

# Gender Inequality and Land Rights: The Situation of Indigenous Women in Cameroon

EE Njieassam\*



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## Author

Ester E Njieassam

## Affiliation

University of Johannesburg  
South Africa

## Email

esthere@uj.ac.za

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## Abstract

Land is an essential resource that serves as a means of subsistence for millions of people in the world and indigenous communities and women in particular. Most indigenous societies' survival is closely tied to land. In Cameroon, indigenous women are the backbone of food production in their communities. That makes access to land important, as it is a significant source of wealth and power for indigenous peoples in general and indigenous women in particular. While women all over the world encounter gender-based discrimination in relation to the control and ownership of land, indigenous women face triple discrimination on the basis of their gender (as women), their ethnicity (as indigenous peoples) and their economic class (economically poor). They are often dehumanised, degraded and subjected to treatment as second-class human beings despite the existence of national legislation that discourages such practices. This paper interrogates the possibility of including indigenous women in government and decision-making processes in Cameroon in the hope that they may be involved in key decision-making processes that affect them, thereby reducing their economic and social vulnerability. It concludes with some thoughtful recommendations on policy reform aimed at ensuring access to land for indigenous women as well as socio-economic justice in its broadest sense.

## Keywords

Indigenous women; gendered-based discrimination; land rights; gender inequality; decision-making; participation; Cameroon.

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## 1 Introduction

Land is an essential resource that serves as a means of subsistence for millions of people in the world and indigenous communities and women in particular. While most indigenous societies' survival is closely tied to land, their women are often the backbone of food production in their communities.<sup>1</sup> That makes access to land important, as it is a significant source of wealth and power for indigenous peoples in general and indigenous women in particular.<sup>2</sup> However, the recent trend of commercial and infrastructural development that is putting pressure on the traditional land of indigenous peoples is intensifying the denial of indigenous women's right to land.<sup>3</sup> Wachira asserts that the massive loss of ancestral lands and natural resources is central to the pervasive discrimination and exclusion that indigenous peoples and their women encounter daily.<sup>4</sup> Related studies reveal that customary practices have implanted patriarchal norms in Cameroonian society so that it is thought natural that men oppress, exploit and subordinate women, and prevent them from inheriting and controlling land.<sup>5</sup> Sone is of the view that this practice has permitted men to make decisions and adopt laws that work in their favour to the detriment of women.<sup>6</sup> Although indigenous women are actively involved in diverse roles in the family and community (such as child-bearing, caring for the children and the entire family, the construction of family huts, and food production), they do not have the right to own the land they use for food production.<sup>7</sup> Therefore, the system of land tenure in Cameroon has predisposed men and women to participate in the public domain differently.<sup>8</sup>

There is a wealth of academic writing on women's right to land in Cameroon in general. However and unfortunately, the literature on indigenous women's right to land in Cameroon is scanty. This has suggested that there is a need for an investigation into the possible causes of this pervasive discrimination perpetrated against indigenous women about access to and

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\* Esther E Njieassam. LLB (Buea) LLM LLD (NWU). Postdoctoral Research Fellow, South African Research Chair in International Law, Faculty of Law, University of Johannesburg, South Africa. E-mail: esthere@uj.ac.za.

<sup>1</sup> Same and Greenen *Discourses, Fragmentation and Coalitions* 1-14.

<sup>2</sup> Feiring 2013 <http://www.landcoalition.org/sites/default/files/documents/resources/IndigenousPeoplesRightsLandTerritoriesResources.pdf> 45-46.

<sup>3</sup> Anon 2017 <http://pubs.iied.org/pdfs/17448IIED.pdf>.

<sup>4</sup> Wachira "Indigenous Peoples' Rights to Land and Natural Resources" 299.

<sup>5</sup> Fonjong, Fombe and Sama-Lang 2013 *GeoJournal* 576.

<sup>6</sup> Sone 2012 *J Soc Dev Afr* 87.

<sup>7</sup> IFAD date unknown <https://www.ifad.org/documents/10180/3629656a-70f3-4c94-b58f-fd1e7ea2f4dc> 1-10.

<sup>8</sup> Fonjong, Fombe and Sama-Lang 2013 *GeoJournal* 576-577.

control of land. Given that indigenous peoples, especially women, are the most marginalised, disadvantaged and neglected group of people in Cameroonian society, a study of this nature becomes very important in my view.

This paper argues that the inclusion of indigenous women in government, and their participation in decision-making processes over issues that affect them, both directly and indirectly, may alleviate the crisis and ultimately change the way key issues such as access to and control over land are conducted in their communities. At the core of this paper is the argument that the inclusion of indigenous women in government (a liberal approach to public participation in the public affairs of the country as well as participation as citizens) is key to resolving the issue of access to and control over lands by indigenous women in Cameroon. In order to achieve this, this paper commences with a delineation of the indigenous peoples (and women in particular) in the Cameroonian context; as well as the different communities in which they live. This is followed by a discussion of the customary notion of land rights in the country. The paper examines the legislative framework that regulates access to land in Cameroon and the concept of gender inequality in the country is explored, especially with reference to its effects on indigenous women's right to land.

## **2 The origins of the indigenous peoples of Cameroon**

The genesis of the indigenous peoples of Cameroon is as complex as the concept itself. Even though very limited or no literature exists in dealing with the origin of this group of people, several sources attest to the fact that they were the first inhabitants or "first peoples" to settle in the tropical forest of Cameroon before European colonisation.<sup>9</sup> I will adopt the appellation "Pygmies" and "Mbororos" to refer to those groups who self-identify as indigenous peoples in Cameroon. Although there are some controversies, regarding the term "indigenous peoples" as it is considered insulting and derogatory, over time many indigenous peoples have preferred the name as it distinguishes them from the rest of the society.<sup>10</sup>

However, the mystery of how and where they originate from remains a debatable subject amongst academics. Verdu is of the opinion that the

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<sup>9</sup> CEDD, RACOPY and FPP 2010 <http://www.forestpeoples.org/en/partners/ced/publication/2010/situation-indigenous-peoples-cameroon-supplementary-report-un-committe> 9.

<sup>10</sup> Survival International date unknown <http://wwwsurvivalinternational.org/tribes/pygmies>.

"Pygmies" in Western Central Africa have existed for over 2,800 years and originated from an ancestral group 70,000 years ago that gave birth to the non-pygmy population.<sup>11</sup> History holds that the Bakas were the first inhabitants to settle at the borders of the southern and eastern regions of Cameroon.<sup>12</sup> They self-identify as "forest peoples" or "indigenous peoples" based on the spiritual attachment they have with the forests as well as the belief that they are the original inhabitants of the African tropical forests.<sup>13</sup> The forest to them is a symbol of security and peace and must be preserved for future generations.<sup>14</sup> As their primary occupations are hunting, fishing and gathering, their existence depends on the land, especially because the majority of them (women) have adopted a sedentary lifestyle with agriculture as their primary way of life.

