necessitates a large number of actors involved to influence and mobilize the resources needed to do so³³³. For instance, the recruitment and training of staff in the domain, lobbying, renting and equipping offices, frequently organizing advocacy events and providing legal assistance to victims of land discrimination. Furthermore Emilia Miki points out that assisting women to land ownership necessitates a proper communication technique that requires huge finances. For instance, private print and media broadcast are needed to sensitize the broader community. But as buttress by USAID, most local NGOs cannot afford the expensive cost³³⁴. Emilia Miki reckons to this effect that:

due to insufficient and limited funding, our organizations are unable to carry out large and intensive sensitization campaign through the radio, television and press releases which requires us to buy a space to run these programs. The longer the duration of the program, the larger the space and the more expensive it becomes. As such, we rely on a restraint means of communication which is the mouth-ear dissemination by workshop participants in their various communities, associations and groups. (Madam Emilia Miki, CEO The Denis Miki Foundation, Botland Limbe, 27 July 2022, 2pm).

Her recount demonstrates two elements. Firstly, it shows the financial weakness of local NGOs to carry out advocacy, and secondly, it demonstrates the importance of communication technique to achieving the objectives of civil society organizations. This reality confirms that the level to which communities are educated and exposed to land rights is also and strongly dependent on the means of communication employed by advocacy groups. The point we are trying to make clear here is that, an appropriate technique of communication such as radio programs executed in the language used and understood by the majority in communities is determinant to influencing behaviors and bringing change in a larger sense be it on the social and ideological plan³³⁵. But

³³² Julie Hearn, (2007), *op. cit.*, p. 1105; USAID, (2020), "2019 civil society organizations sustainability index for sub-Saharan Africa", 11th Edition, pp. 1-311, p. 54; also see Jeannette Leumako Nongni, (2016), *op. cit.*, p.340-341.

³³³ See Romy Santpoort et al., (2021), *op. cit.*, p. 7.

³³⁴ USAID, (2020), *op. cit.*, p. 54, 56.

³³⁵ See Jean-Francois, (2013), *op. cit.*, p.59- 60.

since CSOs lack the required finances to buy spaces over the radio due to its expensive nature which is unaffordable by these organizations, they tend to rely on the mouth-ear dissemination which is not very efficient and unable to reach a maximum population and key actors. Thus, this results to an insufficiency in their support to women.

It is necessary to recall that Part II of this work focused on assessing the role of civil society organizations towards women's access to land property rights. This assessment led us to investigating on two aspects. First, we sought to understand the perception of social groups *vis-à-vis* the contribution of civil society organizations. This perception permitted us to realize that while some perceive the role as significant because it reduces land discrimination made against women, others indicated that the role is insufficient as it puts in question their traditional values and practices, and instigate conflicting situations between families and within communities. To this view, CSOs is perceived as a challenge to local culture and source of social conflict. Thereafter, we proceeded to examining the constraints CSOs encounter in the field that hinder them from implementing a satisfactory role. Our investigation permitted us to note that material and financial constraints are major hindrances to the accompaniment role of CSOs. Under these constraints we observed that in addition to exogenous and endogenous factors, the lack of available finances is a major setback to the role of CSOs. This double comprehension of the perception on hand, and constraints on the other hand, gives us an insight to the factors that explain the insufficiency of the role of CSOs.

GENERAL CONCLUSION

Land is an important source of livelihood for a majority of women in Fako. But regardless of its importance, access to land property rights remains limited for them. Women who make up 52% of Cameroon's population and represent 70% of the workforce in the agricultural sector, own just 2% of land. By property rights we mean the right to hold the property (land), and enjoy all the prerogatives attached to it, that is, right to access, right to withdraw, rights to manage, right to exclude and right to alienate. However, a number of factors impede on the woman's ability to independently enjoy of these rights. Faced with a society experiencing social mutation brought about by new societal dynamics that exert pressures on households imposing a paradigm shift and new ways of life different from the old established social order, women are henceforth obliged to play a double role-that of reproduction and production in order to ensure her empowerment and contribute to family sustenance affected by increasing standards of living.

It is therefore in a bid to address this situation and enhance women's access to land ownership that civil society organizations advocate and mobilize resources to accompany women towards access to land property. However, the reality observed is that in spite of their role, most women still encounter persistent difficulty to have access to land ownership. It is within this framework that this study sought to understand why the role of CSOs in assisting women towards access to land property rights is unsatisfactory by *"assessing the role of civil society organizations towards women's access to land property rights in Fako division: the case of Limbe subdivision"* under two major parts divided in four chapters. Facilitated by the existing wide variety of literatures treating this problematic, we were able to have an understanding of the overview of the concept of civil society organizations, its context of emergence and their contribution towards women's access to land property rights (PART I), as well as do an assessments of the role of civil society organizations towards women's access to land property rights (PART II).

