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Cameroon: Chieftaincy, specifically in the village of Bonabakata in Douala; the process of naming a successor to the traditional chief; the consequences of refusing to become chief; and the availability of state protection, if any (June 2005)
Research Directorate, Immigration and Refugee Board, Ottawa

According to Alexandra Loumpet-Galitzine from the Université de Yaoundé I, many chieftaincies exist in Cameroon (n.d.). Chieftaincies refer to [translation] "formerly autonomous entities, of varying size and importance, which support the ways of the pre-colonial micro-states," and which play [translation] "a crucial role in cultural and political life" (Loumpet-Galitzine n.d.). Chieftaincies are ruled by a traditional chief, a [translation] "symbolic figure" who, depending on the region, is given a title such as Fo, Mfo, Lamido, Mey or, sometimes in Muslim chieftaincies, sultan (ibid.). The chief [translation] "has both political and spiritual duties" (ibid.).

In correspondence sent to the Research Directorate on 31 May 2005, a professor and researcher in the Public Law Department of the Université de Cotonou in Benin, who also authored a study on chieftaincies in Cameroon, stated that in terms of politics, the current regime in Cameroon needs traditional chiefs who [translation] "are subject to its authority," adding that once appointed, traditional chiefs [translation] "automatically become members of the party in power-the Cameroon People's Democratic Movement (CPDM)," in keeping with that party's charter.

Appointing a traditional chief

In an article on the legal ambiguity and drift associated with traditional chieftaincy in Cameroon, Charles Nach Mback referred to Decree No. 77/245 of 25 July 1977 on the organization of traditional chieftaincies in Cameroon (*Africa Development* 2000, 78, 80), stating the following:

[Translation]

In the hierarchy, the traditional chief is directly below the state representative in his electoral district. The traditional chief's means of appointment, responsibilities, financial status, and disciplinary approach make him an agent of the state (ibid., 88).

...

The administration's authority to appoint traditional chiefs is offset by a preliminary process that ensures the local community's participation in naming its own chief. That process involves a number of steps, designed to ensure the candidate's anthropological legitimacy and to guarantee his recognition and roots in his community (ibid., 94).

Regarding the appointment process for a traditional chief, the 1977 decree specifically states that [translation] "in principle, traditional chiefs are chosen from families that are customarily called upon to carry out the traditional leadership role" (ibid., 95). The decree defines family as [translation] "a group of people sharing the same bloodline and lineage, from the same father and mother or just the father" (ibid., 96). The candidate for the traditional chieftaincy must have [translation] "a minimum of intellectual capacity" and must also [translation] "if at all possible, be able to read and write"; he must also provide a certificate from a public doctor attesting that the candidate is in good health (ibid., 97). The appropriate administrative authority selects the new chief from the candidates who meet those criteria (ibid.).

The process for appointing a traditional chief is set out in sections 10 and 11 of the 1977 decree and is described as follows:

[Translation]

The appropriate administrative authority undertakes "the necessary consultations to appoint a new chief." The authority must consult the "appropriate customary public figures." Those consultations take place during meetings called by either the prefect or the subprefect. In the consultations, the various candidates are reviewed, and the new chief is chosen. The administrative authority in charge draws up the minutes and sends them, along with a complete file on the candidate, to the central authorities. That file contains a police clearance, a copy of the candidate's birth certificate, a medical certificate and, as required, a copy of the certificate confirming the vacancy at the head of the chieftaincy (death certificate, medical report on disability or disqualification, letter of resignation or decision to dismiss the predecessor). The appropriate administrative authority has only to ratify the selection. Although the public figures are consulted, their views are not necessarily taken into account. The administrative authority may supersede the local decision and appoint a candidate who is believed to serve the authority's interests (*Africa Development* 2000, 97-98).

According to the study published in *Africa Development*, [translation] "the political commitments of the candidates are influential in ascending to or occupying the throne" (ibid., 98).

In his 31 May 2005 correspondence, mentioned earlier, the professor and researcher in the Public Law Department of the Université de Cotonou stated that, legally, passing the title of traditional chief from father to son [translation] "is not automatic, in principle." He explained that there are always preliminary consultations, but that in reality-except in rare cases where [translation] "the son is truly incompetent"-the son always succeeds his father at the head of the chieftaincy (professor 31 May 2005).

Consequences of refusing the title of traditional chief and state protection available

According to the professor and researcher in the Public Law Department at the Université de Cotonou, refusing to accept the status of traditional chief may be interpreted as a [translation] "refusal to cooperate with the party in power," and even worse, the person concerned may be suspected of [translation] "sympathizing with the opposition" (31 May 2005). The professor and researcher provided the following information:

[Translation]

You could be subject to all sorts of pressure and threats, and if you persist, there is no telling what could happen to you in a country where the courts are not free to uphold the law. Even in your own circles, the authorities have ways to turn your loved ones against you, . . . to interfere with your family, and so on.

There have been cases where a candidate has been set up in a situation where his only way to avoid imprisonment was to negotiate a release by agreeing to become the traditional chief. However, the scope of the problem varies between regions. It is more serious in the West, Northwest, Southwest, North and Far North provinces, where chieftaincy plays a major role in controlling the people and their votes come election time, than it is in the rest of the country. There is still no rule of law, anyway, and you cannot prove anything. And before which judge? (31 May 2005).

Regarding the legal system, Roger Gabriel Nlep, associate of the French faculty of law and vice-rector of the Université de Douala (Cameroon), said in 2002, in an article on access to public law in Cameroon, that settling disputes on the appointment of the traditional chief is not a matter for the judicial authorities (14 Jan. 2002). Article 1 of Act No. 79/17 of 30 June 1979 states that [translation] "notwithstanding Article 9 of Order No. 72/06 of 26 August 1972 . . . disputes regarding the appointment of the traditional chiefs are brought before the authority with the appointing power, which rules without appeal" (Nlep 14 Jan. 2002; *Africa Development* 2000, 90). Also, Act No. 80/31 of 27 November 1980 [translation] "divests jurisdiction of matters related to disputes regarding the appointment of the traditional chiefs" (Nlep 14 Jan. 2002; *Africa Development* 2000, 91).

No specific information on the chieftaincy in the village of Bonabakata could be found among the sources consulted by the Research Directorate.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

References

Africa Development. 2000. Vol. XXV, Nos. 3 and 4. Charles Nach Mback. "La chefferie traditionnelle au Cameroun : ambiguïtés juridiques et dérives politiques." <http://www.codesria.org/Links/Publications/ad3_2000/Mback.pdf> [Accessed 26 May 2005]

Loumpet-Galitzine, Alexandra. n.d. "Chefferies et royaumes au Cameroun."

<<http://www.ambafrance-cm.org/html/camero/histor/cheff.htm>> [Accessed 16 May 2005]

Nlep, Roger Gabriel. 14 January 2002. "Cameroun : l'accès aux juridictions camerounaises de droit public."
<<http://www.accpuf.org/themes/cameroun1.htm>> [Accessed 27 May 2005]

Professor and researcher, Public Law Department, Université de Cotonou. 31 May 2005. Correspondence.

Additional Sources Consulted

Internet sites, including : AllAfrica, Amnesty International, European Country of Origin Information Network (ECOI), Government of Cameroon, High Commission for the Republic of Cameroon in Canada, International Crisis Group (ICG), United Nations High Commissioner for Refugees (UNHCR), United States Department of State.

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