On the other hand, the Mbororos in the North-West region of Cameroon (also known as the Fulani or Nomadic Fulani) originate from the Kano region, the present-day Nigeria, and from an ethnic group called Fulbe.<sup>15</sup> They then migrated through the Sahel and Savannah belt from West to East Africa around the 19th century in search of fertile regions for cattle grazing and favourable political conditions.<sup>16</sup> The favourable climatic conditions in Bamenda enabled their settlement.<sup>17</sup> Other scholars believe that this group of people originated from the Berber community of North Africa and Sub-Saharan Africa between the 8th and 11th century AD.<sup>18</sup> They then journeyed through the Middle East and later migrated to Senegal and eventually scattered throughout West and Central Africa and the borders of Ethiopia between 900-1900 AD.<sup>19</sup> This group of people have always retained a

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<sup>11</sup> Survival International date unknown <http://www.survivalinternational.org/tribes/pygmies>.

<sup>12</sup> ILO 2015 [https://www.ilo.org/gender/Informationresources/Publications/WCMS\\_438854/lang--en/index.htm](https://www.ilo.org/gender/Informationresources/Publications/WCMS_438854/lang--en/index.htm)pdf.

<sup>13</sup> Anadolu Agency 2017 <https://www.dailysabah.com/feature/2017/08/03/inside-camerouns-pygmy-community-traditions-lifestyle-and-religion>; Mawoung 2001 *African Study Monographs* 209.

<sup>14</sup> CEDD, RACOPY and FPP 2010 <http://www.forestpeoples.org/en/partners/ced/publication/2010/situation-indigenous-peoples-cameroon-supplementary-report-un-committee> 9.

<sup>15</sup> Anter 2011 <https://www.modernghana.com/news/349849/1/who-are-the-fulani-people-their-origins.html>.

<sup>16</sup> Pelican 2009 *American Ethnologist* 57.

<sup>17</sup> It is important to note that although the Mbororos are scattered through all the provinces of Cameroon, most of them are settled in the North West Province of Cameroon, which is called Bamenda, and have adopted a sedimentary lifestyle; Pelican 2009 *American Ethnologist* 58.

<sup>18</sup> Anter 2011 <https://www.modernghana.com/news/349849/1/who-are-the-fulani-people-their-origins.html>.

<sup>19</sup> Anter 2011 <https://www.modernghana.com/news/349849/1/who-are-the-fulani-people-their-origins.html>.

nomadic lifestyle as herders and traders, which led to their developing several trade routes throughout West Africa.<sup>20</sup> Although recently most of them have also adopted a sedentary lifestyle, like the "Pygmies", they are still regarded as strangers and face significant challenges (especially the Mbororo women) regarding land ownership, and their exclusion from political spheres and decision-making processes.

The indigenous peoples have a unique lifestyle with a special connection to the environment, land and natural resources.<sup>21</sup> The "Pygmy" and "Mbororo" women in Cameroon face similar problems of acute marginalisation, gender-based discrimination, segregation, rejection, poverty and denial of rights to land.<sup>22</sup> Customary laws and the legal framework regulating land tenure and property rights threaten the integrity and security of indigenous women's access to and right to land.

### **2.1 The identification of the indigenous peoples of Cameroon**

The identification of the indigenous peoples remains an ambiguous and challenging subject in Cameroon, especially in the absence of a universal definition of the concept. Most African states are reluctant to acknowledge the existence of indigenous peoples in their community and Cameroon is no exception.<sup>23</sup> International instruments specifically involved in promoting the rights of indigenous peoples such as the *ILO Convention No 169* and the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP)<sup>24</sup> do not adequately define the concept. This controversy was resolved (though this was not binding on states parties) when the African Commission on Human and Peoples Rights Working Group on Indigenous Populations/Communities outlined specific characteristics that describe and identify indigenous peoples in Africa.

It became clear in terms of the above that two groups in Cameroon meet the criteria and qualify as indigenous peoples: the Mbororo nomadic pastoralists and the hunter-gatherer communities known as the Forest Peoples or the "Pygmies".<sup>25</sup> Despite this, the *Constitution of Cameroon* failed to adequately protect the rights of indigenous peoples' and to

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<sup>20</sup> Anter 2011 <https://www.modernghana.com/news/349849/1/who-are-the-fulani-people-their-origins.html>.

<sup>21</sup> Abate and Kronk 2013 *Tul Envtl LJ* 180.

<sup>22</sup> Coates *Global History of Indigenous Peoples* 138.

<sup>23</sup> Gilbert 2017 *ICLQ* 658.

<sup>24</sup> *United Nations Declaration on the Rights of Indigenous Peoples* (2007) (UNDRIP).

<sup>25</sup> ILO 2015 [https://www.ilo.org/gender/Informationresources/Publications/WCMS\\_438854/lang--en/index.htm](https://www.ilo.org/gender/Informationresources/Publications/WCMS_438854/lang--en/index.htm).

specifically state which groups are classified as indigenous peoples.<sup>26</sup> Based on this, the government launched a study in 2009 aimed at investigating groups that qualify as indigenous peoples in Cameroon.<sup>27</sup> It is only recently that Cameroon has begun recognising the concept of indigeneity, after identifying certain groups as indigenous.<sup>28</sup> It is arguable that government acknowledges the existence of indigenous groups only when international organisations such as the World Bank intend funding indigenous programmes in an effort to improve their living conditions.<sup>29</sup> That notwithstanding, no group in Cameroon has been officially recognised as indigenous. Such people are often classified as "marginal populations" or "vulnerable groups".<sup>30</sup> It is therefore correct to say that the recurrent discrimination against indigenous women with regard to land tenure rights may be attributed to the lack of adequate recognition in the national *Constitution*. To this end, these groups continue to experience extreme levels of poverty, political repression and worse forms of economic and social inequality than non-indigenous women.

### 3 The customary notion of land rights in Cameroon

In Cameroon, as in most other African states, customary law constitutes a major source of law and is a vital part of the legal system. It has been given constitutional acknowledgement and protection, particularly with regard to customary land tenure and the various institutions governing it.<sup>31</sup> Customary laws are defined as the laws, practices and customs of indigenous and local communities.<sup>32</sup> They are usually unwritten social rules and structures of a community derived from their shared values based on tradition.<sup>33</sup> These rules serve as laws that are respected by and binding on every individual in the community. Some scholars contend that these norms were tricks of the

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<sup>26</sup> See para 5(2) of the *Constitution of the Republic of Cameroon*, 1996.

<sup>27</sup> ILO 2015 [https://www.ilo.org/gender/Informationresources/Publications/WCMS\\_438854/lang--en/index.htm](https://www.ilo.org/gender/Informationresources/Publications/WCMS_438854/lang--en/index.htm). This study is still to be finalised. Progress has been made, and it is presently in its second stage.