We saw that CSOs is a concept with diverse meanings and understanding of it, classified in many ways according to multiple criteria. To this effect we have CSOs of the accreditation regime and of the declaration regime. In Cameroon, civil society organizations are governed by Law No 90/053 of December 1990 on freedom of associations which sets out procedures for their establishment, operation, governance and dissolution. Even though the concept existed before the 19th century, it however gained prominence after the fall of Berlin Wall in 1989 that led to the collapse of communism in Europe and the former Soviet Union with many countries embracing democratic change and political liberalization. But within the context of Cameroon, some

exogenous and endogenous factors motivated the emergence of CSOs. We observed that before the period of 1990, even though associations were rooted in village humanitarian solidarity that survived the introduction of market exchanges between individuals brought about by colonialism, these associations were governed by the stifling Law No 67/LF/19 of June 1967 on freedom of associations. This stifling law restricted the creation of association reasons why very few associations existed within this period with only about 4-5% existing before 1980 and 11% between 1981 and 1990.

Nevertheless, from 1990 there was a rapid growth of civil society organizations in Cameroon due to the advent of the economic crisis. The economic crisis favored the expansion of non-for-profit organizations considered well placed to provide services adapted to the basic needs of the population since the government was in a lesser capacity to do so due to the adverse effect of the crisis on her economy. Secondly, the economic crisis mounted pressure on government to lessen the stifling restrictions on associations, leading to the elaboration of a more flexible law on association which gave more freedom over the creation and functioning of associations and community organizations in Cameroon. Thus, the new December 1990 law is therefore partly considered as the driving force for the rapid increase in the number of NGOs. In all, we realize that irrespective of the period, CSOs are non-governmental and non-for-profit organizations that have a presence in public life, expressing the interest and values of their members or others, based on ethical, cultural, political, scientific, religious or philanthropic considerations. They are therefore organizations such as NGOs, community groups, charitable groups, faith-based organizations, professional associations and foundations. But in as much as these organizations provide services and express the interest of others such as advocating for women's access to land property rights, the overall gains remain limited with their role found insufficient and seeming to bring very little feasible results. Why is their role insufficient? What are the factors that explain this insufficiency?

Guided by our central and secondary research questions and hypotheses, we sought to understand the factors that explain this insufficiency. Our central research question being, how do civil society organizations assist women towards access to land property rights in Fako division? In a more precise manner, **SQ1**: what strategies do they implement to assist women towards access to land ownership in Fako? **SQ2**: how are these strategies perceived by various social groups? **SQ3**: what constraints do CSOs encounter in the field? These questions gave rise to the following

research hypotheses; **SH1:** civil society organizations carry out sensitization campaigns to raise awareness and empower women to have access to land ownership. **SH2:** notwithstanding, women and other social groups perceive their contribution as insufficient. **SH3:** CSOs in carrying out their actions, encounter material and financial constraints. To verify our research hypotheses, we employed some theoretical and methodological frameworks that were useful to the research. As concerns the theoretical model, we made use of the Functionalism theory of Robert K. Merton, which allowed us to comprehend that, CSOs in performing their role, influence individuals' behaviors positively and/or negatively. We equally used the Social Representations Theory of Serge Moscovici which permitted us to understand how social groups perceive and interpret the contribution of civil society organizations.

The qualitative research method of data collection was employed which gave our participants the latitude to freely express themselves in their own words. While the documentary research method enabled us to consult different documents and sources necessary to gain knowledge of the works of other researchers within the relevance of our problematic, the direct observation permitted us to complete what we learnt from participants through their personal recounts by observing and watching them live. Our research was limited in geographical space to the three municipalities (Limbe I, II, III) that make up Limbe subdivision of Fako division found in the South West region of Cameroon. Two sampling techniques were employed to select our informants; the purposive sampling and the snow ball sampling which serve as complementary method to the previous. With these techniques, participants to the study were selected intentionally because they have experiences or knowledge relevant to the research question on the one hand, and on the other hand they were recruited based on referrals from pre-selected respondent. This permitted us to have 14 participants from whom we collected rich and informed data using the interview guide.

Interviews were conducted to 5 groups; CSOs, women, men, traditional rulers and public administration, with each group having distinct and well defined open ended questions. To interpret our collected data, we made use of the content analysis method which enabled us analyze our data in three phases. In the first place, we did a word-for-word transcription of our data from the audio recorder to text. Thereafter, we proceeded to codifying our transcribed data by attributing specific theoretical labels/themes to each set of grouped questions. And lastly, we analyzed our

data by interpreting its content under specific themes that confirmed our research hypothesis. The findings obtained led us to the following conclusion;

That, CSOs have manifest functions translated through their objectives and strategies implemented to assist women towards access to land ownership. By so doing, we first and foremost presented the history and purpose of selected NGOs (FIDA, DMF). Thereafter, we examined the strategies they implement to accompany women towards access to land ownership, and these strategies were examined under three elements, that is, the implementer role, catalyst role and partnership role.

Under the implementer role, we noted that civil society recognizes the role of educating as the base and powerful tool of change as it contributes to development and social progress. It is from this perspective that FIDA and DMF carry out sensitization campaigns to raise awareness in communities. They organize workshops, seminars, match pass, and exchanges to educate the Fako woman on her rights as per the law, educate communities on the need and importance to consider women in the sharing and distribution of landed property as well as address certain traditional practices and beliefs such as the myth surrounding the writing of a Will. As a result of these sensitization campaigns, communities and women in particular are beginning to gain consciousness and asserting their rights to land.

Although there exist no specific structures within the Divisional Delegation of State Property, Surveys and Land Tenure to carry out sensitization campaigns, the delegation however uses the MEVEO cultural event organize in Limbe to distribute brochures and sensitize communities on the importance and procedure of obtaining a land certificate. Even though they insist on the fact that the law is neutral with everybody having equal rights to ownership, they however emphasize that women show more enthusiasm than men when it comes to acquiring information with respect to land titling process as a result of the awareness raising. But at the level of the Ministry, there exist structures that carry out sensitization campaigns such as the “*Clinique Juridiques*” which is a structure put in place within the “*Projet de Prevention des Conflit Fonciers et Accès sécurise a la Terre (PRECOFAT)*” to raise awareness and sensitize communities. This structure organizes workshops and exchanges to educate communities on the global procedure to secure land and on the different competent judiciary concern with handling land disputes. Furthermore, there also exists a gender focal point made up of 16 persons created within the

Ministry to make sure that gender is taken into consideration in matters of land governance. This focal point guide and directly assist women with land titling difficulties or concerns related to land discrimination.

Moreover, FIDA provides legal assistance to women victims of land discrimination through the services of their pro bono lawyers. This enables women to have access to legal aid and legal counsel since most of them lack knowledge and finances to hire a lawyer to engage for legal proceedings that are usually very cumbersome and costly. This legal assistance has enabled some women to regain possession of landed property that were forcefully seized by family members and in-laws after the death of their husbands and father.

Civil society organizations also play the role of catalyst. As catalyst, CSOs inspire, facilitate and contribute to change by seeking to influence wider policy processes. To operationalize this, they carry out lobbying and capacity building activities necessary to support women. Lobbying activities are directed towards lawmakers and government to seek reforms of discriminatory laws and practices that restrict women from land ownership. For example, FIDA organized a conversation meeting with about 100 parliamentarians to expose some discriminatory clauses of the law that requires reform. They also draw the attention of the government on the old and outdated 1974 land laws that necessitate reform, and on the absence of a Family Code which is an important instrument that protects women especially widows against land property exclusion. The existence of a Family Code would reduce land discrimination by clearly spelling out the order of succession with regards to ownership in the case of the death of a spouse. Although these reforms are yet to be effective, CSOs however continue to mount pressure on the government to rethink the existing legal instruments in order to facilitate their access to land ownership for women.

In this same line, we equally observed that CSOs elaborate a top-down approach design to strengthen the skills and knowledge of targeted population. These skills and knowledge ensure the empowerment of women to overcome obstacles linked to land discrimination through the use of their own values and priorities necessary to organize themselves to act. For example, the Denis Miki Foundation mobilizes Fako women into Task forces to serve as mutual support. These task forces permit the Fako woman particularly widows to meet regularly and freely share their stories, experiences and method they use to handle cases of land discrimination. Task forces are important

because CSOs believe that belonging to groups or to certain solidarity, permits an individual to socially position herself, develop increasing self-confidence and empowerment.

Through capacity building strategy women are able to organize themselves in groups and cooperatives in order to obtain parcels of land from the State for agricultural practices through concessions/grants on temporal or absolute basis. It is within this context that the Ministry has put in place the “*Projet d’Appui a la Modernisation du Cadastre et au Climat des Affaires (PAMOCCA)*” funded by the African Development Bank. As a result of this project, the question and study on women’s access to land property rights has increased through securing reliable access to land titles particularly title land attributed to women. This has led to an increase in land ownership by women from 0.6% in 2012 to 27% in 2019.

Lastly, to have far reaching impact in the field, CSOs collaborate and partner with other NGOs, government and donors that share the same vision. That is the partnership role. By building a chain of network and coalition, new knowledge is shared and acquired to handle and better accompany the Fako woman. One of the ways this is done is through referrals where women victims of land discrimination are referred to appropriate organizations and offices to give them useful orientations and better assist them, This chain of network is seen between FIDA and the divisional delegation of women’s empowerment and the family, LUKMEF and REACH OUT. For instance, women needing legal assistance are referred to FIDA who have pro bono lawyers. DMF on her part is a member of the South-West and North-West task forces which regroups other pro- women organizations and associations. Thus, our findings on the role played by CSOs to accompany women towards access to land property permitted us to confirm our first research hypothesis.

Social groups develop representations which justify the interpretations they have of social reality. These representations are based on beliefs and collectively shared knowledge which determines the manner with which these social groups perceive and interpret precise social situations. So, in as much as NGOs contribute to facilitating access to land property rights for women, social groups however have certain knowledge and beliefs that influence the interpretation and perception they have of NGOs advocating for women’s access to land property rights. These perceptions were examined under four factors;

We saw that some participants uphold and acknowledge the contribution of civil society organizations as factor of reducing land discrimination. They argue that as a result of the role of

CSOs, women are gaining consciousness and are beginning to assert their rights to land. They are becoming conscious of the necessity to secure the land they exploit by seeking to acquire knowledge on land titling procedure from the appropriate office. In addition, women are more and more empowered and are increasingly soliciting their participation and implication in decision making structures of the village such as the council of leaders where they can table and discuss their concerns with regards to land ownership, and seek ways of handling them. The contribution of CSOs is not only fundamental and useful to women, but is also fundamental to the community in the sense that it is equally changing the behavior of some male relatives who are not only beginning to more and more consider women in the sharing of family heritage, but are equally taking actions destined to relieve women who are victims of land discrimination. And despite the fact that women continue to experience serious and persistent difficulty from the sons who enjoy inheritance rights, parents are however more conscious as they recognize the capacity of women to valorize the parcel of land they receive as inheritance.