<sup>28</sup> See Bakang Mbock *Speech*; Nguh *Implementing the Basic International Law Principles* 8; ACHPR 2010 <http://www.achpr.org/states/cameroon/reports/2nd-2003-2005/119-120>; Ministry of Justice Cameroon *Report on Human Rights* 271; CEDD, RACOPY and FPP 2010 <http://www.forestpeoples.org/en/partners/ced/publication/2010/situation-indigenous-peoples-cameroon-supplementary-report-un-committee> 13.

<sup>29</sup> Pelican 2013 *Anthropol Today* 13-14.

<sup>30</sup> Pelican 2013 *Anthropol Today* 13.

<sup>31</sup> Ossome 2014 *Feminist Economics* 155.

<sup>32</sup> WIPO 2013 [http://www.wipo.int/export/sites/www/tk/en/resources/pdf/overview\\_customary\\_law.pdf](http://www.wipo.int/export/sites/www/tk/en/resources/pdf/overview_customary_law.pdf).

<sup>33</sup> Fombad 2014 *JMAS* 481.

colonialists to ensure rapid social change and instability in the society.<sup>34</sup> For example, Chanock thinks that customary law is a colonial construct or tool embedded in law by both the white colonial masters and their black counterparts to establish a patriarchal order in the community, which prevents women from protecting their interests.<sup>35</sup> This societal construct has restricted women and indigenous women's (in particular) ability to inherit, own and control land, which is a vital resource for sustenance and sustainable development. Ndulo comments that traditionalists view customary law as an essential element to uphold traditional values and enhance human rights.<sup>36</sup> Thus, customary law is described as a living set of rules upon which most indigenous societies base their practices and activities.

Indigenous communities everywhere view land as a collective resource, although various controversies have emerged regarding the claim to this right, especially claims related to ownership and control.<sup>37</sup> By implication, no individual in the indigenous community could claim ownership of a piece of land, nor could the land be sold to non-indigenous people since the goal was to pass it on to posterity.<sup>38</sup> The entire community had a collective right to these lands and the resources therein.<sup>39</sup> Land and natural resources were considered ancestral gifts meant to be preserved and transmitted to the younger generations.<sup>40</sup> In practice, traditional societies at that time were governed by customary rules, that is, a customary land tenure system which governed the relationship between humans, the land and its resources.<sup>41</sup> Land was therefore held under a communal land tenure system.<sup>42</sup> The local chief or family heads, usually the men, hold land in custody for the entire community/family, with the power to "lease" out the land to individuals according to their demands (farming, hunting or building).<sup>43</sup> For instance, in *Amodu Tijani v The Secretary, Southern Province Nigeria*<sup>44</sup> the case

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<sup>34</sup> Ossome 2014 *Feminist Economics* 157.

<sup>35</sup> Chanock *Law, Custom, and Social Order* 132.

<sup>36</sup> Ndulo 2011 *Ind J Global Legal Studies* 88.

<sup>37</sup> Jarboe 2010 *BC Third World LJ* 389-399.

<sup>38</sup> Amungwa 2011 *J Hum Ecol* 54-55.

<sup>39</sup> Nguiffo, Kenfack and Mballa "Influence of Historical and Contemporary Land Laws" 49-50.

<sup>40</sup> Wachira "Indigenous Peoples' Rights to Land and Natural Resources" 301-305; Lanz 2000 *Environment and History* 103-107.

<sup>41</sup> Nguiffo, Kenfack and Mballa "The Influence of Historical and Contemporary Land Laws" 49.

<sup>42</sup> Lanz 2000 *Environment and History* 103-104.

<sup>43</sup> Amungwa 2011 *J Hum Ecol* 54; Kameri Mbote date unknown <http://erepository.uonbi.ac.ke/bitstream/handle/11295/41243/Fulltext?sequence=1>.

<sup>44</sup> *Amodu Tijani v The Secretary, Southern Province Nigeria* 1992 2 AC 399.

concerned a dispute over compensation made in respect of land belonging to the Apapa community located in the then Colony of Nigeria. In accordance with the *Public Lands Ordinance* of 1903, the Governor had the right to possess for public purposes any land considered not in use, and to compensate the community through the Head Chief. The Head Chief held the land in trust for the community. In this case, the Head Chief challenged the compensation paid and demanded the full value of the land. The Supreme Court held that the appellant should be compensated in accordance with the *Public Lands Ordinance* 5 of 1903 on the grounds that he had provided full ownership and title to the land in question. The Court also held that the appellant should transfer the land to the Governor in full ownership, with the exception that the land was unoccupied, together with his title to collect rents or tribute, and that the compensation awarded be distributed amongst the community members in accordance with the Native Council District in agreement with the Governor.

Women generally do not experience challenges in accessing land for food production: the issue arises when it comes to complete control and ownership of land.<sup>45</sup> Men dominate the decision-making process under customary law, especially as most of the land under the customary land tenure system is unregistered.<sup>46</sup> As a result, they tend to make decisions regarding the security of tenure that discriminates against women.<sup>47</sup> The responsibility for these discriminatory practices can be attributed to the functioning of the indigenous communities as patriarchies, which makes it difficult for women to be on a par with men, especially with regard to the control and ownership of land.<sup>48</sup>

Since land is a symbol of indigenous peoples' survival and culture, access to and control over land is crucial for their everyday existence.<sup>49</sup> Indigenous communities in Cameroon are governed by customary laws that are reluctant to incorporate land titling and ownership for women. The general perception is that women are weak and incompetent, and would be unable to manage and control lands even if they were granted ownership rights.<sup>50</sup> Related studies reveal that women often change their status at marriage and can transfer the family's heritage to the man they love or marry.<sup>51</sup> Thus

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<sup>45</sup> Sone 2012 *J Soc Dev Afr* 86.

<sup>46</sup> Sone 2012 *J Soc Dev Afr* 86-87.

<sup>47</sup> Sone 2012 *J Soc Dev Afr* 87-88.

<sup>48</sup> World Rainforest Women 2016 <http://wrm.org.uy/articles-from-the-wrm-bulletin/section1/women-and-property-in-cameroon-laws-and-reality/>.

<sup>49</sup> Anaya 2005 *Ariz J Int'l & Comp L* 7, 8.

<sup>50</sup> Asiimwe and Crankshaw 2011 *JLCR* 8-9.