However, contrarily to this opinion, other respondents highlighted that the role of civil society is discriminatory against rural and peri-urban women. They justify their argument in the fact that the actions of civil society organizations are more beneficial to urban than rural women, as a majority of rural and peri-urban women are yet to be exposed to the strategies and services offered by CSOs due to their poor accessibility and visibility in the field. The implied logic conveyed by supporters of this point of view lies on the trend among NGOs in choosing their target population and location. Instead of working with rural communities who still encounter obstacles and receive minimum assistance, they often choose to work in big cities where urban women can afford land ownership due to their financial strength. So, as a result of their poor visibility, most rural women find it difficult to have access to these organizations reason why they are still ignorant of their rights to land property. Going by this argument, the rural woman interprets the actions of CSOs as promoting “preferences” since they concentrate more on urban women leaving the rural women with insufficient training and skills to address the obstacles they encounter. As such, they argued that the rural woman is far from being a priority to the accompaniment role of organizations advocating for women’s access to land property rights.

In a like manner, others perceive the actions of CSOs as challenge to local culture and source of social conflict. They note that women and access to land property rights within tradition is a complex situation. So, understanding this complexity begins with implementing a ground-up

approach that requires the active participation of traditional rulers from the conception to the implementation of the project. But the inability of civil society to adopt this approach for their developmental project, threatens social cohesion and community stability because, within tradition, women are considered as property and adjunct to their husbands, and as such, they are not expected to lay any claims to land since land belongs to the men and sons who are the “*chop chair*”. It is from this angle that the local population interprets their actions of empowering and reinforcing the capacity of women towards land property as detractor to local culture and source of social conflict.

Finally, we noted that civil society is perceived by the local population as a pretext of personal enrichment of the project promoters. They justified their opinion in the fact that NGOs claim to advocate and assist women towards land ownership whereas their hidden objective lies in their quest to obtain huge financial aid from donors with the pretext to organize workshops and seminars. Their quest to wealth accumulation brings the local population to view their advocacy role as more of “a theory than practice”. The interpretations of the role of CSOs by the various social groups concern with this study as insufficient and unsatisfactory permitted us to confirm our second research hypothesis.

We equally saw that in performing their manifest function, the actions implemented by these organizations on the other hand have dysfunctional influences which generate some obstacles that hinder their role from being sufficient. This led us to examining the constraints encounter by CSOs in the field, which we examined under two major factors, that is, material and financial constraints.

Under material constraint we saw that some exogenous and endogenous factors contribute to hinder the role of CSOs. In as much as the cohabitation between modern and traditional land laws hinder women’s access to land property, we observed that the absent of a Family Code, the neutrality of the Law and some traditional beliefs are equally a setback to the activities of CSOs. They highlighted to this effect that despite the sensitization campaigns they carry out, the bottleneck land law procedure in itself discourages women who are willing to register their land to push through to the end. Furthermore, the absent of a Family Code to clearly spell out the order of succession also hinders them from providing sufficient legal assistance especially when it comes to revoking a letter of administration obtained by a deceased husband’s family. This brought the NGOs to question the justice in equality of the law as they argue that their advocacy is faced with

laws that violate three major principles of land governance. That is, the principle of Equity, Fairness and Justice.

Moreover, CSOs argued that the double role played by traditional rulers makes it difficult for them to acquire appropriate information concerning land rights since traditional rulers seek to protect their selfish interest and the interest of the State to the detriment of the women. FIDA and DMF deplored the fact that irrespective of their actions, changing the mentality and belief of traditional rulers and the community in general is a difficult task. For example, changing the belief that surrounds the writing of a Will remains a real problem, whereas the Will is an important instrument within tradition that protects women from land discrimination. This is because communities continue to perceive the writing of a Will as a taboo and a way of predicting and precipitating one's death. The issue is that even some pro-women lawyers shy away from challenging a Will in court especially when the Will of the deceased father or husband disinherits a daughter or wife. These exogenous and endogenous factors do not facilitate the strategies put in place by CSOs to assist women.

We also observed that the constraints encounter by CSOs does not only lie with modern and traditional laws, but also with the reticent behavior of the women they advocate for. For fear to undergo the social cost of being cursed and bewitched if they go against cultural norms, most women shy away from speaking up and denouncing acts of land discrimination. As a result, they become unwilling to push through with the support given them by these organizations. Also, the political bureaucracy involved in doing policy advocacy from grassroots to national level is a real obstacle. This is because the key actors of land rights are not disposed to accept changes that may contradict their selfish interest of personal gains in order to enhance women's access and power over land.