<sup>51</sup> Sone 2012 *J Soc Dev Afr* 85.

they do not deserve legal entitlement to land.<sup>52</sup> To this effect, women can only have possession of land upon marriage or through what Sone and Fonjong, Sama-Lang and Fombe call *matrikins* and *patrikins*, which ultimately comes to an end when the marriage is terminated (usually upon divorce or the death of her husband).<sup>53</sup> Even though the village representatives effectively manage this pattern of customary norms without conflicts, it subjects women to men's authority.<sup>54</sup> In fact, customary law does not recognise women's right to land. Instead, traditional practices cause women to adopt an attitude of self-exclusion from tenure matters and to view land as a men's thing.<sup>55</sup> This practice has greatly discouraged indigenous women in particular from investing in land, even though they are considered the major drivers in ensuring sustainable development, food security and poverty alleviation in their communities.<sup>56</sup> It is against this backdrop that indigenous women are treated as mere peasants with no right to the ownership of land in their communities.

During the pre-colonial era indigenous women did not have rights to land, like their male counterparts. However, this generally did not have major implications for the women, as there was a vast amount of land that was communally owned.<sup>57</sup> The situation was exacerbated by colonialism. At this point, it is significant to provide a brief historical background of the colonial period relating to access and the right to land for indigenous peoples and women in particular.

Cameroon has the dubious distinction of being the only African state that underwent the tutelage of three European powers at different times.<sup>58</sup> It is beyond dispute that each European power, during its time in Cameroon shaped the political, legal and socio-economic development of the country to some extent, which negatively affected indigenous communities (in the areas under their administration). The German colonial rule lasted from 1884-1916.<sup>59</sup> During the period of the German annexation, *Kamerun* (as the Germans commonly referred to it) became a German colony.<sup>60</sup> Upon the

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<sup>52</sup> Sone 2012 *J Soc Dev Afr* 85.

<sup>53</sup> Sone *Concept of Equality and Access to Land in Cameroon* 81; Fonjong, Sama-Lang and Fombe 2010 *PGDT* 157.

<sup>54</sup> Sone 2012 *J Soc Dev Afr* 85-89.

<sup>55</sup> World Rainforest Women 2016 <http://wrm.org.uy/articles-from-the-wrm-bulletin/section1/women-and-property-in-cameroon-laws-and-reality/>.

<sup>56</sup> Fonjong 2016 *Africa Development* 55.

<sup>57</sup> Fonjong, Sama-Lang and Fombe 2010 *PGDT* 157.

<sup>58</sup> Njoh 2013 *IJURR* 750.

<sup>59</sup> Cameroon was later on placed under the mandate of the League of Nations and partitioned between France and Britain.

<sup>60</sup> Lekane and Asuelime 2016 *J Contemp Hist* 135.

discovery of some fertile areas for coffee production, the German colonial masters enacted the *Crown Land Act* of 1896.<sup>61</sup> The aim was to deprive the local chiefs of their positions as custodians of traditional lands by imposing the doctrine of "alien rule".<sup>62</sup> This permitted the German colonialist to own and control all unexploited land and transform the country into a German overseas territory.<sup>63</sup> The "herron loss" land policy instituted by the Germans considered all unoccupied land as lands without owners and assumed these lands as theirs.<sup>64</sup> This policy resulted in the gross disruption of indigenous communities. They were deprived of their ancestral lands, while indigenous administrations managed by local chiefs were destroyed.<sup>65</sup> The outcome of this was that the Germans acquired huge tracts of land, which indigenous peoples had preserved for their traditional rites and burial sites, and the customary notion of land tenure was outlawed, aggravating the situation of indigenous women having no right to access, own and control of land.<sup>66</sup>

The issue of land ownership was not different under the British<sup>67</sup> and French<sup>68</sup> administration. After the defeat of the Germans, the country was partitioned into two areas. The English-speaking part (British Northern Cameroons and British Southern Cameroons) was placed under the colonial auspices of Britain.<sup>69</sup> France assumed Trusteeship over the larger part of the territory as French Cameroun. The British administration adopted a system of indirect rule by importing the *Land and Native Rights Ordinance* of Northern Nigeria into Southern Cameroons in 1927.<sup>70</sup> In addition, the major Land Tenure Law (Ordinance 1 of 1927) assigned control of all native land to the British Governor. To this end, all native lands with the exception of estates registered and recognised by the British Governor were native lands, of which he was the sole custodian.<sup>71</sup> Thus, indigenous peoples were

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<sup>61</sup> Nguiffo, Kenfack and Mballa "Influence of Historical and Contemporary Land Laws" 3.

<sup>62</sup> Geschiere 1993 *Africa* 151-152; Lang and Astadji 2018 *GJAHSS* 2.

<sup>63</sup> Nguiffo, Kenfack and Mballa "Influence of Historical and Contemporary Land Laws" 3.

<sup>64</sup> Sone 2012 *J Soc Dev Afr* 85-86.

<sup>65</sup> Lekane and Asuelime 2016 *J Contemp Hist* 136.

<sup>66</sup> Sone 2012 *J Soc Dev Afr* 85-86; Lekane and Asuelime 2016 *J Contemp Hist* 136.

<sup>67</sup> The southern regions of Cameroon were administered by the British from 1914-1961 as an integral part of British Nigeria.

<sup>68</sup> The French, on the other hand, administered the French-speaking regions from 1916 to 1960, when the country finally gained its independence.

<sup>69</sup> Njoh *et al* 2017 *Women's Stud Int Forum* 2.

<sup>70</sup> Nfah-Abbenyi 2016 *Tydskrif vir Letterkunde* 6-7.

<sup>71</sup> Fonjong, Sama-Lang and Fon 2010 *PDGT* 159.

not only stripped off their customary rights but also became mere occupiers of their land at the mercy of the Governor.<sup>72</sup>

The French administration in Cameroon was like the British. The urge to accumulate huge tracts of land was a priority for their administrators. The aim was to transfer what they referred to as uninhabited land - a legal fiction known as "*terra nullius*" or "*terres vacantes et sans maître*" to the management and control of the French colonial authorities.<sup>73</sup> Although this was met with some resistance, little success was recorded on the part of the local indigenes. Indigenous peoples were given usage rights only to cultivate food crops. In essence, the shadows of these practices still haunt the post-colonial indigenous women in today's Cameroon.

The word *évolués* was used to classify indigenous peoples who had accepted and adopted the European way of life.<sup>74</sup> Using Fonjong, Sama-Lang and Fombe's words, "colonisation has tilted the gender balance in favour of the males",<sup>75</sup> most especially as the post-colonial government, inherited colonial policies and land grabbing has become the order of the day. This is why indigenous women are still grappling with the issue of the control and ownership of land. Customary practices have caused them to remain under the dependence of men. This practice incites petty conflicts in family circles.

#### **4 The legislative framework regulating land rights in Cameroon**

It may be observed that Cameroon's land tenure system is characterised by what scholars like Ossome term "good" modern law and "bad" tradition.<sup>76</sup> This is a reference to the enactment of land reforms and the application of existing customary laws that regulate land issues in the country. In other words, the land ownership system is anchored in a purely patriarchal setting in Cameroon. The debate concerning women's land rights has for decades remained an unresolved and contentious issue in many academic debates, despite the country's commitment to guaranteeing property rights and ensuring gender equality for everyone, including indigenous women.

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<sup>72</sup> Section 2 of the *Land and Native Rights Ordinance* 1 of 1927.

<sup>73</sup> Nguiffo, Kenfack and Mballa "Influence of Historical and Contemporary Land Laws" 3.

<sup>74</sup> Lekane and Asuelime 2016 *J Contemp Hist* 140.

<sup>75</sup> Fonjong, Sama-Lang and Fombe 2012 *Ethics and Social Welfare* 261.

<sup>76</sup> Ossome 2014 *Feminist Economics* 155.

The 1996 *Constitution* and the 1974 *Land Ordinance* in Cameroon are not gender-biased. Both laws enhance the right to property for citizens. For example, the Preamble to the 1996 *Constitution* stipulates that "the human person, without distinction as to race, religion, sex or belief, possesses inalienable and sacred rights."<sup>77</sup> A simple and clear interpretation of this provision means that the Constitution prohibits any and every form of discrimination based on gender deterring people from enjoying their rights. As a matter of emphasis, the Constitution further provides that

[o]wnership 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.<sup>78</sup>

A thorough reading of this provision implies that all people in the country (indigenous women inclusive) have exclusive rights not only to access and use but also to exercise absolute right of ownership over property, including land. Interestingly, the *Constitution* has expressly stated that "the State shall ensure the protection of minorities and shall preserve the rights of indigenous populations in accordance with the law."<sup>79</sup> By implication, there is no legal justification as to why indigenous women should be denied the right to own and control land based on customary beliefs.<sup>80</sup> Since land symbolises economic and political power, granting indigenous women the right of ownership would help empower and enable them be active drivers in all development processes and would encourage them to improve their productivity.<sup>81</sup> A more effective measure will be allowing indigenous women to participate in government and be part of the decision-making process, especially on matters regarding land reform.

In addition, Cameroon has affirmed its attachment to ensuring equality in rights by invoking the fundamental principles enshrined in the *Universal Declaration of Human Rights*,<sup>82</sup> the *Charter of the United Nations* and the *African Charter on Human and Peoples' Rights*,<sup>83</sup> including all duly ratified

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<sup>77</sup> See para 4 of the Preamble to the *Constitution of the Republic of Cameroon*, 1996 to amend the *Constitution of 2 June 1972 as amended in 2008*.

<sup>78</sup> See para 5(19) of the Preamble to the *Constitution of the Republic of Cameroon*, 1996 to amend the *Constitution of 2 June 1972 as amended in 2008*.

<sup>79</sup> Para 5(2) of the Preamble to the *Constitution of the Republic of Cameroon*, 1996 to amend the *Constitution of 2 June 1972 as amended in 2008*.

<sup>80</sup> Fonjong, Sama-Lang and Fombe 2012 *Ethics and Social Welfare* 263.

<sup>81</sup> Fombe *et al* 2013 *Ethics and Economics* 76.

<sup>82</sup> *Universal Declaration on Human Rights* (1948) (UDHR) 71.

<sup>83</sup> *African Charter on Human and Peoples' Rights* (1981) (Banjul Charter).

international conventions related to these instruments.<sup>84</sup> In principle, international law is law and self-executing in Cameroon. For instance, Article 45 of the 1996 *Constitution* states that

... duly approved or ratified treaties and international agreements shall, following their publication, override national laws, provided the other party implements the said treaty or agreement.<sup>85</sup>

Based on the content of this constitutional provision, the application of any international instrument in Cameroon is automatic.<sup>86</sup>

Article 17 of the UDHR guarantees everyone's right to property and call on states to refrain from practices and policies that deprive anyone, indigenous peoples and women included, from enjoying this right. In a similar vein, Articles 18(3), 19 and 21 of the *African Charter on Human and Peoples Rights* emphasise the need to refrain from all forms of discrimination against anyone and the right to freely dispose of one's property. Articles 2(f)(g), 5(a) and 16(h) of the *Convention for the Elimination of all Forms of Discrimination Against Women*<sup>87</sup> crowns it all by calling on states to eradicate customs and practices that violate women's rights. It also imposes an obligation on state parties to adopt effective and appropriate measures to ensure that all women exercise the right of ownership, acquisition, administration and disposition of property indiscriminately. Even though the above provisions do not specifically refer to indigenous women, the wording "everyone" or "all people" can be interpreted to include indigenous women. It has been argued that these provisions serve as a vital step towards securing the right to land of indigenous women.<sup>88</sup> Related studies reveal that building on CEDAW, indigenous women anticipate finding a connection between international human rights instruments promoting their rights, and local values and practices that improve their rights, most especially their rights to land.<sup>89</sup>

Moreover, the rights of indigenous women to property are also echoed in the *International Covenant on Civil and Political Rights*;<sup>90</sup> the *International*

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<sup>84</sup> See para 5 of the *Constitution of the Republic of Cameroon*, 1996 to amend the *Constitution of 2 June 1972 as amended in 2008*.

<sup>85</sup> Article 45 of the *Constitution of the Republic of Cameroon*, 1996 to amend the *Constitution of 2 June 1972 as amended in 2008*.

<sup>86</sup> Njieassam *Analysis of Legislative and Institutional Frameworks* 106.

<sup>87</sup> *Convention on the Elimination of all Forms of Discrimination against Women* (1979) (CEDAW).

<sup>88</sup> UN 2010 [http://www.un.org/esa/socdev/unpfii/documents/BriefingNote6\\_GREY.pdf](http://www.un.org/esa/socdev/unpfii/documents/BriefingNote6_GREY.pdf).

<sup>89</sup> UN 2010 [http://www.un.org/esa/socdev/unpfii/documents/BriefingNote6\\_GREY.pdf](http://www.un.org/esa/socdev/unpfii/documents/BriefingNote6_GREY.pdf).

<sup>90</sup> Articles 1, 2, 3, 26 and 27 of the *International Covenant on Civil and Political Rights* (1966) (ICCPR).

*Covenant on Economic, Social and Cultural Rights*;<sup>91</sup> and the UNDRIP. These international instruments specifically deal with the protection of the rights of indigenous peoples.<sup>92</sup> All of the above international instruments have provisions that enhance indigenous women's property rights, bearing in mind gender issues and the principle of non-discrimination. Article 2 of the UNDRIP stipulates that:

[i]ndigenous peoples and individuals are free and equal to other peoples and individuals and have the right to be free from any kind of discrimination, in the exercise of their rights, in particular that based on their indigenous origin and identity.

Although the UNDRIP has a non-binding status, all three international instruments impose an obligation on state parties to enact legislative and other measures that would help promote indigenous women's rights to land ownership and control.