More so, financial constraints render the role of CSOs unsatisfactory. Civil society organizations argued that mobilization and policy advocacy necessitates huge finances which most of them cannot afford. Money is needed to get all the actors of land rights involved in advocacy, to organize advocacy events, provide legal assistance to women victim of land discrimination and carryout media broadcast to reach out to a maximum number of the targeted population with adequate information. But their financial insufficiency causes them to depend solely on funding from internal and external donors. This financial dependency makes them to rely on a limited

means of communication- the mouth-ear dissemination which in itself is very inefficient, thus preventing them from reaching out to communities in a significant manner. These obstacles encountered by CSOs in the field confirm our third hypothesis.

Hence, based on our findings, we discovered that the insufficiency of the role of CSOs in assisting women towards access to land property rights is the result of a dual responsibility. Dual responsibility in the sense that, the method and approach of advocacy implemented by civil society organizations does not reflect the sociocultural context of the local population; and on the other hand, because of the constraints encounter by these organizations in the field which contribute to rendering their role insufficient. In a nutshell, our field investigation permitted us to comprehend that mobilizing and advocating for women to have power and control over land in a traditional society necessitates a synergy of contextual actions between civil society and all the actors of land rights. From this angle, we note the relevance of our subject matter within the sociological discipline in the sense that it treats a question that is transversal and interdisciplinary; that of gender and land rights. The resonance of this question which is sometimes contested and accepted due to its complexity necessitates the production of new knowledge and approaches from the sociological and other disciplinary perspective to contribute to ameliorating the actions implemented by civil society organizations and other actors of land rights towards enhancing women's access to land property rights.

We however desired to push further with the research to acquire a more global opinion of the topic but this was difficult because of some constraints encountered. Some informants and civil society organizations declined our request to participate to the study because they saw the research as a way of wanting to dig into the internal affairs and functioning of their organization. But in spite of these difficulties, we were able to work with organizations and informants who voluntarily accepted to participate and express their views.

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ANNEXES

ANNEX 1

RESEARCH AUTHORIZATION

RÉPUBLIQUE DU CAMEROUN
Paix – Travail – Patrie

UNIVERSITÉ DE YAOUNDÉ I

FACULTÉ DES ARTS, LETTRES
ET SCIENCES HUMAINES

DÉPARTEMENT DE SOCIOLOGIE

BP : 755 Yaoundé
Siège : Bâtiment Annexe FALSH-UYI, à côté AUF
E-mail : depart.socio20@gmail.com



REPUBLIC OF CAMEROON
Peace – Work – Fatherland

THE UNIVERSITY OF YAOUNDE I

FACULTY OF ARTS, LETTERS
AND SOCIAL SCIENCES

DEPARTMENT OF SOCIOLOGY

ATTESTATION DE RECHERCHE

Je soussigné, Professeur **LEKA ESSOMBA Armand**, Chef de Département de Sociologie de l'Université de Yaoundé I, atteste que l'étudiante **NKINI Glory Shey**, Matricule **03H101**, est inscrite en Master, option Urbanité et ruralité. Elle effectue, sous la direction du **Docteur LEUMAKO Jeannette épouse NONGNI** un travail de recherche sur le thème : « *Assessing the role of civil society organisations towards women's access to land property rights in the Fako division* ».

Je vous serais reconnaissant de lui fournir toute information non confidentielle, susceptible de l'aider dans cette recherche.

En foi de quoi, la présente attestation lui est délivrée pour servir et valoir ce que de droit.

Fait à Yaoundé, le 22 DEC 2021


Armand LEKA ESSOMBA
Maître de Conférences

ANNEX 2

INFORMED CONSENT OF RESPONDENTS.

This research is carried out by **NKINI GLORY SHEY**, Masters Student in Urban and Rural sociology, University of Yaoundé I, under the topic, **Assessing the Role of Civil Society Organizations towards Women's Access to Land Property Rights in the Fako division: the case of Limbe sub-division.**

It seeks to understand why the role of CSOs in assisting women towards access to land property rights is unsatisfactory as women still encounter persistent difficulty to own land. To this effect, the work examines how CSOs assist women towards access to land property rights, examines the perception of social groups of this role and, show the constraints CSOs encounter in the field.

There is no risk associated with participating and completing this interview guide. Your consent is sought because we want to be sure that you provided us your point of view willingly and freely. All information that you provide is confidential and will be used strictly for academic purpose. Nothing that you write or say will be attributed to you except you specify so.

Your participation will greatly help to enrich this research work and will serve as contribution to ameliorating the actions implemented by CSOs to enhancing women's access to land property rights.

Thank you for your assistance.

ANNEX 3

INSTRUMENT FOR DATA COLLECTION

SECTION I - INTERVIEW GUIDE FOR CIVIL SOCIETY ORGANIZATIONS

a. History and Purpose of the Organization

- 1) Name of the Organization
- 2) Location
- 3) Zone of coverage
- 4) Duration of your organization
- 5) Purpose of your organization
- 6) Your opinion with regards to women and access to land property rights in Fako.

b. The role of your organization in assisting women own land

- 7) Strategies elaborated and implemented by your organization to assist women have power and control over land in Fako.
- 8) Your satisfaction of your role

c. Hindrances to your role

- 9) Problems encountered by your organization in advocating for women's access to land ownership

SECTION II- Interview Guide for Public Administrations- MINDCAF and, the Divisional Delegation of Women's Empowerment and the Family Fako.

a. Women and access to land ownership as view by public administrations

- 1) Situation of women and land ownership in the Fako division
- 2) Should measures be taken to improve on the woman's situation

b. The role of Public Administration in supporting women towards access to land property rights

- 3) Structures put in place within your institution to accompany women towards access to land property rights
- 4) Representation and role of women in these structures.
- 5) The awareness of the Fako woman with regards to the existence of these structures put in place to ameliorate her situation of land ownership.
- 6) Your relationship with other NGOs and associations that advocate for women's access to land ownership

c. Opinion of the contribution of advocacy groups

- 7) Your satisfaction of their advocacy role
- 8) Should measures be taken to improve their action

SECTION III- Interview Guide for Women

a. Personal Information

- 1) Name
- 2) Age
- 3) Activity/profession
- 4) Residence
- 5) Who owns the land on which you work

b. Personal opinion with regards to women and land ownership in your community

- 6) Your opinion about women and land property rights in your community
- 7) Your experience (s) with land ownership
- 8) Your knowledge of the existence of organizations and institutions that advocate and accompany women to own land. Tell us how you got to know about them

c. Perception of the role of CSOs

- 9) Your relationship with these organizations
- 10) Tell us how you have been assisted by these NGOs to own land
- 11) Your opinion of the contribution made by these organizations to assist women
- 12) Your satisfaction of their role
- 13) Measures to ameliorate women's access to land ownership.

SECTION IV- Interview Guide for Men

a. Personal Information

- 1) Name
- 2) Age
- 3) Activity/ profession
- 4) Residence

b. Personal opinion with regards to women and land ownership in your community

- 5) Your opinion of the situation of women and land property rights in your community
- 6) Factors that hinder women to acquire land as property in your community
- 7) Your knowledge of the existence of organizations and institutions that advocate and mobilize resources for women to own land

c. Perception of the role of CSOs

- 8) Your relationship with these organizations
- 9) Your opinion of the contribution made by these organizations to assist women towards access to land property rights
- 10) Your satisfaction with regards to their role According to you
- 11) Your opinion about revalorizing women's situation with regards to land ownership

SECTION V- Interview Guide for Traditional Rulers

a. Personal information

- 1) Name
- 2) Village
- 3) Who owns a majority of land in your village

b. Personal opinion with regards to women and land ownership in your community

- 4) Your opinion of the situation of women and land ownership in your village
- 5) Your contribution to support women towards land ownership
- 6) Your knowledge of the existence of organizations and institutions that advocate and mobilize resources for women to own land

c. Perception of the role of CSOs

- 7) Your relationship with these advocacy organizations
- 8) Your opinion of their contribution to accompany women towards access to land property rights
- 9) Your satisfaction of their role
- 10) Your opinion about revalorizing women's situation with regards to land ownership

ANNEX 4

LIST OF INFORMANT.

A- CIVIL SOCIETY ORGANIZATIONS

No.	Name of Organization	Leader	Location of organization	Date of interview	Time of interview
1	International Federation of Female Lawyers- FIDA	Barrister Mbuya Gladys	Holiday Inn, Lumpsum Limbe	23 July 2022	11 am
2	The Denis Miki Foundation	EMILIA MIKI	Opposite SS Club Junction, Botaland Limbe	27 July 2022	2pm

B- PUBLIC ADMINISTRATION

No	Name	Divisional Delegate's Name	Location	Date of interview	Time of interview
1.	The Divisional Chief of Service for Land Tenure-Fako.	Madam Mbua Namondo Solange	Bota	29 July 2022	2:30 Pm
2.	The Divisional Delegation of Women's Empowerment and the Family.	Madam Limunga Luma	Mile 1	29 of July	11am

C- WOMEN

No	Name	Activity	Residence	Date of interview	Time of interview
1	Madam Joanna Ndongo	Business woman	Newtown	25 July 2022	3 pm
2	Madam Marylyn Akwi	Buyam sellam	Kie village	03 August 2022	5 pm
3	Okala sisters	Farmer	Lumpsum quater	26 August 2022	6 pm
4	Madam Cecilia	Business woman	Mabeta village	31 July 2022	2 pm
5	Madam Chia Felicia	Housewife	Mabeta village	31 July 2022	6 pm

D- MEN

No	Name	Activity	Residence	Date of interview	Time of interview
1	Mr Elangwe	CDC staff	Kie village	27 July 2022	4 pm
2	Pa Mbella	Retired teacher	Bota	02 August 2022	1 pm

E- TRADITIONAL RULER

No	Name	Village	Date of interview	Time of interview
1	Chief Andrew Ekoka MOLINDO	Mondoli Village	28 July 2022	3 pm
2	Chief Eyole HADDISON	Southern Motowoh	25 July 2022	10 am
3	Chief Moki MONONO	Newtown East	25 July 2022	5 pm

ANNEX 5

MINDCAF CIRCULAR

REPUBLIQUE DU CAMEROUN
Paix – Travail – Patrie
MINISTRE DES DOMAINES, DU CADASTRE
ET DES AFFAIRES FONCIERES
SECRETARIAT GENERAL
DIRECTION DES AFFAIRES FONCIERES

1ⁿ 959 /Y.6/MINDCAF/SG/D2

REPUBLIC OF CAMEROON
Peace – Work – Fatherland
MINISTRY OF STATE PROPERTY,
SURVEYS AND LAND TENURE
SECRETARIAT GENERAL
DEPARTMENT OF LAND TENURE

Yaoundé, le 28 AVR 2020

Le Ministre
A
Monsieur le Préfet
du Département du Fako
- Limbe -

Objet : Suspension des immatriculations directes et des concessions du domaine national dans certains Arrondissements du Département du Fako.