Additionally, as mentioned earlier, the 1974 *Land Ordinance* is gender neutral. The laws encourage private property rights but recommend that these lands be titled and registered.<sup>93</sup> The provision that insists on land registration as proof of land ownership poses significant challenges to indigenous peoples and women, who do not have any legal documentation to show proof of their entitlement to land. In essence, the customary practices in these settings are what Mafa *et al* call "gender blind",<sup>94</sup> although Ndi and Batterbury argue that they are a trick to exert persistent male dominance over women.<sup>95</sup> Allanana feels that they are a strategic way of exerting political and economic power over women to ensure that they remain subordinate in relation to property rights.<sup>96</sup>

From this analysis, it is clear that despite constitutional promises of equality in property rights, indigenous women's interests, in particular, are not considered, despite their significant contribution to the social well-being of their families and communities. It is acknowledged that indigenous women's rights to land ownership are violated and insecure under the overlapping provision of section 16 of the 1974 *Land Ordinance* and customary law.<sup>97</sup> It is observed that existing land tenure systems, whether customary systems

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<sup>91</sup> Articles 1 and 5 of the *International Covenant on Economic Social and Cultural Rights* (1966) (ICESCR).

<sup>92</sup> See Arts 1, 2, 17(3), 18, 22 and 25 of the UNDRIP.

<sup>93</sup> Pemunta 2017 *AJESD* 70.

<sup>94</sup> Mafa *et al* "Gender and Land Politics in Zimbabwe" 109-110.

<sup>95</sup> Ndi and Batterbury 2017 *Africa Spectrum* 37.

<sup>96</sup> Allanana 2013 *ESJ* 117.

<sup>97</sup> Polavarapu 2013 *Ga J Int'l & Comp L* 93-131.

of regulation (in law or administration) or statutory formal systems, are rooted in unequal and discriminatory power structures and procedures.<sup>98</sup> This pattern usually has great repercussions for local food security, given the high level of (indigenous women's) dependence on land for production in their communities.<sup>99</sup> To indigenous women land is a symbol of spiritual, social and cultural identity, economic welfare, well-being and values. If their rights to land were given priority, this would guarantee their active role in government and in decision-making processes.<sup>100</sup>

## **5 Gender inequality and its effects on indigenous women's right to land in Cameroon**

The question of gender inequality is of serious concern in most African societies, including Cameroon, especially as women's activities are severally narrowed in an informal and non-wage economy.<sup>101</sup> Given that their activities are basically aimed at survival, the women involved in this domain do not have access to land.<sup>102</sup> The basis for this argument is rooted in the way society has constructed different roles for women and girls, and men and boys. The inbuilt societal structures of domination seek to ensure that women remain permanently subordinated to men, as wives, daughters, sisters or widows.<sup>103</sup> This renders women helpless, with little or no option to make decisions regarding their socio-economic development.

Social norms relating to gender represent society's most profound grasp of what it entails to be a "real" woman and a "real" man.<sup>104</sup> The practices that arise from these assumptions are exacerbated in indigenous communities. The situation for indigenous women is particularly dire, as they experience especial discrimination due to their age-old history of marginalisation/suppression, including traditional discriminatory practices.<sup>105</sup> Studies indicate that the triple discrimination faced by indigenous women stems from their ethnicity, gender and class.<sup>106</sup> Building on the above, the principle of the indivisibility of rights negates their potential to fully exercise their human rights, especially those related to land

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<sup>98</sup> Sone 2012 *J Soc Dev Afr* 87.

<sup>99</sup> Vermeulen and Cotula 2010 *J Peasant Stud* 905.

<sup>100</sup> Verma 2014 *Feminist Economics* 52-60

<sup>101</sup> Verma 2014 *Feminist Economics* 52-60.

<sup>102</sup> Anunobi 2002 *ASSR* 12.

<sup>103</sup> Fonjong, Sama-Lang and Fombe 2012 *Ethics and Social Welfare* 261.

<sup>104</sup> Petesch 2012 *Ethics and Social Welfare* 234.

<sup>105</sup> Badger 2011 *Am U Int'l L Rev* 489.

<sup>106</sup> Sieder and Sierra *Indigenous Women's Access to Justice* 36.

ownership, when the collective rights of their people are violated.<sup>107</sup> In effect, indigenous women's ability to exercise their fundamental socio-economic, cultural and political rights including their right to access and control land as articulated in international instruments is intricately linked to the right to self-determination in their territories.<sup>108</sup> To this end, their inability to participate in public life and decision-making processes constrains them from accessing their land rights in Cameroon. This renders the possibility of achieving gender equality in Cameroon a pipedream.

The literature on women and land in sub-Saharan Africa dismisses prospects of women owning and controlling land through lineage or inheritance.<sup>109</sup> It is estimated that over 90% of the population and particularly 80-85% of the women depend on land for their livelihood, as it is the only resource that provides direct benefits for peasants in urban and rural areas.<sup>110</sup> Land is thus a vital asset in enhancing the country's gross domestic product and improving living conditions for local and indigenous communities.<sup>111</sup> The significance of land to human existence implies that the refusal to grant indigenous women land rights undermines efforts to promote gender equality in a predominantly patriarchal society, as is Cameroon. This exclusion prevents them from enjoying their socio-economic and political rights essential to attaining full membership of society and partaking in decisions regarding property rights as well as executing other duties in the community.<sup>112</sup> It is submitted that the negation of indigenous women's right to land is an act of violence perpetrated against them, limits their ability to participate in the political sphere, and is an obstacle to making their voices heard at the domestic, local and national levels. Ndahinda expresses the opinion that the above practice impedes any progress towards the protection of indigenous peoples' rights in general.<sup>113</sup>

Foreign investors who acquire land for the extraction of natural resources, which the government terms economic development, exacerbate the situation regarding land rights in Cameroon.<sup>114</sup> Moreda thinks that the

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<sup>107</sup> UN 2010 [http://www.un.org/esa/socdev/unpfii/documents/BriefingNote6\\_GREY.pdf](http://www.un.org/esa/socdev/unpfii/documents/BriefingNote6_GREY.pdf).

<sup>108</sup> UN 2010 [http://www.un.org/esa/socdev/unpfii/documents/BriefingNote6\\_GREY.pdf](http://www.un.org/esa/socdev/unpfii/documents/BriefingNote6_GREY.pdf).

<sup>109</sup> Fombe *et al* 2013 *Ethics and Economics* 75.

<sup>110</sup> Fombe *et al* 2013 *Ethics and Economics* 74; Abbia *et al* 2016 *IJRAFS* 4-6.

<sup>111</sup> Kameri-Mbote date unknown <http://erepository.uonbi.ac.ke/bitstream/handle/11295/41243/Fulltext?sequence=1>.

<sup>112</sup> Kameri-Mbote date unknown <http://erepository.uonbi.ac.ke/bitstream/handle/11295/41243/Fulltext?sequence=1>.

<sup>113</sup> See generally Ndahinda *Indigenusness in Africa*.

<sup>114</sup> Fombe *et al* 2013 *Ethics and Economics* 74-75.

growing interest in land resources has instigated competition amongst different sectors over the same resource, depriving indigenous women of the ability to access their traditional source of survival.<sup>115</sup> Whitehead and Tsikata share the same view, stating that this has resulted in a historical shift from Cameroon's being a land of abundance to an acute scarcity of land, an alteration that has created stark gender inequality among the indigenous communities in Cameroon.<sup>116</sup> Thus, the creation in 2014 of the Ngoyla-Mintom nature reserve in a forest used by Baka women for food production resulted in their eviction and prevention from entering and accessing the area they used for food cultivation,<sup>117</sup> this preventing them from continuing with their traditional and income-generating activities. This has contributed to food insecurity, further rural poverty, hunger and unemployment. Their inability to access the resource from which they would reap direct revenues to sustain their households has alienated them from their identity and society. According to Barume, failure by the post-colonial government to consider indigenous peoples' occupation of the land poses an obstacle for indigenous women's right to land in Cameroon.<sup>118</sup>

## **6 The challenges to indigenous women's ability to own and control land**

Land is the basis of indigenous cultures, economies, spiritual practices and political systems, as well as a primary source of food production for indigenous women. It is also a traditional stronghold within which all family and developmental issues regarding the community originate.<sup>119</sup> Therefore, land is a vital asset for indigenous women's cultural development and well-being. Unfortunately, there has been insecurity of land tenure for indigenous women in Cameroon, as access to, control over and ownership of this resource remain a male privilege. These embedded societal structures have negatively affected indigenous women's ability to contribute to the development of their community. The following section of this article examines the challenges encountered by indigenous women in accessing and controlling land.

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<sup>115</sup> Moreda 2017 *Third World Q* 698, 699.

<sup>116</sup> Whitehead and Tsikata 2003 *J Agrar Change* 67, 68.

<sup>117</sup> UN 2018 <https://www.culturalsurvival.org/sites/default/files/UPR-report-Cameroon-2017.pdf> 5.

<sup>118</sup> Barume *Land Rights of Indigenous Peoples* 38.

<sup>119</sup> Ngwa "Introduction to Land and Rural Women in Cameroon" 3-8.

## 6.1 *Lack of proper recognition*

The greatest challenge indigenous peoples' face worldwide is the lack of their adequate recognition by national governments. This is compounded by the lack of a universally accepted definition and a refusal by African states to acknowledge the existence of this group of people on their continent.<sup>120</sup> Most African governments maintain that the term is linked with a "pre-modern lifestyle".<sup>121</sup> Based on this argument, it is obvious that the government of Cameroon has not taken a keen interest in providing constitutional recognition to its indigenous population, even though mention is made of it in the Preamble to the *Constitution*. Pelican argues that the absence of clarity as to the nature of the right and which group represents indigenous peoples in Cameroon is a major hindrance to granting them the special recognition and protection they deserve.<sup>122</sup> No specific legislation in the country addresses indigenous peoples' issues. The lack of proper recognition has seriously limited indigenous women's ability to own and control land, even though their entire existence depends on it. Recent studies have identified two major challenges to indigenous peoples' constitutional recognition in their various states. Firstly, there is the fact that their societies have been completely "forgotten", and secondly is the fact that their core issues are kept in a "vacuum".<sup>123</sup>

It can be argued that involving indigenous women in politics would enable them to challenge decisions that are detrimental to their well-being, including their right to own and control land. Considering that land is a socio-economic resource, granting indigenous women access to and control over land would empower them and enhance their level of economic productivity. As Rwegasira posits, land is a human right that encompasses all facets of life at all levels of human society.<sup>124</sup> The significance of land to human survival and livelihoods is that those who own and control land indirectly control the lives of others.<sup>125</sup> Indigenous women, in particular, are constantly in a state of dependence on men. It is essential that land reforms be redirected to address indigenous women's needs, such as to elevate their status, improve their skills and empower them to live independently. As Njoh

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<sup>120</sup> Pelican and Maruyama 2015 *Afr Stud Monogr* 49.

<sup>121</sup> Viljoen "Reflections on the Legal Protection of Indigenous People's Rights in Africa" 75, 82.

<sup>122</sup> Pelican 2013 *Anthropol Today* 13-14.

<sup>123</sup> African Development Bank Group 2016 [https://www.afdb.org/fileadmin/uploads/afdb/Documents/Publications/Development\\_and\\_Indigenous\\_Peoples\\_in\\_Africa\\_\\_En\\_-\\_v3\\_.pdf](https://www.afdb.org/fileadmin/uploads/afdb/Documents/Publications/Development_and_Indigenous_Peoples_in_Africa__En_-_v3_.pdf).

<sup>124</sup> Rwegasira *Land as a Human Right* xviii.

<sup>125</sup> Rwegasira *Land as Human Right* xviii.

and Ananga have stated, enhancing women's economic proficiency might eliminate gender-based discrimination and improve their development outcomes.<sup>126</sup> In effect, indigenous women would be actively represented in government and take part in decision-making processes, especially those that might have a negative impact on their livelihoods. Their inability to own land renders them under-developed and relegates them to a destitute position. As some scholars rightly suggest that women's access to and right to land will greatly improve their economic power, as they could use land as security to secure loans that would help them to improve their lifestyle, and develop them and their communities.<sup>127</sup>

## 6.2 Poverty

It is a shared premise that indigenous peoples globally suffer from pervasive forms of injustices and have remained the subjects of pervasive discrimination, inequality and genocide.<sup>128</sup> Studies reveal that these discriminatory practices account for the fact that indigenous peoples live below the poverty line and are described as the poorest of the poor in the societies where they reside.<sup>129</sup> In Cameroon, the Pygmies and Mbororo pastoralist communities are amongst the poorest of the poor, especially as their right to land and natural resources is often violated.<sup>130</sup>

If indigenous peoples in general are struggling to gain access to and control over traditionally owned lands, one can only imagine the situation of indigenous women. Graham and Wiessner see this as the reason why indigenous peoples and most especially women frequently experience a wide range of serious human rights violations such as inequality, political marginalisation, social exclusion and poverty.<sup>131</sup> The unpalatable consequences of these practice is the impoverishment suffered by indigenous women, particularly with the existence of the double system of statutory law and indigenous customary law, which permits men to constantly manipulate the system to their advantage.<sup>132</sup> The general presumption is that indigenous women lack the capacity to manage their

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<sup>126</sup> Njoh and Ananga 2016 *Soc Indic Res* 91.

<sup>127</sup> Sone 2012 *J Soc Dev Afr*; Fonjong, Sama-Lang and Fombe 2012 *Ethics and Social Welfare* 261.

<sup>128</sup> Money 2006/2007 *Am Indian L Rev* 553.

<sup>129</sup> Swing, Davidov and Schwartz 2012 *J Dev Soc* 257.