Mon attention particulière vient d'être appelée sur le développement de pratiques non conformes à la réglementation en vigueur, dans le cadre des demandes et du traitement des dossiers visant l'immatriculation directe des dépendances du domaine national dans certains Arrondissements du Département du Fako. La violation des dispositions juridiques en vigueur, dans leur lettre et leur esprit, a été observée principalement à travers :

- l'établissement et la délivrance de titres fonciers sur le domaine national de deuxième catégorie par voie d'immatriculation directe, au détriment de la procédure de concession ;
- l'établissement et la délivrance de titres fonciers au mépris des différentes étapes de la procédure prévue à cet effet ;
- l'accaparement des terres.

Par la présente correspondance, j'ai l'honneur de vous faire connaître qu'afin de mettre un terme à ces pratiques révélatrices d'insuffisances managériales et génératrices de nombreux conflits fonciers, les immatriculations directes et les concessions des dépendances du domaine national sont suspendues, à compter du 30 avril 2020 et jusqu'à nouvel avis, dans les Arrondissements de Buea, Limbe 1^{er}, Limbe 2^{ème}, Limbe 3^{ème}, Tiko au sein du Département du Fako.

Toute dérogation éventuelle à cette ferme instruction est subordonnée à l'accord préalable du Ministre des Domaines, du Cadastre et des Affaires Foncières, dûment saisi. Par conséquent, vous voudrez bien me soumettre les dossiers présentement en cours d'examen, pour appréciation et suite à donner.

J'attache du prix au strict respect des présentes prescriptions qui visent à garantir une gestion rationnelle et optimale des terres disponibles relevant du patrimoine foncier national, au niveau des unités administratives en question, dans l'optique de la préservation constante de l'intérêt général.-

Copie :
- SG ;
- JG ;
- Directeurs (PS) ;
- Gouverneur/SW(ATI) ;
- DR/MINDCAF/SW(ATI) ;
- DD/MINDCAF/Fako(PC) ;
- Chrono/Archives.



Henri Eyeba Ajissu

TABLE OF CONTENTS

DEDICATION	i
ACKNOWLEDGMENTS	ii
SUMMARY	iii
ABSTRACT.....	iv
RÉSUMÉ	v
LIST OF ABBREVIATIONS AND ACRONYMS.....	vi
LIST OF FIGURES	vii
LIST OF TABLES.....	viii
GENERAL INTRODUCTION.....	1
I- CONTEXT AND JUSTIFICATION	2
II- RESEARCH PROBLEM.....	4
III- PROBLEMATIC	5
A- OBSTACLES TO WOMEN’S ACCESS TO LAND OWNERSHIP.....	6
A-1- Obstacles linked to statutory land laws.....	6
A-2- Obstacles linked to Customary Law practices.....	12
A-3- Obstacles linked to the Woman	17
B- INSTRUMENTS PUT IN PLACE TO ACCOMPANY WOMEN TOWARDS ACCESS TO LAND PROPERTY RIGHTS.....	20
B-1- Some institutions put in place at the International level	21
B-2- Some Legal instruments put in place at the International level.....	21
B-3- Instruments put in place in Cameroon.....	22
IV- RESEARCH QUESTIONS.....	24
This work is structured around a central research question divided into three secondary questions.....	24
IV-1- CENTRAL QUESTION	25
IV-2- SECONDARY QUESTIONS	25
V- RESEARCH HYPOTHESIS	25

V -1- CENTRAL RESEARCH HYPOTHESIS	25
V-2- SECONDARY HYPOTHESIS	25
VI- RESEARCH OBJECTIVES	25
VI -1- PRINCIPAL OBJECTIVE	26
VI-2- SPECIFIC OBJECTIVES.....	26
VII- METHODOLOGY	26
VII-1- THEORETICAL FRAMEWORK	26
VII-1-1- THE FUNCTIONALISM THEORY	27
VII-1-2- SOCIAL REPRESENTATIONS THEORY (SRT).....	28
VII-2- DATA COLLECTION	29
VII-2-1- Area of the Study	29
VII-2-2- Population and Sampling	29
VII-2-3- Purposive Sampling	33
VII-2-4- Snowball or Referral Sampling	33
VII-2-5- Techniques and Tools of Data Collection.....	34
VII-2-5-1- Documentary Research.....	34
VII-2-5-2- Direct Observation.....	35
VII-2-5-3- Semi-Structure Interview.....	35
VII-2-5-4- Theoretical Saturation	37
VII-3- Data Analysis.....	37
VIII- CONCEPTUAL FRAMEWORK.....	38
VIII-1- WOMAN.....	39
VIII-2- LAND.....	39
VIII -3- Land Property Rights	41
VIII-4- Civil Society Organizations	42
IX- PLAN OF WORK	43