<sup>130</sup> *UN Human Rights Council Report of the Independent Expert on minority issues, Addendum: Mission to Cameroon (2-11 September 2013)* UN Doc A/HRC/25/56/Add.1 (2014).

<sup>131</sup> Graham and Wiessner 2011 SAQ 403.

<sup>132</sup> Kameri-Mbote "I Want It and I Want It Now" 5-6.

own affairs even if they are granted access to and control over land. Their husbands, brothers or male family representatives will eventually manage the land. This perception has placed indigenous women in a peripheral position of acute poverty, as they have to depend solely on men for everything.

Additionally, the increasing need for resources to meet economic growth has increased the pressure on indigenous peoples' lands to the extent that indigenous women are running out of options for food security in the community.<sup>133</sup> The persistent acquisition of vast amounts of land by foreign firms renders indigenous women helpless, causing a sharp decline in their living standards and trapping them in poverty with no access to the only means of their subsistence like food, fuel-wood and water.<sup>134</sup> Ossome contends that a lack of critical information about their civic and political rights renders them even more vulnerable to manipulation and dispossession, especially as land deals are often justified on the basis of peoples' immediate needs.<sup>135</sup> Land that is used for food production is usually viewed in the patriarchal Cameroonian society as not being properly developed. Thus, there is always a tendency to lose these lands to developmental projects initiated by government and other extractive companies. It is observed that the loss of ancestral lands is key to the systemic marginalisation and poor conditions indigenous women encounter every day.<sup>136</sup>

### **6.3 Marginalisation**

Marginalisation is a common phrase used to describe the position of indigenous peoples. They are always victims of several human rights violations including social, economic, cultural and political marginalisation. Indigenous women in Cameroon who experience double discrimination in all spheres of life feel this marginalisation more. Their vulnerable status exposes them to gross human rights violations such as rape, prostitution, lack of inheritance rights, which is attributed to their high level of illiteracy, ignorance of their civic and political rights, and extreme poverty. This status, coupled with the way society perceives them, hinders them from owning and controlling land. For instance, Mbororo women are strictly viewed as objects, only good enough to be child bearers, housekeepers and providers of food for the family. They are not entitled to own land or to be consulted

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<sup>133</sup> Fonjong 2016 *Africa Development* 50-54.

<sup>134</sup> Fonjong 2016 *Africa Development* 50.

<sup>135</sup> Ossome 2014 *Feminist Economics* 164.

<sup>136</sup> Wachira "Indigenous Peoples' Rights to Land and Natural Resources" 299.

on issues relating to land.<sup>137</sup> The society is strictly male-dominated in such a way that women do not have a say in any decisions concerning them and the family. Their defined gender roles, early and forced marriages and frequent childbirths, where boys are favoured over girls, result in their lower participation rates in school and higher drop-out rates than boys.<sup>138</sup>

## 7 Conclusion

In Cameroon indigenous women are often more marginalised than non-indigenous women. Although there are no reliable statistical data to back up this argument, it is observed that indigenous women record high incidences of rape, maternal and mortality rates, gender-based violence, preventable and communicable diseases, and illiteracy, and have limited rights to inheritance and property.<sup>139</sup> Anunobi believes that despite women's significant role in development and food production, their status in most African societies does not reflect the sacrifices they make.<sup>140</sup> For indigenous women, whose livelihoods and survival are tied to land, and who make invaluable contributions to their society in terms of food security and alleviating poverty, little effort has been made to address the situation. Customary norms perpetrating gender inequality have aggravated the situation of indigenous women in Cameroon. It is therefore essential for government policies to be responsive to the needs of indigenous women and to ensure their active engagement in decision-making processes, especially those relating to land rights. There is also a need to revisit land legislation in Cameroon to ensure that the provisions do not prevent women from accessing and controlling land. Most importantly, an inclusive system of government where indigenous women are active participants is highly recommended in Cameroon.

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<sup>137</sup> Unstructured interview with a few Mbororo students attending the University of Yaoundé II during a field trip on the 10 of February 2016 in Yaoundé, Cameroon.

<sup>138</sup> See data collected in 2011 by the Cameroon Indigenous Women's Forum. The rate of illiteracy among Mbororo Fulani pastoralist women is around 98%; Boubou 2012 [http://www.ohchr.org/Documents/Issues/IPeoples/IFP/Aeisatu\\_Bouba\\_December\\_2012.pdf](http://www.ohchr.org/Documents/Issues/IPeoples/IFP/Aeisatu_Bouba_December_2012.pdf).

<sup>139</sup> UN 2010 [http://www.un.org/esa/socdev/unpfii/documents/BriefingNote6\\_GREY.pdf](http://www.un.org/esa/socdev/unpfii/documents/BriefingNote6_GREY.pdf).

<sup>140</sup> Anunobi 2002 ASSR 1.

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### List of Abbreviations

ACHPR	African Commission on Human and Peoples' Rights
Afr Stud Monogr	African Study Monographs
AJESD	African Journal Economic and Sustainable Development
Am Indian L Rev	American Indian Law Review
Am U Int'l L Rev	American University International Law Review
Anthropol Today	Anthropology Today
Ariz J Int'l & Comp L	Arizona Journal of International and Comparative Law
ASSR	African Social Science Review
BC Third World LJ	Boston College Third World Law Journal
CED	Centre pour l'Environnement et le Développement
CEDAW	Convention on the Elimination of all Forms of Discrimination against Women
ESJ	European Scientific Journal
FPP	Forest Peoples Programme
Ga J Int'l & Comp L	Georgia Journal of International and Comparative Law
GJAHSS	Global Journal of Arts, Humanities and Social Sciences
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICLQ	International and Comparative Law Quarterly
IFAD	International Fund for Agricultural Development

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IJRAFS	International Journal of Research in Agriculture and Food Science
IJURR	International Journal of Urban and Regional Research
ILO	International Labour Organisation
Ind J Global Legal Studies	Indiana Journal of Global Legal Studies
J Agrar Change	Journal of Agrarian Change
J Contemp Hist	Journal of Contemporary History
J Dev Soc	Journal of Developing Societies
J Hum Ecol	Journal of Human Ecology
J Peasant Stud	Journal of Peasant Studies
J Soc Dev Afr	Journal of Social Development in Africa
JLCR	Journal of Law and Conflict Resolution
JMAS	Journal of Modern African Studies
PGDT	Perspectives on Global Development and Technology
RACOPY	Réseau Recherches Actions Concertées Pygmées
SAQ	South Atlantic Quarterly
Soc Indic Res	Social Indicators Research
Third World Q	Third World Quarterly
Tul Env'tl LJ	Tulane Environmental Law Journal
UDHR	Universal Declaration on Human Rights
UN	United Nations
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples
WIPO	World Intellectual Property Organisation
Women's Stud Int Forum	Women's Studies International Forum