PART I: CIVIL SOCIETY ORGANIZATIONS: AN OVERVIEW, CONTEXT OF EMERGENCE, AND THEIR CONTRIBUTION TOWARDS WOMEN’S ACCESS TO LAND PROPERTY RIGHTS.....	44
CHAPTER 1	46
AN OVERVIEW OF CIVIL SOCIETY ORGANIZATIONS AND CONTEXT OF EMERGENCE.....	46
1-1- 1- CIVIL SOCIETY ORGANIZATIONS: UNDERSTANDING THE CONCEPT	47
1-1-1-1- TYPOLOGY OF CIVIL SOCIETY ORGANIZATIONS	49
1-1-1-2- HISTORICAL EVOLUTION OF CIVIL SOCIETY ORGANIZATIONS.....	50
1-1-1-2-1- EMERGENCE OF CIVIL SOCIETY ORGANIZATIONS IN SUB SAHARA AFRICA.....	51
1-1-1-2-2- EMERGENCE OF CIVIL SOCIETY ORGANIZATIONS IN CAMEROON...	53
1-1-1-2-2-1- The Period Before 1990.....	53
1-1-1-2-2-2- The Period After 1990	55
CHAPTER 2:THE CONTRIBUTION OF CIVIL SOCIETY ORGANIZATIONS TOWARDS WOMEN’S ACCESS TO LAND PROPERTY RIGHTS IN FAKO DIVISION	59
1-2-1- BRIEF HISTORY AND PRIMARY PURPOSE OF SOME NGOs AND PUBLIC ADMINISTRATION	60
1-2-1-1- THE INTERNATIONAL FEDERATION OF FEMALE LAWYERS (FIDA)	60
1-2-1-2- THE DENIS MIKI FOUNDATION (DMF).....	60
1-2-1-3- PUBLIC ADMINISTRATIONS.....	61
i) The Ministry of State Property, Surveys and Land Tenure.....	61
ii) The Ministry of Women’s Empowerment and the Family	61
1-2-2- STRATEGIES IMPLEMENTED BY CIVIL SOCIETY ORGANIZATIONs TO ACCOMPANY WOMEN TOWARDS ACCESS TO LAND PROPERTY RIGHT	62
1-2-2-1- THE IMPLEMENTER ROLE OF CSOs.....	62
1-2-2-1-1- Sensitization Campaigns	62
1-2-2-1-2- Legal Assistance	66

1-2-2-2- THE CATALYST ROLE OF CSOs	68
1-2-2-2-1- Lobbying	68
1-2-2-2-2- Capacity Building	70
1-2-2-3- THE PARTNERSHIP ROLE OF CSOs	72
1-2-2-3-1- Collaboration.....	72
PART II.....	75
ASSESSING THE ROLE OF CIVIL SOCIETY ORGANIZATIONS TOWARDS WOMEN’S ACCESS TO LAND PROPERTY RIGHTS IN FAKO DIVISION.	75
CHAPTER 3	77
PERCEPTION OF SOCIAL GROUPS OF THE CONTRIBUTION OF CIVIL SOCIETY ORGANIZATIONS.....	77
2-3-1- CIVIL SOCIETY ORGANIZATIONS AS FACTOR OF REDUCING LAND DISCRIMINATION.....	78
2-3-2- CSOS AS DISCRIMINATORY AGAINST RURAL AND PERI URBAN WOMEN.....	81
2-3-3- CSOS AS CHALLENGE TO LOCAL CULTURE AND SOURCE SOCIAL CONFLICT.....	84
2-3-4- CIVIL SOCIETY ORGANIZATIONS AS PRETEXT OF PERSONAL ENRICHMENT.....	88
CHAPTER 4:CONSTRAINTS ENCOUNTER BY CIVIL SOCIETY ORGANIZATIONS IN THE FIELD.	92
2-4-1- MATERIAL CONSTRAINTS AS HINDRANCE TO THE ASSISTANCE ROLE OF CSOs.....	93
2-4-1-1- Exogenous and Endogenous factors as obstacle to the role of CSOs	93
Table 4: Number of certificates issued in Fako division between 2006-2010	96
2-4-1-2- Reticent behavior of women as constraint to the role of Civil Society Organizations	99
2-4-1-3- Constraint linked to Collaboration and Policy Advocacy.....	101
2-4-2- FINANCIAL CONSTRAINTS AS HINDRANCE TO THE AASSISTANCE ROLE OF CSOs.....	103
GENERAL CONCLUSION	106
BIBLIOGRAPHY	117
ANNEXES	ix
ANNEX 1.....	x

RESEARCH AUTHORIZATION.....	x
ANNEX 2.....	x
INFORMED CONSENT OF RESPONDENTS.....	x
ANNEX 2.....	xi
INFORMED CONSENT OF RESPONDENTS.....	xi
ANNEX 3.....	xii
INSTRUMENT FOR DATA COLLECTION.....	xii
ANNEX 4.....	xvii
LIST OF INFORMANT.....	xvii
ANNEX 5.....	xix
MINDCAF CIRCULAR.....	xix
TABLE OF CONTENTS.....	xx